

**MINUTES  
TOWN OF JUPITER ISLAND  
BOARD OF ADJUSTMENT MEETING  
THURSDAY, JUNE 26, 2025**

**TIME:** Thursday, June 26, 2025 – 9:00 AM  
**PLACE:** Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL  
**PRESENT:** Present were Members Nancy Auth, and Alternate Members Deane Blazie, and Walter McCormack. Also present were Town Manager Robert Garlo, Assistant Town Clerk Trenton Warren, Town Attorney Thomas Baird and IT Systems Administrator Fabricio Zevallos

**CALL TO ORDER AND ROLL CALL**

Member Auth called the meeting to order at 9:01 AM. She announced a quorum.

**AGENDA**

1. Minutes of the meeting of February 27, 2025

**MOTION:** *Alternate Member Blazie/Alternate Member McCormack moved to approve the minutes of the meeting of February 27, 2025.*

**ACTION:** *Motion Passed 3-0*

2. 404 South Beach Road Subdivision

**Request: The property consists of one lot divided by South Beach Road. The applicant is requesting a subdivision of the lot into two lots. One on the west side of South Beach Road, Lot No, 1 and one on the east side of South Beach Road, Lot No. 2.**

**Lot No. 1 is developed with a Main House, Accessory Garage, a Caretaker's Cottage and a Pool. Lot No. 2 is developed with a Beach House.**

Assistant Town Clerk Warren swore in those who may speak at today's hearing including: Attorney Jared Gaylord of Marc R. Gaylord P.A. and Building Director Catherine Harding.

**Ex-Parte Communications:**

- Member Auth stated she visited the site with Director Harding and had no ex-parte communication.
- Alternate Member Blazie stated he visited the site with Director Harding and had no ex-parte communication.
- Alternate Member McCormack stated he exchanged an email with Director Harding and had no ex-parte communication.

Director Harding introduced the application and noted:

The applicant is requesting a subdivision of the lot into two lots. One on the west side of South Beach Road, Lot No, 1 and one on the east side of South Beach Road, Lot No. 2. Lot No. 1 is developed with a main house, accessory garage, a caretaker's cottage and a pool. Lot No. 2 is developed with a beach house.

Director Harding referred to a letter of support and noted that the subdivision is consistent with the Town of Jupiter Island Comprehensive Plan, is consistent with the Subdivision Regulations in Article V of the Town of Jupiter Island Land Development Regulations and is consistent with the underlying Zoning Regulations in Appendix A of the Town of Jupiter Island Land Development Regulations.

Director Harding explained that the current and future Land Development Regulations have been analyzed and all required setbacks, height limits and lot coverage meet the Land Development Regulations for the existing lot except the driveway setback. The required setback is 8 feet from the property line and the pre-existing setback is approximately 6-7 feet. The proposed westerly Lot No. 1 will have the pre-existing driveway setback. The proposed easterly Lot No. 2 will be completely conforming.

Attorney Jared Gaylord, representing applicant Robert M. Kaye, greeted the Board and introduced the subdivision application for 404 South Beach Road. He explained the property straddled the S-curve along South Beach Road and outlined the four-step subdivision process, with this presentation serving as the first step. Attorney Gaylord provided aerial photographs showing the proposed subdivision into two lots: Lot 1 containing the main residence, garage, and caretaker's quarters, and Lot 2 containing an existing beach cottage. He confirmed both lots would remain under the permitted floor area, with Lot 1 approximately 3,300 square feet under and Lot 2 approximately 5,000 square feet under the allowable limits.

Attorney Gaylord reviewed the existing survey, site data, proposed subdivision plat, and building envelopes, noting that Culpepper & Terpening, the Town's surveying consultant, reviewed and approved the final plat. He confirmed both lots exceeded the minimum frontage and width requirements and that the traffic study estimated an increase of 10 trips per day, based on standard planning methodology. He summarized the Town's subdivision regulations, emphasizing that the application met all requirements and standards.

Town Attorney Baird advised the Board to obtain clarification regarding the westerly lot, as Director Harding acknowledged the lot would not meet the required eight-foot setback, instead providing only six feet. Town Attorney Baird suggested the Board ask whether the setback could be increased to meet the regulation and clarified that although the encroachment involved a driveway, not a structure, it remains a setback regulation that should be addressed.

Attorney Gaylord acknowledged the driveway on the westerly lot is slightly non-conforming but explained the proposed subdivision would not worsen or change the existing encroachment. He offered to discuss with the applicant whether adjusting the setback is something they would consider during the process, noting that the subdivision approval requires four separate meetings over several months.

Director Harding confirmed her report found the subdivision consistent with underlying zoning regulations but noted the westerly lot does not meet the required eight-foot setback, providing only six feet. Attorney Gaylord and Director Harding clarified the driveway encroachment is pre-existing and non-conforming, with no indication of how the non-conformity occurred. Since the encroachment is not being expanded, there is no requirement to modify it. The Board would need to determine whether the subdivision is acceptable with the existing condition.

**MOTION:** *Alternate Member McCormack/ Alternate Member Blazie moved to approve the application for subdivision with an existing nonconformity based on the testimony of the Town's Building Director and recommend approval to the Town Commission.*

**ACTION:** *Motion 3-0*

Director Harding explained the next step in this subdivision application will be a preliminary hearing with the Town Commission.

3. Other Items\*

- a. Next Meeting - To Be Determined

Director Harding noted that the next meeting date is still to be determined.

- b. Other Items

There were no other items.

Member Auth adjourned the meeting at 9:26am.

Respectfully Submitted,

Kimberly Kogos, Town Clerk