

MINUTES
TOWN OF JUNO BEACH
TOWN COUNCIL REGULAR MEETING

MAY 25, 2016
Council Chambers
340 Ocean Drive

PRESENT: JASON HASELKORN, MAYOR
JIM LYONS, VICE MAYOR
FRANK FAHY, VICE MAYOR PRO TEM

ALSO PRESENT: JOSEPH LO BELLO, TOWN MANAGER
CAITLIN COPELAND, ADMINISTRATIVE SECRETARY
LEONARD RUBIN, TOWN ATTORNEY
MATTHEW PAZANSKI, FINANCE DIRECTOR
ANTHONY MERIANO, DIRECTOR OF PUBLIC WORKS
BRIAN SMITH, CHIEF
PAUL FERTIG, MAJOR
RUBEN CRUZ, DIRECTOR OF PLANNING AND ZONING
FRANK DAVILA, PLANNING TECHNICIAN

ABSENT: ELLEN ANDEL, COUNCILMEMBER
BILL GREENE, COUNCILMEMBER
VANESSA MUTCHNIK, TOWN CLERK

Mayor Haselkorn called the Town Council regular meeting to order at 5:49pm.

Audience: 23

- ~ CALL TO ORDER
- ~ PLEDGE OF ALLEGIANCE TO THE FLAG
- ~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA-NONE

1. **COMMENTS FROM THE PUBLIC**

No Public Comments

2. **CONSENT AGENDA**

All matters listed under Item 1, Consent Agenda, are considered to be routine by the Town Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Proclamation – National Amateur Radio Week.
- B. Proclamation – National Safe Boating Week.
- C. Consider approving the April 27, 2016 Town Council Meeting minutes.

MOTION: Fahy/Lyons made a motion to approve the consent agenda.

COUNCIL ACTION: The motion passed 3-0.

3. **UPDATE ON BEACH HOUSE CENTER FOR RECOVERY (SEMINOLE PLAZA)**

Town Attorney Rubin provided an update on Beach House Center for Recovery and asked if anyone had any questions (*staff memo attached*).

Vice Mayor Pro Tem Fahy thanked Town Attorney Rubin and asked him if his job is to protect the town from suits.

Town Attorney Rubin stated yes.

Vice Mayor Pro Tem Fahy stated that the Town Attorney took the conservative approach toward the establishment of substance abuse treatment facilities. He asked whether parking had been considered because there are many cars in the facility's parking lot.

Director of Planning and Zoning Cruz stated that there are still other tenants in the plaza, as well as construction workers.

Vice Mayor Pro Tem Fahy stated that there should be a procedure to check cars and look at the potential maximum number that there should be in the parking lot.

Mayor Haselkorn stated that there may need to be more research done before other questions can be answered.

Vice Mayor Lyons stated his concern about Fire Rescue being tied up by the facility and asked if the Town could assess a fee for an excessive number of calls.

Town Attorney Rubin stated the facility should be treated like any other business.

Vice Mayor Lyons asked if the number of fire rescue calls could be provided at the end of the year.

Mayor Haselkorn stated that the Town Attorney should continue to track how other municipalities have responded to these issues.

Town Attorney Rubin stated that the Venus Drive issue forced the Town to address these issues and the Town addressed them within the legal parameters existing at the time.

Mayor Haselkorn invited the members of the public to go on the website and bring any question or concerns to the attention of Town Staff. The Council would not be taking public comment; however, members of Council and Staff would be available after the meeting or can be called at any time.

Vice Mayor Pro Tem Fahy asked if the 54 patients per acre was set in stone.

Town Attorney Rubin stated that the number was based on similar uses already permitted within the Town and could not be changed for this particular provider.

4. **PUBLIC HEARING AND SECOND READING: ORDINANCE 685**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING DIVISION 2, "ZONING BOARD OF ADJUSTMENT AND APPEALS," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 34-63, "ESTABLISHED; MEMBERS," TO APPOINT THE CHAIRMAN AND VICE CHAIRMAN OF THE PLANNING AND ZONING BOARD AS EX OFFICIO ALTERNATE MEMBERS OF THE ZONING BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Town Attorney Rubin read Ordinance No. 685 by title only.

A. Staff Presentation and Recommendations

Town Attorney Rubin stated that the Town Council sits as the Zoning Board of Adjustment and this Ordinance allows the Chairman and Vice Chairman to sit on the Board in the event one or more members of Town Council are unable or unavailable to hear a particular item.

B. Public Hearing

Public Comments opened at 6:15 PM.

Laura Niedernhofer, 471 Apollo Drive, asked if it was imperative that the Code be changed at this time.

Town Attorney Rubin stated that he believed the procedure should be in place in the event of future conflicts.

Public Comments closed at 6:17 PM.

C. Council Discussion

D. Council Motion/Second

***MOTION:** Lyons/Fahy made motion to approve the second reading of Ordinance No. 685.*

E. Council Action

The motion passed 3-0.

5. **RESOLUTION 2016-05**

A RESOLUTION OF THE TOWN OF COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, ABANDONING A UTILITY EASEMENT WITHIN A VACATED PORTION OF OCEAN DRIVE AS DEPICTED IN THE OCEAN WINDS OF JUNO BEACH REPLAT; PROVIDING FOR CONFLICTS; AND PROVIDED FOR AN EFFECTIVE DATE.

Town Attorney Rubin read Resolution No. 2016-05 by title only.

Director of Planning and Zoning Cruz stated that he had received two letters from David Cox which he provided to Town Council and staff. Staff is proposing to abandon the entire easement and asked if anyone had any questions.

Mayor Haselkorn stated that the letters from David Cox should be part of the record.

Vice Mayor Pro Tem Fahy stated that the letters from Mr. Cox indicated that in the past, they put utilities through his property. Vice Mayor Pro Tem Fahy asked if there was any regulation regarding this.

Director of Planning and Zoning Cruz stated that when it comes in through the permitting process for the property, staff reviews the application and makes sure they are going through existing easements or right-of-way.

Director of Planning and Zoning Cruz added that if the builder puts the utilities in the wrong place, staff will make them rectify the issue.

Vice Mayor Lyons asked about the FPL pole situation.

Town Manager Lo Bello stated that the matter is being addressed.

Director of Planning and Zoning Cruz stated that plans were provided but the crew came in and placed the poles on private property. Staff contacted FPL and they are in the process of rectifying the error.

Vice Mayor Lyons stated that the easement was given to the Town by the prior owner of the property. Now, the current owner wants to abandon it.

Town Attorney Rubin indicated that the easement was required as a condition of the roadway abandonment.

Vice Mayor Lyons asked if the easement can be considered as excess property.

Town Attorney Rubin stated no because it is not real property owned by the Town. It is only a utility easement.

Town Attorney Rubin indicated that he had prepared the following additional language to address Mr. Cox's concerns: "As a condition of abandonment, the Town shall not issue building permits for development on the Property unless the Developer demonstrates that the Property can be served by all necessary utility providers pursuant to the terms of existing easements on the Property or on adjacent properties or the Developer independently acquires any additional easements that may be necessary to provide utility services."

Mayor Haselkorn stated that Mr. Cox's letter raised concerns about releases from the utility providers and wanted to confirm that Staff's representations were correct.

Director of Planning and Zoning Cruz stated that Staff did reach out to each of the utility providers.

Mayor Haselkorn stated that Council could discuss or consider a motion to adopt as amended.

***MOTION:** Lyons/Fahy made motion to approve the Resolution 2016-05, as amended.*

Council Action: *The motion passed 3-0.*

6. **ORGANIZATIONS FOR COUNCIL TO PARTICIPATE**

Town Manager Lo Bello stated that this item would be postponed until the next council meeting.

7. **COMMENTS FROM TOWN MANAGER**

Town Manager Lo Bello stated that Mort Levine's Memorial Service would be held on June 9th. He stated that the Annual Town Picnic would be next Friday, June 3rd.

Town Manager Lo Bello stated the Juno Beach Civic Association's July 4th Celebration is coming up next month.

8. **COMMENTS FROM TOWN ATTORNEY**

No Comments.

9. **COMMENTS FROM STAFF**

No Comments.

10. **COMMENTS FROM COUNCIL**

Vice Mayor Pro Tem Fahy stated that he thought the discussion of the Planning and Zoning Board responsibilities was going to be on the agenda and wants to see it moved along.

Town Attorney Rubin stated that Council wanted to expand the Board's role to consider variances and that item was moving forward. Council could consider other duties for the Board.

Vice Mayor Pro Tem Fahy asked what happens when residents want to do something different with their property that the Code does not allow.

Town Manager Lo Bello stated that a resident may seek a variance. Additionally, if a resident does not agree with the Planning and Zoning Director's interpretation, there is an appeal process.

Town Attorney Rubin stated that such appeals come before the Town Council sitting as the Zoning Board of Adjustment and Appeals.

12. **ADJOURNMENT – 6:41 PM**

Mayor Haselkorn adjourned the meeting at 6:41PM

Jason Haselkorn, Mayor

Caitlin Copeland, Administrative Secretary

MEMORANDUM

TO: Mayor Jason Haselkorn
Vice Mayor Jim Lyons
Members of the Town Council

FROM: Leonard G. Rubin, Town Attorney

RE: Substance Abuse Treatment Facilities (Beach House Center for Recovery)

DATE: May 20, 2016

CC: Joseph Lo Bello, Town Manager
Ruben Cruz, Planning and Zoning Director
Vanessa Mutchnik, Town Clerk

The Town Council requested additional information regarding the Beach House Center for Recovery, a residential substance abuse treatment facility located in the former Seminole Plaza. The purpose of this memorandum is to explain the background and methodology leading to the creation of the Medical Commercial Zoning District and the establishment of the facility at this location.

A. Venus Drive Property

For well over two decades, the property located at 461 Venus Drive ("Venus Drive Property") had been utilized as a "halfway house" for persons undergoing treatment for alcohol and substance abuse addiction. Sometime prior to 2006, the Venus Drive Property transitioned to a residential substance abuse treatment facility, where actual treatment services were being performed on site.

In 2013, current Town Staff learned that the Recovery Resources was operating a seventeen bed residential substance abuse treatment center, including residential detoxification services, at the property located at the Venus Drive Property. In response, the Town issued a Notice of Violation alleging that the Property was in violation of Section 34-333 (Permitted Uses in the RMT Zoning District) and Section 34-1221 (Community Residential Homes) of the Town Code of Ordinances. Staff met with representatives of Recovery Resources, who requested that they be permitted to seek a "reasonable accommodation" from the Town's Code for persons with disabilities, as required by both the Fair Housing Act and the Americans with Disabilities Act.



To assist in this process, the Town retained the services of the Weiss Serota law firm, which had represented both the City of Boca Raton and the City of Delray Beach in protracted litigation regarding the establishment of sober homes/recovery residences and residential treatment centers within these municipalities. The Weiss Serota firm drafted a reasonable accommodation procedure (termed a Zoning Relief procedure), and the Town Council adopted the procedure by resolution.

The Town was faced with two primary legal hurdles:

First, the owner of the Venus Drive Property had relied on the prior use of the property for residential substance abuse treatment and residential detoxification treatment when purchasing the property.

Second, the Town did not allow residential substance abuse treatment or residential detoxification treatment in **any** zoning district within the Town. This subjected the entire Zoning Code to challenge, opening the door for any residential treatment provider to establish this use in any location within the Town.

With respect to the Venus Drive Property, Town Staff's primary goal was to eliminate residential substance abuse treatment and residential detoxification treatment, which are essentially commercial enterprises, from the Town's residential zoning districts. Recovery Resources filed an application for Zoning Relief. The Zoning Relief proceeding ultimately concluded with the entry of an Agreed Order approved by the Town Council, allowing sixteen beds of residential treatment on the Venus Drive Property: no more than seven (7) beds utilized for Level I Residential Treatment Services for a period of ten (10) years; and no more than nine (9) beds utilized for Residential Detoxification Services for a period of five (5) years. The continued use of the Venus Drive Property was subject to numerous conditions, including, but not limited to, a restriction that such treatment services must occur within a newly constructed single-family structure.

As the Council is well aware, Recovery Resources subsequently sold the Venus Drive Property, and the Council approved an Agreement with the new owner whereby the property owner waived and disclaimed any right to utilize the Venus Drive Property for any type of substance abuse treatment services.

Goal One Achieved: The Town eliminated residential substance abuse treatment services from all residential zoning districts.

B. Code Revisions to Address Substance Abuse Treatment and Sober Homes

As explained above, the Town Code did not allow residential substance abuse treatment services of any type in **any** zoning district, notwithstanding the fact that it allowed Assisted Living Facilities in both the Commercial General ("CG") Zoning District and the Commercial Office ("CO") Zoning District. Town Staff's goal was to prevent any additional challenges to the Zoning Code and retain full control over where such uses could be

established in the future. With the assistance of the Weiss Serota firm, Staff initially identified two locations for such uses, Seminole Plaza and the "point lots" north of the intersection of U.S. Highway One and Ocean Drive. All of the properties were within the CG Zoning District. The Weiss Serota firm also drafted an ordinance providing for the creation of a new Medical Commercial ("MC") Zoning District, which incorporated all of the CG Zoning District regulations and allowed both residential substance abuse providers and assisted living facilities as permitted uses.

Town Staff brought forward three ordinances for consideration by both the Planning and Zoning Board and the Town Council:

1. An ordinance creating the Medical Commercial Zoning District;
2. An ordinance rezoning Seminole Plaza to the MC Zoning District; and
3. An ordinance rezoning the "point lots" to the MC Zoning District.

The Planning and Zoning Board recommended removing the northernmost parcel (currently occupied by the County Fire Station) from the point lot rezoning ordinance to allow the future rezoning of the property to a governmental use and to provide a buffer from the adjacent residential use. The Town Council ultimately determined that the Seminole Plaza property was the only appropriate location for the newly created MC Zoning District. If the Town Council had not acted proactively, the entire Zoning Code could have been challenged and a residential substance abuse treatment provider could have sought to establish this use in any location within the Town.

Goal Two Achieved: The Town limited residential substance abuse treatment services to a single commercial property not immediately adjacent to residential uses and located along a major arterial roadway and foreclosed future challenges to its Zoning Code.

C. Medical Commercial Zoning District Ordinance

Town Ordinance No. 668 codified the previously adopted Zoning Relief Procedure and provided for permitted and special exception uses within the MC Zoning District.

In adopting this Ordinance, Town Staff had a secondary goal of taking whatever action it could to regulate sober homes/recovery residences (where no treatment occurs on site) within its residential zoning districts. Such facilities are protected by both the Fair Housing Act and the Americans with Disabilities Act and municipalities cannot restrict or prohibit them. However, Ordinance No. 668 amended the definition of the term "family" to limit it to a group of related persons or a group of no more than three unrelated persons occupying a dwelling as a single housekeeping unit. Consequently, any potential sober home operator seeking to establish a facility for more than three persons within a single residential dwelling or unit would be required to file an application for Zoning Relief in

accordance with the established procedure, which includes a proceeding before the Town's hearing officer and a public hearing. Additionally, either the potential operator or Town Staff may appeal the hearing officer's decision to the Town Council, which makes the final determination. Unlike most other beachfront communities in the County, Town Staff is not aware of any sober home currently operating within the Town.

Goal Three Achieved: The Town required any potential sober home/recovery residence operator to apply for zoning relief (or reasonable accommodation) prior to establishing such a facility for more than three unrelated persons in any of the Town's residential zoning districts.

At its April 25, 2016 Goal Setting Workshop, members of the Council inquired about the "density" for residential substance abuse treatment providers established in Ordinance No. 668.

The Town's goal was to establish a legally defensible standard. Section 34-851(20) of the Town Code provides that a residential substance abuse treatment provider is a permitted use within the MC Zoning District, subject to a maximum density of 18 dwelling units per acre. Eighteen dwelling units per acre is the maximum density under the Zoning Code for residential uses and is the same density applied to Assisted Living Facilities. Therefore, the most legally defensible approach in crafting this Ordinance was to apply that same density to residential substance abuse treatment facilities. Both the Americans with Disabilities Act and the Fair Housing Act prohibit disparate treatment of similar types of uses based on the type of disability. As the Council is well aware, persons undergoing treatment for substance abuse are considered "disabled" pursuant to the Americans with Disabilities Act.

While the Town could have adopted a "number of beds" approach, this was not consistent with the standard set for a similar type of use (Assisted Living Facilities) already permitted within the Town. Furthermore, other municipalities, such as the City of Boca Raton, allowed up to seventy-five beds per acre, which seemed far too intense for the Town. The only other option, as discussed below, was not to adopt any maximum density or number of beds and rely on existing Code requirements, including site development standards, to limit the number of occupants.

Goal Four Achieved: The Town adopted a legally defensible density standard for residential substance abuse treatment providers.

D. Beach House Center for Recovery

The operator of the Beach House Center for Recovery purchased Seminole Plaza in 2014. Prior to purchasing the property, the operator sought clarification regarding the number of beds that could be placed on the property for residential substance abuse treatment. As set forth above, residential substance abuse providers are subject to a maximum permitted density of 18 dwelling units per acre.

The Town Code defines a dwelling unit as “a group of rooms designed, used exclusively or occupied as separate living quarters by a single family.” However, the proposed facility would not be divided into separate living quarters; rather, it would consist of sleeping rooms with common living and dining areas. Therefore, the Town was required to convert the maximum number of dwelling units to a maximum number of beds.

According to the definitions set forth in the Town Code, a dwelling unit may only be occupied by a single family, and a family can consist of no more than three unrelated individuals. Therefore, the maximum number of beds for this facility was calculated as follows:

$$\begin{array}{l} 18 \text{ (maximum number of dwelling units per acre) } \times \text{ (multiplied by)} \\ \underline{3 \text{ (maximum number of unrelated individuals per dwelling unit) } = \text{ (equals)}} \end{array}$$

54 individuals or beds per acre

This is still far less than the number of beds per acre permitted by other municipalities.

At 54 beds per acre, the maximum number of individuals or residential beds for a residential substance abuse treatment facility utilizing the entire Seminole Plaza property would be 277 (calculated by multiplying 54 by 5.13, the total number of acres). However, if only a portion of the existing square footage is being utilized by a residential substance abuse provider, the maximum number of beds would be reduced by the percentage devoted to other uses. The facility would also still need to meet all other applicable Zoning Code requirements:

- Setbacks
- Parking
- Lot Coverage
- Landscaped Open Space

Additionally, there are Building Code, Housing Code and Fire Code requirements that limit the occupancy of structures and impose living space requirements. Many other municipalities do not even set a maximum density or maximum number of beds, relying instead on these Code requirements to limit the total occupancy of the facility.

The operator of Beach House Recovery is currently approved by the Department of Children and Families for fifty (50) beds and has no plans to expand the residential substance abuse treatment component of the property beyond 108 beds, representing only 39% of the maximum number of beds for the entire property.

E. Summary of Town's Position

The Town has taken all steps necessary to be in compliance with the current laws governing the regulation of substance abuse treatment facilities, yet offer the most regulatory protection possible for the integrity of its residential single-family neighborhoods.

The Town, through its elected leaders, has responsibly and proactively accomplished each of the following goals without exposing the Town to protracted and costly litigation:

Goal One: The Town eliminated residential substance abuse treatment services from all residential zoning districts.

Goal Two: The Town limited residential substance abuse treatment services to a single commercial property not immediately adjacent to residential uses and located along a major arterial roadway and foreclosed future challenges to its Zoning Code.

Goal Three: The Town required any potential sober home/recovery residence operator to apply for zoning relief (or reasonable accommodation) prior to establishing such a facility for more than three unrelated persons in any of the Town's residential zoning districts.

Goal Four: The Town adopted a legally defensible density standard for residential substance abuse treatment providers.

The laws governing the regulation of substance abuse treatment facilities and sober homes/recovery residences, and the application of the Fair Housing Act and the Americans with Disabilities Act to such uses, are constantly changing and evolving. All of the representations set forth herein are based on the codes, statutes, regulations and case law as they exist today.

Should you have any additional questions, please do not hesitate to contact me.



**Juno by the Sea North Condominium Association (The Manor), Inc.
911 Ocean Drive, Juno Beach, FL, 33408**

May 23, 2016

Ruben Cruz, Director of Planning and Zoning
Town of Juno Beach
FAX 561-775-0812

RE: Abandonment of utility easement on *Lots 8 and 9 of Block 6 of New Palm Beach Heights* along the *Abandoned ROW of Old Ocean Drive*

Dear Ruben,

As the adjacent property owner, it is of interest to us from where Lots 3, 2 and 1 of the *replat of Ocean Winds* will get their utility services from. The original 23 ft. dedicated utility easement on the western half of the *Abandoned ROW of Old Ocean Drive* that the Town itself insisted upon was unnecessarily broad. Why not reduce the easement to 5-10 ft. to accommodate future electric, telephone and cable service requirements instead of vacating it entirely? This easement already lies in the required setback from the east property line of lot 3 on the border with The Manor. It is the obvious corridor for FP&L, AT&T and Comcast to provide service to lots 3, 2 and 1.

The documentation provided by the applicant appears insufficient in detail and is incomplete:

- No where on the sign off letters from the utilities which were prepared by the applicant's attorney does it mention the exact location of the easement. The easement in question established in *Resolution 97-12* is located on the western half of the *Abandoned ROW of Old Ocean Drive*.
- Where are the signoffs from ENCON, Florida Power and Light and ATT/Bellsouth? (*page 4 of 4, page 9 of item #5*) There is still in the ground on the easement a wire from a utility pole that supplied power to the former Ocean Winds' meter.
- Florida Public Utilities, Comcast and the Town of Jupiter do not reference any specific area for the easement they are being asked to vacate.
- TECO Gas states that they "have no mains or service utilities on Ocean Ridge Way, Juno Beach, FL." *Ocean Ridge Way* is located further to the south of the easement in question.

The utility easement along the west side of The Manor property does not provide for gas and we have no intention of providing them or anyone else an additional easement. Our easement is specific and will not be expanded. (*see Book 14731 Page 0431*)

Certainly the Town Council should be apprised of these facts that are not in evidence in the backup material posted on the Town web site. Please forward this letter also to the Town Manager and Town Attorney. We would appreciate more information about the route of utilities to be provided to the property before the Town Council considers this abandonment resolution.

Thank you for your assistance.

Very truly yours,
David Cox, VP
FAX 561-290-8229 phone 561-626-6088



**Juno by the Sea North Condominium Association (The Manor), Inc.
911 Ocean Drive, Juno Beach, FL, 33408**

2016 MAY 25 AM 9:09

May 25, 2016

Ruben Cruz, Director of Planning and Zoning
Town of Juno Beach

RE: Condition to be added to Section 2 of Resolution 2016-05

Dear Ruben,

I believe you understand that we only want to protect our property rights from being usurped by a local utility. You explained that Lots 1, 2 and 3 should be supplied with utility service from the Floral Street roadway and the ROW. However, there is nothing in writing that guarantees that. You also acknowledged that utilities like to take the cheapest easiest path and try to put service where they do not have an easement and it can be a protracted problem dealing with them. Digging up roads is expensive. The Manor has cooperated with the Town and its neighbors and provided easements across our property that we received from the Abandonment of the Old Ocean Drive ROW. More than 40 % of this property is encumbered by easements. We received no compensation for these easements and some were a condition of the abandonment of the ROW.

We will not provide any additional easements.

We are concerned that FPL, ATT and Comcast and perhaps others will try to cut across our property where there is no easement for them from the utility pole to the east of the terminus of Floral St to service Lots 1, 2 and 3 instead of coming off the utility pole at the NW corner of our property and then using the existing 23 ft. wide North to South easement along Lot 3 to service Lots 1, 2 and 3. Often times, crews just show up unannounced and start slashing landscaping and digging where they have no right to do so. This has happened to us in the past.

We would appreciate if the Town Council would please consider two options in reducing or eliminating the 23 ft. easement that encumbers Lot 3.

1. Reduce the easement from 23 ft. to 5 ft. which is within the setback. or
2. Remove the easement and add the following conditions to Section 2 of Resolution 2016-05.

“The abandonment of this easement contains the following terms and conditions:

The Building Department for Juno Beach shall verify that all future utility service to or across Lot 3 shall only be within and compliant with all of the terms of existing easements on this and all adjacent properties before the issuance of a building permit. Failure of the builder or permit applicant to provide to the Town plans of proposed utility service certified by the utility to or across Lot 3 compliant with this paragraph shall prevent a building permit from being issued to Lots 1, 2 or 3.”

Respectfully submitted for your consideration,

Very truly yours,
David Cox, Vice President

CC: Town Council, Town Manager, Town Attorney, Town Clerk



Juno by the Sea North Condominium Association (The Manor), Inc.
911 Ocean Drive, Juno Beach, FL, 33408

May 25, 2016

Mayor Jason Haselkorn
Vice Mayor Jim Lyons
Vice Mayor Pro Tem Frank Fahy
Council Member Bill Greene
Council Member Ellen Andel
Town Manager, Joe Lo Bello
Town Attorney, Len Rubin
Director of Planning & Zoning Ruben Cruz

Dear Neighbors,

On behalf of the Board of Directors of The Manor and the Owners of the 48 units in our building, I would like to thank you all for your prompt consideration of our request concerning the abandonment of the easement on our neighbor's property. I greatly appreciate that you took the time to read my two letters and you supported Len's simple but reasonable safeguard of our property rights. As always I appreciate living in this great town where each citizen can be heard and and can calmly work with dedicated public servants such as yourselves.

Very truly yours,

David Cox, Vice President

2016 MAY 25 AM 8:25