

**JUPITER INLET COLONY
BUILDING AND ZONING APPLICATION
LANDSCAPING IN RIGHT-OF-WAY APPLICATION**

In accordance with Section 4-8. *Landscaping or grading in Town right-of-way* of the Town Code, vegetative material, ground cover and non-floatable mulch only may be installed in the Town right-of-way between the front property line of a lot and the backside of the concrete valley gutter in accordance with the setback criteria below, subject to approval by the Planning and Zoning Administrator upon consultation with the Building and Zoning (B&Z) Committee or Town Engineer, as appropriate. Applications for a building permit that require review by the B&Z Committee are subject to review by the Committee. All other applications to allow landscaping in the right-of-way are administratively reviewed and approved by the Planning and Zoning Administrator.

Applicant Information			
Name			
Address			
Lot. No.		Lot Area	
Phone		Email	

Submittal Requirements:

- ☐ Proof of Ownership (e.g. copy of Warranty Deed)
- ☐ Survey or Site Plan of affected area, drawn to scale
- ☐ Landscape Plan – including:
 - dimensions and setbacks of proposed landscaping and ornamental material in the right-of-way
 - maintenance statement regarding landscape material in the right-of-way, including irrigation

Clear Zone Requirements: The following minimum Clear Zones, measured from the backside of the concrete valley gutter to the front property line, must be maintained in the right-of-way at all times.

Setbacks – measured at mature growth, not at time of planting	
Maximum Height of Landscape Material	Minimum Clear Zone
≤ 18" in height	Four (4) feet, from backside of the concrete valley gutter to the property line
Over 18" in height	Six (6) feet, from backside of the concrete valley gutter to the property line

Review Criteria:

In making the decision to allow landscape material in the right-of-way, the Planning and Zoning Administrator shall consider the recommendation of the Building and Zoning Committee, the Town Engineer, and the following criteria:

Criteria

1. Safe sight corners and visibility will be maintained at all times.
2. The landscaping will not create a potential safety hazard.
3. The landscaping will not pose a maintenance issue or threat during a storm event.
4. The landscape plan complies with accepted installation, maintenance, and engineering practices.
5. Other such issues or concerns that could adversely affect the Town or residents of JIC.
All Applicants: The B&Z Committee and/or Planning and Zoning Administrator may impose conditions, restrictions, or limitations on landscaping in the right-of-way to mitigate any potential impact or safety concern. If you have any questions, please contact the Planning and Zoning Administrator.

Additional Requirements:

1. All landscape material in the right-of-way shall be properly trimmed and maintained to ensure compliance with JIC safety standards and the approved landscape plan at all times.
2. Landscape material removed or modified by the Town for maintenance purposes shall be replaced by the property owner within 30 days at no cost to the town.
3. A permit to allow landscape in the right-of-way may be revoked by the Planning and Zoning Administrator or town administrator at any time for failure to comply with the approved landscape plan, maintenance requirements, or other safety standard.
4. The Planning and Zoning Administrator may approve minor changes to a landscape permit without review by the B&Z Committee.

Maintenance and Hold Harmless Agreement

The applicant hereby agrees to maintain all landscape material installed in the right-of-way in accordance with the approved plan and the ordinances of the Town of Jupiter Inlet Colony, as may be amended, and hereby acknowledges that all landscape material may be removed or modified by the Town at any time without recourse. The applicant also hereby agrees to indemnify and hold harmless the Town of Jupiter Inlet Colony, including its Commissioners, employees, agents and representatives, from any injury, claim or expense, including, but not limited to, court costs and attorneys' fees, that may result from the placement of landscape material in the right-of-way and to take full responsibility for such injury or claim.

Signature of Property Owner (must match warranty deed)

Date

Print Name of Property Owner

cc: The Honorable Dan Comerford, Mayor, and members of the Town Commission
John Pruitt, Chief of Police and Town Administrative Officer
JIC Town Staff and Town Engineer