



# The Facts

Official News and Information



September 10, 2025

## Town Manager's Commitment

Professional management is essential to effective, efficient, fair, and democratic local government.

As a local government management professional, I am committed to keeping the Juno Beach community informed on local government affairs.

This newsletter is intended to support informed public participation in local government decisions, promote public transparency, and provide a trusted source for official news & information of interest to the Juno Beach community.

Cheers,  
Rob Cole  
Town Manager  
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## The Facts: Welcome, Juno Beach!

Welcome to this edition of *The Facts* newsletter.

Like dew hanging from the tip of a saw palmetto leaf in the soft, early morning light greeting the Juno Dunes, human life endures against the inevitable.

Just as it is impossible to know precisely when the dew drop will fall to the thirsty ground below, *yet we know it must*, humans are uniquely aware that life is fleeting. Although we are aware that the sands of time are continuously sifting through our fingers, we can't typically perceive the precise time that the last grain will escape our grasp.

On September 11, 2001, the 9/11 attacks killed 2,977 people, including 441 first responders, the greatest loss of emergency personnel on a *single day* in American history. For the 2,977 souls and their families, they could not have known how their lives would change on September 11. America, *as a society*, could not have known how *all our lives* would change. It started for many as just another day, yet we were all confronted with the horrific reality as it played out *live* on national television.

The imagery is seared into our collective consciousness and the pain enduring. For the first responders having paid the ultimate sacrifice, as well as those continuing to serve today, thank you and your families for your service and selfless commitment to protecting us.

*Never Forget –*  
Rob Cole, Town Manager

## The Facts: Single-Family Appearance Review

**The Facts:** Town Council voted at their meeting on Monday, September 08, to modify our zoning code to be consistent with state law, including exempting single-family homes from architectural review and appearance review, consistent with the details included in Option 1 of Town Attorney Len Rubin's [July 2025 memorandum](#) to Town Council (page 6). As part of the vote, staff were directed to proceed with creation of an Architectural Pattern Book to support voluntary compliance with preferred architecture and design elements.

Key aspects informing the decision included:

1. Florida's Community Planning Act ([§ 163.3202](#)) makes it **illegal for the Town to consider building design elements** in determining whether or not to approve a permit for a single-family or two-family dwelling. As much as we may wish to, we can't undertake [Appearance Review](#) without being able to apply architectural and building design judgements or clear criteria. Importantly, the words "bulk, mass, scale, and proportion" are also **not defined and have no guidelines**, making their clear and consistent application impossible, as staff have related to Council.
2. Florida's [SB180](#) makes it **illegal for the Town to create new laws that are more restrictive or burdensome** than those having existed on August 01, 2024. This prohibition remains in effect until October 01, 2027, provided the date is not extended by a future qualifying event, i.e., Palm Beach County being named in a federal disaster declaration in association with a named hurricane path falling within 100 miles of County boundaries. Thus, we can't use new metrics (or those previously in use but *not* properly codified) to constrain the size of homes below the dimensions allowed in our presently codified zoning regulations.
3. An [exhaustive staff analysis](#) requested by Town Council **emphasized the infeasibility of continuing to operate under the status quo**. The memo presented a range of possible tactics for continuing with best available effort to shape the contextual fit of single-family projects. The analysis also included brief discussion of the potential for litigation, primarily in the form of potential [Bert J. Harris Private Property Rights Protection Act](#) claims, though other legal claims could also arise, such as alleged due process violations, including those associated with arbitrary and capricious decisions, as alluded to in (1) above.

**The Facts:** Appearance Review for *multi-family and commercial projects* will continue, as the state prohibition in (1) above *only* applies to single-family and two-family dwellings.

**This explains why staff can apply design criteria to commercial properties but not to single-family homes.** It is not a question of staff ability or willingness to review single-family homes for contextual fit, or even a question of whether doing so could help to

improve outcomes, but more simply the fact that our team is *prohibited by a combination of state law restrictions and the prospect of litigation associated with doing so* – the option is thus off the table for single-family properties.

**The Facts:** Prior to Monday’s vote to make our single-family development regulations conform to state law and minimize litigation exposure, the rules in place were not only unlawful and risked litigation – sufficient cause to amend them, of course – but also yielded *little to no contextually desired influence* on bulk, mass, scale, proportion, or architectural design; they weren’t in any meaningful way achieving the outcomes or protections that some have inaccurately attributed to them.

To illustrate, some have argued that appearance and architectural review of single-family dwellings prevents homes from being built that are larger than the largest homes currently in our neighborhoods. This is not an accurate portrayal. First, **architectural review (and therefore appearance review) has not been undertaken since 2023**, when the state preempted our authority to do so. Furthermore, **the unauthorized rules (metrics) that were being applied since 2023 allowed new homes to be constructed fully 20% larger than the largest home already existing** within a 300’ radius of the subject property.

The [staff memorandum attachment](#) provided to Town Council as part of Monday’s agenda highlighted the ineffectiveness of the regulations, having revealed that *all but two* of the 19 applications processed since March 30, 2022, were approved with either no architectural modifications, or only minor changes. Of the two denied, one was ultimately approved by the Planning and Zoning Board, as proposed by the applicant (with no changes made to their plans), and is now involved in litigation, while the other is pending reapplication.

**Because the existing rules were not compliant with state law and/or risked litigation, ineffective at supporting their intended goals, and impossible for staff to properly administer, the Town Council voted to repeal them.**

**The Facts:** Recognizing that neither Architectural Review nor Appearance Review of single-family homes are legally or procedurally feasible, the Town Council has directed staff to move forward with developing tools that encourage *voluntary* efforts to design contextually desired single-family projects.

The Town Council directed staff take the following actions discussed in the [September 08 staff memorandum](#):

- Proceed with creation of an Architectural Pattern Book, which would be used to help educate property owners about architectural styles and features that our community embraces and believes important to reflect in our built environment. A contract will be advanced for Town Council consideration.

- Evaluate the mechanics and feasibility of a voluntary Overlay District for interested groups of contiguous single-family homeowners. A *voluntary* Overlay District would be subject to participant approval and impose defined restrictions on development of the subject properties such that there is an overall *voluntary* reduction in property rights. Staff will further research the matter and return a memorandum for consideration of any next steps.
- Develop a proposed program for increasing neighbor notification of pending single-family home major addition or reconstruction projects, specifically the posting of a sign on the subject property to help increase awareness that a project is pending. Neighbors would thus have notice of the application and be able to inquire about the plans, if interested. Consistent with [Town Code Section 34-64](#), an appeal may be filed with the Town Council sitting as the Board of Adjustment if an error has been made in interpreting any zoning ordinance or regulation. Staff will propose a neighbor notification protocol for Town Council consideration.
- Evaluate the procedural and code aspects of incentivizing front porches as a means to soften front facades and increase sense of community. Staff will further research the matter and return a memorandum for consideration of any next steps.

**The Facts:** Monday's meeting was the latest scheduled in a series of meetings stemming back to May 02, 2025, with each focused on resolving identified legal and procedural problems associated with applying Architectural and Appearance Review to single-family home permit review.

The following meetings have taken place, with key decisions **highlighted**:

- [May 02, 2025](#): *Joint Workshop - Appearance Review Criteria for Single-Family Homes*. The [minutes](#) indicate Council consensus for staff to **continue with the status quo**, but to return with analysis of other options and staff recommendation.
- [May 28, 2025](#): Regular Town Council Meeting, *Agenda Item 13 – Discussion – Appearance Review Criteria for Single-Family Homes*. The [minutes](#) reflect that a majority of Town Council voted to, among other related changes, **eliminate Appearance Review and Architectural Review of single-family homes**.
- [July 23, 2025](#): Regular Town Council Meeting, Agenda Item SB180 passed the Florida legislature in July 2025 and Attorney Len Rubin prepared and presented a [memorandum](#) relating that the law preempted codification of the two metrics approved at the May 28 meeting, and offered two options for moving forward. The [minutes](#) reflect that **staff were directed to develop more options for Town Council consideration and advance a staff recommendation**.



- [August 26, 2025](#): Regular Town Council Meeting, Agenda Item 19 – *Appearance Review Single Family Dwellings – Response to Town Council*. **Staff prepared the research requested, accompanied by pros and cons of each alternative, and came prepared to make their recommendation for Council consideration.** However, the meeting went long and was continued until September 08.
- [September 08, 2025](#): Continuation of August 26 Regular Town Council Meeting, Agenda Item 3 – *Appearance Review Single Family Dwellings – Response to Town Council*. As was the case on August 26, the purpose of **the agenda item was to report back to Council, as previously directed, on the requested research and to secure a decision on how to resolve the legal compliance and procedural problems associated with Architectural and Appearance review of single-family homes.**

In view of the facts related at the May 2, May 28, July 23 meetings, as well as the new information provided on September 08, staff reiterated the recommendation for Attorney Rubin’s Option 1 from the July 23 memorandum and also expressed support for additional efforts focused on voluntary measures to encourage contextually appropriate single-family projects.

**The September 08 decision-point was reached following substantial staff and Town Council effort, involving complete public transparency; it was not in *any* way a surprise agenda item or vote.**

Next steps include research deliverables described earlier in this edition of *The Facts*, executing the steps necessary to codify the directed changes, and moving forward with development of the Architectural Pattern Book, which will be of value with all development in Juno Beach, not just single-family homes.

### The Facts: Fun Fact

With each newsletter, I conclude with something of personal interest, not necessarily associated with our local context, ranging from a personal photo I’ve taken to a recent news article of interest . . . to *who knows what* – the idea is simply to allow each of you to get to know me not just as the Town Manager, but as a person you have some familiarity with, even if we have not had the opportunity to meet in person. Of note, I am available to meet with community members to discuss any topic of interest – just reach out to schedule: [rcole@juno-beach.fl.us](mailto:rcole@juno-beach.fl.us).

Henry David Thoreau commented, “You must live in the present, launch yourself on every wave, find your eternity in every minute.” For me, the tragic events of 9/11 underscored the pace at which life can change. While chaotic change is unpredictable and we may have the ability to react to and learn from it, incremental change, often imperceptible levels of

change in the usual conduct of our daily lives, is happening *all the time*. We see it in the rearview mirror behind us, but we often miss it as it is occurring, perhaps because we're not living in the present, but rather simply existing there, distracted by shiny objects.

I suppose Thoreau would have contemplated that to catch a wave, you must begin paddling as it approaches, not simply launch yourself once it arrives, lest you get left behind, potentially having missed the opportunity to [get barreled](#) on the wave of a lifetime. Being present in the moment, time slows and the rich details of life emerge, allowing you to see with clarity, unimpeded by the fog still clearing over the ocean. The gentle azure roll of rising water advancing from the deep can be recognized as an opportunity on the horizon. Paddle hard. *Launch yourself on the wave*. Indeed, find your eternity in *every minute*.

Life is short, folks. Take time to smile every day. Live with passion, tempered with respect. Sip a little adrenalin occasionally to appreciate the thrill of being alive. Everything can change in a moment, so take time to unplug from the daily grind and cherish what you have today – right now, wherever you are.

Thank you for caring enough about Juno Beach local government affairs to read [The Facts](#).

