

**MINUTES  
TOWN OF JUPITER ISLAND  
BOARD OF ADJUSTMENT MEETING  
THURSDAY, MAY 30, 2024**

**TIME:** Thursday, May 30, 2024 – 9:00 AM  
**PLACE:** Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL  
**PRESENT:** Present were Chair Marjorie Gadarian Graham, Members Hugh O'Kane, Jody Dines, Nancy Auth. Also present were Town Attorney Thomas Baird, Senior Planner Ruben Cruz, Director of Building Catherine Harding and IT Director Bill Sutton.

**CALL TO ORDER AND ROLL CALL**

Chair Marjorie Graham called the meeting to order at 9:00 a.m. She introduced the Board members and clarified all were voting members. She determined there was a quorum present.

All those intending to speak were sworn in.

**1. Mintues of the meetings of April 25, 2024**

Approval of the April 25, 2024, Board of Adjustment Minutes.

***MOTION: O’Kane/Auth moved to approve the minutes of the April 25, 2024, Board of Adjustment meeting.***

***ACTION: The motion passed 4-0.***

**2. 89 South Beach Road**

This is the application of AGTC JI Properties, LLC, represented by Jared Gaylord, Esq. of Marc R. Gaylord, P.A.

**Ex-Parte Communication:**

- Chair Graham stated she had met with Senior Planner Cruz.
- Member Auth stated she visited the property with Senior Planner Cruz and had no ex-parte communication.
- Member O’Kane stated he had seen the property and had no ex-parte communication.
- Member Dines stated she had met with Senior Planner Cruz.

Senior Planner Cruz introduced the application and provided background. He stated the application will also be presented to the BOA, as the proposed plans reviewed by staff indicate a total placement of 4.5 feet of fill. As required by the application, the applicant has provided responses to Article X, Division III, Section 3.00 (A-D) and Article X, Division III, Section 3.02 (A-E). The applicant has indicated in their application as to why they are making the request, along with detailed justification. He noted that this application was submitted and in process prior to the recent adoption of Ordinance No. 393 and had received a waiver from the Town Commission permitting them to proceed with their applications for Staff Review, presentations to the Board of Adjustment, and Impact Review Committee.

Attorney Jared Gaylord greeted the Board and introduced the project team that included Val Hawkins, Charles Stick, and Chad Gruber. Mr. Gaylord provided aerial photographs, current site photographs, existing streetscapes, and neighboring streetscape. He displayed the property survey, reviewed the site plan of the proposed home, and clarified the location of the proposed 4.5 feet of fill.

He briefly summarized the site data, initial measuring point (IMP) of neighbors, and emphasized the fill was not being used to raise the structure. Attorney Gaylord reviewed the floor plans, elevations, guest house plans, and guest house elevations.

Mr. Charles Stick reviewed the landscape plans, emphasizing the property owner's preference to minimize the number of steps, and intent to create a significant buffer on the north edge of the pool.

Member Dines raised a question regarding the possibility of achieving the two-tiered buffering location without excessive fill. Attorney Gaylord clarified that due to sloping elevations, this would result in either a steep gradient or necessitate the installation of steps. Mr. Val Hawkins added that efforts were made to elevate the pool terrace reasonably, aiming to minimize the number of steps required.

Chair Graham asked about the staff recommendations. Senior Planner Cruz outlined the following conditions:

- Applicant will have to obtain a Florida Department of Environmental Protection (DEP) permit.
- Silt screen shall be installed along the side yard area and rear yard area facing the ocean.
  
- Additional comments may follow anytime during the review process (i.e., Building Permit, etc.).

Attorney Gaylord confirmed the applicant agreed to all conditions.

Member Auth acknowledged the importance of accessibility but expressed a preference to avoid similar fill requirements in the future.

Public Comment:

There was no public comment.

**MOTION:**    *O’Kane/Dines moved to approve the application, with staff’s recommendation.*

**ACTION:**    *The motion passed 4-0.*

**3.    Next Meeting - June 27, 2024**

The Board discussed their availability and Chair Graham noted it appeared they would not have quorum. Senior Planner Cruz stated that staff would continue to reach out to determine availability.

**4.    Other Items**

No other items were discussed.

The meeting was adjourned at 9:44 a.m.

Respectfully submitted,

Respectfully Submitted,

Kimberly Kogos, Town Clerk