



PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

ZONING COMMISSION, DECEMBER 4, 2025

A. Application Summary

I. General

Application Name: Polo Club of Boca Raton, DOA/CA-2024-01594
Control Name: Polo Club at Boca Raton (1984-00071)
Applicant: SBA Towers X, LLC - Larry Harris
Polo Club of Boca Raton Property Owners Assoc.
Owner: Polo Club of Boca Raton Property Owners
Agent: Gunster, Yoakley & Stewart, PA - Kaitlin Guerin
Insite Studio, Inc. - Thomas Chmielewski
Project Manager: Nancy Frontany Bou, Senior Site Planner

Title: a Development Order Amendment **Request:** to modify the overall Master Plan for the Planned Unit Development and add a use within the Recreation Pod on 908.86 acres

Title: a Class A Conditional Use **Request:** to allow a Communication Tower (100-foot Stealth Tower) within the Recreation Pod of a PUD on 27.31 acres

Application Summary: The application is for the Polo Club of Boca Raton Golf Course. The site was last approved by the Board of County Commissioners (BCC) on September 25, 1997 for a Development Order Amendment to add land area and add units to the overall Planned Unit Development (PUD). The site is currently developed as a PUD with Recreational, Commercial, Civic Pods, and a Golf Course.

The request is for a Class A Conditional Use approval for a Communication Tower (100 foot tall Stealth Tower) to be located in the Recreation Pod, and to modify the overall Master Plan and Site Plan to reflect the Tower. No changes are proposed for the residential and other commercial uses in the PUD.

The access to the site remains from Champion Boulevard.

II. Site Data

Acres: 27.31 acres
Location: South of Champion Blvd, approximately 0.50 miles west of Military Trail
Parcel Control: 00-42-46-35-14-018-0010
Future Land Use: Low Residential (LR-3)
Zoning District: Planned Unit Development (PUD)
Tier: Urban/Suburban
Utility Service: Palm Beach County Utility Department (PBCWUD)
Overlay/Study: N/A
Neighborhood Plan: N/A
CCRT Area: N/A
Comm. District: 5, Commissioner Maria Sachs

III. Staff Assessment & Recommendation

ASSESSMENT: Staff have evaluated the standards listed under Article 2.B. and determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C-1 and C-2.

STAFF RECOMMENDATION: Staff recommends approval of the request, subject to the Conditions as indicated in Exhibit C-1 and C-2.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received no contacts from the public regarding this application.

IV. Hearing History

ZONING COMMISSION: *Scheduled for December 4, 2025*

BCC HEARING: *Scheduled for December 10, 2025*

B. Data & Analysis

The supporting data and analysis is provided within the following Exhibits.

I. Exhibits		Page
A.1	Future Land Use Map	3
A.2	Zoning Map	4
B.	Standards Analysis & Findings	5-10
C.	Conditions of Approval	11-22
D.	Project History	23
E.	Applicant's Exhibits	
E.1	Preliminary Master Plan – October 27, 2025	E-1
E.2	Preliminary Site Plan – April 28, 2025	E-2
E-3	Preliminary Tower Elevations – November 20, 2024	E-3
E.4	Disclosure of Ownership	E-4
E.5	Drainage and Traffic Statement	E-5
E.6	Utility Letter	E-6
E.7	Propagation Study	E-7
E.8	Omnicom Technical Review Report	E-8
E.9	Landscape Perpetual Maintenance Agreement	E-9
E.10	Tower Removal Agreement	E-10
E.11	Visual Impact Analysis	E-11

Exhibit A-1 - Future Land Use Map

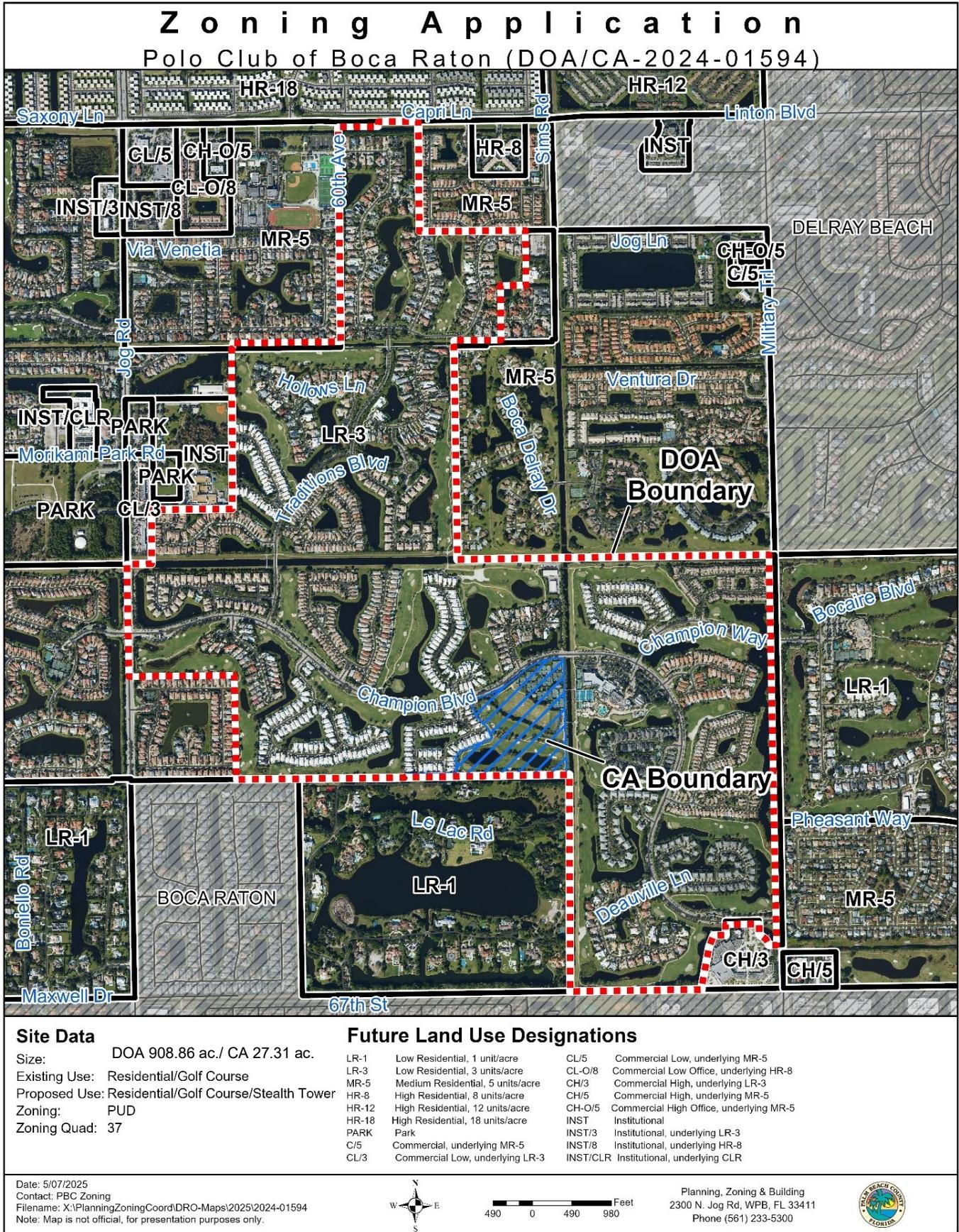


Exhibit A-2 - Zoning Map

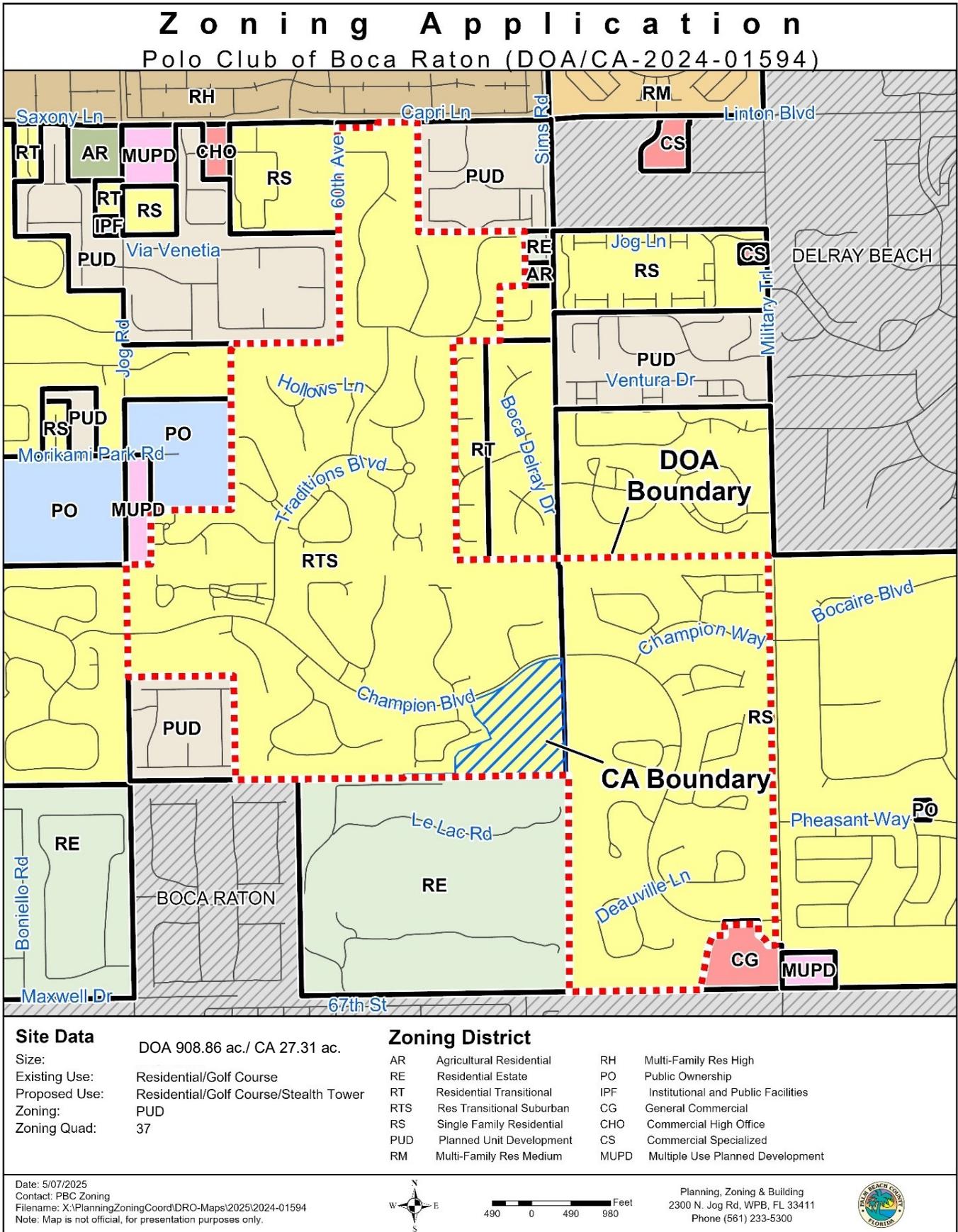


Exhibit B - Standards Analysis & Findings

FINDINGS:

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

Article 2.B.7.B, Standards for Rezoning to a PDD or a TDD, a Conditional Use, or a Development Order Amendment are indicated below with Staff Analysis. A request that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved by the Commission.

The analysis provided below is for both the Development Order Amendment for the overall Planned Development and the Class A Conditional Use for the Stealth Tower.

a. Consistency with the Plan - *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

○ *Relevant Comprehensive Plan Policies:* The subject site is located within the Urban Suburban Tier and has a Future Land Use (FLU) designation of Low Residential, 3 units per acre (LR-3). Per Future Land Use Element (FLUE) Table 2.2.1-j.1, Residential Future Land Use - Zoning Consistency, the existing Planned Unit Development (PUD) Zoning District is consistent with the MR-5 FLU designation. Further, FLUE Policy 2.2.1-m, Non-Residential Uses Allowed in Residential Future Land Use Designations, states that "*Limited non-residential uses are allowed in residential future land use designations through the associated zoning districts as identified in the Unified Land Development Code.*" Under the third provision of that policy, it states that "*Utility and communication facilities designed to serve the residential area and subject to special criteria*" may be permitted in residential areas. The request for a stealth communication tower is consistent with the Comprehensive Plan.

○ *Intensity:* A maximum Floor Area Ratio (FAR) of 0.35 is allowed for a nonresidential project with a LR-3 FLU designation in the Urban Suburban Tier (1,189,623.6 surveyed sq. ft. or 27.31 acres x 0.35 maximum FAR = 416,368.26 sq. ft. maximum). However, there is no density or intensity associated with this request for a communication tower. There are no changes proposed to the previously approved density within the PUD through this application.

○ *Special Overlay District/Neighborhood Plan/Planning Study Area:* The site is not located within any neighborhood plans, overlays or plan study areas as identified in the Comprehensive Plan.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

○ *Property Development Regulations:* The site is currently approved and developed as a Planned Unit Development (PUD) with Residential, Recreational, Commercial, and Civic Pods. There are no proposed changes to the acreage of the overall Planned Unit Development. The development is in compliance with Code requirements for minimum lot dimensions, width and frontage. Frontage is from Champion Boulevard, continuing to meet the requirements for the Planned Development District.

The Recreation Pod where the proposed Stealth Tower is currently developed as a Golf Course and is adjacent to recreation courts to the east. Per ULDC Table 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts, any proposed Stealth Towers equal or less than 125 ft. in height, adjacent to existing residential must provide 150% of tower height for separation between the tower and adjacent residential structures, and 100% of tower height for setback from the property line.

The Tower setback from the property line of the subject site is required to be 100 ft. and the PSP indicates the Tower is setback 173 ft. Additionally, the Tower must be setback 150 ft. from any existing residential parcels. The closest principal residential structure is approximately 300 ft. from the tower base. The Stealth Tower is listed as one of the types of towers with least visual impact in the Tower hierarchy chart.

○ *Propagation Study:* The Applicant provided a Propagation Study prepared by a Professional Engineer, licensed in the State of Florida, to justify the need to construct the Tower, see Exhibit E-7. The Justification Statement indicates that the Tower is needed to improve coverage and capacity. The Propagation Study included coverage predictions showing a lack of adequate coverage/capacity in the target area. The predictions show a substantial increase in system coverage and therefore capacity in the area of need. The Study was reviewed, analyzed and evaluated by PBC Consulting company, Omnicom Consulting Group, Inc. (OCG), and was found to be accurate based on the appropriate technical criteria (See Exhibit E.8) and confirmed there is no viable alternative sites that will provide the coverage required by the Applicant.

- **Specific Use criteria** – The request is to allow a 100 ft Stealth Tree Communication Tower within the Golf Course of a Planned Unit Development. Pursuant to Article 4.B.9.C.1.e of the ULDC a communication tower may be permitted on Recreation Pod of a PUD only when located on a golf course and subject to Class A Conditional Use approval.

Stealth structures shall comply with the following criteria:

- 1) The structure shall be compatible with the architectural style of the existing buildings/structures on site and with the character of the surrounding area. A determination of architectural compatibility shall include, but not be limited to, color, type of building material, and architectural style;

According to the Applicant in their Justification Statement: *“The Subject Property is recreational, consisting of a golf course, tennis courts, fencing, and landscaping, with an adjacent recreational center and residential homes. The proposed stealth tower is designed as a pine tree that is “camouflage brown” in color with antennas designed as tree branches and leaves. The cell tower equipment will be located at the base of the tower and screened from view by a fence and landscape buffer, consistent with existing landscaping. There will not be any lighting or signage on the tower. The proposed tower is compatible and consistent with the existing trees and landscaping on site and is compatible with the recreational and residential character of the surrounding area.”*

- 2) The structure shall be consistent with the character of existing uses on site;

According to the Applicant in their Justification Statement: *“The existing use of the Subject Property is a golf course with associated trees, landscaping, and residential and recreational uses. The proposed tower will provide additional landscaping and fencing, consistent with the landscaping and fencing associated with the golf course and adjacent tennis center. The proposed stealth tower, designed as a pine tree, will be consistent with this residential and recreational character and the existing uses on site.”*

- 3) Communications equipment or devices shall not be readily identifiable;

Justification Statement states: *“The tower’s antennas will be designed as pine tree branches and leaves, and the tower will be a “camouflage brown” color. Associated equipment will be located at the base of the tower and screened and buffered from identification and sight with an opaque fence and additional landscaping. There is no signage or lighting on the tower. The communication equipment will not be readily identifiable as communication structures.”*

- 4) The structure shall be related to and integrated into the exiting natural and/or man-made environment to the greatest extent possible; and

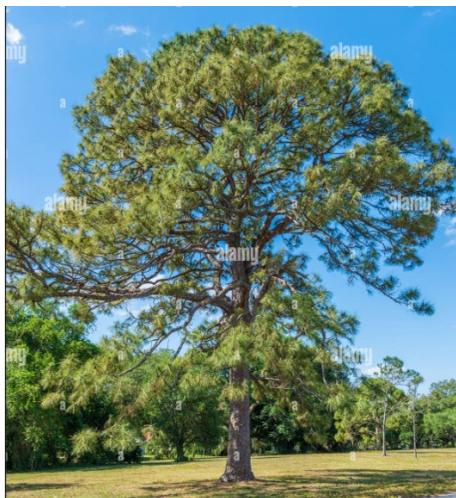
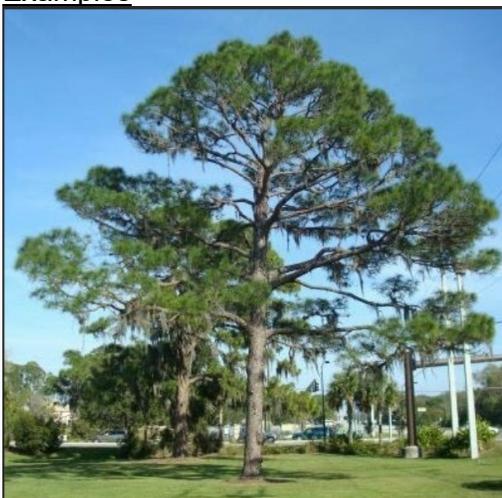
Justification Statement states: *“The proposed stealth tower designed as a pine tree provides the greatest extent of integration with the natural and man-made environment. The pine tree blends with the existing trees and landscaping on site and with the proposed landscape buffers. and is compatible with the Subject Property’s existing recreation uses and the adjacent recreation and residential uses.”*

- 5) The maximum height of the structure shall not exceed 200 feet.

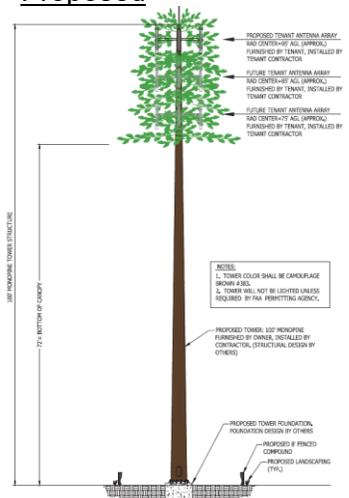
The proposed stealth tower is 100’ in height.

A Visual Impact Analysis was prepared and submitted by the Applicant (Exhibit E-11) providing different viewing points. While the visual impact analysis depicts the proposed Tree stealth tower will blend in, based on Staff’s, the elevations provided, VIA, and the review of the type of vegetation in proximity of the tower, Staff has added a Conditions of Approval in order to plant more vegetation around the proposed tower to ensure it meets the criteria that the structure is integrated into the existing environment, and that the devises are not readily identifiable. The conditions proposed additional vegetation and additional elements to the tower to ensure it resembles a Florida Slash Pine, this includes more branches that are have a more robust spread.

Examples



Proposed



○ *Architectural:* The proposed request is not subject to the requirements of Article 5.C. However, pursuant to Article 4.B.9.C.1, Stealth Tower, a Stealth Tower is defined as a structure, which is not readily identifiable as a tower and is compatible with existing or proposed uses on site. (See Art 4.B.9.C.1.b, Typical Structures).

○ *Landscape/Buffering:* There are no proposed modifications to the existing perimeter buffers. However, required landscape buffers are being proposed for the lease area. The northeast side of the proposed lease area has an existing landscape buffer between the golf course and the tennis center.

As required, landscaping will be provided around the tower site and access area along the exterior of the fence and on the south side of the cart path. The portion of the cart path in front of the tower site area will be used to provide access to the tower for maintenance and is included in the access easement area. To allow for the required access, the landscape buffer is proposed on the south side of the cart path which was discussed and approved by Staff. This provides an exterior buffer around the entire tower and access site, on the exterior of the required fence. The Applicant and Property Owner have entered into the Landscape Perpetual Maintenance Agreement, an executed copy was provided with the Application, see Exhibit E.9. With the proposed conditions a modification to the agreement will be required.

○ *Tower Removal and Surety:* The Tower Operators or Owners are required to remove the Tower within three months following cessation of use. As indicated in Exhibit C-2, Conditions of Approval number one, Site Design-Surety for Tower Removal, a Removal Agreement must be executed and recorded along with the Surety for Removal. The Applicant has provided a draft of the document, see Exhibit E-10.

○ *Parking:* Unmanned Communication Towers are exempt from the parking requirements of Article 6, Parking.

○ *Signage:* The Applicant is not proposing any signage as part of this application.

c. Compatibility with Surrounding Uses - *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The ULDC Use Matrix determines whether a specific use could be allowed in certain Zoning districts, and the type of approval process. Pursuant to Art. 4.B, Use Matrices, Communication Towers are permitted in a Recreational Pod of a PUD, when located on a Golf Course. The proposed use according to the Applicant - will provide for significant coverage improvements and better user experience for the Tower customer and non-customers alike.

d. Design Minimizes Adverse Impact – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

Pursuant to Article 4.B.9.C.1, Stealth Tower, a Stealth Tower is defined as a structure, which is not readily identifiable as a tower and is compatible with existing or proposed uses on site. The proposed tower height is the minimum height needed to meet the necessary communication objectives reducing the impact to the surrounding lands. Conditions of approval have been included to ensure the proposed tree blends in with vegetation as needed to be stealth, and conditions to ensure the tree resembles a Florida Slash Pine.

e. Design Minimizes Environmental Impact – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

○ *Vegetation Protection:* The application request does not impact native vegetation.

○ *Wellfield Protection Zone:* This property is not located within Wellfield Protection Zone.

○ *Irrigation Conservation Concerns and Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non-stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

○ *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

f. Development Patterns – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The proposed location of the tower is within the Recreation Pod, more specifically the Golf Course, of the existing Planned Unit Development. The pattern of development for the immediate area is a variety of detached residential units, and recreation uses: golf course and tennis courts. Development of the cell

tower will provide services needed for the area. This location is a logical, orderly, and timely development pattern for the tower in relation to the existing development. According to the Applicant, the residents of the Polo Club at Boca Raton agree that this location is a logical fit within their community.

- g. Adequate Public Facilities – The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).**

TRAFFIC DIVISION:

The Department of Engineering and Public Works Traffic Division provided comments throughout the review of this application. The proposed cell tower will be an unmanned facility and will be visited by one vehicle once a month for maintenance purposes. As a result, there will be minimal vehicular impact as a result of this request.

LAND DEVELOPMENT:

The Department of Engineering and Public Works Land Development Division has reviewed this application and found it to comply with the regulations of the code requirements of the ULDC under the authority of the Land Development Division. The proposed cell tower site occupies an area of less than 0.04 acres in an existing golf course area. The proposed project increases the existing impervious area by no more than 500 sq. ft. which is de minimis. This application is subject to one condition of approval to abandon and relocate the drainage easement in conflict with the proposed structure.

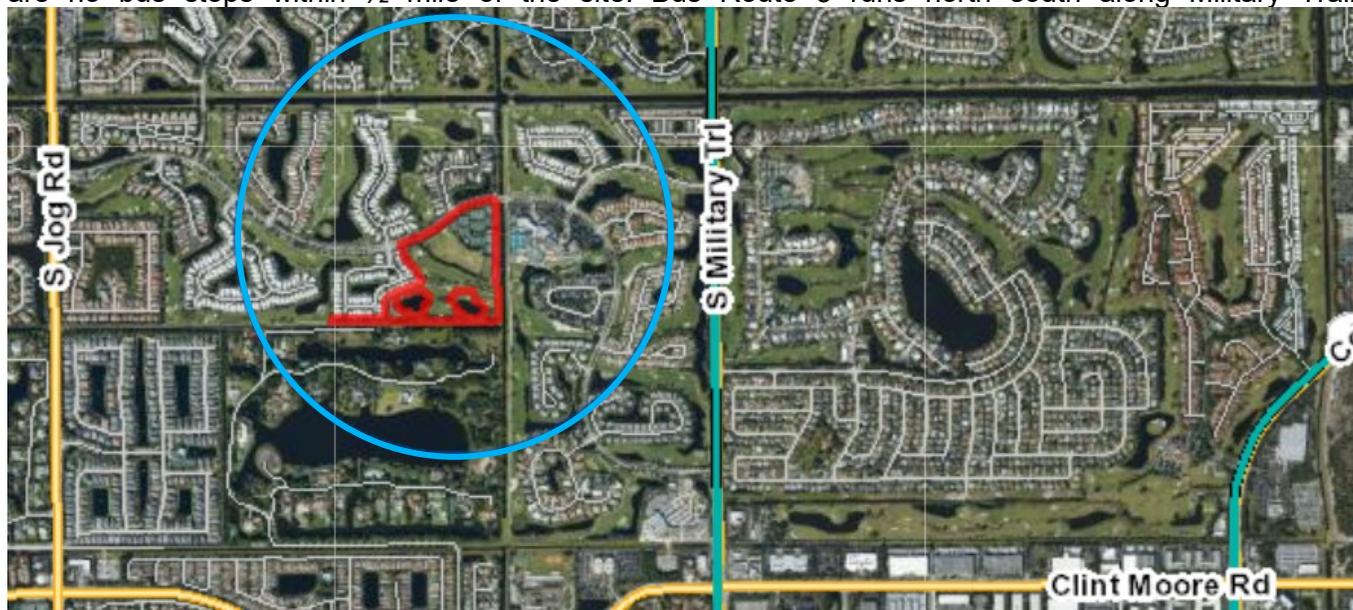
DRAINAGE DISTRICT:

The overall development is located within the bounds of the Lake Worth Drainage District (LWDD). Per the Drainage Statement (Exhibit E.4) prepared by the Applicant’s Engineer he states, *“The proposed cell tower compound will occupy less than 0.04 acres. The compound surface will consist of coarse, poorly graded gravel. New concrete surfaces including the tower base and proposed/future equipment pads will not exceed 500sf. The increase in surface runoff due to the new ground surface will be de minimis, less than 0.1cfs.*

Based on the above analysis, there will be no measurable increases in vehicle movements or stormwater surface runoff, due to the proposed cell tower and compound installation.” The Applicant must obtain applicable permits from the District and PBC Land Development Division before issuance of any Building Permits.

MASS TRANSIT:

Palm Tran Review Staff were provided with the application for review. They provided no comments. There are no bus stops within ½ mile of the site. Bus Route 3 runs north south along Military Trail.



WATER AND WASTEWATER:

The PBCWUD Review Staff were provided with this application for review. During the review they stated, *“PBCWUD has no objection to this petition”*. PBCWUD provided a Service Availability Letter as attached in Exhibit E-6. Prior to issuance of any building permits, the Property Owner shall obtain the required permits to connect to water and wastewater services.

PALM BEACH COUNTY HEALTH DEPARTMENT:

The Florida Department of Health Review Staff were provided with this application for review. During the review and for the Staff Analysis they stated that *“The Florida Department of Health has no objections to this project”*. The Applicant is required to check with the Health Department to confirm and obtain any applicable permits for the implementation of the site plan.

FIRE-RESCUE:

Fire Department Review Staff were provided with this application for review. During the review they provided the following comment, *“Disclaimer: Site plan review and approval by the AHJ shall not relieve the owner and design team of the responsibility of compliance with the Florida Fire Prevention Code, adopted NFPA standards and local Palm Beach County fire rescue amendments (NFPA 1, section 1.14.4). Any design seeking relief from a specific fire code requirement shall obtain an approved waiver.”*

The development is within the service boundary of Palm Beach County Fire Rescue Station #34.



SCHOOL IMPACTS:

The PBC School District Review Staff were provided this application for review. During the review they stated, *“The School board has no issue with the requested cell tower.”* There are no school bus stops locations within ½ mile of the subject property.



PARKS AND RECREATION:

The Parks and Recreation Department Review Staff have were provided this application for review. During the review they stated, *“Parks has no issues with the proposed installation of the stealth tower.”*

h. Changed Conditions or Circumstances – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The Applicant’s Justification Statement indicates the following justification for their changed conditions of circumstances: *“The Polo Club community has insufficient cellular service and has raised concerns about dangerous and unsafe emergency situations. The propagation study reflects the gaps in coverage and areas with unreliable coverage. The community has asked the Applicant to provide this much-needed service and has worked diligently to find a location and design that fits the community and is compatible with the surrounding property. These circumstances necessitate a modification to the master plan and approval of the site plan.”*

Exhibit C-1 - Conditions of Approval

Development Order Amendment – Overall Planned Unit Development

ALL PETITIONS

1. All property included in the legal description of this zoning Petition shall be subject to a Declaration of Restrictions and Covenants, acceptable to County Attorney's Office, which shall provide, among other things, for the following: Formation of Single "master" property owners' association, and automatic membership in the "master" property owners' association by any party holding title to any portion of the property included in the PUD (PLAT: ZONING - County Attorney) [Note: COMPLETED] (Previous ALL PETITIONS Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. Prior to Master Plan Certification, all conditions (including those of the previous approval not modified herein) shall be applied to the Master Plan. [Note: COMPLETED] (DRO: ZONING - Zoning) (Previous ALL PETITIONS Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. Previous ALL PETITIONS Condition 3 of Resolution R-1997-1571, Control No.1984-00071, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-96-1962, (Petition 84-71(G)) have been consolidate as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-97-1571 (Control No. 1984-00071), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

4. The approved Master Plan is dated October 27, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ALL PETITIONS – PARCEL R

1. Development of the site (Parcel R) is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated July 25, 1997. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

BUILDING AND SITE DESIGN

1. The golf easement located adjacent to the twenty (20) foot non-exclusive easement to the LWDD for use as a bridle trail will be used only for golf cart and pedestrian golf purposes and will not be a golf course maintenance road for golf course maintenance vehicles. (ONGOING: ZONING - Code Enforcement) (Previous BUILDING AND SITE DESIGN Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. The petitioner agrees to provide heavy duty silencers to all drainage pumps to be operated within the Polo Club PUD. (ONGOING: ZONING - Code Enforcement) (Previous BUILDING AND SITE DESIGN Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. The petitioner agrees to not commence land development activities involving heavy equipment prior to 7:00 a.m. ((ONGOING: ZONING - Code Enforcement) (Previous BUILDING AND SITE DESIGN Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. The petitioner has agreed to limit the height of the golf course country club to forty-five (45) feet (two (2) stories with berming) the height of all commercial building within the village commercial area to two (2) stories and the height of all dwelling units adjacent to abutting properties to a maximum of two (2) stories. (BLDGPM: BUILDING DIVISION - Zoning) (Previous BUILDING AND SITE DESIGN Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

5. The proposed bridle trail shall be designed with a minimum radius of 50 feet along the northeastern and southeastern portion of the Polo Club where the bridle trial from the north makes a southerly and westerly turn. The trail shall be located a minimum of 50 feet from the closest residential structure within Boca Delray PUD on lots 97 and 145 northeastern and southeastern most property lines. (DRO: ZONING -

Zoning) (Previous BUILDING AND SITE DESIGN Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

CONGREGATE LIVING FACILITY CONDITIONS – PETITION 87-18

1. Prior to certification, the master plan shall be amended to indicate the following:
 - a. Required separate tabular data for congregate living facility (C.F. - Type 3) as follows:
 - 1) Number of residents and resident staff;
 - 2) Acreage;
 - 3) Density equivalency; and
 - 4) Housing categories. ((DRO: ZONING - Zoning) (Previous CLF CONDITIONS Condition 1 of Resolution R-1997-1571, Control No.1984-00071)
2. Primary access to the C.F.-Type 3 shall be limited to Linton Boulevard. (ONGOING: ZONING - Zoning) (Previous CLF CONDITIONS Condition 2 of Resolution R-1997-1571, Control No.1984-00071)
3. Prior to site plan certification, the petitioner shall submit the following architectural data:
 - a. Proposed building heights;
 - b. Types of housing categories;
 - c. Lot coverage;
 - d. Proposed building square footage;
 - e. Minimum setbacks; and
 - f. Facility amenities. (DRO: ZONING - Monitoring) (Previous CLF CONDITIONS Condition 3 of Resolution R-1997-1571, Control No.1984-00071)
4. Prior to site plan certification for the congregate living facility parcel, the petitioner shall submit a letter from the Polo Club Planned Unit Development Master Association documenting that the structure is architecturally compatible with character of development within the planned unit development. (DRO: ZONING - Zoning) (Previous CLF CONDITIONS Condition 4 of Resolution R-1997-1571, Control No.1984-00071)
5. No off-premise signs shall be permitted on site. (Previously Condition C.5 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Code Enforcement) (Previous CLF CONDITIONS Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

ENGINEERING

1. This development shall retain the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4 as amended. (Previous ENGINEERING Condition 1 of Resolution R-1997-1571, Control No.1984-00071)
2. The property owner shall convey for the ultimate right of way of:
 - a. Military Trail, 60 ft. from centerline,
 - b. Jog Road, 60 feet from centerline. (This shall also include, the "outparcels", M as identified on the applicant's survey), and
 - c. Clint Moore Road 80 feet north d the existing south right- of-way for the ultimate right-of-way for Clint Moore RoadAll of the above shall be conveyed within ninety (90) days of Special Exception approval. All conveyances must be accepted by Palm Beach County prior to issuance of the first building permit.
(BLDG/PMT/DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-1997-1571, Control No.1984-00071)
3. The petitioner shall modify the existing construction plans for Military Trail as a four-lane, median divided section, from a point 200 feet south of New Clint Moore Road north to the north right-of-way line of the LWDD L38 Canal, including the appropriate tapers per the County Engineer's approval. These plans shall be completed within two (2) months of Special Exception approval or prior to the issuance of fifty (50) building permits, whichever shall first occur. (BLDG/PMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-1997-1571, Control No.1984-00071)
4. The developer shall participate in PBC road construction Program for Military Trail from New Clint Moore Road to Linton Blvd during the Fiscal Year 1983-84. The developer shall fund the cost of the constructions of Military Trail as four-lane median divided section from a point 200 feet south New Clint Moore Road north to the North right of way line at the LWDD L38 canal plus the appropriate tapers per the County Engineers approval. A letter of credit for this construction based upon a certified cost estimate from the developers engineers shall be posted within 2 months of Special Exception Approval prior to the issuance of 500 building permits whichever shall first occur the amount of \$160,000.00 for the partial construction of the four-lane bridge over the LWDD 1-38 Canal which was funded from Petition 80- 73(A) shall be subtracted from the developer's cost estimate this letter of credit may be called upon at the time of the awarding of the contract for the construction of Military Trail from New Clint Moore Rd to Linton Blvd.

(BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

5. The property owner shall obtain the right-of-way for Jog Road from Clint Moore Road north to the existing paved terminus of south Linton Boulevard within 18 months of Special Exception Approval or prior to the issuance of a Building Permit whichever shall first occur. This property owner shall enter into a written agreement with the Land Acquisition Section within 30 days of Special Exception Approval for which this property owner shall fund any and all costs associated with the acquisition of this right-of-way. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

6. The property owner shall construct Jog Road from Old Clint Moore Road north to the existing Terminus South of Linton Boulevard as a 2-lane Section per Condition No. 6a including three lane bridges where applicable. This construction shall be completed concurrent with the improvements for the first plat or within 24 months of Special Exception Approval whichever shall first occur. Credit for the impact fee shall be given for this road construction as outlined in Condition No. 6a, 6b, 6c and 7 as well as other funds contributed toward Military Trail construction. Note it is the Intent of these 3 conditions above that this property owner shall share in the cost of this Jog Road construction with Petition No. 85-167 approved in December, 1985, to the present day dollar equivalent of the improvements required under Petition 84-71 for Jog Road. (DATE/PLAT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-1997-1571, Control No.1984-00071)

7. This petitioner shall post surety in the form of a Clean Irrevocable Letter of Credit within six (6) months of Special Exception approval. The amount of the Letter of Credit shall be based upon a Certified Cost Estimate by the developer's engineer for the required plans and construction for both Jog Road and Military Trail, as outlined in the above conditions. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 7 of Resolution R-1997-1571, Control No.1984-00071)

8. The developer shall construct concurrent with reconstruction of Military Trail and the project's north approach:

- a. Left turn lane, south approach;
- b. Right turn lane, north approach; and
- c. Signalization when warranted, as determined by the County Engineer. [Note: COMPLETED] (Previous ENGINEERING Condition 8 of Resolution R-1997-1571, Control No.1984-00071)

9. The developer shall construct concurrent with reconstruction of Military Trail and the project's south entrance:

- a. Dual left turn lane, south approach;
- b. Right turn lane, north approach; and
- c. Signalization when warranted, as determined by the County Engineer. [Note: COMPLETED] (Previous ENGINEERING Condition 9 of Resolution R-1997-1571, Control No.1984-00071)

10. The developer shall construct concurrent with reconstruction of Military Trail and Old Clint Moore Road:

- a. Right turn lane, north approach;
- b. Left turn lane, south approach; and
- c. Left turn lane, west approach. [Note: COMPLETED] (Previous ENGINEERING Condition 10 of Resolution R-1997-1571, Control No.1984-00071)

11. The developer shall construct concurrent with reconstruction of Military Trail and New Clint Moore Road:

- a. Left turn lane, north approach; and
- b. Right turn lane, south approach. [Note: COMPLETED] (Previous ENGINEERING Condition 11 of Resolution R-1997-1571, Control No.1984-00071)

12. The developer shall construct concurrent with construction of Jog Road at the intersection of Old Clint Moore Road:

- a. Left turn lane, north approach;
- b. Left turn lane, west approach; and
- c. Signalization when warranted, as determined by the County Engineer
- d. Left turn lane east approach. [Note: COMPLETED] (Previous ENGINEERING Condition 12 of Resolution R-1997-1571, Control No.1984-00071)

13. The property owner shall provide PBC a road drainage easement within the project's internal lake system for legal positive outfall to accommodate the runoff Jog Road, Military Trail, and Clint Moore Road along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Jog Road, Military Trail, and Clint Moore Road. The drainage system within the project shall have sufficient retention/detention capacity to accommodate the ultimate Thoroughfare Plan Section road drainage runoff and be subject to all governmental agency requirements. (PLAT: ENGINEERING -

Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 13 of Resolution R-1997-1571, Control No.1984-00071)

14. The reconstruction of Military Trail as outlined in Condition 4 and 5 shall be credited toward the Fair Share Impact Fee of \$531,063 based upon a certified cost estimate by the developers engineer, however prior to the letting of the contract for the four-laning of Military Trail, surety must be posted with the County in an amount equivalent to \$200.00 per Multi-family dwelling unit and \$300.00 per single family unit constructed prior to the issuance of a building permit, which shall be returned to the developer upon the letting of the road construction contract. [Note: COMPLETED] (Previous ENGINEERING Condition 14 of Resolution R-1997-1571, Control No.1984-00071)

15. The internal roadway for Jog Road to Military Trail shall be a minimum of an 80' collector road right-of-way. [Note: COMPLETED] (Previous ENGINEERING Condition 15 of Resolution R-1997-1571, Control No.1984-00071)

16. The property owner shall construct concurrent with the construction of Jog Road at the project entrance onto Jog Road:

- a) left turn lane, north approach;
- b) right turn lane, south approach;
- c) left turn lane, east approach. [Note: COMPLETED] (Previous ENGINEERING Condition 16 of Resolution R-1997-1571, Control No.1984-00071)

17. The property owner shall install signalization if warranted as determined by the County Engineer at Jog Road and the project's entrance road. Should signalization not be warranted after 12 months after the final Certificate of Occupancy this property owner shall be relieved from this condition. [Note: COMPLETED] (Previous ENGINEERING Condition 17 of Resolution R-1997-1571, Control No.1984-00071)

18. Prior to Site Plan Committee approval, the petitioner shall revise the proposed Master Plan to reflect a (sixty) 60 foot right-of-way through Tract 'P' with sufficient length to meet the County's Subdivision and Platting Requirements as specified in Ordinance 73-4. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 18 of Resolution R-1997-1571, Control No.1984-00071)

19. The petitioner shall convey to the Lake Worth Drainage District:

- a) the north 70 feet of the subject property for the required right-of-way of Later Canal No. 37, and
- b) the south 105 feet of Parcels No. 7 and 10 as shown on the survey for the subject property for the required right-of-way of lateral Canal No. 38 by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of adoption of the Resolution by the BCC. (DATE: MONITORING - Lake Worth Drainage District) [Note: COMPLETED] (Previous ENGINEERING Condition 19 of Resolution R-1997-1571, Control No.1984-00071)

20. Prior to master plan certification, petitioner shall convey a drainage easement from the commercial tract subject to approval of the County Engineer and the County Attorney's Office. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 20 of Resolution R-1997-1571, Control No.1984-00071)

21. Property Owner shall convey a road drainage easement along the south property line for Clint Moore Road subject to approval from the Office of both the County Attorney and County Engineer prior to Master Plan approval. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 21 of Resolution R-1997-1571, Control No.1984-00071)

22. Deleted by Resolution R-96-1962, Petition 84-71(G). (Previous ENGINEERING Condition 22 of Resolution R-1997-1571, Control No.1984-00071)

23. Tho property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvement's Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$6,144.00 (192 trips X \$26.79 per trip). (ONGOING: TRAFFIC ENGINEERING - Traffic Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 23 of Resolution R-1997-1571, Control No.1984-00071)

24. Prior to issuance of a building permit for the Equestrian Center, Jog Road shall be constructed from Clint Moore Road to the project's north property line. This construction shall be a minimum 2-12 foot travel lanes. [Note: COMPLETED] (Previous ENGINEERING Condition 24 of Resolution R-1997-1571, Control No.1984-00071)

25. Prior to site plan certification, the developer shall agree to accept stormwater runoff from the adjacent School Board property through this project's internal lake system subject to approval by the Palm Beach

County School Board and the County Engineering Department. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 25 of Resolution R-1997-1571, Control No.1984-00071)

26. At the time of site plan approval, the site plan shall be revised to show the Palm Beach County property which supports the access easement from Jog Road to the South County Civic site and the golf maintenance facility. (DRO: ZONING - Property Real Estate Management) [Note: COMPLETED] (Previous ENGINEERING Condition 26 of Resolution R-1997-1571, Control No.1984-00071)

27. Prior to Master Plan certification the Master Plan shall be revised to indicate the proposed road right-of-way between Tracts P-2 and P-3 terminating in a 110 foot diameter cul-de-sac. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 27 of Resolution R-1997-1571, Control No.1984-00071)

28. Prior to site plan certification, petitioner shall deliver to the Lake North Drainage District a deed for the North 70 feet of the NW 1/4 of the SE 1/4 of Section 27-46/42 for the required right-of-way for Lateral Canal No. 37. Delivery shall be within 90 days of approval of the resolution approving this project. The deed may be in the form of an Easement Deed or a Quit Claim Deed, whichever the owner prefers. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 28 of Resolution R-1997-1571, Control No.1984-00071)

29. Deleted by resolution R-96-1962. (Previous ENGINEERING Condition 29 of Resolution R-1997-1571, Control No.1984-00071)

30. The Polo Club shall provide legal access to the Taylor property (Petition 88-92) until alternate access to the site may be required. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 30 of Resolution R-1997-1571, Control No.1984-00071)

31. Deleted by Resolution R-96-1962. [Note: COMPLETED] (Previous ENGINEERING Condition 31 of Resolution R-1997-1571, Control No.1984-00071)

32. The petitioner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. (ONGOING: TRAFFIC ENGINEERING - Traffic Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 32 of Resolution R-1997-1571, Control No.1984-00071)

33. The property owner shall plat the subject property in accordance with provision of Palm Beach County's Subdivision Platting Ordinance 734 as amended. (PLAT: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 33 of Resolution R-1997-1571, Control No.1984-00071)

34. Prior to January 15, 1997, the developer shall complete the design, obtain all necessary permits to construct a storm water management area required to compensate for retention of runoff from the Jog Road right of way from L-38 canal southward to the LWDD L39 Canal, for a distance of 2700' +/- (Sta 133+00 to Sta 160+00) per Palm Beach County Jog Road Project #94507(A)(1) construction plans. The compensating drainage system within the project shall have sufficient retention/detention and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. The storage will be approximately 2.6 acres and will be a portion of a new 8.0 acre lake that will be located on the current Equestrian Center site. Discharge will be via a new control structure into the L-37 Canal. The lake will also be connected to the existing storage system in Polo's north basin. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 34 of Resolution R-1997-1571, Control No.1984-00071)

35. Prior to January 15, 1997, the developer shall design, obtain permit and construct, or allow the County to construct, the control structure and discharge pipe from the existing lake, in the northeast corner of the intersection of Jog Road and Champion's Boulevard above to the L-38 Canal. Polo Club shall maintain the outfall and lake system. Palm Beach County shall have the right but not the obligation to maintain this pipe and outfall structure. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 35 of Resolution R-1997-1571, Control No.1984-00071)

36. Prior to January 31, 1997, the developer shall provide County with a 20 ft wide drainage easement and 20 ft wide flowage easement and allow Palm Beach County to discharge directly into the existing lake at the northeast corner of Jog Road and Champion Boulevard in Polo's west basin. This lake will provide the required water quality portion of storage. The easement shall indemnify and hold the County harmless for

any and all consequences of this discharge. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 36 of Resolution R-1997-1571, Control No.1984-00071)

37. Prior to January 15,1997, the developer shall obtain permits from South Florida Water Management District (SFWMD) and Lake Worth of; Drainage District (LWDD) for modifications to the Polo west and north basins including "compensating storage" for the Jog Road runoff in the a new lake to be constructed on the Equestrian Site. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 37 of Resolution R-1997-1571, Control No.1984-00071)

38. Prior to July 31,1997, the developer shall complete the construction of the compensating lake for the Jog Road drainage. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 38 of Resolution R-1997-1571, Control No.1984-00071)

39. Should this work not be complied with by the dates above the property owners shall reimburse Palm Beach County for any damages claimed by and awarded to the Jog Road contractor for any delays resulting from the failure to complete any or all work. Payment shall be completed within 30 days of notice by the County Engineer. [Note: COMPLETED] (Previous ENGINEERING Condition 39 of Resolution R-1997-1571, Control No.1984-00071)

40. LANDSCAPE WITHIN MEDIAN

a. Prior to January 1,1998, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards am I shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (DATE: MONITORING - Engineering) [Note: COMPLETED]

b. All required median landscaping, including an irrigation system if required shall be installed at the property owner's expense. All landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs, or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed prior to April 1, 1998. (DATE: MONITORING - Engineering) [Note: COMPLETED]

c. Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to November 1,1997. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 40 of Resolution R-1997-1571, Control No.1984-00071)

41. The Developer shall also provide within this project's internal stormwater management system an equivalent amount of stormwater runoff for the road drainage of Linton Boulevard for Parcel "R". The amount of required to be stored shall be based upon the applicable County Water Control District, South Florida Water Management District and Palm Beach County Engineering Requirements. (BLDGPM: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 41 of Resolution R-1997-1571, Control No.1984-00071)

ENVIRONMENTAL

1. The developer shall relocate and/or preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measure shall also be taken to protect any individual trees and/or preservation areas during site clearing and construction. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

GOLF MAINTENANCE NORTH OF PARCEL I

1. Native vegetation with the golf course and 25-foot buffer along the eastern property shall be preserved and incorporated into the project design. (Previously Condition F.1 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Code Enforcement) (Previous GOLF MAINTENANCE NORTH OF PARCEL I Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. A landscape buffer shall be planted commencing at the southwest corner of the E-3 Canal extending west a minimum of 250 feet along the southern boundary of the Lake Worth Drainage District L-38 Canal. This buffer shall consist of a) a solid hedge maintained at minimum height of six (6) feet, planted along the fence which encloses the maintenance facility; b) mature canopy tree vegetation planted at a minimum height of 15 feet and spaced so as to allow a solid visual buffer to be maintained within one year of planting; and c) minimum 15 foot high pine or palm species planted in a dense cluster in proximity to the antenna

so as to soften the visual impact of a tower. This landscape treatment shall be installed prior to issuance of first Certificate of Occupancy on any structure within the equestrian facility. In addition, the satellite dish and gate shall be appropriately landscaped so as to avoid negative visual impact upon surrounding properties. (Previously Condition F.2 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Code Enforcement) (Previous GOLF MAINTENANCE NORTH OF PARCEL I Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. Storage sheds and temporary trailers shall be located south of the golf maintenance facility or screened from view to the west and north. (Previously Condition F.3 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Code Enforcement) (Previous GOLF MAINTENANCE NORTH OF PARCEL I Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

HEALTH

1. Previous HEALTH Condition 5 of Resolution R-1997-1571, Control No.1984-00071, which currently states:

Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. (ONGOING: HEALTH DEPARTMENT - Health Department)

Is hereby deleted. [REASON: Code requirement]

2. Previous HEALTH Condition 6 of Resolution R-1997-1571, Control No.1984-00071, which currently states:

Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING: HEALTH DEPARTMENT - Health Department)

Is hereby deleted. [REASON: Code requirement]

ZONING - LANDSCAPING

1. Prior to approval of the site plan for Parcel S, the site plan shall be revised to reflect a 25-foot landscape buffer along the south property line acceptable to Palm Beach County PREM and the Zoning Division. (Previously Condition I.2 of Resolution R-96-1962, Petition 84-71(G)) (DRO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. If access is shared between the Parcel S and the South County Civic Site, the 25-foot PUD buffer shall be located north of the shared accessway. (Previously Condition I.3 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. The stockpile of dirt dug from the Lake Worth Drainage District L-38 Canal shall be completely removed by October 15, 1987. The 25 foot buffer, canal right-of-way and bank shall thereupon be seeded or sodded to prevent wind and water erosion. (Previously Condition I.4 of Resolution R-96-1962, Petition 84-71(G)) NOTE: [Condition completed] (DATE: ZONING - Monitoring) [Note: COMPLETED] (Previous ZONING - LANDSCAPING Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. The required twenty-five (25) foot buffer along the perimeter of planned unit development (PUD) shall be shown on the master plan unless expressly modified herein. (Previously Condition I.5 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

5. The twenty (20) foot Type B landscape buffer required along the north boundary of Parcel S adjacent to the LWDD L-37 Canal may be reduced a maximum of 50% subject to final master plan certification by the DRC. (Previously Condition I.6 of Resolution R-96-1962, Petition 84-71(G)) (DRO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

6. The 9.54-acre parcel addition to Parcel R may be exempted from the required twenty-five (25) foot perimeter PUD buffer requirement along the north, south and east property lines. Required landscape buffers will be as follows:

- a. Twenty (20) foot wide buffer along the north property line; and,
- b. Buffer widths along the south and east property lines shall be pursuant to the applicable provisions of the ULDC, as amended, at time of final subdivision approval for the parcel. In no case shall the buffer be less than ten (10) feet in width; and,
- c. Buffer plantings for all buffers shall be pursuant to the applicable provisions of the ULDC, as amended, at time of final subdivision approval for the parcel. (BLDGPM: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 6 of Resolution R-1997-1571, Control No.1984-00071)

PALM TRAN

1. A. Prior to final certification of the master plan or site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate mass transit access, mass transit shelter(s) and/or a bus stop(s) on or adjacent to the subject property, if required by the Palm Beach County School Board or Palm Tran.

B. Mass transit access, shelters and/or bus stops, if required, shall be located and constructed by the petitioner within three (3) years (October 24, 1999) in a manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer. The petitioner shall dedicate additional right-of-way to accommodate the requirement for mass transit access and/or bus shelters, if requested by the County Engineer. Mass transit access shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use to the shelter, and a bicycle rack. (ONGOING: PALM-TRAN - Palm-Tran) (Previous MASS (TRANSIT) Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

PARCEL- E

1. The petitioner agrees to maintain a separation from the eastern property line of the Le Lac PUD for housing units to be located in Parcel E as depicted on the master land use plan for the Polo Club PUD as follows:

- a. Twenty (20) foot non-exclusive easement for the Lake Worth Drainage District adjacent to the eastern boundary of the LWDD E-3 Canal right-of-way; and, a
- b. Fifty (50) foot to two hundred fifty (250) foot golf course area; and, a
- c. Twenty-five (25) foot building set-back from the golf course area. (ONGOING: ZONING - Code Enforcement) (Previous PARCEL Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

PARCEL K

1. The petitioner agrees to install and maintain a four (4) to five (5) foot landscaped earth berm within the thirty-five (35) foot building set back to further screen residential units within Parcel K from residential to be located Le Lac Planned Unit Development (ONGOING: ZONING - Code Enforcement) (Previous PARCELK Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. The petitioner agrees to maintain a ninety (90) foot separation from the northern property line of the Le Lac Planned Unit Development to the southern property line of the single family dwelling units to be located in Parcel K as depicted on the revised master land use plan for the Polo Club Planned Unit Development. This ninety (90) foot open area shall consist of a fifty (50) foot right-of-way easement in favor of the Lake Worth Drainage District, a twenty (20) foot non-exclusive easement to Lake Worth Drainage District to be used for bridle trail purposes, and a twenty (20) foot golf cart easement. The developer of Parcel K of the Polo Club PUD further agrees to preserve and maintain the existing tree line and understory vegetation within the twenty (20) foot non-exclusive easement (ONGOING: ZONING - Code Enforcement) (Previous PARCELK Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. The petitioner further agrees to locate only single family detached patio homes in the southern tier of Parcel K similar to those constructed on Tract H of the Polo Club PUD by Housing Adventures and to further limit all dwelling units within Parcel K to a maximum of two (2) stories in height. Standard development regulations for patio homes and customary accessory uses shall be applied to structures within Parcel K. Only three (3) of the southernmost patio homes shall be two (2) story. (ONGOING: ZONING - Code Enforcement) (Previous PARCELK Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

PARCEL R (9.54 ACRE PARCEL ADDITION)

1. The development of the additional 9.54 acre parcel to Parcel R shall be limited to a total of thirteen (13) single-family units. (ONGOING: ZONING - Zoning) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. Prior to final certification of the preliminary development plan, the certified site plan for Parcel R shall be amended to include the additional thirteen (13) units and the extension of the internal PUD right-of-way (Vintage Oaks Circle) for access to the units. (DRO: ZONING - Planning) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. Prior to final DRC certification of the Preliminary Development Plan, the owner shall provide a recorded deed for the land areas described in the July 8, 1997 Lake Worth Drainage District letter and conditions 0.4 & 0.5 of this petition (84-71(H)). (DRO: ZONING - Planning) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. Prior to platting or the issuance of any building or construction permits, the property owner shall convey to the Lake Worth Drainage District the North 6.8 feet of the South 20 feet of the SE 1/4 of the SE 1/4 of the NW 1/4 of Section 26/46/42 lying within the Required Right-of-Way for Lateral Canal No. 37 as described in Official Record Book 1732 Page 612 (Sheet 119 of 240) by Quit Claim Deed or an Easement Deed in the form provided by said District. (BLDG/PMT: ZONING - Monitoring) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

5. Prior to platting or the issuance of any building or construction permits, the property owner shall convey to the Lake Worth Drainage District that portion of the SE 1/4 of the SE 1/4 of the NW 1/4 of Section 26/46/42 lying within the Required Right-of-Way for Equalizer Canal No. 3 as described in Official Record Book 1732 Page 612 (Sheet 119 of 240) by Quit Claim Deed or an Easement Deed in the form provided by said District. (BLDGPM: ZONING - Zoning) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

PARKS

1. The development shall meet or exceed the minimum recreation area requirement of Article IX, Section VIII of the P.B.C. Subdivision and Platting Regulation Ordinance. (ONGOING: PARKS AND RECREATION - Parks and Recreation) (Previous PARKS Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. In order to be usable for the required civic site to be more usable for educational and/or recreational purposes, the civic site may be located off the site of the subject PUD. Within 90 days of adoption of the resolution approving this petition, petitioner shall deliver to the Director of Parks and Recreation and the director of facilities planning, School Board of Palm Beach County, a precise legal description of the off-site parcels of land intended to be dedicated to Palm Beach County in order to satisfy this condition. These parcels of land shall total a minimum of 15 acres and shall be contiguous to and are intended to supplement other lands between the project's northwest boundary and Jog/Carter Road to be assembled as a community park/school site to serve this development and other nearby developments. Dedication of this civic site shall be subject to approval of the Director of Parks and Recreation. Conveyance of this civic site shall be completed within 12 months of adoption of the resolution approving this development. [Note: COMPLETED] (Previous PARKS Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. In lieu of the Polo Club providing storm water management facilities to serve the 15 acre Palm Beach County park site, which abuts the Polo Club to the west (south parcel S), the developer of Parcel "S", the former equestrian parcel, shall make a voluntary contribution to Palm Beach County in the amount of \$25,000 for drainage improvements to the South County Civic Site and park property. This amount shall be payable to Palm Beach County prior to the Parks and Recreation Department's approval of the first plat for Parcel "S", the former equestrian parcel. [Note: COMPLETED] (Previous PARKS Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71

1. Street lights shall be provided pursuant to Section 6.8.A.23.d(1) of the ULDC, subject to approval by the County Engineer. (BLDGPM/CO: ZONING - Engineering) (Previous PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71 Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. Street trees shall be planted within or adjacent to all rights-of-way pursuant to Section 6.8.A.23.d(3) of the ULDC, subject to approval by the County Engineer. (BLDGPM/CO: ZONING - Engineering) (Previous PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71 Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. Street bike lanes shall be provided pursuant to Section 6.8.A.23.d(4) of the ULDC, subject to approval by the County Engineer. (CO: ZONING - Engineering) (Previous PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71 Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. All utilities shall be underground pursuant to Section 6.8.A.23.d(5) of the ULDC. (CO/ONGOING: ZONING - Zoning) (Previous PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71 Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

SCHOOL BOARD

1. The petitioner has voluntarily agreed to provide \$250.00 per dwelling unit, total PUD dwelling unit count of 2,200 units for a total of \$550,000.00, in the form of a clean irrevocable letter of credit in favor of the School Board of Palm Beach County, for school site acquisition and/or site related improvements. This letter of credit shall be provided in a form acceptable to the School Board with 90 days of the date of adoption of the rezoning and PUD special exception resolution for the subject project. (ONGOING: SCHOOL BOARD - School Board) (Previous SCHOOL BOARD Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. The petitioner shall post in a clear and visible location in all sales offices and model homes a sign provided by the School Board of Palm Beach County which indicates that school age children in the development may not be assigned to the most proximate public school because of overcrowding, racial balancing, or other School Board policies. (ONGOING: SCHOOL BOARD - School Board) (Previous SCHOOL BOARD Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process.

Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

Exhibit C-2 Conditions of Approval

Class A Conditional Use – Stealth Communication Tower

ALL PETITIONS

1. The approved Site Plan is dated April 28, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

2. Prior to Final Approval by the Development Review Officer, the Applicant shall revise the boundaries of the lease area and Perpetual Landscape Agreement to be consistent with the lease area depicted on the approved Site Plan dated April 28, 2025 and the Conditions of Approval. (DRO: ZONING – Zoning)

ENGINEERING

1. Prior to the issuance of the first building permit, the Property Owner shall abandon or release, and relocate if necessary, any and all easements shown in conflict with the existing or proposed structures. (BLDGPM: ENGINEERING - Engineering)

LANDSCAPE - GENERAL-COMMUNICATION TOWER AREA

1. Prior to final approval by the Development Review Officer, the Applicant shall submit a landscape plan in detail the planting of pine trees and palms around the proposed tower. The approved plan shall be submitted with the building permit. The landscape plan shall include a minimum of the following:

- a. Buffer width around the entire lease area: 20 feet.
- b. Pine trees: Minimum height at installation 20 feet. Minimum quantity 1 pine tree for each 15 feet and may be planted in clusters.
- c. Palm Trees: Minimum height at installation 18 feet. Minimum quantity: 1 palm for each 15 feet and may be planted in clusters. (BLDGPM/DRO: ZONING - Zoning)

SITE DESIGN

1. Prior to issuance of a Building Permit, Surety shall be submitted by the Property Owner or Tower Operator to ensure compliance with Art.4.B.9.G.1.b. (BLDGPM: BUILDING DIVISION - Zoning)

USE LIMITATIONS

1. The maximum height of the Communication (Stealth) Tower shall be of 100 feet. (ONGOING: ZONING - Zoning)
2. The proposed Communication Tower shall be designed replicates a Florida Slash Pine. Prior to final approval by the Development Review Officer, the Elevations of the Stealth Tower shall be revised to increase the spread and the quantity of branches, and that cover the top 40% of the height of the pole. that depicts a typical Florida Slash Pine and screen the antennas. At time of Building Permit the approved elevations shall be included in the application. (BLDGPM/DRO: ZONING – Zoning)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Exhibit D - Project History

Application No.	Title & Request	Resolution	Decision	Approval Date
Z/SE-1984-00071	Title: Official Zoning Map Amendment Request: to allow a rezoning AR Agricultural Residential District to the RS/RTS District	R-1984-01297	Adopted	06/28/1984
	Title: Special Exception Request: to allow a Planned Unit Development	R-1984-01298	Adopted with Conditions	06/28/1984
Z/SE-1984-00071 (A)	Title: Official Zoning Map Amendment Request: to allow a rezoning from AR-Agricultural Residential District to RTS – Residential Transitional Suburban District	R-1986-00746	Approved	03/27/1986
	Title: Special Exception Request: to amend and expand the Master Plan for Polo Club Planned Unit Development, previously approved under Zoning Petition No. 84-71 to increase the land area by 88.53 acres	R-1986-00747	Adopted with Conditions	03/27/1986
Z/SE-1984-00071 (B)	Title: Development Order Amendment Request: to amend the Master Plan previously approved for a Planned Unit Development, under Zoning Petition No. 84-71 (A) to decrease the land area by 13.7 acres and to change housing types from Category A to Category B in Parcel F, and a transfer of units from Parcels L and M into Parcel F	R-1987-00202	Adopted with Conditions	08/28/1986
DOA-1984-00071 (C)	Title: Development Order Amendment Request: to amend Conditions of Approval placed on Zoning Petition No. 84-71 approved on June 28, 1984	R-1987-01178	Adopted with Conditions	04/24/1987
Z/SE-1984-00071 (D)	Title: Official Zoning Map Amendment Request: to allow a rezoning from AR-Agricultural Residential Zoning District to RTS – Residential Transitional Suburban Zoning District	R-1988-01636	Adopted with Conditions	10/04/1988
	Title: Special Exception Request: to amend and expand the Master Plan for The Polo Club Planned Unit Development, previously approved under Zoning Petition No. 84-71 On June 28, 1984 (Resolution No. R-84-1298, adopted September 11, 1984), Zoning Petition No. 84-71(A) On March 27, 1986 (Resolution No. 86-747, Adopted May 27, 1986), Zoning Petition No. 84-71(B) On August 28, 1986 (Resolution No. R-87-202, Adopted February 10, 1987) and Zoning Petition No. 84-71(C) on April 24, 1987, to 1)increase the acreage, by 20.983 acres and 2) to include a Recreational Facility and Club (Equestrian Club)	R-1988-01637	Adopted with Conditions	10/04/1988
Z/SE-1984-00071 (E)	Title: Official Zoning Map Amendment Request: to allow a rezoning from the AR- Agricultural Residential Zoning District to RTW- Residential Transitional Suburban Zoning District	R-1989-01027	Adopted	09/23/1988
	Title: Special Exception Request: to amend and expand the Master Plan for the Polo Club Planned Unit Development to: 1) redesign the site; and 2) increase the land area	R-1989-01028	Adopted with Conditions	09/23/1988
Z/SE-1984-00071(F)	Title: Official Zoning Map Amendment Request: to allow a rezoning from AR-Agricultural Residential Zoning District, in part, RTS-Residential Transitional Suburban Zoning District, in part, and RS-Residential Single	R-1989-01158	Adopted with Conditions	12/29/1988

Application No.	Title & Request	Resolution	Decision	Approval Date
	Family Zoning District, in part, to RTS-Residential Transitional Suburban Zoning District, in part, and RS-Residential Single Family Zoning District, in part			
	Title: Special Exception Request: to amend and expand the Master Plan for the Polo Club Planned Unit Development (Petition No 84-71(E) to (1) increase the acreage, (2) include Congregate Living Facility Type 3 (Maximum of 454 residents), (3) Transfer 261 units from Parces P-3 and P-5 to Parcel R, and (4) convert 37 dwelling units to 96 Congregate Living Facility beds (Approval extinguishes an Adult Congregate Living Facility (Petition No 87-18)	R-1989-01159	Adopted with Conditions	12/29/1988
Z/SE-1984-00071(F)	Title: Corrective Resolution Request: to correct a scrivener's error in the resolution which referenced the incorrect zoning district requests in the Now, Therefore clause.	R-1992-01605	Adopted with Conditions	10/27/1992
Z/SE-1984-00071 (F)	Title: Corrective Resolution Request: to correct a scrivener's error in the resolution which referenced the incorrect zoning district in the Now, Therefore clause.	R-1992-01606	Adopted with Conditions	10/27/1992
DOA-1984-00071 (G)	Title: Development Order Amendment Request: DOA to redesignate Equestrian Parcel to Residential	R-1996-01740	Adopted with Conditions	10/24/1996
DOA-1984-00071(G)	Title: Corrective Resolution Request: to amend Exhibit C Conditions of Approval contained in R-1996-01740 which inadvertently contained scrivener's error.	R-1996-01962	Adopted with Conditions	12/02/1996
Z/DOA-1984-00071 (H)	Title: Official Zoning Map Amendment Request: Rezoning from AR to RTS	R-1997-01570	Adopted with Conditions	10/23/1997
	Title: Development Order Amendment Request: to add land area (+10.18 acres) and add units (+13 units)	R-1997-01571	Adopted with Conditions	10/23/1997

Exhibit E-1 - Preliminary Master Plan

Exhibit E-2 - Preliminary Site Plan

Consultants:

Revisions:
 07/12/2024 - INTAKE SUBMITTAL
 07/27/2025 - RESUBMITTAL
 07/29/2025 - RESUBMITTAL
 07/29/2025 - RESUBMITTAL

Polo Club of Boca Raton PUD
 Tract R-1 Golf Course
 Palm Beach County, Florida



SCALE: 1" = 60'-0"
 Drawn By: TAC
 Drawing #: 1297b
 Date: 04/28/2025

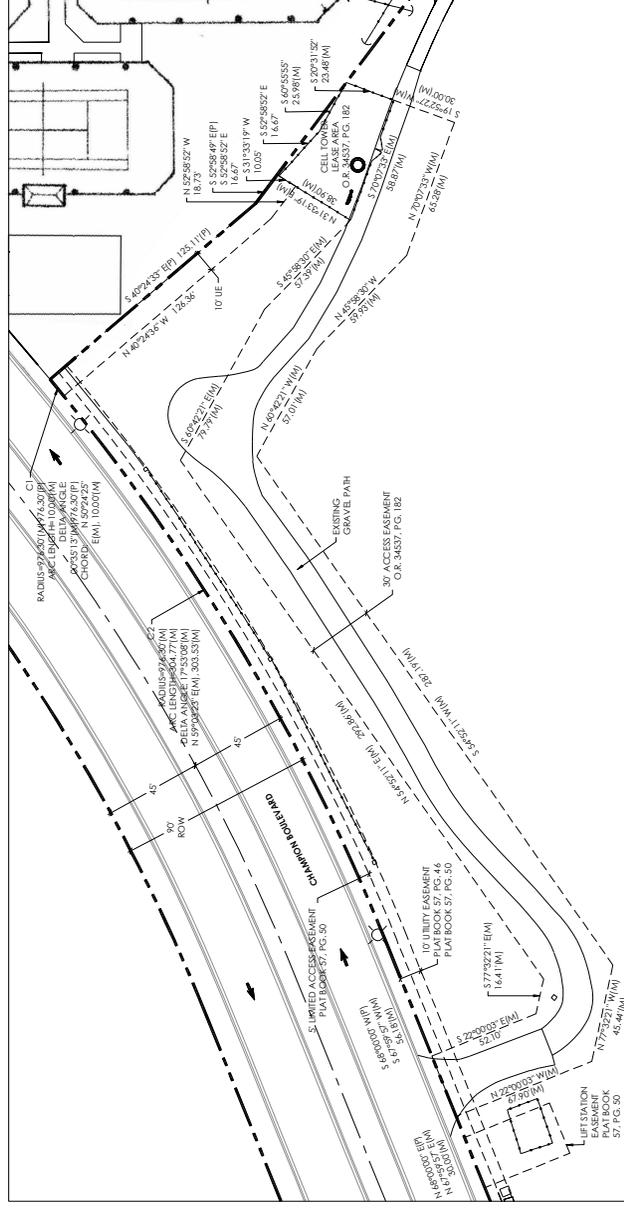
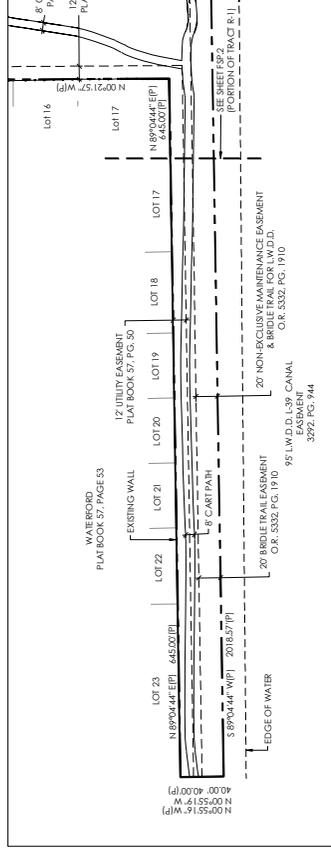
Final
 Site Plan

SHEET # FSP-2

SITE DATA	
APPLICATION NAME	POLO CLUB OF BOCA RATON PUD
PROPERTY CONTROL NUMBER	POLO CLUB OF BOCA RATON PUD (PUD)
CONTROL #	1984-00071
EXISTING LAND USE DESIGNATION	UR 3
EXISTING ZONING DESIGNATION	PUD
EXISTING ZONE DESIGNATION	URBAN / SUBURBAN
FEES	27.31 AC (1.89,424.8 SF)
GROSS AREA (TRACT R-1)	981
TAZ	

AMENDMENTS

ZONING



PORTION OF TRACT R-1

CELL TOWER LEASE AREA / ACCESS EASEMENT / UTILITY EASEMENT BOUNDARY DISTANCES

Exhibit E-3 - Preliminary Tower Elevation



SBA TOWERS X, LLC
 8000 ROCKWELL BOULEVARD, SUITE 100
 BOCA RATON, FL 33487
 PHONE: 1-800-877-4655



1717 S. BOULDER
 SUITE 500
 TULSA, OK 74118
 WWW.B+TGRP.COM
 PH: (918) 587-4830

ISSUED FOR:		
REV	DATE	DESCRIPTION
B	7/29/24	M/S REVIEW
0	7/17/24	M/S FINAL
1	7/17/24	M/S FINAL
2	7/17/24	M/S FINAL

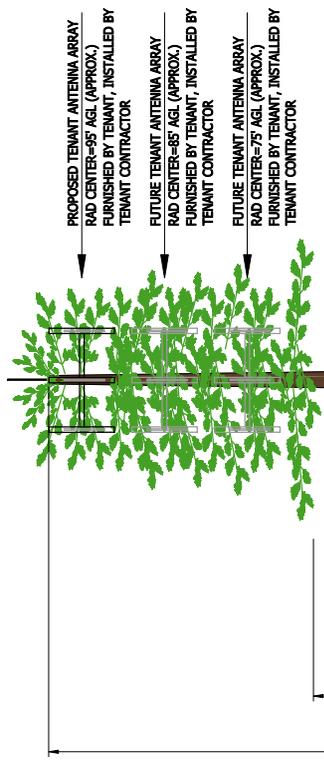
SITE I.D. FL 29556-S
BOCA RATON POLO CLUB
 5712 CHAMPION BLVD.
 BOCA RATON, FL
 33486

B&T ENGINEERING, INC.

DRAWN BY: MAS
 CHECKED BY: DLS
 DATE: 7/17/24
 PROJECT #: G0168583001.01

SHEET TITLE
ELEVATIONS

SHEET NUMBER
C-3



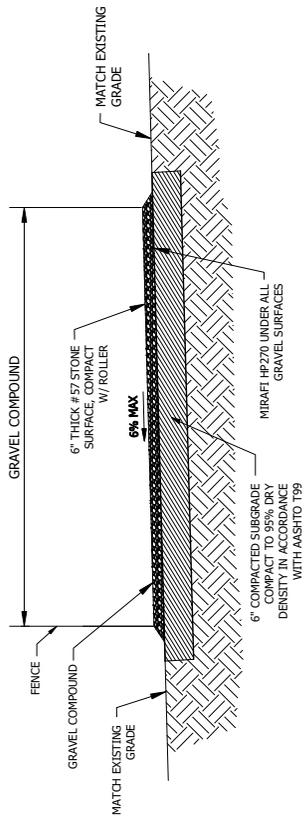
100' MONOPINE TOWER STRUCTURE
 72' ± BOTTOM OF CANOPY

NOTES:
 1. TOWER COLOR SHALL BE CAMOUFLAGE BROWN #383.
 2. TOWER WILL NOT BE LIGHTED UNLESS REQUIRED BY FAA PERMITTING AGENCY.

PROPOSED TOWER: 100' MONOPINE FURNISHED BY OWNER, INSTALLED BY CONTRACTOR. (STRUCTURAL DESIGN BY OTHERS)

PROPOSED TOWER FOUNDATION, FOUNDATION DESIGN BY OTHERS
 PROPOSED 8' FENCED COMPOUND
 PROPOSED LANDSCAPING (TYP.)

1 TOWER ELEVATION
 SCALE: N.T.S.



2 ON GRADE GRAVEL COMPOUND SECTION
 SCALE: N.T.S.

Exhibit E-4 – Disclosure of Ownership

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

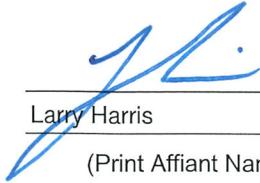
[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Larry Harris, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the individual or Senior Vice President, Business Development [position—e.g., president, partner, trustee] of SBA Towers X, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 8051 Congress Avenue
Boca Raton, FL 33487
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.



Larry Harris, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or
[] online notarization, this 11 day of November, 2024 by
Larry Harris (name of person acknowledging). He/she is personally
 known to me or has produced _____ (type of identification) as
identification and did/did not take an oath (circle correct response).

Caroline Gonzalez
(Name - type, stamp or print clearly)


(Signature)

My Commission Expires on: 8/13/27

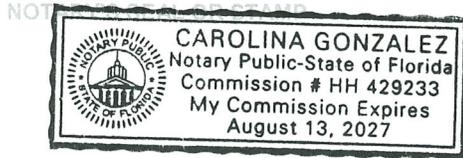


EXHIBIT "A"

PROPERTY

DESCRIPTION OF PARENT PARCEL (AS PROVIDED)
AN INTEREST IN LAND, SAID INTEREST BEING OVER A PORTION OF THE FOLLOWING
DESCRIBED PARENT PARCEL:

TRACTS R1 AND R3 OF THE POLO CLUB OPEN SPACE PLAT THREE, AS RECORDED IN PLAT
BOOK 57, PAGE 50, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE POLO CLUB OF BOCA
RATON PROPERTY OWNERS' ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT
CORPORATION FROM RAINBERRY DEVELOPERS FOUR, INC., A FLORIDA CORPORATION AND
FIRST AMERICAN EQUITY POLO CORPORATION, A FLORIDA CORPORATION, A JOINT
VENTURE D/B/A THE POLO CLUB OF BOCA RATON BY SPECIAL WARRANTY DEED DATED JULY
15, 1991 AND RECORDED AUGUST 22, 1991 IN DEED BOOK 6933, PAGE 1013; AND FURTHER
BEING A PORTION CONVEYED TO THE POLO CLUB OF BOCA RATON PROPERTY OWNERS
ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION FROM RAINBERRY
DEVELOPERS FOUR, INC., A FLORIDA CORPORATION, AND FIRST AMERICAN EQUITY POLO
CORPORATION, A FLORIDA CORPORATION, A JOINT VENTURE DOING BUSINESS AS THE
POLO CLUB OF BOCA RATON BY QUITCLAIM DEED DATED FEBRUARY 22, 1991 AND
RECORDED AUGUST 22, 1991 IN DEED BOOK 6933, PAGE 1028.

TAX PARCEL NO. 00-42-46-35-14-018-0010

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Dan Kaplan, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [] President *[position - e.g., president, partner, trustee]* of Polo Club of Boca Raton Property Owners' Association *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 5400 Champion Blvd
Boca Raton, FL 33496
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Dan Kaplan
Dan Kaplan, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 8th day of August, 2024 by Dan Kaplan (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Jessica Walter
(Name - type, stamp or print clearly)

Jessica Walter
(Signature)

My Commission Expires on: Aug 6th, 2026

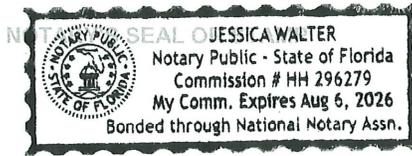


EXHIBIT "A"

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AN INTEREST IN LAND, SAID INTEREST BEING OVER A PORTION OF THE FOLLOWING
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AND BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE POLO CLUB OF BOCA
RATON PROPERTY OWNERS' ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT
CORPORATION FROM RAINBERRY DEVELOPERS FOUR, INC., A FLORIDA CORPORATION
AND FIRST AMERICAN EQUITY POLO CORPORATION, A FLORIDA CORPORATION, A JOINT
VENTURE D/B/A THE POLO CLUB OF BOCA RATON BY SPECIAL WARRANTY DEED DATED
JULY 15, 1991 AND RECORDED AUGUST 22, 1991 IN DEED BOOK 6933, PAGE 1013; AND
FURTHER BEING A PORTION CONVEYED TO THE POLO CLUB OF BOCA RATON PROPERTY
OWNERS ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION FROM
RAINBERRY DEVELOPERS FOUR, INC., A FLORIDA CORPORATION, AND FIRST AMERICAN
EQUITY POLO CORPORATION, A FLORIDA CORPORATION, A JOINT VENTURE DOING
BUSINESS AS THE POLO CLUB OF BOCA RATON BY QUITCLAIM DEED DATED FEBRUARY
22, 1991 AND RECORDED AUGUST 22, 1991 IN DEED BOOK 6933, PAGE 1028.

TAX PARCEL NO. 00-42-46-35-14-018-0010

Exhibit E-5 – Drainage and Traffic Statement



1717 South Boulder Ave., Suite 300, Tulsa, Oklahoma 74119
(918) 587-4630 + (918) 295-0265 Fax + btgrp.com

Date: 7/17/2024

To: SBA Towers X, LLC
Attn: Jose Mancilla

Project: FL-29556-S Boca Raton Polo Club Cell Tower
5712 Champion Blvd
Boca Raton, FL 33496

Drainage and Traffic Statement

Dear Jose,

This letter addresses the impacts of the proposed Boca Raton Polo Club Cell Tower on the adjacent community, specifically relating to vehicular traffic and stormwater surface runoff.

The operational tower site will result in approximately 1 new traffic vehicle movement per month. This light volume increase will result from occasional site equipment maintenance. The site is unmanned with no habitable structures proposed. The net increase in vehicular traffic will be less than 1 vehicle per day.

The proposed cell tower compound will occupy less than 0.04 acres. The compound surface will consist of coarse, poorly graded gravel. New concrete surfaces including the tower base and proposed/future equipment pads will not exceed 500sf. The increase in surface runoff due to the new ground surface will be de minimis, less than 0.1cfs.

Based on the above analysis, there will be no measurable increases in vehicle movements or stormwater surface runoff, due to the proposed cell tower and compound installation.

If you need any additional information, please feel free to contact me.

With regards,

Chad Tuttle, P.E.
CEO

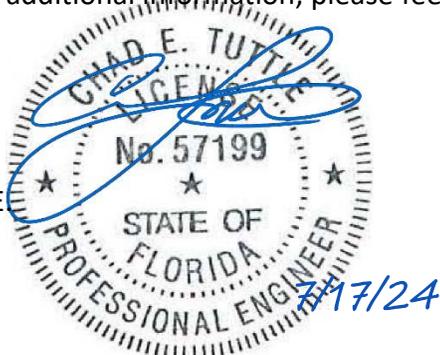


Exhibit E-6 – Utility Concurrency Letter



**Water Utilities Department
Engineering**

8100 Forest Hill Blvd.
West Palm Beach, FL 33413
(561) 493-6000
Fax: (561) 493-6085
www.pbcwater.com



**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Michael A. Barnett
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator

Verdenia C. Baker

November 18, 2024

B&T GRP
6119 Bermuda Dr
Fleming Island, Fl. 32003

Cell Phone Tower
PCN 00424635140180010 5712 Champion Blvd

Dear James,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area.

The nearest connection is a 12" potable water main and a 4" sanitary sewer force main located within Champion Blvd. adjacent to the subject property.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. In addition, the addition of new developments/customers prior to service initiation to the property may affect the available capacity. PBCWUD does not make any representations as to the availability of capacity as of the future service initiation date.

If you have any questions, please give me a call at (561)493-6116.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jackie Michels".

Jackie Michels, P.E,
Project Manager

*"An Equal Opportunity
Affirmative Action Employer"*

printed on sustainable
and recycled paper

Exhibit E-7 – Propagation Study

RF Facility Justification

17059165 POLO CLUB - BOCA RATON

Prepared by Verizon Wireless RF Engineering

Jorge Castaneda

July 17, 2024



Introduction:

There are two main drivers that prompt the need for a new cell site. One is coverage and the other is capacity.

Coverage is the need to expand wireless service into an area that either has no service or bad service. The request for service often comes from customers or emergency personnel. Expansion of service could mean improving the signal levels in a large apartment complex or new residential community. It could also mean providing new service along a newly built highway.

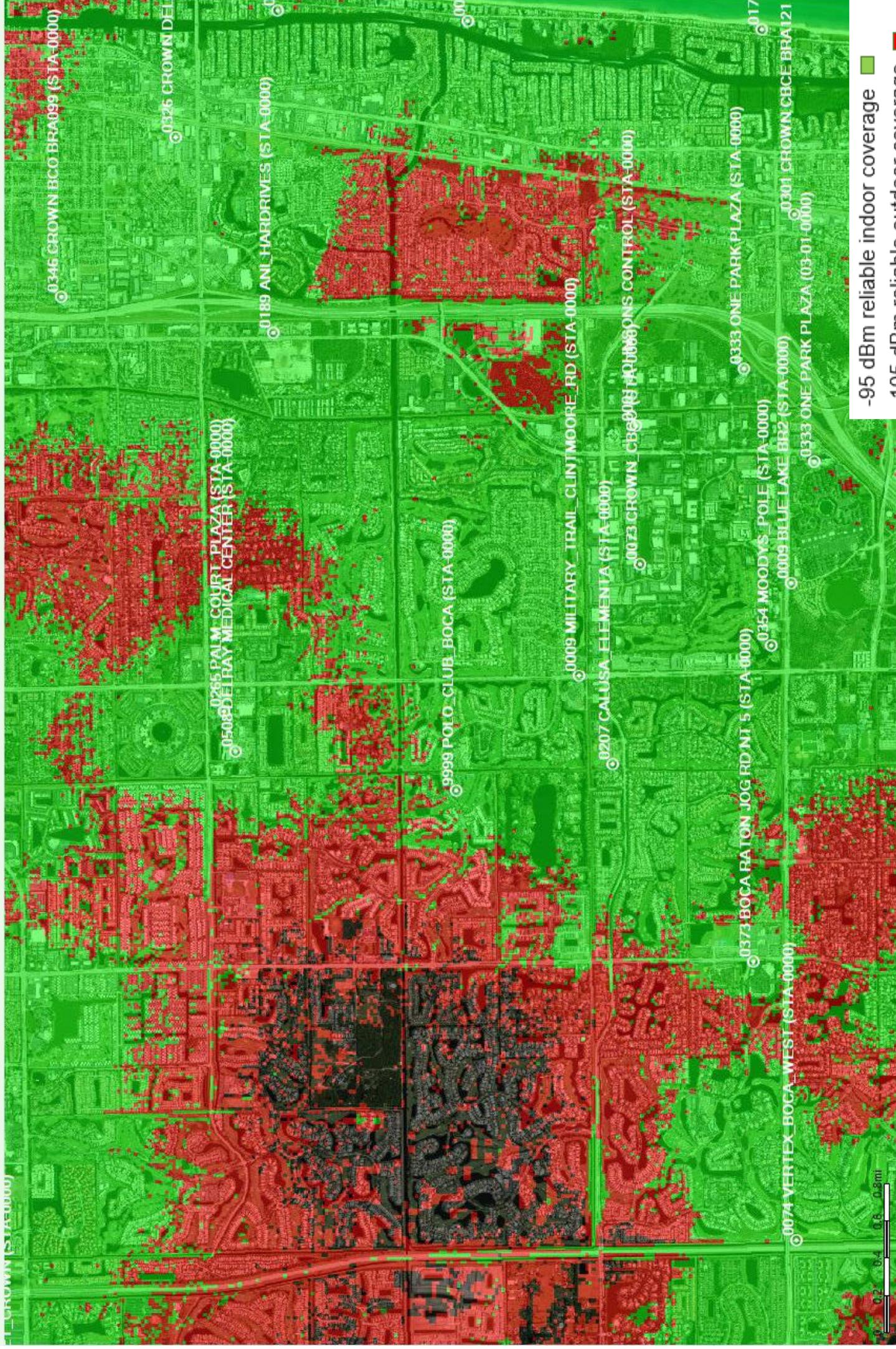
Capacity is the need for more wireless resources. Cell sites have a limited amount of resources to handle voice calls, data connections, and data volume. When these limits are reached, user experience quickly degrades. This could mean customers may no longer be able to make/receive calls nor be able to browse the internet. It could also mean that webpages will be very slow to download.

Capacity is the amount of resources a cell site has to handle customer demand. We utilize sophisticated programs that use current usage trends to forecast future capacity needs. Since it takes an average of (1-3) years to complete a cell site project, we have to start the acquisition process several years in advance to ensure the new cell site is in place before the existing cell site hits capacity limits.

Location, Location, Location. A good capacity cell site needs to be in the center of the user population which ensures even traffic distribution around the cell. A typical cell site is configured in a pie shape, with each slice (aka. sector) holding 33% of the resources. Optimal performance is achieved when traffic is evenly distributed across the 3 sectors.

Height. The requested tower height is the minimum height required to allow Verizon Wireless to meet the stated service objectives and provide seamless service to surrounding Verizon Wireless towers. Any reduction in the tower height will result in significantly diminished coverage improvements and capacity relief to the service area.

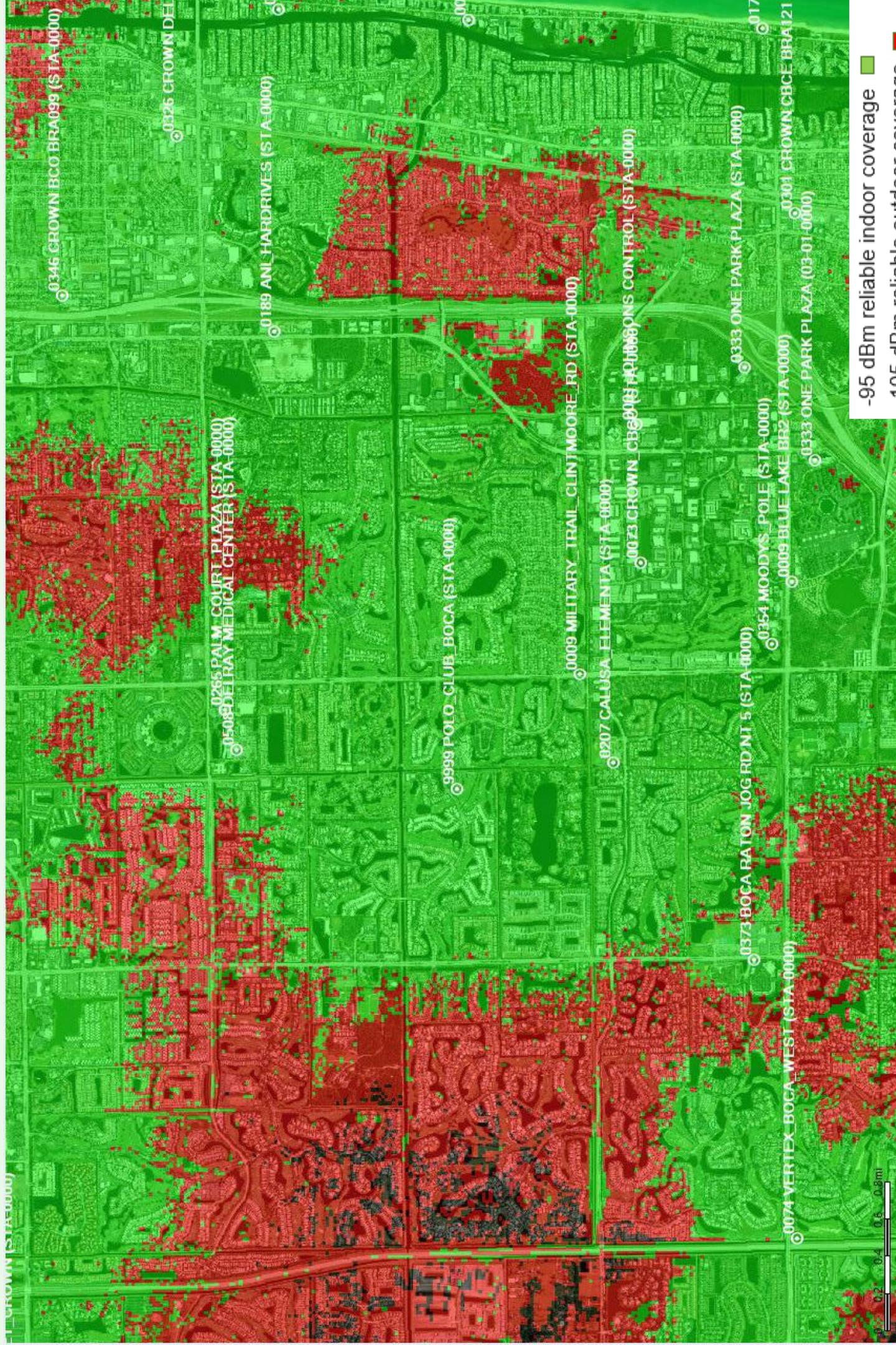
Coverage Area of Existing Network



- 95 dBm reliable indoor coverage
- 105 dBm reliable outdoor coverage
- 113 dBm unreliable outdoor coverage



Coverage Area of Propose Network



- 95 dBm reliable indoor coverage
- 105 dBm reliable outdoor coverage
- 113 dBm unreliable outdoor coverage



Exhibit E-8 – Omnicom Technical Review Report



August 14, 2025

OMNICOM CONSULTING GROUP, INC.
TECHNICAL REVIEW REPORT
ZONING PETITION TOWER REVIEW SERVICES
for
PALM BEACH COUNTY
for
Polo Club of Boca Raton
100' Stealth Communications Tower
APPLICATION #DOA-CA-2024-01594

This report is in response to the Palm Beach County Zoning Department's request to perform consulting services related to SBA Towers X, LLC application to justify a new 100' stealth communications tower located at 5400 Champion Blvd. Boca Raton, FL. The anchor tenant for this tower is proposed to be Verizon Wireless.

Omnicom Consulting Group, Inc. (OCG) has been contracted to review, analyze and evaluate the propagation studies submitted by the petitioner to demonstrate that the existing site and antenna heights are required to meet their communications coverage needs.

The review has determined that the submitted information is accurate, based on appropriate technical criteria, and confirmed that there is no viable alternative sites that will provide the coverage required by the applicants. When performing this review, we have considered other communication system aspects such as the support structure, the equipment housing facilities, antenna configurations, the type of antenna, the antenna mounting, and other related issues affecting signal propagation.

Task 1

OCG was required to perform a tower search for any towers located within a one (1) mile radius of the preferred tower location.

OCG completed a tower search utilizing the Antenna Structure Registration section of the Federal Communications Commission and confirmed that there was no viable alternate antenna structures registered within a one mile radius of the proposed tower site that would meet the need of Verizon Wireless. The one tower within in 1 mile of the proposed site is already in use by Verizon Wireless.

Task 2

OCG was required to confirm the accuracy of the coverage prediction analyses submitted by the petitioner at this location.

The petition indicated that the need for the sites was to improve coverage and capacity in the immediate area around the proposed tower location. The petition included coverage predictions showing coverage with and without the proposed site and the potential increase in coverage in the proposed area.

Application #DOA-CA-2024-01594

8/14/2025

Utilizing its suite of proprietary coverage prediction software, OCG has confirmed the applicants' models to be substantially accurate using the parameters established by the applicant and OCG's radio propagation tools. (See coverage prediction maps).

Therefore, upon completion of its review, OCG takes no exception to the findings of the petitioner based on the technical parameters submitted.

Submitted by:

A handwritten signature in blue ink, appearing to read "Chris Monzingo". The signature is stylized with a large, sweeping initial "C" and "M".

Chris Monzingo, P.E., PMP

Vice President

Exhibit E-9 – Landscape Perpetual Maintenance Agreement

County Administrator
Verdenia C. Baker

Palm Beach County Zoning Division
2300 N. Jog Road
West Palm Beach, Florida 33411
Phone: (561) 233-5200
Fax: (561) 233-5165



LANDSCAPE PERPETUAL MAINTENANCE AGREEMENT
(Lease Parcels – Commercial Communication Towers, ULDC Article 4.B.9)

THIS DECLARATION is made this 24 day of April, 2025 by and between The Polo Club of Boca Raton Property Owners Association, Inc. (“Property Owner”), having an address of 5400 Champion Blvd, Boca Raton, FL 33496, and SBA Towers X, LLC (“Lessee”) having an address of 8051 Congress Avenue, Boca Raton, FL 33487.

WITNESSETH

WHEREAS, Property Owner is the owner in fee simple of the real property (the “Property”) described on attached Exhibit A and the leased parcel described on attached Exhibit B.

WHEREAS, Property Owner, pursuant to Article 4.B.9, of the Palm Beach County Unified Land Development Code (ULDC), intends to maintain required landscaping for the leased parcel, as shown on attached Exhibit C.

NOW, THEREFORE, in consideration of the premises and mutual covenants herein contained, Property Owner hereby declares the following:

1. Pursuant to Article 4.B.9.B.7, of the ULDC, Property Owner agrees to maintain the required landscape buffer, as shown on Exhibit C, which is located outside leased parcel.
2. All required buffer landscaping shall be installed at the expense of the Lessee. All landscape shall be the perpetual maintenance obligation of the Property Owner and its successors, heirs and assignees. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, replacement of dead and dying plants, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material, installation, and maintenance requirement shall be subject to the standards set forth by Article 7 of the ULDC.
3. This declaration shall be recorded in the Public Records of Palm Beach County and shall run with the land.

IN WITNESS WHEREOF, this Declaration of Maintenance Agreement has been signed by the **Property Owner** and the **Lessee** the day and year first above set forth.

OWNER:

Witnesses:

Hani Rose Lee B.

Signature

Maria R. Ycaza B.

Printed Name

Modeline Frantora

Signature

Modeline Frantora

Printed Name

OWNER:

[Signature]

Signature

Dan Kaplan, President

Printed Name

The Polo Club of Boca Raton Property Owners Association, Inc.

Company

561.995.1178

Phone No.

NOTARY PUBLIC INFORMATION:

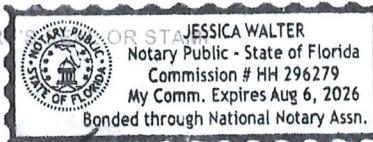
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 24th day of April, 2025 by Dan Kaplan (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Jessica Walter
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: Aug 6th, 2026



LEESEE:

Witnesses:

[Signature]

Signature

Marco Santi

Printed Name

Jose Mancilla

Signature

Jose Mancilla

Printed Name

LEESEE:

[Signature]

Signature

Larry Harris, Senior Vice President

Printed Name

SBA Towers X, LLC

Company

561-226-9237

Phone No.

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 24 day of April, 2025 by Larry Harris (name of person acknowledging). He/she is personally known to me or has produced DL (type of identification) as identification and did/did not take an oath (circle correct response).

Carolina Gonzalez
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: 08/13/2027

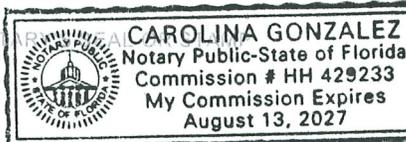


EXHIBIT A
THE PROPERTY

DESCRIPTION OF PARENT PARCEL (AS PROVIDED)
AN INTEREST IN LAND, SAID INTEREST BEING OVER A PORTION OF THE FOLLOWING
DESCRIBED PARENT PARCEL:

TRACTS R1 AND R3 OF THE POLO CLUB OPEN SPACE PLAT THREE, AS RECORDED IN PLAT BOOK
57, PAGE 50, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE POLO CLUB OF BOCA
RATON PROPERTY OWNERS' ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT CORPORATION
FROM RAINBERRY DEVELOPERS FOUR, INC., A FLORIDA CORPORATION AND FIRST AMERICAN
EQUITY POLO CORPORATION, A FLORIDA CORPORATION, A JOINT VENTURE D/B/A THE POLO
CLUB OF BOCA RATON BY SPECIAL WARRANTY DEED DATED JULY 15, 1991 AND RECORDED
AUGUST 22, 1991 IN DEED BOOK 6933, PAGE 1013; AND FURTHER BEING A PORTION
CONVEYED TO THE POLO CLUB OF BOCA RATON PROPERTY OWNERS ASSOCIATION, INC., A
FLORIDA NOT-FOR-PROFIT CORPORATION FROM RAINBERRY DEVELOPERS FOUR, INC., A
FLORIDA CORPORATION, AND FIRST AMERICAN EQUITY POLO CORPORATION, A FLORIDA
CORPORATION, A JOINT VENTURE DOING BUSINESS AS THE POLO CLUB OF BOCA RATON BY
QUITCLAIM DEED DATED FEBRUARY 22, 1991 AND RECORDED AUGUST 22, 1991 IN DEED
BOOK 6933, PAGE 1028.

TAX PARCEL NO. 00-42-46-35-14-018-0010

EXHIBIT B

Lease Area

A parcel of land lying within Tract R-1, THE POLO CLUB OPEN SPACE PLAT THREE, as recorded in Plat Book 57, Page 50, of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Commence at the Northernmost corner of said Tract R-1; run thence along the Northerly boundary of said Tract R-1, also being the Southeasterly right-of-way line of Champion Boulevard, a 90 foot platted right-of-way, Southwesterly 304.77 feet along the arc of a curve to the right, having a radius of 976.30 feet, a delta angle of 17°53'08', a chord bearing and distance of S.59°03'23"W., 303.53 feet to a point of tangency; thence continue along said Southeasterly right-of-way line and the Northerly boundary of said Tract R-1, S.67°59'57"W. (S.68°00'00"W. per plat), 56.18 feet; thence leaving said right-of-way line, S.22°00'03"E., 52.10 feet; thence S.77°32'21"E., 16.41 feet; thence N.54°52'11"E., 292.86 feet; thence S.60°42'21"E., 79.79 feet; thence S.45°58'30"E., 57.39 feet to the POINT OF BEGINNING; thence N.31°33'19"E., 38.90 feet; thence S.47°54'50"E., 27.67 feet; thence S.60°55'55"E., 25.98 feet; thence S.20°31'52"W., 23.48 feet; thence N.70°07'33"W., 58.87 feet to the POINT OF BEGINNING.

Containing 0.038 ACRES, OR 1,644 square feet, more or less.

Tower Access Easement

A parcel of land lying within Tract R-1, THE POLO CLUB OPEN SPACE PLAT THREE, as recorded in Plat Book 57, Page 50, of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Commence at the Northernmost corner of said Tract R-1; run thence along the Northerly boundary of said Tract R-1, also being the Southeasterly right-of-way line of Champion Boulevard, a 90 foot platted right-of-way, Southwesterly 304.77 feet along the arc of a curve to the right, having a radius of 976.30 feet, a delta angle of 17°53'08', a chord bearing and distance of S.59°03'23"W., 303.53 feet to a point of tangency; thence continue along said Southeasterly right-of-way line and the Northerly boundary of said Tract R-1, S.67°59'57"W. (S.68°00'00"W per plat), 56.18 feet to the POINT OF BEGINNING; thence leaving said right-of-way line, S.22°00'03"E., 52.10 feet; thence S.77°32'21"E., 16.41 feet; thence N.54°52'11"E., 292.86 feet; thence S.60°42'21"E., 79.79 feet; thence S.45°58'30"E., 57.39 feet to the Southwesterly corner of a Cell Tower Lease Area; thence along the Southerly boundary of said Lease Area, S.70°07'33"E., 58.87 feet; thence S.19°52'27"W., 30.00 feet; thence N.70°07'33"W., 65.28 feet; thence N.45°58'30"W., 59.93 feet; thence N.60°42'21"W., 57.01 feet; thence S.54°52'11"W., 287.19 feet; thence N.77°32'21"W., 45.44 feet; thence N.22°00'03"W., 67.90 feet to a point on the Northerly boundary of aforesaid Tract R-1, also being the Southeasterly right-of-way line of Champion Boulevard; thence along said Northerly boundary of said Tract R-1, and the Southeasterly right-of-way line of Champion Boulevard, N.67°59'57"E., (N.68°00'00"E per plat), 30.00 feet to the POINT OF BEGINNING.

Containing 0.393 ACRES, or 17,104 square feet, more or less.

Utility Easement

A parcel of land lying within Tract R-1, THE POLO CLUB OPEN SPACE PLAT THREE, as recorded in Plat Book 57, Page 50, of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Commence at the Northernmost corner of said Tract R-1; run thence along the Northeasterly boundary of said Tract R-1, S.40°24'36"E. (S.40°24'33"E per plat), 125.11 feet; thence continue along said Northeasterly boundary of said Tract R-1, S.52°58'52"E. (S.52°58'49"E. per plat), 16.67 feet; thence along the Westerly boundary of a Cell Tower Lease Area and the Northeasterly extension thereof, S.31°33'19"W., 10.05 feet; thence N.52°58'52"W., 18.73 feet; thence N.40°24'36"W., 126.36 feet to a point on the Southeasterly right-of-way line of Champion Boulevard; thence along said right-of-way line, Northeasterly 10.00 feet along the arc of curve to the left having a radius of 976.30 feet and a delta angle of 00°35'13" (chord bearing and distance being N.50°24'25"E., 10.00 feet) to the POINT OF BEGINNING.

Containing 0.033 acres, or 1,435 square feet, more or less.

Exhibit E-10 – Tower Removal Agreement



Palm Beach County Zoning Division
2300 N. Jog Road
West Palm Beach, Florida 33411
Phone: (561) 233-5200
Fax: (561) 233-5165

COMMERCIAL COMMUNICATION TOWER REMOVAL AGREEMENT

This Agreement is made this 08 day of October, 2024 by and between SBA Towers X, LLC, a Delaware limited liability corporation (TOWER OPERATOR), having an address of 8051 Congress Ave, Boca Raton, FL 33487, and The Polo Club of Boca Raton Property Owners Association, Inc., property owner (OWNER) having an address of 5400 Champion Blvd, Boca Raton, FL 33469, and Palm Beach County, a political subdivision of the State of Florida.

WHEREAS, TOWER OPERATOR owns and operates a commercial communication tower within the County of Palm Beach (COUNTY) located on land leased to TOWER OPERATOR by OWNER and more fully described in the legal description attached as Exhibit "A".

WHEREAS, TOWER OPERATOR intends to use said tower as a commercial communication tower; and

WHEREAS, COUNTY has granted TOWER OPERATOR an approval to use the property for a commercial communication tower, and has granted a permit to erect a commercial communication tower; and

WHEREAS, the parties make this Agreement pursuant to Article 4.B.9 Commercial Communication Tower, of the Unified Land Development Code of Palm Beach County, Florida (December 4, 2003) and as amended.

NOW, THEREFORE, in consideration of ten dollars (\$10.00), and the granting of the use of the property for a commercial communication tower, it is agreed as follows:

1. TOWER OPERATOR and OWNER agree that in the event the commercial communication tower located on the real property described above shall become abandoned (as defined in Article 4.B.9.G.1) or ceases to be used, TOWER OPERATOR and OWNER shall remove said tower within three (3) months of the cessation of use.
2. Abandonment or cessation of use shall be defined as the non-use of the tower for the purposes permitted, by the TOWER OPERATOR or any of its lessees or OWNER. Use shall be defined as the reception or broadcasting of radio, light or electromagnetic type signals to or from the communication tower.
3. This Agreement shall be binding upon TOWER OPERATOR, OWNER, and their assigns and successors.
4. TOWER OPERATOR or OWNER shall notify Palm Beach County Zoning Division within thirty (30) days of cessation of use.
5. In the event that TOWER OPERATOR or OWNER fail to remove the tower within the three (3) months set forth herein, COUNTY may have the tower removed without notice and OWNER shall be responsible for the COUNTY's reasonable direct and indirect costs of removal. TOWER OPERATOR or OWNER has posted surety which COUNTY shall draw to pay the cost of removal. The COUNTY may record a lien against the real property or personal property of OWNER and TOWER OPERATOR for costs of removal which exceed the surety or if the surety is invalid or expired for any reason.
6. COUNTY shall not be responsible to OWNER or TOWER OPERATOR for damage to any structures or property caused through removal of the tower.
7. This Agreement shall be recorded in the Public Records of Palm Beach County, Florida and shall run with the land and be binding on any successor or assigns of OWNER and OPERATOR.

WHEREFORE, the parties hereto have entered into this Agreement the year and date first stated above.

Witnesses:

[Signature]
 Signature
Roxanne Lee
 Printed Name
[Signature]
 Signature
LEONOR SERRANO
 Printed Name

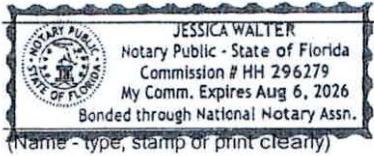
OWNER:

[Signature]
 Signature
Dan Kaplan, President
 Printed Name
The Polo Club of Boca Raton Property Owners Association, Inc.
 Company
(561) 995-1200
 Phone No.

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to and subscribed before me by means of physical presence or online notarization, this 8th day of October, 2024 by Dan Kaplan (name of person making statement). He is personally known to me or has produced (type of identification) as identification.



[Signature]
 (Signature)

My Commission Expires on: Aug. 6th, 2026

WITNESSES:

[Signature]
 Signature
Jose Mancilla
 Printed Name
[Signature]
 Signature
Jack Jewell
 Printed Name

TOWER OPERATOR:

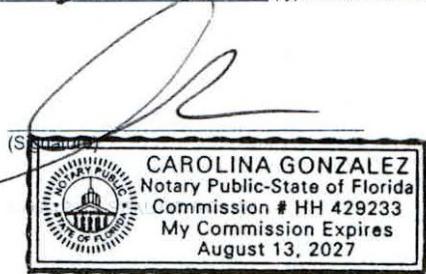
[Signature]
 Signature
Larry Harris, SVP, U.S. Business Operations • Asset Development
 Printed Name
SBA Towers X, LLC
 Company
561-226-9237
 Phone No.

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to and subscribed before me by means of physical presence or online notarization, this 11 day of October, 2024 by harry harris (name of person making statement). He is personally known to me or has produced DL (type of identification) as identification.

[Signature]
 (Name - type, stamp or print clearly)



My Commission Expires on: 8.13.27

PALM BEACH COUNTY:

By: _____
Zoning Director or designee

NOTARY PUBLIC INFORMATION:

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

Sworn to and subscribed before me by means of [] physical presence or [] online notarization, this ____ day of _____, 20____ by _____ (name of person making statement). He/she is personally known to me or has produced _____ (type of identification) as identification.

(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: _____

NOTARY'S SEAL OR STAMP

**EXHIBIT A
LEGAL DESCRIPTION**

CELL TOWER LEASE AREA

A parcel of land lying within Tract R-1, THE POLO CLUB OPEN SPACE PLAT THREE, as recorded in Plat Book 57, Page 50, of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Commence at the Northernmost corner of said Tract R-1; run thence along the Northerly boundary of said Tract R-1, also being the Southeasterly right-of-way line of Champion Boulevard, a 90 foot platted right-of-way, Southwesterly 304.77 feet along the arc of a curve to the right, having a radius of 976.30 feet, a delta angle of 17°53'08", a chord bearing and distance of S.59°03'23"W., 303.53 feet to a point of tangency; thence continue along said Southeasterly right-of-way line and the Northerly boundary of said Tract R-1, S.67°59'57"W. (S.68°00'00"W. per plat), 56.18 feet; thence leaving said right-of-way line, S.22°00'03"E., 52.10 feet; thence S.77°32'21"E., 16.41 feet; thence N.54°52'11"E., 292.86 feet; thence S.60°42'21"E., 79.79 feet; thence S.45°58'30"E., 57.39 feet to the POINT OF BEGINNING; thence N.31°33'19"E., 38.90 feet; thence S.47°54'50"E., 27.67 feet; thence S.60°55'55"E., 25.98 feet; thence S.20°31'52"W., 23.48 feet; thence N.70°07'33"W., 58.87 feet to the POINT OF BEGINNING.

Containing 0.038 ACRES, OR 1,644 square feet, more or less.

Legal Description prepared by AJN Surveying, LLC.

Exhibit E-11 – Visual Impact Analysis



Not Visible From
This Location



Existing



View 1
Looking Northwest
from Champion Blvd at
Deauville Ln



Existing

Not Visible From
This Location

View 2
Looking Northwest from
Champion Blvd near
Villa De Amalfi Drive



View 3
Looking Northwest from
Champion Blvd near
Champion Way





Not Visible From
This Location





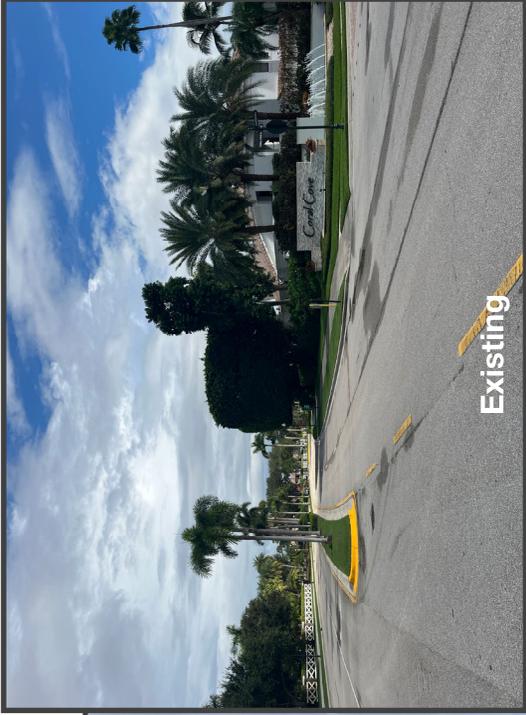


Existing

Not Visible From
This Location



View 6
Looking Southeast from
Champion Blvd near
Bridleway Trail



Not Visible From
This Location



View 7
Looking Southeast from
Champion Blvd and Coral
Cove Way



Existing



View 8
Looking South from
Champion Blvd near
Royal Cove Way

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