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For August 7, 2025 Town Council Meeting

1 message

Aldo Rovere <aldoforjuno@gmail.com>

Fri, Aug 1, 2025 at 6:09 AM

To: town_council@juno-beach.fl.us, rcole@juno-beach.fl.us, Frank Davila <fdavila@juno-beach.fl.us>, Caitlin Copeland <ccopeland@juno-beach.fl.us>

August 1, 2025**Subject:** Follow-Up: Balancing Property Rights and Harmony

Dear Council Members, Town Staff and Juno Beach Community,

This note follows up on my July 16th letter, *"Balancing Property Rights and Harmony,"* which has received positive feedback and thoughtful engagement.

What was asked for—and what is still needed—is a new path forward. One that can satisfy the parties involved, remain compliant with SB 180, and, if implemented carefully, avoid exposing the Town to unnecessary risk.

As a resident, I've spoken on this subject in several three-minute increments, listened to countless hours of deliberation, and—most importantly—changed my perspective. Not on whether Plan 1 or Plan 2 is better, but on how we might achieve a resolution both sides can live with.

Initially, I believed the solution was quantitative: assigning each property a measurable growth envelope. But I've come to see that the root of the conflict isn't about numbers—it's about applying rigid standards to matters of aesthetics and character, which are inherently subjective. Numbers may serve as a useful guidepost, but they cannot fully define what makes a structure compatible or harmonious in a town like ours.

"Harmony," as a principle, remains not only relevant—but essential. Thoughtful growth must respect the context of its surroundings and uphold the unique coastal character of Juno Beach.

An outright repeal of Ordinance 780 wouldn't just erase a set of measurements—it would dismantle a long-standing framework that has guided compatibility and neighborly respect. That kind of repeal could easily be seen as moving away from the very values that have been championed in every campaign I can recall.

Looking for a third option? Perhaps this idea might shift the conversation:
Let's move forward, but pause any permanent changes until the SB 180 freeze

period ends. Let Planning & Zoning continue operating as they have—applying the preponderance standard and making subjective but informed decisions. It's not a perfect system, but it allows harmony to remain central to our community's identity.

Put the proposed process to the test. Fact-check it. Let it prove itself.

Respectfully submitted,

Not a lawyer, never played one on TV, currently a member of the suspended oversight committee

Sincerely,

Aldo Rovere

400 Uno Lago Drive

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Attachments:

Procedures for Residential Construction & Reconstruction Review

Balancing Property Rights & Community Harmony in Juno Beach

2 attachments



Final.docx

22K



Balancing.docx

21K

Procedures for Residential Construction & Reconstruction Review

Effective July 2025 – October 1, 2027 (SB 180 Freeze Period)

♦ 1. Redefining “Preponderance” for Application Review

Preponderance of the evidence in Planning and Zoning review **does not require architectural sameness**, but instead calls for a **preponderance of cumulative factors** that, taken together, demonstrate the proposal fits within the **intent and language of the existing ordinance**.

✓ Boards may rely on:

- . Objective compliance with zoning code**
- . Contextual analysis of massing, scale, articulation**
- . Design compatibility** under the appearance review standards
- . Neighbor impact and support** where applicable
- . Architectural and expert input** interpreting compatibility

✘ **Boards may NOT:**

- Impose **new or stricter subjective criteria** adopted after August 1, 2024
- Require **additional documentation or reviews** not in effect prior to SB 180
- Deny permits based on **new aesthetic standards** not codified before 8/1/2024

♦ **2. Operating Under SB 180 – Procedural Integrity**

✓ **What Can Continue:**

- Application intake, processing, and ARB/Board reviews under **existing local law**
- Use of pre-existing design standards for **harmony, massing, and character**
- Appearance Review Criteria codified before SB 180, including:
 - Proportion and height relationships
 - Step-backs, articulation, and roofline transitions
 - Landscape buffering and mechanical screening

✘ **What Must Pause:**

- Adoption of any **new harmony or appearance rules**
- Creation of **additional permit conditions or overlay zones**

- Enforcement of policies not already active before Aug. 1, 2024

3. Clear Communication to Residents & Applicants

→ Model Language for Town Use

The Town of Juno Beach continues to review all residential construction and reconstruction applications under our **established building codes and harmony standards**, which remain fully in effect under **Florida Senate Bill 180**.

The Town does **not require buildings to look alike**, but we do require proposals to show—through proportion, massing, articulation, materials, and landscape context—that the project fits within the character and goals of our community as outlined in our **existing Appearance Review Criteria (Sec. 34-116)**.

Applications should be accompanied by materials that allow the Planning & Zoning Board or Architectural Review Board to evaluate the project **based on the totality of design and site evidence**—known as the **preponderance standard**.

📌 4. Examples for Guidance (to Include in a Resident/Developer Packet)

🏠 *Example A: Permissible Modern Construction*

- **Modern home on double lot** using:
 - Stepped-back massing
 - Neutral materials
 - Landscaping buffers
- **ARB Outcome:** Approved under existing standards. Preponderance of evidence (scale transition, neighbor support, zoning compliance) supports finding of harmony.

🏠 *Example B: Denial Due to Unmitigated Impact*

- Oversized home on small lot with:
 - No step-backs
 - Flat, unarticulated façade
 - Raised mechanical equipment visible from road
- **ARB Outcome:** Denied. Even if FAR compliant, proposal lacks mitigating features to demonstrate harmony under pre-SB 180 guidelines.

✓ 5. Applicant Checklist for Compliance with Existing Criteria

- ☐ Complies with height, setback, and FAR limits

- . ☐ Uses **step-backs or varied rooflines** to reduce apparent bulk
- . ☐ Maintains **streetscape rhythm** through compatible proportions
- . ☐ Screens all rooftop or mechanical equipment
- . ☐ Uses materials found in local vernacular (or blends tastefully)
- . ☐ Provides 3D visual or rendering of streetscape context
- . ☐ Gathers **letters of neighbor support**, if possible
- . ☐ Aligns with the **Comprehensive Development Plan goals** (preservation, resiliency, neighborhood scale)

6. Recommendations for Weathering the SB 180 Freeze

✓ Adopt a Conservative Interpretation of “More Restrictive”

- . Continue using **all pre-existing standards** confidently
- . Avoid new appearance review processes or scoring systems
- . Do not interpret SB 180 as banning **subjective review**—only new or more burdensome ones

✓ **Provide Predictability and Transparency**

- Publish a **Resident & Developer Harmony Packet**
- Include:
 - Full text of current appearance standards
 - Before-and-after examples
 - Precedent approvals with rationale
 - A flowchart showing how proposals are evaluated under preponderance standard

✓ **Prepare for October 2027**

- Track:
 - What standards worked well under the freeze
 - Where gaps or ambiguities caused delays
- Draft new ordinances (but delay adoption) to modernize and clarify harmony expectations post-freeze

Conclusion

By remaining grounded in **existing ordinance language**, applying a **balanced preponderance approach**, and communicating clearly with applicants, the Town of Juno Beach can continue to:

- Approve good-faith applications
- Maintain community character

- Avoid regulatory overreach and legal exposure under SB 180

*****A LITTLE EXTRA*****

"Welcome to the Review Process" Handout

Welcome to the Juno Beach Residential Review Process A Guide to Submitting a Construction or Renovation Proposal (Effective through Oct. 1, 2027)

Dear Resident or Applicant,

Thank you for your interest in building or renovating in the Town of Juno Beach. In accordance with Florida Senate Bill 180, Juno Beach will continue to evaluate residential construction projects using the zoning, appearance, and harmony standards that were legally adopted **before August 1, 2024**.

What Standards Still Apply?

Your project will be reviewed for:

- Height, floor area ratio (FAR), and setback compliance
- Visual fit with neighborhood scale, character, and design
- Articulation, roof form, and material choices
- Impacts on privacy, views, light, and neighbor enjoyment
- Compatibility with the Town's preserved seaside style

How Does the Town Decide?

Juno Beach uses a “**preponderance of evidence**” approach. That means your project will be judged not by whether it exactly matches your neighbor’s home, but by how all factors — design, massing, scale, context, and impact — align with community standards and Town code.

What Should You Submit?

- A site plan showing dimensions and location
- Building elevations (front, sides, and rear)
- Calculations for FAR and lot coverage
- Photos of your lot and adjacent homes
- A short narrative on how your home fits the neighborhood
- Optional letters of support from adjacent property owners

What Helps?

- Early discussions with Planning staff
- Voluntary coordination with your neighbors
- Revisions that soften visual impact
- Showing that your design contributes to neighborhood harmony

Still Have Questions?

Contact us to schedule a preliminary meeting or to review the applicable design and zoning rules before you submit.

Balancing Property Rights & Community Harmony in Juno Beach



Aldo Rovere <aldoforjuno@gmail.com>

Jul 16, 2025, 11:13 PM

to town_council

Good afternoon,

I appreciate the opportunity to speak briefly on a principle at the heart of Juno Beach' identity. Balancing the rights of homeowners to improve their properties with the community's collective desire to preserve our coastal, small-town character.

Over the past decade—especially through various ordinances, Juno Beach has evolved its zoning code and review process to reflect this delicate balance. This is especially important since it establishes a precedence of thought when keeping Juno Beach means just that - keeping Juno Beach, Juno Beach.

Supporting Improvement—Within Context

Homeowners in Juno Beach have every right to expand and modernize their homes, increase livable space, and look to invest in their future. However, as our codes thoughtfully over time clearly state—with the introduction of Harmony Criteria in 2024 —improvement must not come at the expense of neighbors' rights to light, air, privacy, or community character.

For now, the term “harmony” is no longer abstract. It's been defined by specific, reviewable criteria. Namely, Scale, mass, proportion, and materials must align with the visual rhythm of surrounding homes.

Quaintness is Not Anti-Progress

Preserving “quaintness” does not mean freezing our town in time.

It means making New Feel Native.

It means protecting property value not just through expansion, but through cohesive community design.

Our codes now encourage architectural styles that reflect our heritage—Victorian, Spanish Revival, and Mid-Century Modern— styles that made Juno Beach feel like a seaside village, not a high-rise corridor.

In closing,

Juno Beach has laid the legal and design foundation over the years to withstand litigation and to both protect and allow for reasonable progress.

Let's continue supporting thoughtful growth—improvement that adds value without casting shadows, that respects neighbors while expressing individuality, and that ensures future generations experience the same charm that brought us here.

Aldo Rovere
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