

MINUTES  
TOWN OF JUNO BEACH  
PLANNING AND ZONING BOARD MEETING

November 2, 2022

Council Chambers/YouTube  
340 Ocean Drive

PRESENT: JIM FERGUSON, CHAIR  
MICHAEL STERN, VICE CHAIR  
JOHN CALLAGHAN, BOARDMEMBER  
LAURE SHEARER, BOARDMEMBER  
DIANA DAVIS, BOARDMEMBER  
NANCY WOLF, ALTERNATE BOARDMEMBER

ALSO PRESENT: FRANK DAVILA, DIRECTOR OF PLANNING & ZONING  
CURT THOMPSON, PRINCIPAL PLANNER  
CAITLIN COPELAND-RODRIGUEZ, TOWN CLERK  
LEONARD RUBIN, TOWN ATTORNEY  
YASMIN HAMEL, ADMINISTRATIVE SECRETARY

ABSENT:

Chair Ferguson called the Planning and Zoning Board Meeting to order at 5:30 pm.

Audience:

- ~ CALL TO ORDER
- ~ PLEDGE OF ALLEGIANCE TO THE FLAG
- ~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA - *None*  
(Time Stamp is based off of [YouTube video](#)) (Time: 0:24 – 0:52)

1. **PUBLIC COMMENTS** (Time: 0:53 - 1:15)

*All Non-Agenda items are limited to two (2) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Board). **Planning & Zoning Board will not discuss these items this evening.** Any issues will be referred to Staff for investigation; a report will be forwarded to the Planning & Zoning Board; and citizens may be contacted.*

Public Comments opened at 5:31pm

Public Comments closed at 5:31pm.

2. **CONSENT AGENDA** (Time: 1:16-15:06)

*All matters listed under Item 2, Consent Agenda, are considered to be routine by the Planning & Zoning Board 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. Approval of Planning & Zoning Board Meeting Minutes for October 3, 2022.

***MOTION: Stern/Davis made a motion to approve the Consent Agenda.***

***ACTION:** Davis withdrew from seconding the approval and the motion failed.*

***MOTION:** Davis/Shearer made a motion to table the approval of the Consent Agenda.*

***ACTION:** The motion to table failed 3-2 with Shearer/Stern/Callaghan opposed.*

***MOTION:** Stern/Callaghan made a motion to approve the Consent Agenda with following amendment: include as backup material the Florida Statutes that Boardmember Davis had referenced at the last meeting.*

***ACTION:** The motion passed 4-1 with Boardmember Davis opposed.*

Principal Planner Thompson requested that item #3 be removed from the agenda because the applicant was not present.

3. **APPEARANCE REVIEW FOR 520 S. LYRA CIRCLE (QUASI-JUDICIAL)**  
(Principal Planner Thompson)

- ~~A. Disclosure of Ex Parte Communications~~
- ~~B. Swearing in of Witnesses~~
- ~~C. Staff Presentation~~
- ~~D. Applicant Presentation~~
- ~~E. Public Hearing~~
- ~~F. Planning & Zoning Board Motion/Decision~~

~~***Staff Recommendation:** Staff recommends that the Planning and Zoning Board review the information that has been provided, and consider approval or denial, or approval with modifications to the Architectural Review Board application for 520 S. Lyra Circle.*~~

4. **APPEARANCE REVIEW FOR 430 JUPITER LANE (QUASI-JUDICIAL)** (Time: 15:07-52:30)  
(Principal Planner Thompson)

- A. Swearing in of Witnesses

Town Attorney Rubin swore in all parties wishing to speak on this item.

- B. Disclosure of Ex Parte Communications

Town Attorney Rubin announced that Boardmember Shearer lives immediately adjacent to the property and will be recusing herself from this item. He also stated that Alternate Boardmember Wolf will be voting on this item.

Town Attorney Rubin asked if the Board had any ex parte communications to disclose.

- C. Staff Presentation

Principal Planner Thompson went over the memorandum and asked the Board to hold their questions until after the applicant's presentation.

D. Applicant Presentation

Craig Dell, Applicant/Owner, went over his presentation (*see attached*) and asked the Board if they had any questions.

The Board reviewed, discussed, and asked staff and Mr. Dell questions on this item.

E. Public Hearing

Public Hearing Opened at 5:56pm.

Public Hearing Closed at 5:56pm.

F. Planning & Zoning Board Motion/Decision

***MOTION:*** Stern/Callaghan made a motion to approve the application with the following condition: the applicant to work with staff and incorporate staff's recommendations on modifying the rear and side facades in order to match the combination of architectural styles presented on the front of the facade of the building.

***ACTION:*** The motion passed 4-1 with Alternate Boardmember Wolf opposed.

5. **DISCUSSION ON CREATING A DEFINITION FOR THE TERM "MULCH"** (Time: 52:31 - 1:12:49)  
(Per the request of Council)

Director of Planning & Zoning Davila went over the memorandum and asked the Board if they had any questions.

The Board reviewed, discussed, and asked Staff questions on this item.

*The Board gave consensus to not define the term "mulch".*

6. **COMMENTS FROM STAFF** (Time: 1:12:50 - 1:15:29)

Town Clerk Copeland-Rodriguez went over the upcoming meeting and event dates.

Director of Planning & Zoning Davila provided an update to the Board regarding Council approving the Board's discussion on how to add items to the meeting agenda. He asked if the Boardmembers could send him feedback on the procedures that they would like to see regarding how to include items on the agenda.

7. **COMMENTS FROM THE BOARD** (Time: 1:15:30 - 1:36:37)

Alternate Boardmember Wolf provided an update from the Palm Beach County Natural Areas Management Advisory Committee's Public Hearing regarding the 10 Year Plan for the Juno Dunes Natural Area.

Boardmember Davis suggested removing/modifying language in the Town Code regarding native vegetation preservation and explained. She also stated that she had attended the Palm

Beach County Natural Areas Management Advisory Committee's Public Hearing and provided an update.

Boardmember Callaghan suggested that they have a regular institutionalized procedure to update the Town Code and explained.

Chair Ferguson inquired about staff's thoughts on the suggestions made by Lecture Series guest speaker Rick Gonzales regarding potential changes on the Town's architectural standards.

Director of Planning & Zoning Davila addressed Chair Ferguson's inquiry.

Chair Ferguson inquired about the applicant for 520 S. Lyra Circle and the repercussions of the applicant's failure to attend.

Town Attorney Rubin explained that because the proceeding is quasi-judicial, the Board cannot proceed with the hearing if the applicant is not in attendance.

6. **ADJOURNMENT** (*Time: 1:36:38-1:36:40*)

Chair Ferguson adjourned the meeting at 7:06pm.

***Minutes Approved on December 12, 2022.***