

**MINUTES
TOWN OF JUPITER ISLAND
BOARD OF ADJUSTMENT MEETING
TUESDAY, JUNE 25, 2024**

TIME: Tuesday, June 25, 2024 – 9:00 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present in person were Chair Marjorie Graham, Vice Chair Mark Newman, Members Nancy Auth, Jodi Dines, Hugh O'Kane, and Alternate Members E.B. Smith and Stephanie Flinn. Also present were Building Department Director Catherine Harding, Senior Planner Ruben Cruz, Town Clerk Kimberly Kogos, and Town Attorney Thomas Baird.

Chair Graham called the meeting to order at 9:04 AM.

ROLL CALL

COMMISSION ACTION ITEMS

1. Minutes of the May 30, 2024 Board of Adjustment Meeting

MOTION: *Dines/Auth moved to approve the minutes of the May 30, 2024, Board of Adjustment meeting.*

ACTION: *The motion passed 3-0.*

All those intending to speak were sworn in including: Attorney Jared Gaylord of Marc R. Gaylord P.A.; Chuck Yanette of Parker-Yanette Design Group; Mitch Miller of Village Architects; Shawn Toomey of Environment Design Group; Catherine Harding; and Senior Planner Ruben Cruz.

2. 15 North Beach Road

This is the application of Michael B. Katz, Trustee of The Longtail Jupiter Trust, u/t/d March 29, 2023, represented by Jared Gaylord, Esq., of Marc R. Gaylord, P.A., requesting the following:

In accordance with Article X, Division V, Section 5.00, Standards for Approval of Variances, the applicant is requesting a variance to Article III, Division V, Section 5.02, H.,2.,a., Required Yards, in order to construct an elevator.

Ex-Parte Communication:

- *Chair Graham stated she had met with Senior Planner Cruz and visited the property.*
- *Member Auth stated she had met with Senior Planner Cruz and visited the property.*
- *Member Dines stated she had met with Senior Planner Cruz and visited the property.*

Senior Planner Cruz introduced the application and provided background, explaining the request to add an elevator to the residence. He noted a side-setback issue and provided potential recommendations to address this matter.

Attorney Jared Gaylord, representing the Plimpton family, greeted the Board and introduced the project team including Chuck Yanette and Mitch Miller. He showed aerial views of the property and explained the location of the proposed elevator addition. He noted that the neighbors spoke with each other to ensure support of the project. Attorney Gaylord provided the property survey and site plan followed by the site data calculations. He displayed partial floor plans and elevations to explain the placement of the

proposed elevator. He provided current site photographs and showed the landscape buffers along the property. Attorney Gaylord explained the construction staging plan for reference.

Public Comment:

There was no public comment.

MOTION: *Dines/Auth moved to approve the application and grant the variance as presented.*

ACTION: *The motion passed 3-0.*

3. 615 South Beach Road

This is the application of Mr. & Mrs. Lake Lytal III, represented by Dustin Mizell, of Environmental Design Group, requesting the following:

In accordance with Article X, Division V, Section 5.00, Standards for Approval of Variances, the applicant is requesting a variance to Article IV, Division III, Section 3.16, Gates, in order to install an entry gate outside of the property line.

Ex-Parte Communication:

- *Chair Graham stated she had met with Senior Planner Cruz and visited the property.*
- *Member Auth stated she had visited the property with Senior Planner Cruz and drives by the property daily.*
- *Member Dines stated she had met with Senior Planner Cruz and visited the property.*

Senior Planner Cruz introduced the application and provided background, explaining that the request for a gate that is outside of the property line. He noted the residence is new construction with an existing dock. He explained that the proposed gate would limit access to the existing dock. Mr. Cruz added that a Martin County permit would be necessary as the gate would be located approximately 22 feet onto the County Right of Way (ROW). The County permit is a recommended condition of the variance approval.

Member Auth asked about the letter from Public Safety regarding conditions, and Senior Planner Cruz explained that all properties with gates must adhere to the Public Safety requirements.

Mr. Shawn Toomey, representing the property owner, greeted the Board and provided a brief presentation of the proposed gate. Chair Graham requested that the Standards be reviewed. Senior Planner Cruz reviewed the Standards (A-G that were included in the memorandum to the Board) that must be met for a variance.

Discussion ensued regarding the appropriate variance requestor (615 South Beach owner or the County who owns the ROW). Town Attorney Baird explained that the request should go before the County first, although Mr. Toomey stated that the County requested the Town's approval first.

Chair Graham questioned if the applicant meets all the Standards. Mr. Toomey referred to a letter submitted to the Board dated May 30, 2024, that was included in the Board packet. Member Auth stated that she does not see any standards that have not been met.

Public Comment:

There was no public comment.

MOTION: *Auth/Dines moved to approve the application and grant the variance based on the conditions discussed.*

- *Public Safety conditions/criteria*
- *Martin County permit required to construct within the ROW*

ACTION: *The motion passed 3-0.*

4. Other Items*

- a. Next Meeting - June 27, 2024 (TBD)

Senior Planner Cruz stated that there are no requests for July and will inform the Chair of any applications for August or September.

Chair Graham reminded the Board members of the state mandated Financial Disclosure Form 1 due by July 1, 2024.

- b. Other Items from Members of the Board*

No other items were discussed.

The meeting was adjourned at 10:03 a.m.

Respectfully Submitted,

Kimberly Kogos, Town Clerk