JUPITER INLET COLONY
BUILDING AND ZONING COMMITTEE MEETING
10.17.19
50 Colony Road
Town Hall
5:00 P.M.

AGENDA

1. Call to Order.

   
   Building and Zoning Administrator: Bill Whiteford

3. Motion to approve prior minutes.

4. Public Comments - items not on the agenda (3 minutes).

5. 67 Colony Road – new construction of a 3,064 square foot two-story residence with an unenclosed pool. Proposed total lot occupancy, including home, driveway, hardscape, and pool is 49.8% (50% allowed).

6. Discussion Items:
   
   A. Driveway Gates - discussion and recommendation to the Town Commission regarding residential driveway gates in the front setback.
   
   B. Contractor Hours - discussion and recommendation to the Town Commission regarding contractor work hours Monday – Saturday.
   
   C. Way Finding Signs - discussion and recommendation to the Town Commission regarding way finding and speed limit signs.

7. Any Other Matters.

8. Motion to Adjourn.

STATE MANDATED STATEMENT

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Town prior to the meeting. Please contact the Town Administrative Office, Administration Building, 50 Colony Road, Jupiter Inlet Colony, and Florida 33469 – Telephone 746-3787.
NOTICE OF PUBLIC MEETING

The Building and Zoning Committee of the Town of Jupiter Inlet Colony will conduct a public meeting on Thursday September 19, 2019 at 5:00 P.M. in Town Hall, 50 Colony Road, Jupiter Inlet Colony, Florida to consider the following:

LOCATION: 67 Colony Road

REQUEST: New two-story residence with unenclosed pool. Total under air: 3,064 sf. Total covered area: 3,881 sf. Lot occupancy calculation is 49.8% (50% allowed). Maximum building height: 25’. Plans are available for review in Town Hall.

All interested parties are encouraged to come to the public meeting and be heard concerning this matter. A copy of the proposed plans may be inspected before the meeting by contacting the Town Administrative Office at (561) 746-3787.

Jude M. Goudreau, CMC, TOWN CLERK
TOWN OF JUPITER INLET COLONY

If a person decides to appeal the decision of Building and Zoning Committee with respect to any matter considered at the public hearing or meeting herein referred, he or she may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. The Town of Jupiter Inlet Colony does not prepare or provide such a record. The above item may be postponed or withdrawn without prior notice.

Pursuant to the provision of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, because of a disability or physical impairment, should contact the Town Administration Officer, 561-746-3787, at least three (3) calendar days prior to the Hearing.
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September 27, 2019

Bill Whiteford, PhD, AICP,
Planning and Zoning Administrator
50 Colony Road
Jupiter Inlet Colony, Florida 33469

RE: 67 Colony Road, Jupiter Inlet Colony, Florida 33469 – Lot 67

Dear Bill,

We have reviewed the file we received September 9, 2019 of Lot 67. We find items relevant to the code are listed below, and additional areas of concern are stated also:

1. 50% Max. Lot area coverage calculation = 4,363 sq. ft. or 48.7%. 49.8% provided.
2. 
   a) 32% Max First Floor Coverage = 2,859 sq. ft. or 31.9%, (see the note below), the plan provided 2860.
   b) 60% Max (of first) Second Floor = 1,019 sq. ft. or 34.6%.
   c) 50% Total Floor Coverage 3,963 sq. ft. or 44.3%. Not provided.
3. 25' Building Height to the top: 25' plan.
4. Roof eave: Appears to be 2', except there is a 23' portion in the rear at 3'7". And the Second Floor Overhang is 50 sq. ft. – accounted for below.
5. Pool: meets setbacks (10' from Side).
6. 2 car garage, outdoor spaces provided.
7. The driveway appears to be 19.3' wide, the provided flare is 26.8'.
8. Windows, review of the south side (smallest) provided 11% calculated.
9. The building did meet the setbacks of 10' on the sides, 25' front (first floor) and 10' in the rear. And did meet the 32' setback for second floor front setback.
10. 30% Front Yard Landscape is: 77% Green.

Note: 1) The 50% Max Lot coverage accounts for the second floor overhang and deductions for pads and walks.
   2.a) The 32% first floor cover DID NOT take into consideration the 50 square feet of the second floor overhang, or the 23' of 3'7" eave in the back of the house, this should be counted;
           First Floor Cover = 2,945 square feet or 32.9%.
   2.b) The vaulted ceiling was not counted as second Floor.

Sincerely,

Gary A. Rager, P.S.M.
License No. LB4828
Vice President
Director of East Coast Operations

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Jupiter Inlet Colony
Jobsite Requirements

1. Treat customer’s property BETTER than your own.

2. Always leave customer’s property (house, lawn, and job-site) in better condition that you found it.

3. Smoking is STRICTLY PROHIBITED on customer’s property at all times (indoors and outdoors). Smoking at lunch or during breaks must be confined to inside your car or designated areas. Under no circumstances shall smoking debris (butts) be discarded on the ground. Take them with you!

4. Bathroom privileges shall be respected and not abused, and the facilities shall be left as clean as, or cleaner than found.

5. Finished floors in living areas or paths of access/egress shall be covered for protection; booties should be worn as well.

6. Job site shall be left broom-clean at the end of each work day. Debris shall be cleaned up and excess debris removed from site or places in proper disposal containers. All trades are responsible for the removal of their OWN debris daily.

7. At the conclusion of each business day, tools shall be disconnected, placed in a designated area, and the customer notified accordingly. Every precaution shall be made to prevent non-authorized persons accessing tools or dangerous items.

8. Profanity and offensive clothing is STRICTLY PROHIBITED on customer’s property.

9. Food debris and wrappers from breaks and lunch shall be immediately placed in appropriate containers.

10. Job-sites shall be left secured at the end of each work day.

11. Jobsite hours in Jupiter Inlet Colony are from 8:00 a.m. to 5:00 p.m. any persons found on Jobsite prior to or after may be escorted offsite.

12. Parking is allowed onsite only or directly in front of jobsite on one side of street to still allow traffic flow.

13. If large deliveries are to be accepted onsite, there must be a flagger onsite to allow constant traffic movement for other residents in the neighborhood. Traffic flow must not be impeded for local residents for any period of time.
14. Jobsite signage is to be 12” x 16” and be placed a minimum of 10 ft from edge of paved road. A permit must be received for signage.

I understand the codes of conduct and that working safely is a condition of my company's continued relationship with CEA Building Group LLC.

Applicant Signature: __________________________ Date: __________________________
Conditions of Approval:

1) A temporary area consisting of compacted gravel shall be installed on the lot for contractor parking.

2) Temporary filters shall be installed in the road drains within close proximity of the site to prevent sand and silt from entering the town’s drainage system. Filters shall be cleaned thoroughly weekly and after each storm event. Sand and silt in the filters shall be properly disposed and not emptied into the town’s drainage system.

3) A temporary screen shall be installed and maintained along the front of the property that shields construction activity from view to the extent possible.

4) The road in front of the lot shall be swept and cleaned nightly and kept clear of debris, runoff, sand, and vegetation at all times.

5) The contractor shall be responsible for the repair and maintenance of any damage in the town right-of-way and on private property as the result of construction activity.
DRIVEWAY GATES

On Monday, September 9, 2019, the Town Commission requested the Building and Zoning Committee discuss and consider a ban on residential driveway gates throughout the town. At present, driveway gates are allowed in accordance with the limited standards below. The Town Commission seeks direction regarding gates and their impact on the community.

(G) Utility Poles, Fences, and Walls Used as Fences.

(1) Utility poles as required by public utility companies shall not be required to meet the setback requirements for structures.

(2) All property fences and walls used as fences may be erected or maintained along or adjacent to a lot line to a height not exceeding six (6) feet in the required side yard or required rear yard and to a height not exceeding four (4) feet in the required front yard or required side street yard. On lots where the street is not the front street for adjoining lots the provisions for a side yard may apply. The front and side street lines as referred to above shall be the base building lines. Where the main dwelling is set back beyond the twenty-five (25) foot setback line, a six (6) foot high fence on the side yard line may extend to the setback line. All fence heights are to be measured from approved grade and from property owner's side upon which the fence is to be constructed. Walls and fences abutting on adjacent property and the street, must be finished on both sides so as to be aesthetically pleasing.

(3) Driveway gates are required to open on the property and not infringe on the road right of way. Maximum height of the gate is allowed per section 17(G)(2) as noted above.

Meaning: a four-foot high gate in the driveway is allowed in the front setback, which is the first 25’ extending from the edge of the r-o-w (35’ from the road). Beyond 25’, a six-foot high gate is allowed.
On Monday, September 9, 2019, the Town Commission requested the Building and Zoning Committee discuss and consider modifications to the works hours allowed for contractors Monday - Saturday. At present, contractor hours are restricted in accordance with the standards below. The Town Commission seeks direction regarding the times allowed for construction and their impact on the community.

Sec. 4-3. - Times for construction restricted.

(a) No person or persons shall conduct the erection (including excavation), demolition, alteration, or repair of any building or conduct any contracted labor or maintenance services such as painting or lawn or shrubbery maintenance services on Sundays or legal holidays. For purposes of this section, legal holidays shall mean New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

(b) No person or persons shall conduct the erection (including excavation), demolition, alteration, or repair of any building or conduct any contracted labor or maintenance services such as painting or lawn or shrubbery maintenance services on weekdays, including Saturdays, nor shall any such person or persons be present at the job site, other than between the hours of 8:00 a.m. and 6:00 p.m.

(c) No person or persons shall deliver building supplies or materials during the hours when the erection (including excavation), demolition, alteration, or repair or maintenance is prohibited as set forth in subsection (a) and (b) above.

(d) If the building official determines that the public health and safety will not be impaired and that loss or inconvenience will result to any party in interest, he may grant permission for the erection (including excavation), demolition, alteration, repair or maintenance of any building or property, including the excavation of streets and highways, within the hours of 6:00 p.m. and 8:00 a.m., upon application being made at the time the permit for work is issued or during the progress of the work.

(e) All contractor vehicle(s), truck(s), heavy equipment, and the like shall be removed from the job site at the end of each work day; provided, heavy construction equipment may remain on the job site overnight if the building commissioner determines that the public health and safety will not be impaired and that substantial loss or hardship will result to the owner or contractor if such heavy construction equipment is required to be removed from the job site on a daily basis. Prior to storing any heavy construction equipment on a job site at the end of a work day, an owner or contractor must file an application for and obtain a permit from the town permitting such storage. The application filing fee shall be thirty-five dollars ($35.00). The application shall set forth the reason(s) for the request to allow the heavy construction equipment to remain on the job site, the estimated period of time that such storage will be necessary and a statement executed by the owner or contractor agreeing to remove the heavy construction equipment from the job site prior to the expiration of the permit. Any fine levied by a citation issued pursuant to Chapter 2 of this Code shall be paid prior to final inspections or issuance of a certificate of occupancy. For purposes of this section, heavy construction equipment means cranes, bulldozers, track vehicles, or other similar heavy equipment or vehicles used in the construction or demolition process.
Sec. 9-62. - Construction related activities; lawn maintenance activities.

(a) Definitions.

1. "Winter season" means the period between November 1 and April 30.
2. "Summer season" means the period between May 1 and October 31.
3. "Legal holidays" means the following holidays: New Year's Day (January 1), Memorial Day (Last Monday in May), Independence Day (July 4), Labor Day (1st Monday in September), Thanksgiving Day (4th Thursday in November) and the Friday immediately following Thanksgiving Day, Christmas Day (December 25) and the day immediately following Christmas Day and when Christmas Day falls on a Saturday or Sunday, the Friday immediately preceding Christmas weekend and the Monday following Christmas weekend.
4. "Lawn maintenance equipment" means motorized or powered equipment which is used to maintain lawns, trees, and landscaping, including but not limited to lawn mowers/yard tractors, chainsaws, lawn aerators, sod cutters, edgers, stump grinders, hedge trimmers, leaf blowers, lawn vacuum machines and monofilament line grass trimmers.

(b) Use of restricted equipment.

1. Applicability. Use of the following "restricted equipment" or engagement in the following activities during construction is restricted as provided in this section:
   a. Compressors, gas- or diesel-engine driven for operating jack hammers, riveting or drilling devices.
   b. Cranes of all weights and types and other related construction equipment such as, but not limited to, concrete pumps, pile driving, excavation and demolition.
   c. Dredges, of all types.
   d. Dry sandblasting machines and jackhammers.
   e. Gasoline, diesel and/or steam engines that are operated in such a manner as to:
      1. Emit offensive odors which are materially perceptible from any property line; or
      2. Produce noise in excess of 60 decibels (dbs), measured at any property line.
   f. Hammer-driven piledrivers, of all types.
   g. Hammers, of all types, when used for metal-to-metal work that is not hammer-to-nail.
   h. Power saws, band, cut-off and table, unless housed in a "dried-in" structure.
   i. Radio, audio equipment or loudspeakers used in a manner that produces noise which is unreasonably loud.
   j. Tractors, over two tons, which are rigged for earth moving or land clearing operations.
   k. Any construction equipment, device or activity, which though otherwise permitted, produces noise in excess of 72 decibels (dbs), measured:
      1. Fifty feet from the construction activity, or
      2. From the property line nearest to where the construction activity is taking place, whichever is greater.

2. Restrictions. The use of "restricted equipment" is restricted as follows:
   a. Use of restricted equipment is prohibited during the winter season.
   b. Use of restricted equipment during the summer season is permitted only during the hours of 7:30 a.m. to 6:00 p.m., Monday through Friday.
   c. Use of restricted equipment is prohibited on legal holidays.

3. Exceptions. The following are exempt from the restrictions of this section:
   a. Operation of restricted equipment relating to essential services of the town;
   b. Operation of restricted equipment to protect the public health, safety, and welfare during emergency conditions; and
   c. Operation of restricted equipment for repairs, improvements or landscape work on permitted projects for a period of less than one week upon prior written approval of the
town's building official. A written request defining the specific nature of the work, its
duration and the equipment involved shall be submitted to the town's building official at
least five working days prior to commencement of the work.
The building official may approve such work only upon being assured that the proposed
use of equipment will not exceed established noise level restrictions nor excessively
impact the inhabitants of adjoining properties and public roadways. The building official
may establish terms and conditions relating to the work, if approved.

(c) **Working hours for construction.**

(1) During the winter season, construction work is restricted to the following hours:
   a. 8:30 a.m. to 5:30 p.m., Monday through Friday; and
   b. 8:30 a.m. to 1:00 p.m. on Saturday.

(2) During the summer season, construction work is restricted to the following hours:
   a. 7:30 a.m. to 6:00 p.m., Monday through Friday; and
   b. 8:30 a.m. to 5:00 p.m. on Saturday, upon prior written approval of the administrative
   official, which shall be granted if the applicant demonstrates that the construction work
   will not excessively impact inhabitants of adjoining properties.

(3) Construction work is prohibited on legal holidays.

(d) **Working hours for lawn maintenance.**

(1) During the winter season, operation of lawn maintenance equipment is restricted to the hours
   of 8:30 a.m. to 5:30 p.m., Monday through Friday, and from 8:30 a.m. to 1:00 p.m. on
   Saturday.

(2) During the summer season, operation of lawn maintenance equipment is restricted to the
   hours of 7:30 a.m. to 6:00 p.m., Monday through Friday, and from 8:30 a.m. to 5:00 p.m. on
   Saturday.

(3) Operation of lawn maintenance equipment is prohibited on legal holidays.

(e) **Decibel levels.** The sound produced by lawn maintenance equipment shall not exceed 69 decibels
   (dbs), measured:
   (1) Fifty feet from the point of operation of the equipment, or
   (2) From the nearest property line to where the equipment is operated, whichever is greater.

(3) Leaf blowers, backpack sprayers and hand-held blowers shall be limited to a maximum decibel
   level that shall not exceed 65 (dbs) at a distance of 30 feet from the point of operation of the
   equipment or from the nearest property line to where the equipment is operated, whichever
   is greater. This section relating to leaf blowers shall become effective October 1, 2007.

(f) **Maintenance of construction sites.** It is the responsibility of the person, firm or corporation indicated
   on the development permit to maintain the site in a neat and orderly manner, including broom-
   cleaning the site each day, and preventing unsightly piles of trash and debris from gathering during
   the course of construction.

(g) **Avoidance of nuisance.** When land has been cleared pursuant to a land clearing permit, the
   permittee shall either resod or replant the cleared area or periodically sprinkle the area ground to
   prevent windblown dust or dirt from creating a nuisance to other properties.

(h) **Violations.** Each separate violation and each day of a continuing violation shall be considered a
   separate offense.

(i) **Shutdown order.** In case of three or more violations of section 9-62(b) or (c) (Use of restricted
   equipment, Working hours for construction) the administrative official shall order the project to be
   shut down for the remainder of the winter season. If a shutdown order is issued, the site must be
   rendered safe and secure to the satisfaction of the administrative official within five working days.
Palm Beach

Sec. 42-199. - Hours for construction work.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Construction work means work of a physical nature requiring a permit in accordance with the provisions of this Code and/or violates the conditions of section 42-198 and/or violates the conditions of this section, and/or causes excessive noise as defined by section 42-228.

(b) Limited. Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving, when all construction work is restricted or prohibited. Construction work is permissible on Saturdays from May through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature during which all of the noise and machinery prohibitions identified in section 42-198 are applicable; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restriction due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending on October 31, except Sundays and legal holidays, when all construction work is prohibited.

(c) Exceptions.

(1) It shall be within the discretion of the town council when in its opinion the operation of any of the prohibited machinery or appliances mentioned in subsection 42-198(a) shall not be overly offensive to the residents or inhabitants of the town in the vicinity of the equipment's operation to grant an exception to this section.

(2) The operation of equipment relating to essential services of the town and equipment operating during emergency conditions shall be exempted from subsection (a).

(3) At the discretion of the director of planning, zoning and building, or his representative, emergency work for nontown related essential services may be authorized at any time during the year.

(4) Interior work not resulting in noise tending to disturb people in the vicinity thereof, shall be allowed during the hours of 9:00 a.m. and 5:00 p.m. on Saturdays during the period commencing on the Monday preceding Thanksgiving and ending on April 30.

(5) The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein.
Sec. 12-127. - Permissible time for construction activity.

(a) It shall be unlawful for any person to do, perform or engage in any construction work, building, excavating, hoisting, grading, pile driving, pneumatic hammering, demolition, dredging, building alteration or repair work of any nature to any building or structure or upon any site for same, except between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and except between the hours of 9:00 a.m. and 5:30 p.m. on Saturday. Interior work which does not cause noise beyond ambient noise is permitted at all times. No construction activity shall be permitted on Sundays or legal holidays. Any person desiring to engage in the aforesaid activity beyond the stated hours of limitation, based upon cases of urgent necessity or upon the interests of public health, safety and ultimate convenience, may apply to the town manager or representative for a special permit. Such permits, if granted, shall be limited to a certain period, but may be renewed for additional periods if the emergency or need therefor continues. In the issuance of such permits, the town manager or designated representative shall weigh all facts and circumstances and shall determine whether the reasons given for the urgent necessity are valid and reasonable, whether public health, safety and ultimate convenience will be protected or better served by granting the permit requested, and whether the manner and amount of loss or inconvenience to the party in interest imposes a significant hardship. Upon an affirmative finding of the foregoing considerations, the town manager or designee is authorized to issue the permit requested and any extensions thereof, as may be required. Any person aggrieved by the decision of the town manager or designated representative may appeal the decision of the town manager to the town council.

(b) It shall be unlawful for any person to cause or permit the use of any power-driven machinery, tools or equipment in any portion of the town zoned and designated as a residential district or section other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 5:30 p.m. on Saturdays except New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day, or as excepted in section 12-135.
WAYFINDING AND TRAFFIC SIGNS

At the last the Building and Zoning Committee meeting, the Committee discussed signage in the rights-of-way to alert drivers of pedestrians and the new 20-mpg speed limit. This item is for discussion and to formulate a recommendation to the Town Commission regarding additional r-o-w signage in the community.