



**TOWN OF JUNO
BEACH**
340 OCEAN DRIVE
JUNO BEACH, FL 33048
PHONE 561.626.1122 • FAX 561.775.0812

Rezoning/Zoning Code Text Amendment Petitions

In seeking a *rezoning*, or *amendment* to the Town of Juno Beach Comprehensive Zoning Ordinance (Ordinance 207, and subsequent amendments):

"A Petition to designate a zoning classification or rezone any land within the Town may be filed by the Town Council, by the Planning and Zoning Board, or by the owner or authorized agent of the owner of property within the Town. After the Director has determined that a Petition has been properly filed and is complete with all required supporting materials, the Planning and Zoning Board shall set a date for a public hearing on the Petition. The public hearing shall take place within sixty (60) days of the determination by the Director that a Petition has been properly filed and is complete.

All requirements of Florida Statutes, Chapter 166 shall be followed in providing notice for a public hearing on such Petition."

"Upon receipt of recommendations of the Planning and Zoning Board, or upon failure to receive such recommendations within the period specified above, the Town Council shall set a date for its public hearing, which shall be no more than ninety (90) days from the date the recommendation is received or the date upon which the Town Council determines to take action in the absence of the recommendation due to failure of the Planning and Zoning Board to report."

Section I

Instructions for Completion:

1. Complete Section II of this application, and respond (in written form) to the criteria listed in Section III. You may wish to attach a separate sheet of paper for this item.
2. Sign and date this application at the end of Section III. If appropriate, complete the power of attorney form on page 4 of this application.
3. Attach any information (maps, drawings, survey, letters, legal descriptions, etc.) that will help identify the petition subject, and that will help clarify your application.
4. A filing fee of \$1,600.00 must accompany each application upon submittal.

Section II

Please Complete the Following:

Applicant/Agent Information:

Name of Applicant: Pulte Home Company LLC Contact Phone #: 561.268.5821
Address of Applicant: 3350 Peachtree Road NE, Suite 1500, Atlanta 30326

*If the applicant has an agent, or will be represented by anyone other than the applicant.

*Name of Agent: Cotleur & Hearing Contact Phone #: 561.747.6336
*Address of Agent: 1934 Commerce Lane Suite 1, Jupiter, Florida 33458

Regarding the Subject Location (subject of petition):

Street Location: 13951 US Highway 1

Name of Subdivision: New Palm Beach Heights

Block: 7, 11, 12 Lot: _____

If no formal address exists, please describe the subject property: _____

Regarding the Petition:

Please describe the petition being requested (Include reason[s] for petition and intended uses for subject property. Also, include the specific existing classification[s] of the subject property and the proposed classification[s]): _____

We are requesting the subject 4.32 acre parcel (to include Coconut Avenue ROW abandonment, thus totaling 4.70 acres) located at 13951 US Highway 1, to be rezoned from Commercial (CG) zoning designation to RM,2 (Moderate Density Residential) zoning designation, to allow for the construction of 40 town home units.

Section III

Please address (in written form) the criteria listed below (items 1-15):

While considering a rezoning or Comprehensive Zoning Ordinance amendment petition, the Town Council/Planning and Zoning Board shall consider the following limitations on amendments:

- a. The Planning and Zoning Board shall not recommend, nor the Town Council pass, any amendment except on substantial proof that it is in accord with the Comprehensive Plan and sound zoning practice, and will serve to promote the purposes of zoning as provided by State law;
- b. No amendment to rezone property shall contain conditions, limitations, or requirements not applicable to all other property in the district to which the particular property is rezoned;
- c. Except where the proposal for the rezoning of property involves an extension of an existing use boundary, no change in the zoning classification of land shall be considered which involves less than forty thousand (40,000) square feet of area and two hundred feet of street frontage unless otherwise provided for herein;
- d. If the recommendation of the Planning and Zoning Board is adverse to any proposed change, such change shall not become effective except by the affirmative vote of a majority of the entire membership of the Town Council;
- e. Whenever the Town Council has changed the zoning classification of property, the Town Council shall not then accept or consider a petition for rezoning of all or any part of the same property for a period of one year from the effective date of the amendment changing the zoning classification;
- f. Whenever the Town Council has denied a petition for rezoning of property, the Town Council shall not thereafter:
 1. Accept or consider any further petition for substantially the same rezoning of all or part of the same property for a period of eighteen (18) months from the date of such denial; or
 2. Accept or consider any petition for any other kind of rezoning on all or any part of the same property for a period of one (1) year from the date of such action;
- g. Nothing contained in Section 34-142(e) or 34-142(f) shall prevent the initiation of amendments by the Town Council or the Planning and Zoning Board, provided that such amendments meet the requirements of Section 34-142(a) through 34-142(d);

The following items for an amendment or rezoning should also be considered by the Town Council/Planning and Zoning Board:

1. If the proposed change is consistent with the established land use pattern;

Applicant Response: A zoning designation of RM-2 will create a seamless transition between the commercial uses along Donald Ross Road and the single family subdivision located to the south of the subject property.

2. If the proposed change would create a related district to adjacent and nearby districts;

Applicant Response: The proposed zoning change will create a related district to the single family subdivision located to the south of the subject property.

3. If the proposed change would naturally alter the population density pattern and thereby reasonably maintain, or concurrently increase the availability of public facilities such as utilities, streets, etc.;

Applicant Response: The proposed zoning change to RM-2 will appropriately increase population density by providing 40 town home units within the subject site.

4. If the proposed change would be consistent with the Comprehensive Plan;

Applicant Response: This proposal is consistent with all applicable goals and objectives within the comprehensive plan, as well as consistency with the Future Land Use designation (please see attached statement of use).

5. If changed or changing conditions make the passage of the proposed amendment necessary;

Applicant Response: This amendment is necessary to obtain the requested density while maintaining an adequate amount of open space.

6. If the proposed change will maintain or positively influence living conditions in the neighborhood;

Applicant Response: This proposal will enhance the living conditions in the neighborhood by providing lush landscaping, appropriate architecture styles, and connectivity within the corridor.

7. If the proposed change will maintain or improve traffic conditions, or otherwise address traffic-related public safety issues;

Applicant Response: The reduction in intensity given the established permitted use table between the existing commercial (CG) zoning designation and the proposed Residential-Multiple Family-Moderate Density (RM-2) will improve traffic conditions.

8. If the proposed change will maintain or improve drainage conditions;

Applicant Response: The reduction in intensity given the established permitted use table between the existing commercial(CG) zoning designation and the proposed Residential-Multiple Family-Moderate Density (RM-2) will improve drainage conditions based upon the a reduced impervious surface ratio.

9. If the proposed change will relatively maintain, or allow for appropriate light and air conditions to adjacent areas;

Applicant Response: The proposed rezoning will maintain and adequately provide for appropriate light and air conditions.

10. If the proposed change will maintain or improve property values in the adjacent area;

Applicant Response: The proposed rezoning will improve property values in the area.

11. If the proposed change will promote the improvement or development of adjacent property in accord with existing regulations;

Applicant Response: The proposed rezoning will promote the improvement of adjacent commercial properties to align with the Town of Juno Beach regulations.

12. If the proposed change benefits the public welfare as opposed to resulting in a grant of special privilege to an individual owner;

Applicant Response: The proposed rezoning will benefit the public welfare by providing housing to a primarily commercial corridor.

13. If there are substantial reasons why the property requires a change from existing zoning;

Applicant Response: The proposed site plan, as constructed, would not be permitted within a commercial zoning district. The proposed site plan is significantly less intense than that of a commercial zoning designation could allow.

14. Whether the change suggested is to scale, or appropriately balanced with the needs of the neighborhood or the Town;

Applicant Response: This proposal will provide the Town with additional housing which exceeds the landscape and architectural standards set forth in the Code of Ordinances.

15. After using reasonable diligence, the Petitioner can demonstrate there is a reasonable lack of alternative sites available in the Town for the proposed use;

Applicant Response: There is a lack of alternative sites for this proposed use, given the appropriate transition between residential and commercial uses, as well as walkability.

According to Ordinance 207, Town of Juno Beach, Florida, "following the public hearing, the Town Council may grant the petition, deny the petition, or grant the petition with conditions or modifications; provided, however, that:

- a. No land shall be rezoned that was not described in the public notice; and
- b. No land may be rezoned to a less restrictive use or different classification than that described in the public notice."

**If an amendment to the Zoning Code is being requested, please attach all appropriate language changes to this application.

Aimee Carlson
Applicant's Signature

10/18/23
Date

Aimee Carlson
Print Name Dir of Land Development

Amy Fleischer
Witness Signature

10/18/2023
Date

Amy Fleischer
Print Name

Rezoning Land Use Power of Attorney

Name of Property Owner(s): Juno Square LLP
Mailing Address: 3910 RCA Blvd, Suite 1015, Palm Beach Gardens, FL 33410
Property Address: 13951 US Highway 1
Property Control Number: 28-43-41-28-10-007-0111
Name of Applicant: Pulte Home Company LLC, 3350 Peachtree Rd NE, Suite 1500, Atlanta, GA 30326
Contact Phone Number: 561-268-5821

The Undersigned being the record title owner(s) of the real property described above does (do) hereby grant unto the Applicant stated above the full right and power of attorney to make application to the Town of Juno Beach to change the land use of said property. This land use change may include rezoning of the property, granting of special exceptions, variances or appeals of decisions of the Planning & Zoning Department. It is understood that conditions, limitations and restrictions may be placed upon the use of operation of the property. Misstatements upon application or in any hearing may result in the termination of any special exception and/or a proceeding to rezone the property to the original classification. This power of attorney may be terminated only by a written statement of such termination effective upon receipt by the Planning & Zoning Department.

In witness whereof the undersigned have set their hands and seals this 11th day of October 2023.

[Signature]
Witness

[Signature]
Owner

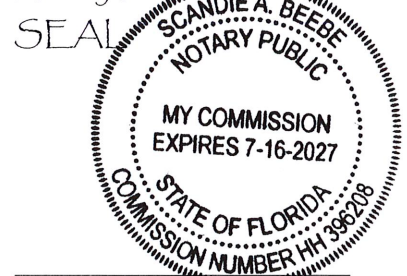
[Signature]
Witness

Owner

Before me the undersigned authority personally appeared the owner(s) named above who upon being duly sworn acknowledged before me that they are the owners of the real property described above and that they executed the power of attorney for the purposes stated therein, sworn and subscribed this

11th day of October 2023. [Signature]

Notary Public



Town of Juno Beach Application
Rezone - 12/97, 2/15.