

1 TOWN OF JUNO BEACH, FLORIDA

2  
3 ORDINANCE NO. 786

4  
5 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH,  
6 FLORIDA AMENDING ARTICLE I, "IN GENERAL," OF CHAPTER 34,  
7 "ZONING," OF THE TOWN CODE OF ORDINANCES BY AMENDING  
8 SECTION 34-4, "DEFINITIONS," TO MODIFY THE DEFINITION OF THE TERM  
9 TOWER TO ADDRESS TOWERS ON OR ADJACENT TO FLAT ROOFS;  
10 PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN  
11 EFFECTIVE DATE.

12  
13 WHEREAS, the Town's Zoning Code currently allows tower features up to 225 square  
14 feet in size in multiple residential zoning districts; and

15  
16 WHEREAS, at the recommendation of the Planning and Zoning Board, the Town  
17 Council wishes to amend the definition of the term tower to allow only enclosed tower features  
18 when a tower is located on or adjacent to a flat roof; and

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20 WHEREAS, the Town's Planning and Zoning Board has conducted a public hearing on  
21 this Ordinance and provided its recommendation to the Town Council; and

22  
23 WHEREAS, the Town Council has determined that adoption of this Ordinance is in the  
24 best interests of the general welfare of the Town of Juno Beach.

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26 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO  
27 BEACH, FLORIDA as follows:

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29 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and confirmed  
30 and are incorporated herein.

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32 **Section 2.** The Town Council hereby amends Article I, "In General," of Chapter 34,  
33 "Zoning," of the Town Code of Ordinances amending Section 34-4, "Definitions," to read as follows  
34 (additional language is underlined):

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36 **Sec. 34-4. Definitions.**

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38 For the purposes of this chapter, the following terms and words are hereby  
39 defined. Words used in the present tense shall include the future; the singular  
40 number shall include the plural; and the plural the singular; the term "used for"  
41 shall include the meaning "designed for"; the term "structure" shall include the  
42 term "building;" the term "lot" shall include the terms "plot" and "tract;" the word  
43 "shall" is mandatory and not directory.

44  
45 \* \* \*

46  
47 *Tower* means an open air or enclosed structural feature which is an  
48 integral part of the principal structure, and whose floor area, from outside  
49 wall to outside wall, is limited in size. Such structural feature is intended to  
50 provide additional scenic view opportunities. For towers located on or

adjacent to a flat roof, only enclosed tower features shall be permitted. No doors shall be allowed, and all openings and windows shall be fixed and non-opening.

\* \* \*

**Section 3.** The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach.

**Section 4.** If any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 5.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

**Section 6.** This Ordinance shall be effective immediately upon adoption.

FIRST READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

SECOND, FINAL READING AND ADOPTION this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
AYE                      NAY                      \_\_\_\_\_  
PEGGY WHEELER, MAYOR

\_\_\_\_\_  
AYE                      NAY                      \_\_\_\_\_  
DD HALPERN, VICE MAYOR

\_\_\_\_\_  
AYE                      NAY                      \_\_\_\_\_  
MARIANNE HOSTA, VICE MAYOR PRO TEM

\_\_\_\_\_  
AYE                      NAY                      \_\_\_\_\_  
JACOB ROSENGARTEN, COUNCILMEMBER

\_\_\_\_\_  
AYE                      NAY                      \_\_\_\_\_  
DIANA DAVIS, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
CAITLIN COPELAND-RODRIGUEZ, MMC  
TOWN CLERK

\_\_\_\_\_  
LEONARD G. RUBIN  
TOWN ATTORNEY