

**AGENDA**  
**TOWN OF JUNO BEACH, FLORIDA**  
**PLANNING AND ZONING BOARD MEETING**

March 16, 2015 5:30 pm  
 Council Chambers  
 340 Ocean Drive

NOTICE: If any person decides to appeal any decision of the Planning and Zoning Board at this meeting, he will need a record of the proceedings and for that purpose, he may need to ensure that a verbatim record of the proceedings is made, such record includes the testimony and evidence upon which the appeal is to be based. The Town does not prepare or provide such record. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact Vanessa Dunham, Town Clerk, at least 48 hours in advance to request such accommodations.*

- ~ CALL TO ORDER
- ~ PLEDGE OF ALLEGIANCE TO THE FLAG
- ~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

1. PUBLIC COMMENTS

2. MINUTES

*Staff recommendation: Consider a motion to approve the Planning and Zoning Meeting minutes of December 1, 2014.*

3. PETITION FOR SPECIAL EXCEPTION TO ALLOW ANTENNAS AND RELATED EQUIPMENT

4. COMMENTS FROM STAFF

5. COMMENTS FROM THE BOARD

6. ADJOURNMENT

MARCH 25, 2015	TOWN COUNCIL MEETING	5:30 PM
APRIL 5, 2015	EASTER	
APRIL 6, 2015	PLANNING & ZONING MEETING	5:30 PM
APRIL 10, 2015	ICE CREAM SOCIAL – TOWN CENTER	6 PM – 8 PM
APRIL, 20, 2015	PLANNING & ZONING MEETING	5:30PM
APRIL 22, 2015	TOWN COUNCIL MEETING	5:30 PM
MAY 4, 2015	PLANNING & ZONING MEETING	5:30PM
MAY 18, 2015	PLANNING & ZONING MEETING	5:30PM
MAY 25, 2015	MEMORIAL DAY – TOWN CENTER CLOSED	
MAY 27, 2015	TOWN COUNCIL MEETING	5:30 PM

MINUTES  
TOWN OF JUNO BEACH  
**PLANNING AND ZONING BOARD MEETING**

**December 1, 2014**  
Council Chambers  
340 Ocean Drive

PRESENT: SYDNEY VICKERS, CHAIR  
WARREN TURNER, VICE CHAIR  
DON FELICELLA, BOARDMEMBER  
MICHAEL STERN, BOARDMEMBER  
JACK KNEUER, BOARDMEMBER  
BOB HAMILTON, ALTERNATIVE BOARDMEMBER

ALSO PRESENT: RUBEN CRUZ, DIRECTOR OF PLANNING & ZONING  
LEONARD RUBIN, TOWN ATTORNEY  
ADA OLIVER, ADMINISTRATIVE SECRETARY

Chair Vickers called the Planning and Zoning Board Meeting to order at 4:30 pm.

Audience: 16

~ CALL TO ORDER  
~ PLEDGE OF ALLEGIANCE TO THE FLAG  
~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA – None

1. PUBLIC COMMENTS- None

2. MINUTES/MOTION

**MOTION:** Stern/Turner *made motion to approve the amended November 3, 2014 minutes.*

**ACTION:** *The motion passed unanimously.*

3. SPECIAL EXCEPTION/SITE PLAN APPLICATION- (NORTH EXPANSION  
LOGGERHEAD MARINELIFE CENTER)

Director of Planning & Zoning Cruz stated the applicant, Loggerhead Marinelifelife Center, is requesting approval of a special exception for a major amendment to its existing development plan. The Loggerhead Marinelifelife Center is seeking to

construct a 27,518 addition to its building. Staff is recommending approval of the request subject to the requirements and conditions set forth in the Staff memo. (See attached)

Boardmember Hamilton requested the description of the Loggerhead Marinelifelife Center's mission statement.

Jack Lighton, President and CEO of Loggerhead Marinelifelife Center, stated the Marinelifelife Center was originally geared toward children's education and the proposed expansion would not change the Center's mission. Loggerhead Marinelifelife Center's mission statement is: To promote conservation of Florida's coastal ecosystems with a special focus on threatened and endangered sea turtles.

Mr. Lighton informed the Board that Loggerhead Marinelifelife Center has applied and submitted grants for the Center's expansion.

Chair Vickers asked if there were any questions.

George Gentile President of Gentile and Associates displayed an overhead visual presentation of the Loggerhead Marinelifelife Center proposed site plan. Mr. Gentile discussed the project's elevations, proposed additions and the public benefits of the proposed expansion.

Mr. Gentile also stated parking at the Center is limited due to the protected dune area. Additional parking would be an added expense not needed at this time.

Director of Planning & Zoning Cruz indicated that the parking spaces for disabled individuals are ADA complaint.

Town Attorney Rubin indicated that the Loggerhead Marinelifelife Center would be required to request a variance for any sign above the maximum sign height of twenty feet. The Board's recommendation should include a condition to address the variance.

Boardmember discussions took place on recommendations for the proposed application.

**MOTION:** *Felicella/Stern moved that the Board recommend approval of the proposed special exception for a major amendment to an approved site plan to the Town Council subject to the conditions set forth in the Staff Report and the additional condition that the Applicant seek a variance for the signs.*

**ACTION:** *Motion passed unanimously.*

Chair Vickers asked if there were any additional questions.

4. **COMMENTS FROM STAFF**

Director of Zoning and Planning Cruz stated future Planning and Zoning meetings will be commencing at 5:30pm.

6. **COMMENTS FROM THE BOARD- None**

7. **ADJOURNMENT:** 5:05pm

Chair Vickers adjourned the meeting at 5:05pm

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Chair Sydney Vickers

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Ada Oliver, Administrative Secretary

# Memorandum

*From the Town of Juno Beach Planning and Zoning Department*

**To:** Planning and Zoning Board  
**From:** Ruben Cruz, Director of Planning and Zoning   
**Date:** January 21, 2015  
**Subject:** Request for Special Exception to allow Antennas

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## Background

The subject property is located at Juno by the Sea Condominium, 840 Ocean Drive. It is zoned Residential Multiple Family High Density (RH). It is a single condominium structure along the beachfront, east of Ocean Drive.

Currently, there is a single condominium structure, along with accessory parking and other accessory structures on the subject property. North and south of the property there are condominiums also zoned RH. To the east is the beach. To the west, across Ocean Drive, are single family homes zoned Residential, Transient and Multiple Family – Moderate Density (RMT) and Residential Single-Family (RS).

Currently the condominium has three (3) rooftop antennas along with an equipment room. The applicant intends to place three (3) additional rooftop antennas and other telecommunication equipment in the existing equipment room.

## Consistency with Zoning Code

The Zoning Code of Ordinances, Chapter 34-1279(g), provides for “Satellite Dish Antennas” as a special exception use when such use is aesthetically acceptable and not a possible hazard or unsafe use. Along with this request, the applicant indicated that an unmanned structure (equipment cabinet) in the existing rooftop equipment room of the condominium is being requested as accessory to the antennas.

Before taking action on any Special Exception request, the Planning & Zoning Board shall make written findings of fact addressing the issues of whether the requirements of the section of the ordinance described (herein) have been met, and whether, satisfactory provision and arrangement had been made that the Special Exception use will, where applicable:

1. *Provide for ingress and egress to the property and structures with particular reference to automotive and pedestrian safety and convenience, traffic flow and access in case of fire or catastrophe;*

The structure proposed on the rooftop will be required to meet all Town and Florida Building Code requirements regarding accessibility and fire safety.

2. *Provide for parking and loading areas, refuse and service areas, with particular attention to item (1) above and to effects on surrounding property;*

The proposed antennas and equipment do not appear to affect surrounding properties regarding parking, refuse, and service areas, nor do they appear to have any adverse impacts on surrounding properties.

3. *Provide for screening and buffering-type, dimensions and location;*

The proposed antennas, as proposed by the color photograph copies submitted by the applicant/agent and the submitted plans, appear to be visually compatible from all perspectives of the subject property. The proposed accessory structure does not appear to be visible from the ground level (the perspective given with the submitted photographs mentioned above).

4. *Provide for signs, if any, and proposed lighting;*

No signs are being proposed with this request.

5. *Provide for required yards and other open space;*

This requirement is not applicable. The antennas and equipment will be located on the rooftop of the existing structure, which meets setback requirements.

6. *Not adversely affect the public interest;*

Public interest includes general safety and welfare and aesthetic influences on the surrounding area and community. As mentioned earlier, the proposed antennas will be required to meet all applicable regulations through the typical permitting and inspection process. Aesthetics appear to be minimally influenced, with no adverse impacts. The antennas, as indicated by the applicant, will be designed and painted to match the structure where they are being proposed for attachment/mounting. There is no indication that the public interest will be adversely affected.

7. *Comply with specific requirements governing the special exception requested;*

Specific requirements governing this Special Exception include the safe and visual compatibility of construction involved with attaching and mounting the antennas, as well as any accessory antenna devices. The visual compatibility appears to be effectively

acceptable and the safe construction of all proposed items associated with this request will be required to adhere to the current Town and Florida Building Code requirements for building/construction.

8. *With conditions and safeguards attached, would be generally compatible with adjacent properties and/or property within the district;*

With the appropriate conditions and safeguards, the proposed antennas will be generally compatible with all surrounding properties and the general area.

9. *Not generate excessive noise or traffic;*

No traffic is anticipated as a result of the proposed antennas, however all noise associated with any equipment will be required to be reduced so as not to affect residents of the condominium or those within proximity of the structure.

10. *Not tend to create fire, disease or other equally or greater dangerous hazard;*

Any and all hazards associated with the proposed antennas and accessory equipment shall be disclosed by the applicant to the Town. If any hazards associated with the proposed antennas could potentially adversely affect any person or structure, which are currently known, or unknown, to the applicant, as a condition of approval and under the provision of "safety to the general public"; the Town may require that the antennas and associated equipment be modified to eliminate the potential unsafe condition, and/or that the antennas and associated equipment be removed.

11. *Be in harmony and compatible with the present and/or future developments of the area concerned;*

All proposed antennas and accessory equipment will be required to be visually compatible with the existing structure and the surrounding community within which it is being proposed. The submitted photographs/plans by the applicant indicate that such proposed antennas and accessory equipment are visually compatible with the existing structure and surrounding community.

12. *Conserve the value of buildings and encourage the most appropriate use of the land and water;*

The items associated with this request appear to conserve the value of the building/structure.

13. *Provide adequate light and air;*

The proposed does not appear to alter natural light, or air.

14. *Promote such distribution of population and such classification of land uses,*

*development and utilization as will tend to facilitate and provide adequate provisions for public requirements, including be not limited to transportation, water flowage, water supply, drainage, sanitation, educational opportunities, and recreation;*

This petition does not affect population, or distribution of population in any way.

*15. Conform to the character of the district and its peculiar suitability for particular uses;*

The residential district in which the proposed antennas/facilities are being proposed will not change the character of the district, as the district is residential in nature. The visual compatibility of the proposed antennas protects this character, as well as a conditioned provision to maintain the auditory status of the areas which may be within proximity of sound projections from the accessory equipment being proposed.

*16. Be consistent with the needs of the Town for land areas for specific purposes to serve population and economic activities;*

This petition does not have an effect on the economic needs of the Town.

*17. Protect the tax base; and not create a financial burden on the Town; and*

The items being proposed with this request will not create a financial burden on the Town.

*18. Not be disruptive to the character of neighborhoods nor adverse to playgrounds, parks, schools and recreation areas; nor adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare;*

As mentioned in other criteria, here, all proposed antennas/equipment will be subject to specific conditions addressing the safety of the general public.

As per Section 34-93 (5), Town of Juno Beach Code of Ordinances, in granting any Special Exception, the Planning & Zoning Board may recommend, "among other conditions and safeguards, ...prescribe reasonable time limits within which actions shall commence, be completed, or both."

#### Consistency with Comprehensive Plan

The subject property exists within the High Density Residential classification of the Town of Juno Beach Comprehensive Plan, Future Land Use Element. The proposal is consistent with the Comprehensive Plan.

### Staff Recommendation

Antennas and accessory equipment on the rooftop of an existing 12-story structure are a reasonable use, with appropriate conditions. As the proposed items meet the general requirements of the Town's Zoning Code of Ordinances, and as they are consistent with the Town's Comprehensive Plan, Staff recommends that the Planning & Zoning Board recommend that the Town Council approve the request for "antennas and associated accessory equipment", as defined by the Zoning Code of Ordinances, within a Residential High Density (RH) Zoning District, with the following conditions:

1. Any noise associated with the antennas/equipment which increases existing auditory conditions shall be reduced, so as not to adversely affect residents, or casual passersby of any such structure and those within proximity of any such structure where any associated noise could be disturbing;
2. That the applicant shall be responsible for immediately notifying the Town of any hazards associated with the proposed antennas and accessory equipment that are currently known, or unknown. Upon discovery of said hazard/potential hazard, the applicant shall immediately notify the Town of such details, and of the modifications for Staff's review and approval. The applicant shall be responsible for the elimination of any potential unsafe condition, and/or be responsible for the removal of the antennas/equipment. If necessary, the applicant shall post a bond to cover the removal of the proposed equipment;
3. That the antennas and accessory equipment are required to be visually compatible with the existing structure and surrounding community;
4. That the antennas/equipment shall be maintained at all times from natural deterioration, as a result of sea salt, or other elements, and maintained to an extent that prevents the antennas/equipment from becoming a hazard/potential hazard during high winds and natural disasters, as well as maintain their aesthetic compatibility with the existing structure;
5. If the proposed use does not commence within twelve (12) months, or if it ceases for a period of six (6) months at any time, the Special Exception shall become null and void and the antennas/equipment shall be removed by the applicant;
6. Upon the Town Attorney's review and approval, the applicant shall submit a bond or letter from Juno by the Sea or Applicant indicating they will be responsible for the removal or modifications to any proposed equipment associated with this request (this is in association with condition #2);
7. The applicant shall provide the Town with information regarding radiation distances from the proposed antennas;

8. The proposed antennas shall not interfere with existing radio and/or broadcast signals and equipment; and
9. The applicant shall repair any damage to adjacent roadways and property arising out of the installation process within thirty (30) days after notification by the Town.