

JUNO ISLES CIVIC ASSOCIATION
 July 11, 2011
 BOARD OF DIRECTORS MEETING

The regular monthly meeting of the Juno Isles Civic Association Board of Directors was held on Monday, July 11, 2011, at Holy Spirit Church on Ellison Wilson Road.

❖ **Roll Call and Call to Order:**

President Louis Vilaro called the meeting to order at 7:05 p.m. The following Board members were present:

Felice Beyer		Unexcused
Bob Bittenbinder	Present	
Elizabeth Bartholomew	Present	
Doug Carpenter	Present	
Blas Contreras	Present	
Susan Czelustra	Unexcused	
Ron Hoehmann	Present	
Mary Ann Martin	Present	
Jim Moore		Excused
Rodney Riccardi		Excused
Louis Vilaro	Present	
Jud Whitehorn	Present	

Note: The minutes refer to Board members by their first name as listed above.

❖ **Approve Minutes:** June 6, 2011

Elizabeth made a motion to approve the minutes as amended. Mary Ann seconded the motion. All were in favor, and the motion passed unanimously.

❖ **New Business:**

Hearing of request for variance of setback requirement for two story addition at 2133 Ardley Road

In June, Rick and Judy Norton submitted plans to the architectural committee for a proposed two story addition on their home at 2144 Ardley Rd. The plans were not approved due to violation of certain setback requirements. Lou distributed a letter from the Norton's requesting a variance to those setback requirements.

Lou began the variance hearing by showing evidence of the required notification of hearing to the three adjacent properties and noted that none of the neighboring homeowners were in attendance.

The plans for the proposed addition show a two story addition built flush to the existing front plane of the home. However, the existing front plane of the home was built to 21 feet of the property line and, according to the Juno Isles Covenants, the front setback must be at least 30 feet.

Lou noted that the house is on a corner lot and read the section of the covenants that defines the front of a house on a corner lot. Lou acknowledged that the definition was poorly written and open to interpretation. He stated that his reading of the covenants defines the front as being on the shorter of the two lot line dimensions though he acknowledged that other boards read it to mean the front of the property faces the *street* that has the shorter length of the two intersecting streets. To see how Palm Beach County deals with the matter Lou said he called the county's addressing section. The county rep said simply it is based on what street the front of the house faces. When Lou asked how the county defines the front, the rep said the county bases its decision on factors such as the front door, walkway, mailbox, orientation of adjacent houses, etc. The county indicated the code used to read the front of a corner lot was the shorter lot line. Lou said he believes our covenants were written to conform to the former county practice.

Lou and Jud pointed out that in the case of the Norton's property, there is a violation regardless of how the front is defined. If the front of the lot is along the shorter lot line, then the proposed addition is at the rear of the property, 13 feet from the rear property line. Juno Isles covenants require a rear setback of 20 feet. If the front of the property is where the door, driveway, etc. is, the addition is on the front of the property and, at 21 feet from the front property line, violates the 30 feet setback requirement.

The Norton's expressed the need for additional space, and pointed out that the addition would enhance their property value and thus benefit the entire community. They further stated that their lot was of an irregular shape and that the proposed addition would conform to the front of the house as it currently exists

Various board members expressed concern that the second floor would look down over the neighbor's back yard and pool. Jud said there were many multi-story homes in the community looking down on each other's property. Lou reminded the board of the notice sent to the neighboring homes, stated that it referenced a "two-story addition" and again noted that none of the neighboring homeowners had contacted the board nor were in attendance. The Norton's acknowledged that concern and said they would try to mitigate it as much as possible by the position of the windows and the use of opaque glass.

Lou reminded the Norton's that, regardless of what the board decided, County approval would still be required and questioned whether the County would approve their plans. Mrs. Norton indicated that in her initial discussion with the County, it indicated it would.

Elizabeth made a motion to approve a seven foot variance to the rear setback based on the irregular lot. Bob seconded the motion. Jud amended the motion, saying regardless of how the County defined the front of a lot, he thought the Board agreed the front of the lot in question was on Ardley Court and the variance should apply to the front setback. He further stated that, in his view, the hardship was that the front of the house was built by the original developer at 21 feet from the front property line. Lou called for a vote on the amended motion. . Bob, Elizabeth, Doug, Blas, Ron, Mary Ann and Jud were in favor of the motion. Lou was opposed. The motion carried. Jud reminded the Norton's to return to the Architectural Committee and resubmit plans for approval.

The Norton's left at 8:00 p.m.

Discussion of Covenants Paragraph VI, section 2, definition of front property line on corner lots

Lou reiterated that, as the variance hearing just demonstrated, the covenants were unnecessarily confusing regarding the definition of the front of homes on corner lots.

He suggested either of the following actions should be taken:

1. The Board could clarify the definition based the historic understanding that the front property line is on the shorter line of the lot.
2. The Board could establish a common sense definition of the front property line based on the location of the door, driveway, mailbox, etc.

Jud said the language in Covenants Paragraph VI, Section 2 should be replaced and brought before the annual meeting. Bob made a motion to change the Covenants, redefining how the front property line is determined based on a common sense definition. Mary Ann seconded the motion. All were in favor, and the motion passed unanimously.

❖ Treasurer's Report – Blas

Blas reported the status of the annual assessment fee invoices distributed by Anchor Bank. As of July 5, 66 were not paid, including 11 returned invoices. 55 should receive second invoices, including penalties and interest. Addresses for the 11 returned invoices would be researched.

Blas reported the TD balance was \$50,459 and Anchor Bank balance was \$14,536.

❖ Committee Reports

- **Architectural Committee** – Jud
No report.

- **Covenants Committee – Blas**

Blas reported success with boats and commercial vehicles. He said properties without lawns would now be addressed.

Rhonda Thomas reported she inspected the community on June 28 and July 5. Ten notices were sent, three violations were resubmitted for legal action, and 12 violations were resolved. The County Code Enforcement office said residents requested extensions due to medical reasons. An extension was granted to July 27 for 1874 Crafton Road and August 31 for 2043 Ascott Road.

Lou said there was a request for discovery from opposing council in the Stropp litigation. Lou asked the Board if they wanted to reintroduce the idea of imposing fines at the annual meeting. There was a positive response.

Lou asked Rhonda to inquire with County Code Enforcement as to their policy regarding dead lawns and garbage receptacles in view.

Doug shared a letter with Rhonda from a neighbor stating garbage receptacles were on the street at 2132 Radnor Road on an ongoing basis. Rhonda said she would follow up with inspection.

- **Crime Watch – Bob**

Bob reported the Sheriff's patrol at the north end of Ellison Wilson, just before the bridge, resulted in twice the number of traffic tickets.

Bob said he was awaiting the Sheriff's report on last month's issue.

He said there was virtually participation in Neighborhood Crime Watch.

- **Social Committee – Ron**

Ron thanked Susan, Rodney and Elizabeth for their efforts toward a successful 4th of July celebration. He said the preparation and setup was excellent, but the event experienced difficulties due to inclement weather. All decorations were destroyed by heavy rain. He thanked homeowner, One of the homeowners was particularly accommodating to attendees at the event. The fire truck proceeded and some children rode on bicycles, but most were not able to participate due to rain. Ron said only half of the amount budgeted was spent. The next social event will be the picnic on October 15.

- **Landscape Committee – Louis**

Lou reported the purchase of two new flags, with one hung and one set aside for future use.

- **Communication - Susan**

Lou said a newsletter should go out in September. Therefore, committee reports should be submitted now.

The next meeting was scheduled for August 8.

❖ **Adjournment**

Ron made a motion to adjourn. Elizabeth seconded the motion. All were in favor, and the motion passed unanimously. The meeting adjourned at 9:00 p.m.

Respectfully submitted,
Rhonda Thomas