



**PALM BEACH COUNTY
ZONING APPLICATION STAFF REPORT**

ZONING COMMISSION, OCTOBER 3, 2025

A. Application Summary

I. General

Application Name: Nash Trail, Z/CA-2024-01593
Control Name: Marguerite K. Speier (1978-00229)
Applicant: Melodye S. Abell Revocable Trust; Laura Foutain; and Norman Speier
Owner: Melodye S. Abell Revocable Trust; Laura Foutain; and Norman Speier
Agent: WGINC - Erin Lees
Land Development Operations, Lennar Homes, LLC - Greg Pettibon
Project Manager: Wendy N. Hernández, Deputy Zoning Director

Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from Residential Estate (RE) to Single Family Residential (RS) with a Conditional Overlay Zone (COZ) on 7.57 acres

Title: a Class A Conditional Use **Request:** to allow Townhomes on 7.57 acres

Application Summary: The application is for the proposed Nash Trail residential development. The subject site was originally by the Board of County Commissioners (BCC) on December 19, 1978, for an Official Zoning Map Amendment from (AG) Agricultural District to the Residential Estate (RE) Zoning District.

The request proposes a rezoning from the RE Zoning District to the Residential (RS) Zoning District. The site has a Medium Residential, 5 units per acre (MR-5) future land use designation which allows up to 38 dwelling units. The application includes a Class A request for the development of townhouses on the site.

The Applicant is requesting a concurrent Administrative Approval for a 39% Workforce Housing Density Bonus for an additional 15 dwelling units through the Workforce Housing Bonus Program (WHP) for a total of 53 townhomes. This request requires a 4 workforce housing units that the Applicant indicates will be provided offsite utilizing the Exchange Builder Option 1. No offsite location has been identified.

The Preliminary Subdivision Plan indicates Townhomes, a Recreation Area and a Water Management Tract. Access is proposed from 52nd Drive South.

II. Site Data

Acres: 7.57 acres
Location: West side of 52nd Drive South, approx.. 380 feet north of Nash Trail
Parcel Control: 00-42-44-35-00-000-5410, 5420, and, 5140
Future Land Use: Medium Residential, 5 units per acre (MR-5)
Zoning District: Residential Estate (RE)
Proposed Zoning: Single Family Residential (RS)
Tier: Urban/Suburban
Utility Service: Palm Beach County Water Utilities
Overlay/Study: N/A
Neighborhood Plan: N/A
CCRT Area: N/A
Comm. District: 3, Commissioner Joel Flores

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B. and Art 3.B.3, 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 a Conditional Overlay Zone and the Conditions of Approval as indicated in Exhibit C-1 and C-2.

PUBLIC COMMENT SUMMARY: At the time of publication of the April 3rd Zoning Commission staff report, Staff had received no contacts from the public regarding this application.

At the May 22nd BCC hearing, two members of the public spoke in support of the postponement.

At time of publication of the July 24th BCC Hearings, Staff has had email correspondence with adjacent resident's attorney regarding the application.

Prior to publication of the August 28th BCC Hearing the Applicant submitted a conceptual plan via email to indicate a proposed modification to increase the width of the entire western landscape buffer from 17.5 feet to 20 feet with the southern portion indicating a wall and the northern half indicating a fence, and to include additional guest parking. In addition, the Applicant had conversation with Planning Staff regarding the Workforce Housing requirement to increase the provided number from 4 units to 6 units for sale units and adjusted if proposing rental. Staff has also received correspondence from the adjacent resident's attorney requesting information on any new documentation submitted by the Applicant.

IV. Hearing History

ZONING COMMISSION: At the April 3, 2025 Zoning Commission Hearing, this item was on the Consent Agenda and passed by a vote of 8-0-0. Following the introduction of the Consent Agenda, Commissioner Vinikoor disclosed she spoke with the Agent Erin Lees, no other Commissioners had Disclosures for this item. Commissioner Pavlik stated that three cards were submitted in support but was unsure if they wanted to speak. She read the names written on the three cards: Erin Lees Agent of WGI, Henry Handler attorney for the Applicant, and Greg Pettibon Applicant representative of Lennar Homes. Erin Lees spoke stating that they were working with Land Development on proposed Engineering Condition 2. Commissioner Vinikoor made a motion to approve the items on Consent which was seconded by Commissioner Caliendo. The motion passed 8-0.

At the end of the hearing there were an additional six cards received, 1 in support and 5 in opposition. Following the Zoning Commission hearing Zoning Staff met with five residents who submitted cards after the item was heard. Following that meeting Staff decided to postpone the item from the April BCC hearing to the May 1st ZC hearing to allow public comment.

While initially it was thought to be Staff error regarding the presentation of the cards, upon further review of the hearing video, representatives in opposition were in the process of filling out the comment cards after the introduction of the Consent Agenda, while the Agent was discussing the item, and then during the ZC vote of the items on the Consent Agenda.

ZONING COMMISSION: At the May 1, 2025 Zoning Commission Hearing, this item was presented under Zoning Director Comments for Public Comment as no action was possible by the Zoning Commission on this date. Under Public Comment, six comment cards were submitted. Attorney John R. Eubanks, Jr. spoke as a representative for six residents. Robert Palahunik, Walter Ross, Michael Gordon, and William Sadler spoke in opposition to the application, citing incompatibility with the proposed 53 Townhouse development with the surrounding low density residential and agricultural uses in the neighborhood, lack of buffering, negative impact on property values, impact from traffic on Nash Trail, and the need to protect adjacent agricultural uses. Mr. Ledger submitted a card in opposition, but did not speak. Correspondence received from the residents were in part distributed as add/delete and in part distributed at the hearing. Documents received were added to the BCC report.

BCC HEARING: At the May 22, 2025 BCC Hearing, this item was on the Amendments to the Agenda with a request by the Applicant to postpone to the June 18th BCC hearing. Their request was to allow additional time to consider comments received. Two comment cards were submitted by Walter Ross and Robert Palahunik and both spoke in support of the postponement. Commissioner Weiss made a motion to approve the postponement and was seconded by Commissioner Baxter. The motion carried 7-0.

BCC HEARING: At the June 18, 2025 BCC Hearing, this item was on the Postponements Agenda. The Applicant requested postponement to the July hearing on June 9, 2025. No motion was required due to the timing of the request.

BCC HEARING: At the July 24, 2025 Board of County Commissioners Hearing, this item was on the Postponements Agenda. No motion was required due to the timing of the request.

BCC HEARING: At the August 28, 2025 Board of County Commissioners Hearing, the Applicant requested the application be remanded back to the October 3, 2025 Zoning Commission hearing. The letter was submitted on August 27th. Under Public Comment, three comment cards were submitted. Attorney John R. Eubanks, Jr. spoke as a representative for four residents, opposed to the application, but in support of the Remand. Robert Palahunik, opposed to the application, but spoke in support of the Remand, and, Walter Ross, opposed to the application, did not speak. The BCC approved the request with a vote of 6-0.

B. Data & Analysis

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

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Exhibit A-1 - Future Land Use Map

Z o n i n g A p p l i c a t i o n Nash Trail (Z/CA-2024-01593)



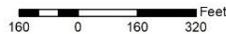
Site Data

Size: 7.574 acres
 Existing Use: Vacant
 Proposed Use: Single Family Residential
 Zoning: RE
 Zoning Quad: 33

Future Land Use Designations

LR-3 Low Residential, 3 units/acre
 MR-5 Medium Residential, 5 units/acre
 CL Commercial Low
 CL/5 Commercial Low, underlying MR-5
 CL/IND Commercial Low, underlying IND
 CH Commercial High
 CLX/INDX Commercial Low crosshatching, underlying IND crosshatching
 INST Institutional
 INST/5 Institutional, underlying MR-5

Date: 2/10/2025
 Contact: PBC Zoning
 Filename: X:\Planning\Zoning\Coord\DRO-Maps\2025\2024-01593
 Note: Map is not official, for presentation purposes only.



Planning, Zoning & Building
 2300 N. Jog Rd, WPB, FL 33411
 Phone (561) 233-5300



Exhibit A-2 - Zoning Map

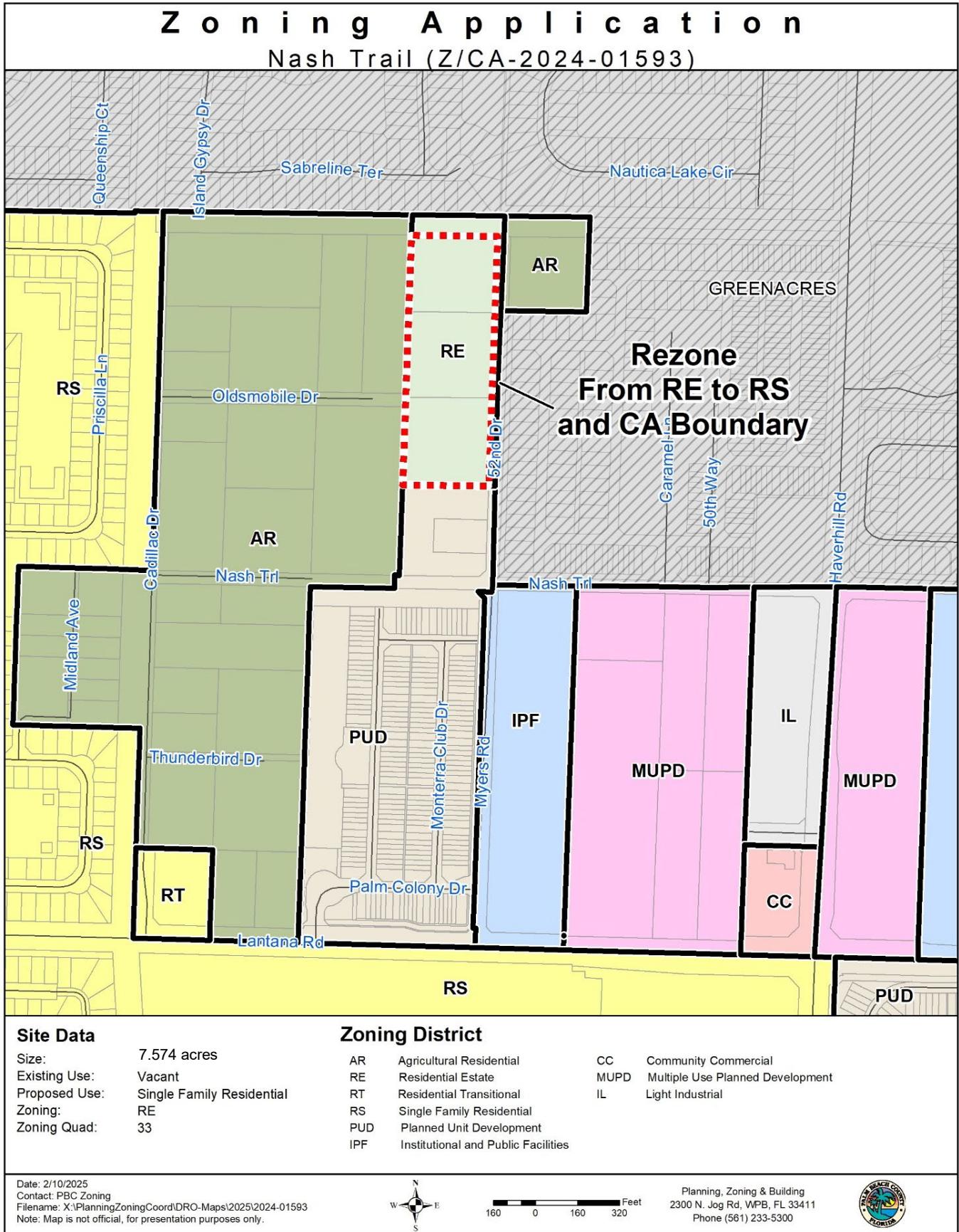


Exhibit B.1 - Standards Analysis & Findings - Rezoning

FINDINGS:

Official Zoning Map Amendment (Rezoning) to a Standards District Standards:

Article 2.B.7.A.2, Standards for an Official Zoning Map Amendment (Rezoning) to a Standard District 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.

a. Consistency with the Plan - *The proposed amendment is consistent with the Plan.*

The Planning Division Review Staff were provided this application for Review and provided the following analysis:

○ *Consistency with the Comprehensive Plan:* The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Relevant Comprehensive Plan Policy:* Future Land Use Element Policy 2.2.1-j establishes consistent residential zoning districts with their corresponding Future Land Use designation in Table 2.2.1-j.1, Residential Future Land Use - Zoning Consistency. Per FLUE Table 2.2.1-j.1 the existing Medium Residential, 5 units per acre (MR-5) Future Land Use designation is consistent with the proposed Single Family Residential (RS) Zoning.

○ *Special Overlay District/Neighborhood Plan/Planning Study Area:* The request is located within the Treasure Coast Regional Planning Council (TCRPC), Greenacres, Atlantis, and Palm Beach County Charrette areas. Staff met with Denise Malone, the Director of Development & Neighborhood Services for the City of Greenacres, to address questions regarding area annexations, general timing of platting, and improvements of local rights of way adjacent to the request such as Blossom Trail. The Applicant was advised to reach out to the area jurisdictions. In response, the Applicant submitted email correspondence to both the City of Greenacres dated January 8, 2025 and to the City of Atlantis dated January 20, 2025. The City of Atlantis has not provided a response as of the writing of this report.

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.*

The existing Residential Estate (RE) zoning district and the proposed Residential Single Family (RS) zoning district are both consistent with the stated purpose and intent of the County Unified Land Development Code (ULDC). The RS district is consistent with the MR-5 Medium Residential 5 units per acre future land use designation. Pursuant to Art. 3. C.1.C.4. The RS Zoning District is to provide for Moderate density single-family dwelling units.

The site exists as three parcels, while RE is also consistent with the MR-5 Future Land Use Designation, it is the Applicant's intent to subdivide the three lots in order to develop Townhouses. Townhomes are not allowed within the RE or Residential Transitional (RT) Zoning districts. The lots, in their current configuration meet the property development regulations for the RS Zoning District. The proposed rezoning is generally consistent with the stated purpose and not in conflict with the Code

○ *Conditional Overlay Zone (COZ):* Article 3.B.3 indicates that the purpose of a COZ is to modify or restrict the use and site development regulations authorized in the underlying Standard Zoning District to prevent, minimize, or mitigate adverse impacts upon the surrounding land uses. Conditions shall be included if the applicable regulations are inadequate to protect the surrounding land uses. In application of the COZ, the BCC shall find that the proposed Rezoning is appropriate only if the applicable regulations are modified. As required under Article 3.B.3.C the BCC shall find one or more of the following reasons for the COZ district:

1. Potential impact to surrounding land uses requires mitigation;
2. Compatibility will be furthered between the requested zoning district and adjacent zones if uses and PDRs are modified; and/or
3. Intensity limits reflect available capacity of public facilities

Staff are recommending a COZ, as part of the rezoning request, to ensure that the Property Owner complies with Conditions of Approval for Environmental Resources Management. This corresponds to Reasons 1, 2, and 3 under Article 3.B.3.C and listed above for a COZ District.

- c. **Compatibility with Surrounding Uses** - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

The proposed rezoning is consistent with the MR-5 Medium Residential Future Land Use District and is consistent with the surrounding uses.

To the north, the site is adjacent to the Nautica Isles residential development within the City of Green Acres. To the south is the Colony Reserve at Lake Worth PUD (Control 2003-0011) which is built at a density of 8.57 units per acre with a MR-5 future land use and PUD Zoning. To the east, is the Blossom Trail Zero Lot Line and Townhome development approved in municipal Greenacres at a density of 8.75 units per acre. To the west are single-family home lots and a Commercial Stable and horse-breeding farm (Control 1984-00181). The proposed RS Zoning is compatible, and consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land.

- d. **Effect on Natural Environment** – *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

The Environmental Resources Management Review Staff were provided this application for Review and provided the following analysis:

- **Vegetation Protection:** The site is heavily vegetated with native species such as Slash Pines and Sabal Palms. Due to the size of the lot exceeding four acres and the criteria described in Article 14 , a Upland Preserve is required. Because of the compactness and areas of quality habitat, a tree preservation area are proposed for the preservation of the trees in perpetuity. There are three Tree Preservation Areas noted on the plans which will preserve the existing vegetation on site consisting of primarily Slash Pines and Sabal Palms. Staff is requiring a condition of approval to be put in place that the trees within these Preservation Area be maintained in perpetuity and a Tree Preservation Area Management Plan be submitted prior to final DRO approval.
- **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.

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

The existing development pattern for the area is a mix of residential housing types and density. The proposed RS Zoning District is generally consistent with the zoning pattern of the area. The RS zoning district allows for different types of residential housing including single family, zero lot line, and townhouses. Zero Lot line and Townhouse types of residential units are not allowed within the current RE zoning classification. The site is adjacent to the incorporated limits of Greenacres. The site abuts property zone RM-2 zone for the Town. The Zoning for RM-2 for the Town allows for a density of 7 units per acre and a mix of residential types of housing including single family, two-family dwellings, townhouse and multiple family dwellings. The RS zoning district is a logical zoning district that transitions from the Town of Greenacres zoning district to the east and the existing AR zoning District to the west. Therefore, the proposed rezoning will result in a logical, orderly, and timely development pattern.

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

The proposed rezoning for the subject site complies with the requirements for Adequate Public Facilities. See the Class A Conditional Use Request findings, g. Adequate Public Facilities for Staff's analysis of both the rezoning and the Class A Conditional Use Request.

- g. **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: *"Over time, the low-density residential character of the area has become denser. Subdivisions and townhome developments have become more prevalent in the areas that were previously vacant, plant nurseries, or single family homes on individual lots. Rezoning to the RS district will allow for the development of a 53-unit townhome community that is consistent with the area. With the growth of development in this area immediately surrounding the subject property, the land is currently underutilized. The surrounding residential subdivisions and neighborhoods will be complemented better by the proposed townhome project that meets the characteristics, density, and intensity of the area."*

Exhibit B.2 - Standards Analysis & Findings – Class A Request

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. Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHP) are subject to these Standards, and are subject to Art. 5.G.1. 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.

Pursuant to the ULDC Art. 4, Use Regulations, the 'Townhouse' use in the RS Zoning District requires a Class A approval. This section provides the analysis of the standards for the proposed 53 townhouses.

- 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.*

The Planning Division Review Staff were provided this application for Review and provided the following analysis:

- *Consistency with the Comprehensive Plan:* The proposed use is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- *Special Overlay District/Neighborhood Plan/Planning Study Area:* The request is located within the Treasure Coast Regional Planning Council (TCRPC), Greenacres, Atlantis, and Palm Beach County Charrette areas. Staff met with Denise Malone, the Director of Development & Neighborhood Services for the City of Greenacres, to address questions regarding area annexations, general timing of platting, and improvements of local rights of way adjacent to the request such as Blossom Trail. The Applicant was advised to reach out to the area jurisdictions. In response, the Applicant submitted email correspondence to both the City of Greenacres dated January 8, 2025 and to the City of Atlantis dated January 20, 2025. The City of Atlantis has not provided a response as of the writing of this report.
- *Density and Workforce Housing Program (WHP):* The Planning Division reviewed the request for 53 dwelling units on 7.57 acres. The site has a Medium Residential, 5 units per acre (MR-5) future land use designation which could permit a maximum of 38 units ($MR-5 \times 7.57ac = 37.85$ or 38 rounded up). The Applicant is requesting a 39% Workforce Housing Density Bonus to achieve the requested 53 dwelling units. The Workforce Housing obligation is calculated based on the Limited Incentive Development Option, which generated the obligation as follows:

Standard, Max & Bonus Density:

30.28 Standard Density
7.57 Maximum Density
14.82 WHP Bonus Density (39%)
52.67 or 53 rounded up units total

Workforce Housing Program(WHP):

0.76 WHP units (2.5%)
0.61 WHP units (8%)
2.25 WHP units (17%)
3.62 or 4 required WHP (rounded up)

In the justification, the applicant indicated that the 4 required units WHP obligation will be provided offsite utilizing the Exchange Builder option. However, subsequent to certification, the applicant has voluntarily agreed to provide 6 WHP units, which will be provided as 9 WHP rental units off-site. The increase from 6 units to 9 units is due to the provision of ULDC Article 5.G.1.C.4.b., which requires that for-sale developments that provide their required WHP units as off-site rental units shall have an obligation that is 1.5 times the number of WHP required ($6 \text{ WHP units} \times 1.5 = 9 \text{ WHP units}$). As of August 13, 2025, the Applicant has agreed to the WHP Conditions of Approval as recommended by the Planning Division in order to reflect the voluntary increase in WHP units and implement the Exchange Builder Option 1 disposition method.

- *Workforce Housing (WHP) Program:* The WHP requires that a percentage of units in new residential developments of 10 or more units are to be provided as workforce housing, affordable to income qualified households having 60 to 140% of area Median Family Income (MFI). In Palm Beach County, the 2024 area MFI is \$104,000 for a family of four (per HUD). The program is applicable in the Urban/Suburban Tier of the unincorporated County, and in other Tiers as may be required by conditions of approval associated with Future Land Use Amendments.

The Applicant has chosen the Off-site Exchange Builder for the WHP disposition. The fee to be paid to the Exchange Builder is equivalent to 80% of the total In-Lieu fee for the Townhome housing type on the pending project per unit obligated to be deed restricted for the WHP program. The subject request for 53 Townhomes was deemed sufficient on November 27, 2024, when the 2024 Workforce Housing price schedule was in effect. Therefore, the fee to be paid to the Exchange Builder would be \$570,528 (\$118,860

○ **Landscape and Buffering:** The proposed residential subdivision meets and/or exceeds the required buffers in accordance with Art.7.C.2.B. The Preliminary Subdivision Plan dated February 13, 2025 indicates the following:

- **North Property Line (abutting the canal):** Type 1 Incompatibility Buffer with a minimum width of 17.5 feet and includes a six-foot solid opaque fence. At minimum the buffer is to include 1 canopy tree for each 20 lineal feet and one row of small shrubs at 1 per 2 lineal feet.

The Applicant in correspondence dated August 22, 2025 stated they would be providing 1 canopy tree per 20 lineal feet, 1 palm or pine for each 30 lineal feet, 1 mid-size tree for each 60 lineal feet, 1 row of small shrubs at 1 per 2 lineal feet, 1 row of medium shrubs at 1 per 4 lineal feet, 1 row of large shrubs at 1 per 5 lineal feet, and a 1 foot berm.

- **South Property Line:** Type 1 Incompatibility Buffer with a minimum width of 17.5 feet, and includes a six foot solid opaque fence. At minimum the buffer is to include 1 canopy tree for each 20 lineal feet and one row of small shrubs at 1 per 2 lineal feet.

The Applicant in correspondence dated August 22, 2025 stated they would be providing 1 canopy tree per 20 lineal feet, 1 palm or pine for each 30 lineal feet, 1 mid-size tree for each 60 lineal feet, 1 row of small shrubs at 1 per 2 lineal feet, 1 row of medium shrubs at 1 per 4 lineal feet, 1 row of large shrubs at 1 per 5 lineal feet, and a 1 foot berm.

- **East Property Line (abutting 52nd Drive):** Based on the width of the right of way, a 15-foot R-O-W buffer is required. This buffer at minimum is required to have 1 canopy tree for each 25 lineal feet, 1 palm or pine for each 30 lineal feet, ground cover and small shrubs at 1 per 2 lineal feet and large shrubs at 1 per 4 lineal feet.

The Applicant in correspondence dated August 22, 2025, stated they would be providing the minimum Code required buffer. In addition, they said they would be providing a six foot opaque fence along the east property lines of the townhouse lots that abut 52nd Drive.

- **West Property Line:** Based on the uses the subject site is adjacent to, the required buffer varies on the north and south. The Preliminary Site Plan dated February 13, 2025, indicates a 17.5-foot-wide Type 1 Incompatibility buffer. This buffer will be required to be revised to meet minimum code based on the adjacent uses. At minimum in the North 610 feet of the west property line is required to have a 10-foot Type 1 Incompatibility buffer. The width may vary slightly to a minimum 17.5 feet when a fence or wall is used as the barrier. The Plan indicates a six-foot opaque fence and thus 17.5-foot buffer would be required. The plant material at minimum would include 1 canopy tree for each 20 lineal feet and one row of small shrubs at 1 per 2 lineal feet. The south 325 feet is required to be a Type 3 Incompatibility buffer, as the development is adjacent to a Bonafide agricultural use. This buffer is required to be a minimum of 20 feet in width with a six-foot-high wall, 1 canopy tree for each 20 lineal feet, 1 palm or pine per 30 lineal feet, 1 row of small shrubs 1 per 2 lineal feet, and 1 row of medium shrubs at 1 per 4 lineal feet.

The Applicant in correspondence dated August 22, 2025 stated they would provide on the north 610 feet a 20 foot Type 1 Incompatibility buffer with 1 canopy tree per 20 Lineal feet, 1 palm or pine per 30 lineal feet, 1 mid-sized tree per each 60 lineal feet, 1 row of small shrubs at 1 per 2 lineal feet, 1 medium shrubs at 1 per 4 lineal feet, 1 row of large shrubs at 1 per 5 lineal feet, a 6 foot "Simtek" opaque fence, and a 1 foot high berm. On the south 325 feet they would provide the Code minimum Type 3 incompatibility buffer and the same plant material as the north 610 feet.

The Applicant emailed a conceptual plan on August 6, 2025, which proposed changes to the western landscape buffer that would be 20 feet in width for the entire western property line and would have a concrete wall within the southern 325 feet and an opaque fence along the northern 610 feet.

While the Applicant has agreed to provide additional material in the north, south and west buffers, and a 1-foot berm, Staff has concerns regarding the application of these agreements with the existing site conditions and the other documents submitted by the Applicant. The Applicant submitted the Preliminary Regulation Plan and Tree List dated February 13, 2025, and contained in Exhibit E.9. This document details the significant amount of vegetation that exists on this site. They stated that there are 612 trees/palms that exist on site, of which 234 will be preserved and remain in their existing location, while 327 tree/palms will be mitigated on site. The mitigation of these tree/palms on site will require an equivalent of 1097 hard wood replacements. These trees/palms when mitigated onsite are in addition to the required buffers. Because a landscape plan has not been submitted and is not required to be submitted at this time, it is not known if the additional plant material proposed is possible in addition to the mitigation or provided because of the mitigation.

Additionally, the site is heavily vegetated with slash pines, in which the Applicant has indicated in their Preliminary Regulating Plan and Tree List that many of the trees will be remaining in place. The pines that will remain in place and located within the perimeter buffers will have low tolerance for the addition of a 1-foot berm, or 3-foot berm that the residents are requesting. Construction of a berm with the wall/fence may cause the existing pines to die, thus thwarting the requirement to preserve them. Installation of any berm whether 1 foot or 3 feet would have to be in locations of the buffer where there are no existing trees to be preserved or where trees will be removed and mitigated onsite.

Staff has included a condition of approval regarding the dimensions of the buffer, the barriers for the northern and southern portions, and quantities of plant materials to be consistent with the Type 3 Incompatibly buffer.

- 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 proposed townhouse use is consistent with the surrounding Zero Lot Line single family homes located within the Blossom Trail Development to the east and the Townhouse units located within the Colony Reserve at Lake Worth Development to the south. The approval of the Class A Conditional Use will allow for the development which would be consistent with the character and surrounding uses and lands of the proposed subdivision.

- 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.*

The proposed 53-townhouse development fits in line with the character of the area. It is adjacent to existing or approved subdivisions with Single family, townhouse and Zero Lot Line units. The development of the subject property with the MR-5 future land use is compatible with the surrounding uses and providing a buffer to the north, south and west property lines will keep the compatibility of the developed site with surrounding uses. The proposed subdivision will result in a logical, orderly, and timely development pattern in this vicinity as the surrounding communities includes the same townhouse housing type.

- 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.*

Department of Environmental Resources Management (ERM) Review Staff reviewed the application requests for both the Official Zoning Map Amendment and the Conditional Use for a Townhouse subdivision. An analysis has been provided above under 2.B.7.A.2, Standards for an Official Zoning Map Amendment d. Effect on Natural Environment.

As stated in the analysis above, ERM has identified that an Upland Preserve is necessary due to the size of the lot, and would be required regardless of the use. The proposed Townhouse Subdivision and Regulating Plans provides for the locations of preserved areas which are not included within the individual lots, which trees are to be preserved in place, relocated, or mitigated on-site. The use and the subdivision design provides for the minimization of environmental impacts.

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

The proposed 53-townhouse development is adjacent to other types of residential developments. A Townhouse development exists south of the project along Lantana Road. All property lines will be screened with landscape buffers and has proposed upland preservation areas required by ERM, thus minimizing the potential for impact for the neighboring properties. There are no adverse impacts to surrounding properties due to the layout and design of the project.

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

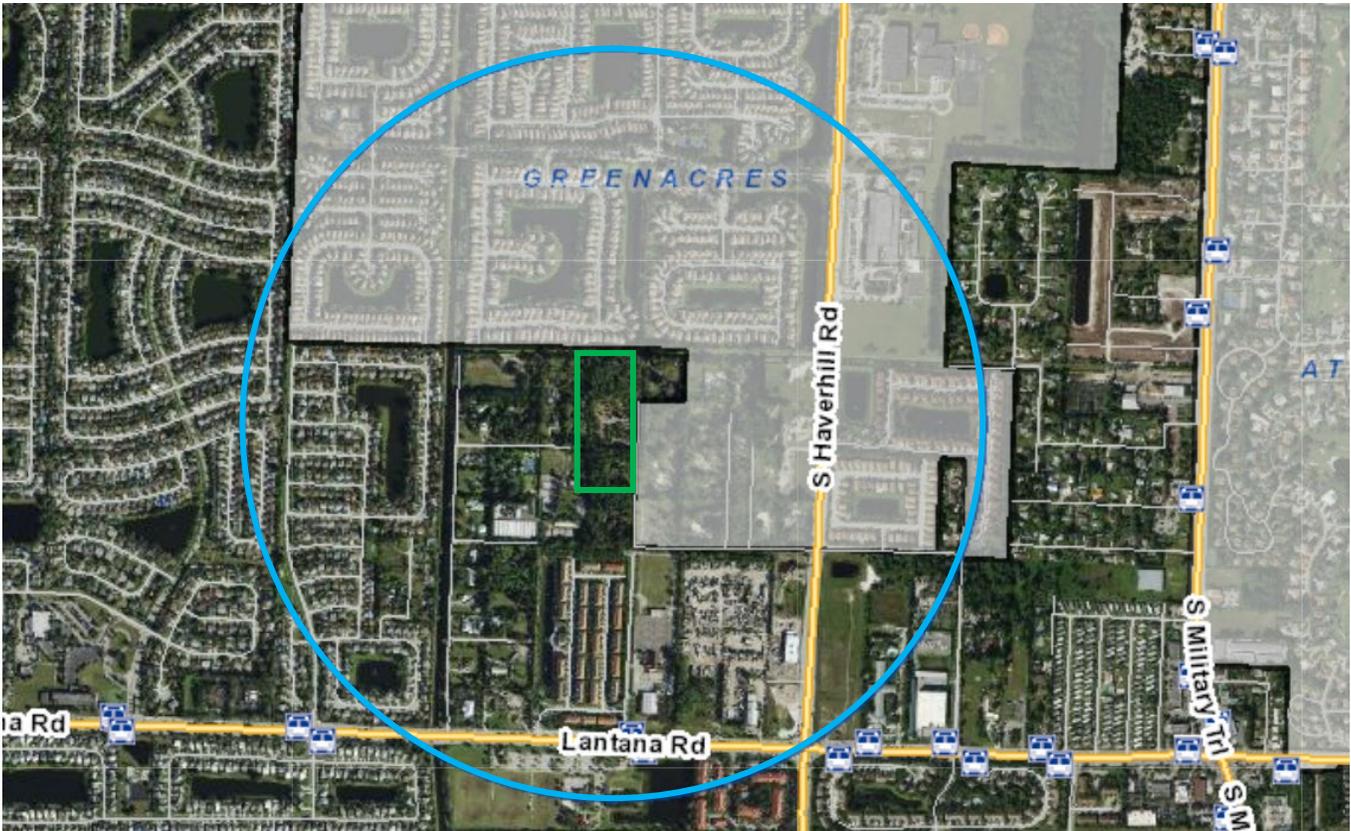
TRAFFIC DIVISION:

The Department of Engineering and Public Works Traffic Division provided comments throughout the review of this application. The proposed Multi-family residential development is expected to generate 357 net daily trips, 21 net AM peak hour trips, and 27 net PM peak hour trips. The build out of the project is assumed to be by 2028.

Traffic from this proposed project will have an insignificant impact, as defined in the Traffic Performance Standards (TPS), on the area roadways. No roadway improvements is required to meet PBC TPS. Access to the site will be provided through 52nd Dr South, which connects to Haverhill Rd at a full median opening.

MASS TRANSIT:

Palm Tran Review Staff were provided the application for review, and provided no comments during the review or for the staff report. There are five bus stops within ½ mile of the subject property. The closest bus route and bus stop is route 63 along Lantana Road. There are no bus routes indicated along Haverhill Road.



LAND DEVELOPMENT:

The Department of Engineering and Public Works Land Development Division provided comments throughout the review of this application and requested modifications have been incorporated by the Applicant. The proposed development was found to comply with the regulations and code requirements of the ULDC under the authority of the Land Development Division, subject to the following conditions of approval:

- The property owner shall submit a drainage study that identifies historical flows that currently enter the site prior to the Final Site Plan approved by the DRO.
- The property owner shall configure the property into a legal lot of record.
- The property owner shall fund and improve Nash Trail from 52nd Drive S to Haverhill Road and 52nd Drive South from Nash Trail to the property entrance and transition back to the existing roadway.
- The property owner shall build a minimum 5' wide sidewalk along the west side of 52nd Drive S.
- At time of final approval by the Development Review Officer, the Applicant shall provide an updated drainage statement reflecting any modifications in retention/detention areas as presented the Board of County Commissioners.

DRAINAGE DISTRICT:

The Lake Worth Drainage District Review Staff were provided this application for review and provided comments throughout the review of this application and requested modifications have been incorporated by the Applicant. The overall development is located within the Lake Worth Drainage District, as well as the South Florida Water Management District C-16 drainage basin. The Applicant's Engineer states (Exhibit E-6): *"The site currently does not contain a surface water management system. The proposed improvements associated with the project include the development of a residential community composed of fifty-three (53) townhomes, and associated surface roadways. The proposed drainage improvements will include a system of interconnected inlets, pipes, and on-site dry detention area with a control structure that outfall to LWDD L-15 Canal, the point of legal positive outfall."*

Prior to the issuance of any building permits, the Applicant is responsible for obtaining required permits and approvals for the Districts.

WATER AND WASTEWATER PROVIDER:

The subject site is within the water and wastewater service boundaries of the Palm Beach County Water Utilities Department (PBCWUD). PBCWUD Review Staff provided comments throughout the review of this application that have been addressed by the Applicant. PBCWUD provided a Concurrency Reservation for the proposed residential development as shown in Exhibit E-7. Prior to the issuance of any building permits, the Applicant is responsible to obtaining the required permits and enter into a Development Agreement with PBCWUD.

PALM BEACH COUNTY HEALTH DEPARTMENT:

The Florida Department of Health Review Staff were provided the application for review and provided comments throughout the review of the application. The Applicant agreed to provide additional information

prior to the issuance of a building permit, regarding the previous nursery use and the information and analysis within the environmental assessment.

FIRE-RESCUE:

Fire Department Review Staff have no comments on the application. The development will be reviewed again at time of building permit for compliance with Fire Codes. The development is within the service boundary of Palm Beach County Fire Rescue Station 43.



PARKS AND RECREATION:

The Parks and Recreation Review Staff were provided this application for review. During the review they provided comments that were addressed by the Applicant. The project proposes 53 dwelling units requiring 0.32 acres of on-site recreation. The project provides a 0.46 recreation area therefore project meets the Parks ULDC requirements. The Parks and Recreation Department Review Staff have no comment regarding this application as this is a non-residential application, and the requirements for the provision of level of service for Regional, District, Beach and Local Parks and the Parks and Recreation Department ULDC requirements do not apply.

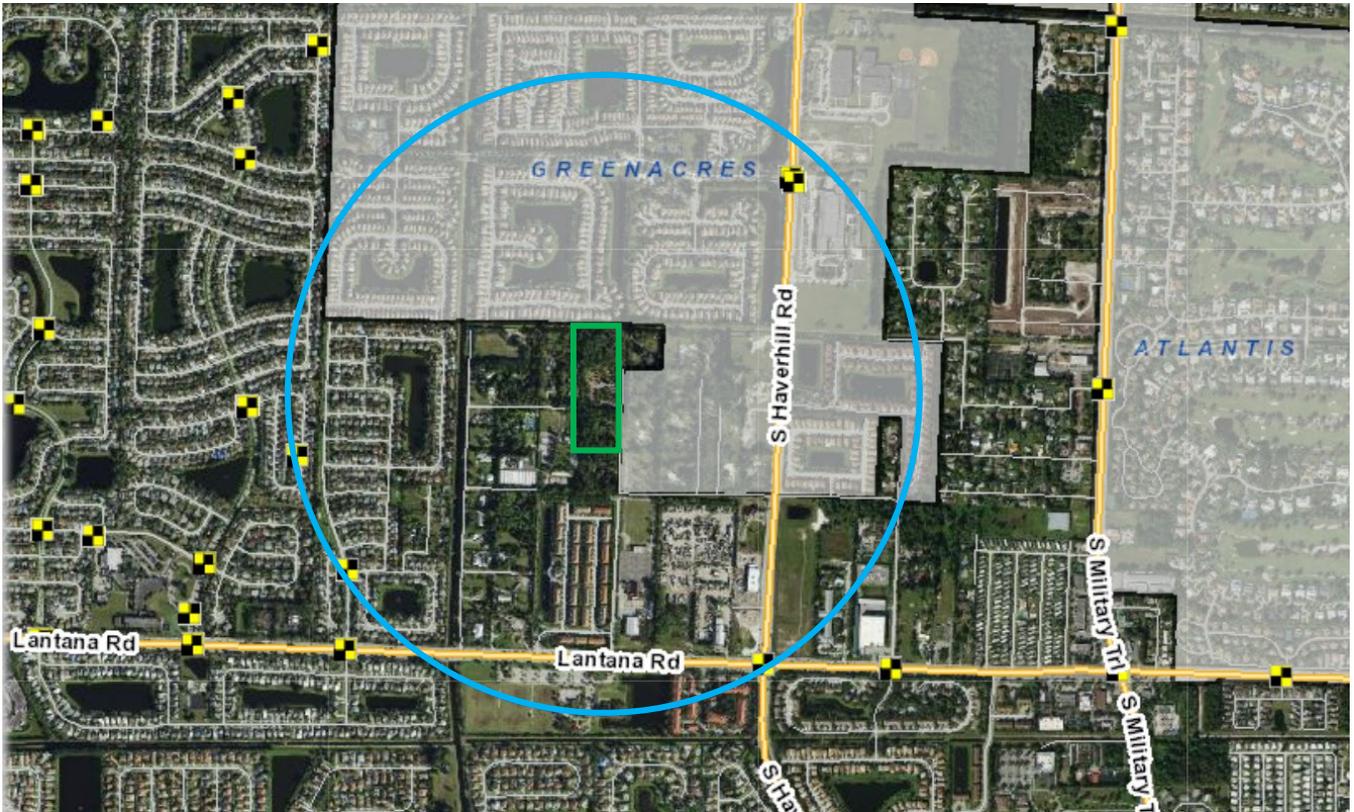
SCHOOL IMPACTS:

The Palm Beach County School District Review Staff were provided this application for review. They provided the following analysis. In accordance with the adopted Coordinated Planning Interlocal Agreement, a School Capacity Availability Determination (SCAD) for 53 multifamily residential units had been approved on January 8, 2025 (SCAD Case #250102021D). The subject property is located in SAC 219B.

This project is estimated to generate approximately thirteen (13) public school students. The schools currently serving this project area are: Indian Pines Elementary School, Tradewinds Middle School and Santaluces Community High School.

The School Capacity Availability Determination (SCAD) analysis for this application has determined that the proposal would exacerbate capacity deficiencies at the District high school level. The additional four (4) high school students generated by this proposal will increase the utilization percentage of Santaluces Community High School to 102%.

There are three school bus stops with ½ mile of the subject property. The School District will determine the location and the need for any additional stops.



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: *“Over time, the low-density residential character of the area has become denser. Subdivisions and townhome developments have become more prevalent in the areas that were previously vacant, plant nurseries, or single family homes on individual lots. Rezoning to the RS district will allow for the development of a 53-unit townhome development that is consistent with the area. With the growth of development in this area immediately surrounding the subject property, the land is currently underutilized. The surrounding residential subdivisions and neighborhoods will be complemented better by the proposed townhome project that meets the characteristics, density, and intensity of the area.”*

Exhibit C-1 - Conditions of Approval

Official Zoning Map Amendment- Conditional Overlay Zone

ENVIRONMENTAL

1. All existing native vegetation within the three Tree Preservation Areas as depicted on the Subdivision Plan shall be preserved and maintained in perpetuity. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)
2. Prior to final approval by the Development Review Officer (DRO), a Tree Preservation Area Management Plan shall be provided to ERM for review and approval for Tree Preservation Areas 1, 2 and 3 as depicted on the Subdivision Plan. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT- Environmental Resources Management)

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 C-2 Conditions of Approval

Class A Conditional Use - Townhouse

ALL PETITIONS

1. The approved Preliminary Subdivision Plan is dated February 13, 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)

ENGINEERING

1. Pursuant to the Traffic Analysis dated December 20, 2024, the Buildout Date is December 31, 2028. No Building Permits for the site may be issued after December 31, 2028. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. The Property Owner shall improve Nash Trail from 52nd Drive South to Haverhill Road, including a 5-foot sidewalk along the north and south right-of-way, in accordance with Palm Beach County's Land Development Design Standards for a Local Street, or as approved by the County Engineer.

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

c. Alternatively, prior to the issuance of the first Certificate of Occupancy, the Property Owner may provide documentation to the Land Development Division demonstrating that Nash Trail has been improved to Land Development Design Standards for a local street, and any permit to improve said right-of-way has been certified as complete and passed the final inspection (BLDGPM/CO: MONITORING - Engineering)

3. The Property Owner shall improve 52nd Drive South from the intersection of Nash Trail to the project's entrance, including a 5-foot sidewalk along the east and west right-of-way, and then transition to the existing road, in accordance with Palm Beach County's Land Development Design Standards for a Local Street, or as approved by the County Engineer.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

4. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - Engineering)

5. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPM: MONITORING - Engineering)

6. Prior to final approval of the subdivision plan by the Development Review Officer, the Applicant shall submit a revised drainage statement. (DRO: ENGINEERING - Engineering)

LANDSCAPE – GENERAL

1. The inclusion of any berms within the north, south, east, or west property lines, may only be considered after the submission of civil plans indicating the site improvements and grades, landscape plans, and a

tree barricade and management plan on the preservation and installation of the vegetation. Determination of the berm shall be completed prior to final approval of the subdivision plan. (DRO: ZONING – Zoning)

2. Prior to final approval of the Subdivision Plan by the Development Review Officer, a Landscape Plan shall be submitted depicting the proposed landscaping for the site which includes, the preserved, relocated, and mitigate plant material in accordance with the Preliminary Regulating Plan and tree list, and the required landscaping in accordance with the Conditions of Approval and the ULDC.

LANDSCAPE - PERIMETER – WEST PROPERTY LINE

1. Prior to final approval by the Development Review Officer, the Subdivision Plan shall be revised as follows:

- a. Width: Provide a 20-foot Type 3 Incompatibility buffer, including a minimum 6-foot-high concrete wall, along the southern 325 feet of the west property line, abutting the agricultural property.
- b. Width: Provide a 20-foot Type 1 Incompatibility buffer, including a minimum 6-foot opaque fence, along the northern 610 feet (approximately) of the west property line abutting the single-family home.
- c. Plant Material: The entire landscape buffer along the western property line shall have Canopy trees, Pine Trees, and shrubs and quantity of plant materials consistent with a Type 3 Incompatibility buffer. (DRO: ZONING – Zoning)

PLANNING

1. The subject request is for 53 for-sale townhouse units. Using the Limited Incentive Development Option, a 39% WHP Density Bonus was applied, and a WHP obligation of 4 units was calculated. The applicant has voluntarily agreed to six (6) WHP units, which will be provided as 9 off-site rentals using the Exchange Builder Option 1 and applying the multiplier required by ULDC Article 5.G.1.C.4.b of the Workforce Housing Program. (ONGOING: PLANNING - Planning)

2. The exchange price for the Exchange Builder shall be 80 percent of the applicable In-Lieu fee in effect at the time of the Development Order for the subject development which equates to \$570,528 (6 WHP X \$118,860 for Townhome = \$713,160 total In-Lieu fee) X 0.80 = \$570,528 total exchange price for Exchange Builder). (ONGOING: PLANNING - Planning)

3. Prior to the issuance of the first residential Building Permit at the subject site, the Property Owner shall record in the official records of Palm Beach County a Notice of Disposition, in a form acceptable to the Palm Beach County Attorney. (BLDGPM: MONITORING - Planning)

4. Prior to the issuance of the first residential Building Permit, the Property Owner shall submit all required documentation as described in Art. 5. G.1.C.4.b.2.c).(1). demonstrating engagement of the Exchange Builder, with prior approval by the County Attorney and Planning Division. The Guarantee for Option 1, at 80% of the In-Lieu Fee, equates to \$570,528 (6 WHP X \$118,860 for Townhome \$713,160 total In-Lieu fee X 0.80 = \$570,528). (BLDGPM: MONITORING - Planning)

5. Prior to issuance of the first residential Certificate of Occupancy (CO), the Site Plan and other appropriate documents shall be modified to include the Official Record Book and Page of the recorded Documents, the name of the Off-Site Project(s), the total number of WHP units, the number in each applicable WHP income category and provide a copy of the revised Site Plan to Planning. (CO: MONITORING - Planning)

SCHOOL BOARD

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board)

SITE DESIGN

1. Prior to final approval by the Development Review Officer, the Subdivision Plan shall be amended to incorporate guest parking spaces. (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-1978-00229	Title: Official Zoning Map Amendment Request: Rezoning from AG-Agricultural District to RE-Residential Estate District	R-1978-01593	Approved As Amended	11/30/1978

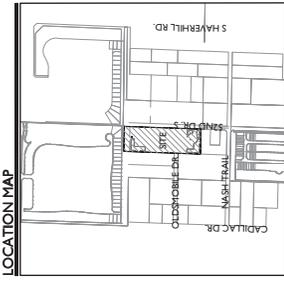
Exhibit E-1 - Preliminary Subdivision Plan

No.	DATE	REVISION
01	10/16/2024	SITE PRELIMINARY RESUBMITTAL
02	11/25/2024	RESUBMITTAL
03	12/23/2024	RESUBMITTAL
04	01/27/2025	RESUBMITTAL
05	02/19/2025	MINOR RESUBMITTAL



PROJECT NO.:
 NASH TRAIL
 5657 52ND DR S
 PALM BEACH COUNTY, FLORIDA
 PRELIMINARY SUBDIVISION PLAN

SHEET
PSBP-1
 1 OF 1
 10621.00



SITE DATA

NASH TRAIL PROPERTY
 APPLICATION NAME: 1978-00229
 CONTROL NUMBER: Z.CA.202401593
 APPLICATION NUMBER: U.S. URBAN SUBURBAN
 TIER 2 CIRC. APPROVAL DATE: GREENACRES/ATLANTS STUDY AREA
 OVERLAY(S) AND USE DESIGNATION: PDR
 EXISTING ZONING DISTRICT: PDR
 PROPOSED ZONING DISTRICT: PDR
 PROPERTY CONTROL NUMBER(S): 0042443500005140, 0042443500005140, 0042443500005140

EXISTING USE: VACANT/RESIDENTIAL
 PROPOSED USE: RESIDENTIAL TOWNHOMES
 GROSS SITE AREA: 7.57 AC.
 GROSS DENSITY: 7 D.U./AC.
 DENSITY BONUS PROGRAM: LIMITED INCENTIVE
 TOTAL UNITS PROPOSED: 53 D.U.
 WHF BONUS: 39% (15 D.U.)
 WHF REQUIRED: 0% (0 D.U.)
 LIMITED INCENTIVE UTILIZING OFFSITE EXCHANGE PER UDC ART. 5.6 I.C. 4.2.4
 TOTAL PARKING REQUIRED: 106 SPACES
 TOWNHOUSE (2 SPACES PER UNIT)
 TOTAL PARKING PROVIDED: 106 SPACES
 TOWNHOUSE (2 SPACES PER UNIT (GARAGE))
 MAX BUILDING HEIGHT: < 25'
 PROPOSED BUILDING HEIGHT: 3 STORIES 24'9"
 RECREATION AREA REQUIRED: 0.32 AC.
 RECREATION AREA PROVIDED: 0.46 AC.
 TREE PRESERVATION AREA PROVIDED: 0.81 AC.
 LAKE/DOY DETENTION AREA: (0.9%) 0.73 AC.
 TRAFFIC ANALYSIS ZONE (TAZ): 1340
 NOTES: 1.25% REDUCTION PERMITTED PER ART. 3.D.1.D.4.4

CONCURRENCY RESERVATION

SINGLE-FAMILY RESIDENTIAL		53 DWELLING UNITS	
MIN. LOT DIMENSIONS	MAX. LOT COVERAGE	MIN. BUILDING SETBACKS	TOWN BUILDING SETBACKS
FRONT	FRONT	FRONT	FRONT
DEPTH	DEPTH	DEPTH	DEPTH
REAR	REAR	REAR	REAR
REQUIRED: 800 S.F.	16'	50'	25'
PROPOSED: 2,229.26 S.F.	22'	101.33' (1.5 STORIES)	25' END UNIT 15' END UNIT 15' END UNIT 18.75'

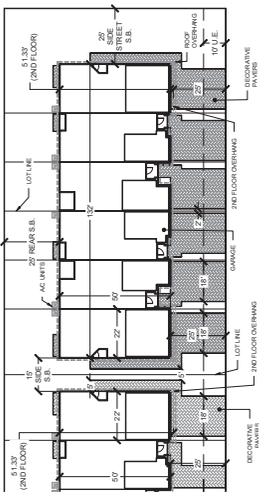
PROPERTY DEVELOPMENT REGULATION CHART (REC AREA)

MIN. BUILDING SETBACKS	
REC AREA	REAR
27,400 SF	25'
< 1 A.C.	25'
REQUIRED	31.5'
PROPOSED	43.02'

AMENDMENTS

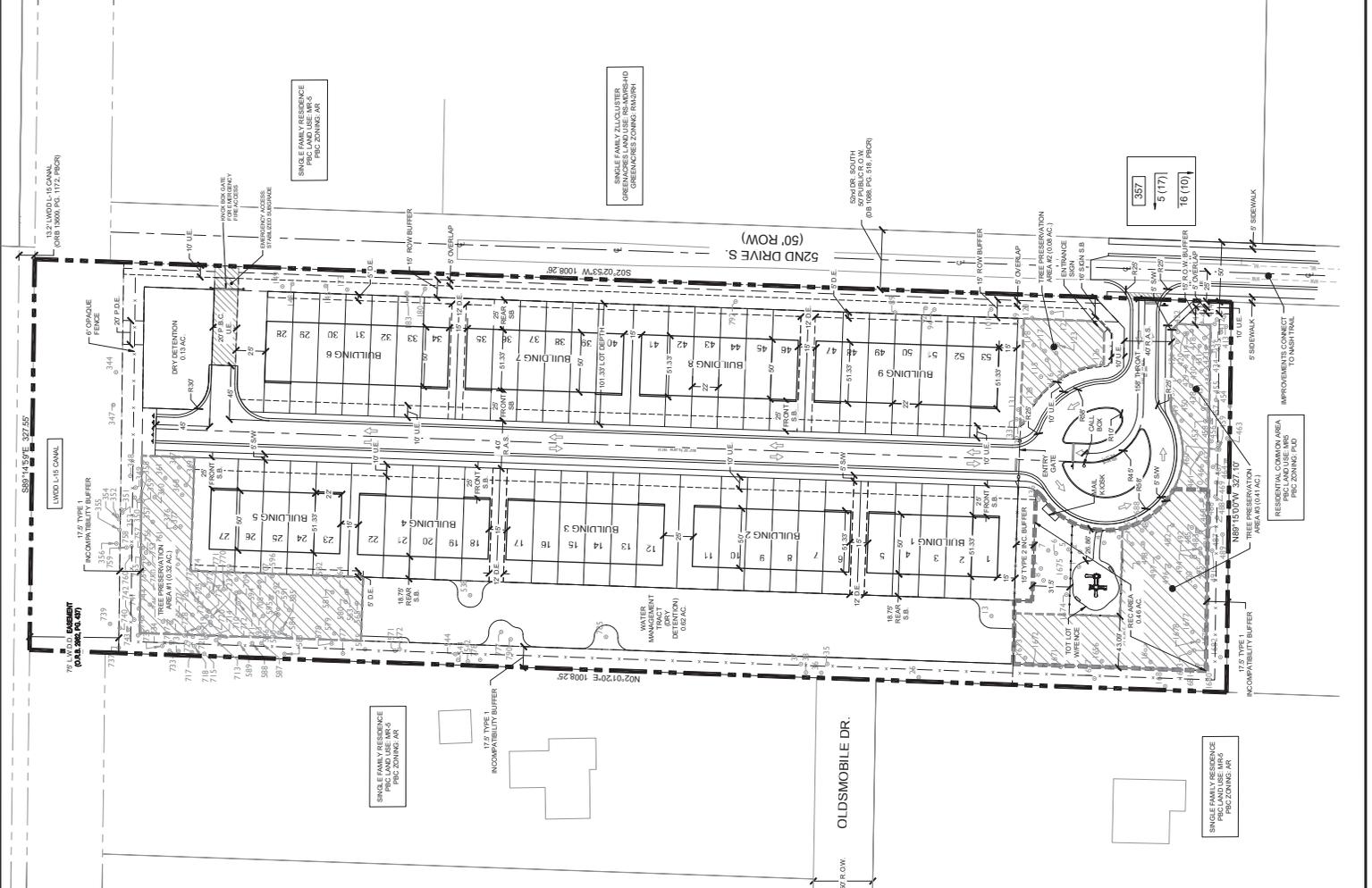
ZONING STAMP

TYPICAL LOT DETAIL

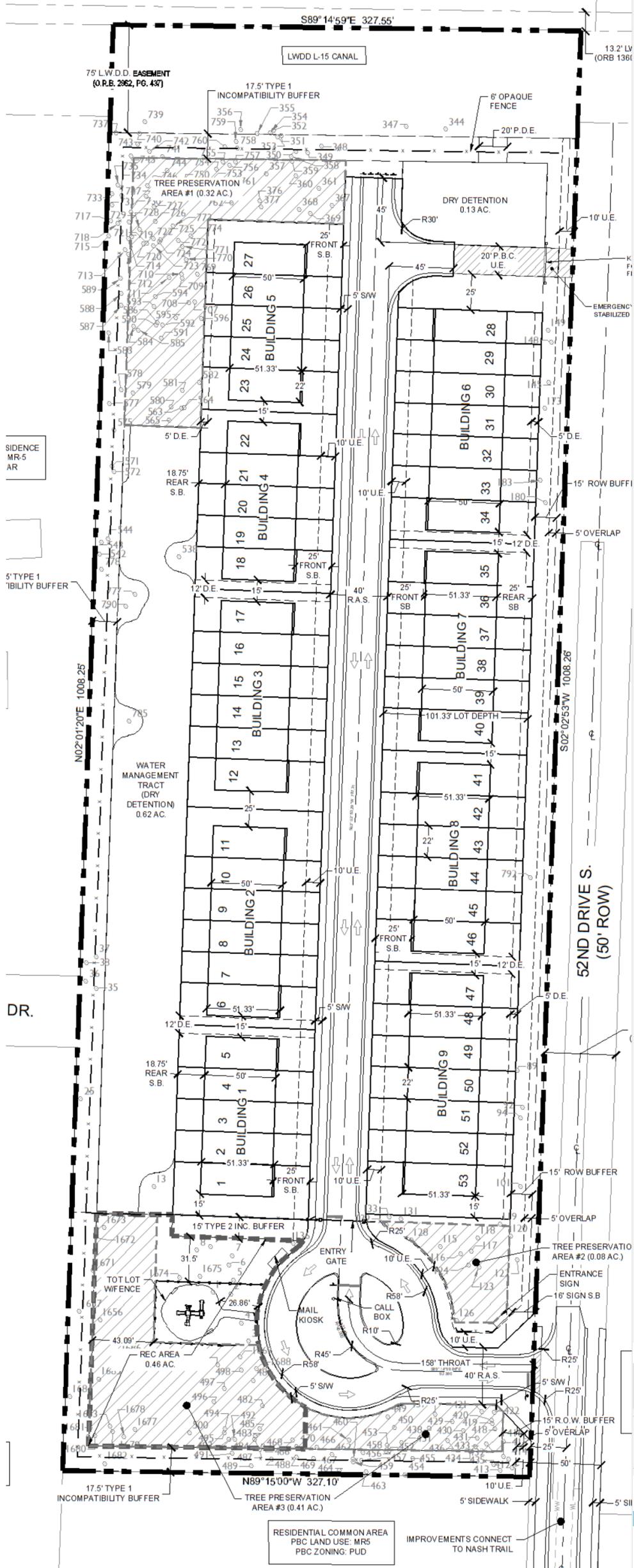


LEGEND

- ADT = AVERAGE DAILY TRIPS
- CL = CENTER LINE
- D.E. = DRAINAGE EASEMENT
- E.C. = EXISTING CURBS
- F.U. = FUTURE LAND USE
- L.A.E. = LIMITED ACCESS EASEMENT
- L.M.E. = LAKE MAINTENANCE EASEMENT
- L.S.E. = LIMITED SERVICE EASEMENT
- O.E.B. = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- P.C. = PALM BEACH COUNTY
- P.D.R. = PROPERTY DEVELOPMENT REGULATIONS
- P.G. = PAGE
- R.O.W. = RIGHT-OF-WAY
- R.W. = RIGHT-OF-WAY
- S.F. = SQUARE FEET
- S.W. = SIDEWALK
- T.B.A. = TO BE ABANDONED
- U.L.E. = UTILITY EASEMENT
- U.L.C. = UNIFIED LAND DEVELOPMENT CODE
- W.H.F. = WORKFORCE HOUSING
- T.B.R. = TO BE RELEASED
- [Symbol] = TREE PRESERVATION AREA



DATE: 01/23/2025 10:28 AM
 DRAWN BY: J. B. [unreadable]
 CHECKED BY: [unreadable]
 PROJECT: 1978-00229
 SHEET: PSBP-1 OF 1



RESIDENTIAL COMMON AREA
 PBC LAND USE: MR5
 PBC ZONING: PUD

IMPROVEMENTS CONNECT
 TO NASH TRAIL

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Exhibit E-2 - Preliminary Master Sign Plan

Exhibit E-3 –Disclosure of Ownership

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 Elbert R. Abell, 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 Trustee *[position - e.g., president, partner, trustee]* of Melodye S. Abell Revocable Trust dated April 4, 2006 *[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: 6652 Park Ln E
Lake Worth, FL 33449 6603

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.

Elbert R. Abell

Elbert R. Abell, 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 8 day of November, 2024 by Elbert R. Abell (name of person acknowledging). He/she is personally known to me or has produced FL DL (type of identification) as identification and did/did not take an oath (circle correct response).

Stacey Young-Herrera
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: _____

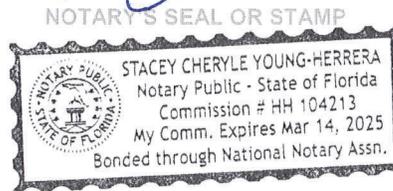


EXHIBIT "A"

PROPERTY

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 332.78 FEET OF THE NORTH 685.06 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (E½ E½ NW¼ SE¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP FORTY-FOUR (44) SOUTH, RANGE FORTY-TWO (42) EAST, LESS THE EAST 10 FEET FOR ROAD RIGHT-OF-WAY, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS:

ALL OF THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER OF SAID SECTION 35; THENCE N89°14'59"W, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1360.15 FEET TO A POINT ON A LINE 10 FOOT WEST OF AND PARALLEL TO MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE DEPARTING SAID NORTH LINE, S02°02'53"W A DISTANCE OF 352.37 FEET TO THE POINT OF BEGINNING; THENCE S02°02'53"W CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 332.86 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 322.98 FEET OF THE NORTH 1,007.99 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AS RECORDED IN OFFICIAL RECORDS BOOK 24390, PAGE 338 OF SAID PUBLIC RECORDS; THENCE ALONG SAID LINE N89°14'59"W A DISTANCE OF 327.25 FEET; THENCE N02°01'20"E, ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR A DISTANCE OF 332.86 FEET; THENCE S89°14'59"E, A DISTANCE OF 327.40 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 108,928 SQUARE FEET OR 2,501 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

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 Laura Fountain, 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 [] _____ *[position - e.g., president, partner, trustee]* of _____ *[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: 5657 52nd Dr S
Lake Worth, FL 33463
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.

Laura W Fountain

Laura Fountain, 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 18 day of NOVEMBER, 2024 by LAURA FOUNTAIN (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did not take an oath (circle correct response).

SHEA MILLER

(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: 4/13/2025

NOTARY'S SEAL OR STAMP

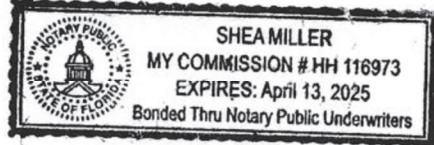


EXHIBIT "A"

PROPERTY

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 332.93 FEET OF THE NORTH 1,007.99 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (E½ E½ NW¼ SE¼), SECTION THIRTY-FIVE (35), TOWNSHIP FORTY-FOUR (44) SOUTH, RANGE FORTY-TWO (42) EAST, PALM BEACH COUNTY, FLORIDA, LESS THE EAST 10 FEET THEREOF.

ALSO KNOWN AS:

ALL OF THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER OF SAID SECTION 35; THENCE N89°14'59"W, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1360.15 FEET TO A POINT ON A LINE 10 FEET WEST OF AND PARALLEL TO MEASURED RIGHT ANGLES TO THE EAST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE DEPARTING SAID NORTH LINE, S02°02'53"W ALONG SAID PARALLEL LINE, A DISTANCE OF 685.21 FEET TO POINT OF BEGINNING; THENCE S02°02'53"W ALONG SAID EAST LINE, A DISTANCE OF 323.06 FEET THE NORTHEAST CORNER OF PLAT, COLONY RESERVE AT LAKE WORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 119, PAGE 66 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID PLAT, COLONY RESERVE AT LAKE WORTH, N89°15'00"W FOR A DISTANCE OF 327.11 FEET TO THE NORTHWEST CORNER OF SAID PLAT; THENCE N02°01'20"E, ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR A DISTANCE OF 323.06 FEET TO A POINT ON A NORTH LINE OF THE SOUTH 322.98 FEET OF THE NORTH 1,007.99 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AS RECORDED IN OFFICIAL RECORDS BOOK 24390, PAGE 338 OF SAID PUBLIC RECORDS; THENCE ALONG SAID LINE, S89°14'59"E FOR A DISTANCE OF 327.25 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 105,671 SQUARE FEET OR 2.426 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA

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 Melody S. Abell, 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 Trustee Melody S. Abell Revocable Trust dated April 4, 2006 [position - e.g., president, partner, trustee] of Melody S. Abell Revocable Trust dated April 4, 2006 [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: 6652 Park Ln E
Lake Worth, FL 33449 6603
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.

Melodye S. Abell
Melodye S. Abell, 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 18 day of November, 2024 by Melodye S. Abell (name of person acknowledging). He/she is personally known to me or has produced FL DL (type of identification) as identification and did/did not take an oath (circle correct response).

Stacey Young-Herrera
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: _____

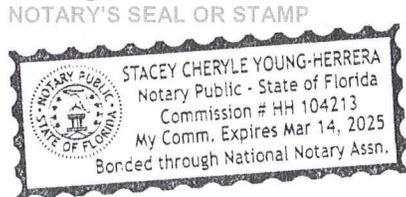


EXHIBIT "A"

PROPERTY

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 332.78 FEET OF THE NORTH 685.06 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (E½ E½ NW¼ SE¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP FORTY-FOUR (44) SOUTH, RANGE FORTY-TWO (42) EAST, LESS THE EAST 10 FEET FOR ROAD RIGHT-OF-WAY, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS:

ALL OF THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID LANDS CONTAINING 108,928 SQUARE FEET OR 2,501 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

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 Norman Carl Speier II, 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 _____ *[position - e.g., president, partner, trustee] of _____ [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: 5555 52nd Dr S
Lake Worth, FL 33463
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.

Norman Carl Speier II

Norman Carl Speier II, 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 17 day of NOVEMBER, 2024 by NORMAN CARL SPEIER II (name of person acknowledging) He/she is personally known to me or has produced _____ (type of identification) as identification and did not take an oath (circle correct response).

DIANE L. BAKER
(Name - type, stamp or print clearly)

Diane L Baker
(Signature)

My Commission Expires on:

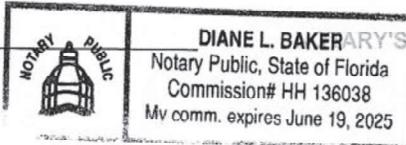


EXHIBIT "A"

PROPERTY

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 35; THENCE SOUTH 89 DEGREES, 14 MINUTES, 58 SECONDS EAST, ALONG THE EASTWEST ¼ SECTION LINE, A DISTANCE OF 1012.63 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 337.55 FEET, THENCE SOUTH 2 DEGREES, 3 MINUTES, 5 SECONDS WEST, A DISTANCE OF 352.29 FEET; THENCE NORTH 89 DEGREES, 14 MINUTES, 58 SECONDS WEST, A DISTANCE OF 337.29 FEET; THENCE NORTH 2 DEGREES, 1 MINUTE, 34 SECONDS EAST, A DISTANCE OF 352.28 FEET TO THE POINT OF BEGINNING, LESSING THEREFROM THE EAST 10 FEET THEREOF DEEDED TO PALM BEACH COUNTY FOR ROAD RIGHT-OF-WAY BY DEED RECORDED IN OFFICIAL RECORDS BOOK 3011, PAGE 1023 AND SUBJECT TO A CANAL EASEMENT TO L.W.D.D. OVER THE NORTH 75 FEET RECORDED IN OFFICIAL RECORDS BOOK 2962, PAGE 437.

ALSO KNOWN AS:

ALL OF THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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SAID LANDS CONTAINING 115,366 SQUARE FEET OR 2.648 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

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 Sandra J. Speier, 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 _____ *[position - e.g., president, partner, trustee]* of _____ *[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: 5555 52nd Dr S
Lake Worth, FL 33463

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.

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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.

Sandra J. Speier
Sandra J. Speier, 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 17 day of NOVEMBER, 2024 by SANDRA J. SPEIER (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).

Diane L Baker (Name - type, stamp or print clearly) DIANE L. BAKER (Signature)

My Commission Expires on 6/19/2025 NOTARY'S SEAL OR STAMP

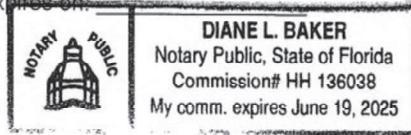


EXHIBIT "A"

PROPERTY

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 35; THENCE SOUTH 89 DEGREES, 14 MINUTES, 58 SECONDS EAST, ALONG THE EASTWEST ¼ SECTION LINE, A DISTANCE OF 1012.63 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 337.55 FEET, THENCE SOUTH 2 DEGREES, 3 MINUTES, 5 SECONDS WEST, A DISTANCE OF 352.29 FEET; THENCE NORTH 89 DEGREES, 14 MINUTES, 58 SECONDS WEST, A DISTANCE OF 337.29 FEET; THENCE NORTH 2 DEGREES, 1 MINUTE, 34 SECONDS EAST, A DISTANCE OF 352.28 FEET TO THE POINT OF BEGINNING. LESSING THEREFROM THE EAST 10 FEET THEREOF DEEDED TO PALM BEACH COUNTY FOR ROAD RIGHT-OF-WAY BY DEED RECORDED IN OFFICIAL RECORDS BOOK 3011, PAGE 1023 AND SUBJECT TO A CANAL EASEMENT TO L.W.D.D. OVER THE NORTH 75 FEET RECORDED IN OFFICIAL RECORDS BOOK 2962, PAGE 437.

ALSO KNOWN AS:

ALL OF THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE EAST QUARTER OF SAID SECTION 35; THENCE N89°14'59"W, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1360.15 FEET TO A POINT ON A LINE 10 FOOT WEST OF AND PARALLEL TO MEASURED WITH RIGHT ANGLES TO THE EAST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST OF THE SOUTHEAST QUARTER OF SAID SECTION 35 AND THE POINT OF BEGINNING; THENCE CONTINUE S02°02'53"W ALONG SAID EAST LINE, A DISTANCE OF 352.27 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 332.78 FEET OF THE NORTH 685.06 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE ALONG SAID LINE N89°14'59"W, ALONG THE LINE A DISTANCE OF 327.40 FEET; THENCE N02°01'20"E, ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR A DISTANCE OF 352.37 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE ALONG SAID NORTH LINE, S89°14'59"E FOR A DISTANCE OF 327.56 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 115,366 SQUARE FEET OR 2.648 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. 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.

Name	Address
Norman Carl Speier II	5555 52nd Drive S, Lake Worth, FL 33463
Sandra J. Speier	5555 52nd Drive S, Lake Worth, FL 33463

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Exhibit E-4 – Drainage Statement



REVISED ENGINEER'S DRAINAGE STATEMENT

Nash Trail

WGI No. 10621.00

Zoning App. No. Z/CA-2024-01593

December 18, 2024

The subject project includes a parcel of land located in Section 35, Township 44 South, and Range 42 East. The subject property is comprised of three parcels (PCN's: 00-42-44-35-00-000-5410, 04-24-43-500-000-5140, 00-42-44-35-00-000-5420) with a total of 7.01-acres. The site is bordered by Lake Worth Drainage District (LWDD) L-15 Canal to the north, 52nd Drive South to the east, and residential lots to the south and west. This project lies within the South Florida Water Management District (SFWMD) C-16 basin, LWDD, and Palm Beach County (PBC) jurisdictional boundaries. The project lies within FEMA Zone X - area of minimal flood hazard.

The site currently does not contain a surface water management system. The proposed improvements associated with the project include the development of a residential community composed of fifty-three (53) townhomes, and associated surface roadways. The proposed drainage improvements will include a system of interconnected inlets, pipes, and on-site dry detention area with a control structure that outfalls to LWDD L-15 Canal, the point of legal positive outfall.

Water quality and attenuation criteria will be met in the wet detention area prior to final discharge. Discharge will be limited to 62.6 CSM at the 25 year – 3-day storm event. The sizing of the drainage pipes will be based 3 year – 1-day storm and per FDOT drainage handbook requirements.

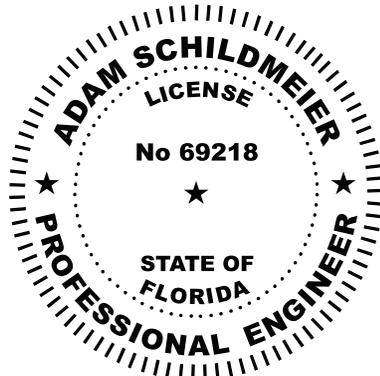
Adequate stormwater detention will be provided on-site to store runoff for the following:

- 1) 100 year – 3-day storm event for minimum finished floor elevation;
- 2) 25 year – 3-day storm event for minimum perimeter berm elevation; and
- 3) 5 year – 1-day storm event for minimum roadway crown elevation.

The proposed drainage improvements will be designed and permitted in accordance with applicable SFWMD and LWDD design standards, Palm Beach County Building Division, Storm Water Permitting Section, and Unified Land Development Code.

WGI, Inc.
Respectfully submitted,

Adam Schildmeier, P.E.
Florida License # 69218
WGI, Inc. Cert. No. 6091



ADAM SCHILDMEIER P.E., STATE OF FLORIDA, PROFESSIONAL ENGINEER, LICENSE NO. 69218
THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY ADAM SCHILDMEIER, P.E. ON THE DATE IDENTIFIED
HEREON USING A SHA-1 AUTHENTICATION CODE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED
AND SEALED AND THE SHA-1 AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Exhibit E-5 – Utility Letter



Letter for
Concurrency Reservation

To: Zoning Division
PBC Planning, Zoning, & Building Department

From: Ebony M. Foreman, Director
Finance and Administration
PBC Water Utilities Department

Date: February 5, 2025

Control # 00257

Re: PZ&B Application #: Z/CA-2024-01593
Project Name – Nash Trail

The Palm Beach County Water Utilities Department is willing and able to provide the following utility service(s) to the property identified below, and will reserve the indicated utility capacity, in Equivalent Residential Connections (ERCs), for a period not to exceed five (5) years from the date of this letter:

<u>Service Type</u>	<u>Capacity (in ERCs)</u>
Potable Water	<u>33.39</u>
Wastewater	<u>33.39</u>
Reclaimed Water	<u>N/A</u>

An Equivalent Residential Connection represents a system capacity equivalency unit that corresponds to the peak design demand of the 5/8 x 3/4 inch meter sub-category of customer usage. This system capacity equivalency unit is utilized to establish the system demand for various sized connections for the purpose of assessing fees and designing the capacity of capital facilities.

The above capacity is reserved for the following property:

00-42-44-35-00-000-5420, 00-42-44-35-00-000-5140, 00-42-44-35-00-000-5410

Before the five (5) year period expires, the Developer must pay all Service Initiation Fees and connect to the Department’s facilities, or for projects greater than 18.3 ERCs, enter into a Standard or Non-Standard Development Agreement to maintain this capacity reservation. This memorandum does not represent a contract for service, and the Developer remains obligated to meet all of the requirements of the Water Utilities Department prior to obtaining utility service.

Approved By: *Ebony Foreman*
Director of Finance & Administration

Date: 05-Feb-25



**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

*"An Equal Opportunity
Affirmative Action Employer"*

printed on sustainable
and recycled paper

May 13, 2024

WGI
2035 Vista Parkway
West Palm Beach, Fl. 33411

RE: Nash Trail Site
PCN:00424435000005410,00424435000005140
and 00424435000005420
Service Availability Letter

Dear Arianna,

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

The nearest potable water is an 8" watermain and an 8" gravity sanitary sewer main located within 52nd Dr. S. just south of the south property line of the subject property. Based on the property usage the engineer will need to verify the existing lift station has the capacity for this development or a lift station and force main extension to Nash Trail would be required.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD.

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,
Plan Review Manager

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Exhibit E-6 – Workforce Housing Determination Letter



Planning, Zoning & Building Department

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Compliance 233-5500
Contractor Regulations 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbc.gov/pzb



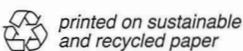
Palm Beach County Board of County Commissioners

- Maria G. Marino, Mayor
- Sara Baxter, Vice Mayor
- Gregg K. Weiss
- Joel Flores
- Marci Woodward
- Maria Sachs
- Bobby Powell, Jr.

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



December 19, 2024

Arianna Hilliard
WGI
2035 Vista Parkway
West Palm Beach, FL 33411
Email: Arianna.Hilliard@wginc.com

Dear Arianna:

This revised letter of determination is in response to your inquiry regarding the referenced Nash Trail property and revised survey acreage. This letter is required for sufficiency in the zoning approval process. The attached analysis reflects the following project information you have provided:

PCNs:	00-42-44-35-00-000-5410, 5140 & 5420
Acreage:	7.57 acres
Future land Use Designation:	MR-5
Requested # of units, if applicable:	53 units
Subject Development unit type: SF, TH, or MF	TH
Subject Development: Rent or sale	Sale
WHP units: on site, off-site, in lieu, other	Off-Site Exchange Builder
WHP units: Rent or Sale	TBD
WHP unit type: SF, TH, or MF	TH
Incentive Option: Limited or Full	Limited Incentive
TDRs to be used, if any:	No TDRs requested

Based on the information you provided 53 units are available and have a **four (4)** unit WHP obligation.

In considering this information, please be aware of the following:

- *The Limited Incentive option of the WHP has been applied in this analysis. This option minimizes the amount of workforce housing required, but caps the density bonus at 50%, and requires all the workforce units to be priced in the lowest two categories (Low and Mod 1).*
- *The Full Incentive option requires a higher percentage of workforce units, but offers the potential for up to 100% density bonus through an enhanced review process, offers discounts on the obligation if the WHP units are to be provided as for-sale units and as on-site single-family or townhouse units, and prices the units in either 3 or 4 categories depending on whether the WHP units will be for rent or sale. If you would like this analysis prepared under the Full Incentive option, please contact Michael Howe at 561-233-5361.*



- *If the market-rate project is a for-sale project, and the WHP units are delivered off-site as rentals, a 1.5x multiplier applies to the obligation.*
- *For-sale WHP units require a minimum number and size of bedrooms, and specific minimum appliances;*
- *All WHP unit exteriors are required to be compatible with market rate units, if any, and models are required.*

In addition, note that the determination provided herein does not guarantee a certain number of units, and does not create additional property rights for a landowner. The actual number of dwelling units that may be built on a parcel may be further limited by the zoning district's property development regulations and other considerations in the development review process.

Sincerely,

A handwritten signature in blue ink that reads "Michael Howe".

Michael Howe, Senior Planner

Workforce Housing Program Analysis Up to 50% Density Bonus, Limited Incentive

Date: 12/19/2024

Property Information:

Property or PCN:	Nash Trail (3 props), PCNs: 00-42-44-35-00-000-5410, 5140 & 5420		
Acreage:	7.57 acres (Agent/Survey)		
Future Land Use Designation:	MR-5		
Request:	53 units, Limited Incentive, No TDRs		
Part of PUD/Golf Course? No	Existing LOD? Out of date	CHHA? No	CCRT Area? No
Potential FLU Density: (7.57 x 5 = 37.85 units)			

Limited Incentive/Density Bonus Assumption:

This preliminary analysis assumes use of the **Limited Incentive Option** and a maximum density bonus of 50%. Density bonuses greater than 50% may be available under the Full Incentive option, subject to enhanced review and higher percentages of required WHP.

TDR Units, if applicable:

TDR Density: should Transfer of Development Rights be used, the following would apply: No TDRs requested	
TDR Eligibility: TDRs/acre	TDR Units permitted: 0 (Rounding applied)
<i>TDR units purchased shall proportionally reflect the unit mix of the non TDR units. The applicant may elect to purchase some or all of the non-WHP TDRs at TDR WHP prices; if purchased at WHP prices, those units must be restricted as WHP units in all applicable categories.</i>	

WHP Obligation:

Density Component:	Required WHP Percentage	Calculations	
		Possible Units	WHP Obligation
Standard Density:	2.5%		
Maximum Density:	8%		
Total Units (rounding applied)			
WHP Density Bonus:	17%		
1.5x Multiplier -- For-Sale projects providing WHP as off-site rentals			
TDRs, if any:	34%		
TOTALS			

Alternative Unit Specific Calculation, if Requested: **53 Units**

Density Component:	Required WHP Percentage	Units	WHP Obligation
Standard Density:	2.5%	7.57 x 4 = 30.28	30.28 x 2.5% = 0.76
Maximum Density:	8%	7.57 x 1 = 7.57	7.57 x 8% = 0.61
Total Units (rounding applied):		37.85 or 38.00	
WHP Density Bonus: 39%	17%	38.00 x 39% = 14.82	14.82 x 17% = 2.52
1.5x Multiplier -- For-Sale projects providing WHP as off-site rentals			
TDRs, if any: NA	34%	NA	NA
TOTALS		52.82 or 53 units	3.89 or 4.00 WHP

The estimates provided in this worksheet do not guarantee a certain number of units, and do not create additional property rights for a landowner; the actual number of dwelling units that may be built on the parcel may be further limited by compatibility considerations, property development regulations and other factors in the development review process. Any hypothetical land use employed in the calculations is subject to the Comprehensive Plan amendment process, and may not be approved.

Exhibit E-7 – School Capacity Availbity Determination (SCAD)



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

KRISTIN K. GARRISON, AICP
DIRECTOR

MICHAEL J. BURKE
SUPERINTENDENT

PLANNING & INTERGOVERNMENTAL RELATIONS
3661 INTERSTATE PARK ROAD NORTH, 200
RIVIERA BEACH, FL 33404

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

PHONE: 561-434-8020 / FAX: 561- 434-8942
WWW.PALMBEACHSCHOOLS.ORG

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	01/02/2025		
	SCAD No.	25010202Z/Re-Zoning and 25010201D/D. O.		
	FLU/Rezoning/D.O. No.	Z/CA-2024-01593 – Palm Beach County		
	Property Control Number	00-42-44-35-00-000-5410; 5140, 5420		
	Development Name	Nash Trail		
	Owner/Agent Name	Speier Norman C II & Speier Sandra J; Abell Elbert R Tr Abell Melodye S Tr & Melodye S Abell Trust; Fountain Laura / Erin Lees (WGI, Inc.)		
	SAC No.	219B		
	Proposed Re-Zoning Proposed D. O.	38 (53 proposed with density bonus) 53 Multi-Family Units		
Impact Review		Indian Pines Elementary School	Tradewinds Middle School	Santaluces High School
	New Students Generated	6	3	4
	Capacity Available	520	356	102%
	Utilization Percentage	55%	71%	-48
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Given the recent increases in school impact fees, effective January 1, 2023, much of these impacts will be mitigated. The impact fees, however, will not fully cover impacts to the school system. Therefore, if the proposed development is approved by Palm Beach County government and if the Developer voluntarily agrees, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District high school level, the property owner shall contribute \$58,408.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This voluntary school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).</p> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on September 13, 2022.</p>			
Validation Period	<p>1) This determination is valid from 01/08/2025 to 01/07/2026 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 01/07/2026 or this determination will expire automatically on 01/07/2026.</p>			
Notice	<p>1) This letter replaces the previous one under case# 24082801Z and 24082801D issued on 09/06/2024.</p> <p>2) School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

Joyce Cai

January 8, 2025

School District Representative Signature

Date

Joyce C. Cai, Senior Planner

joyce.cai@palmbeachschools.org

Print Name & Title

Email Address

CC: Vismary Dorta, Site Plan Technician, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County

Exhibit E-8 – Correspondence

April 15, 2025

Palm Beach County Commissioners and Zoning Commission Staff

The following is my statement of record in opposition to the proposed Nash Trail development Project application name, Nash Trail Z/CA-2024-01593.

My property abuts the proposed development project on the West side adjacent to the properties owned by Laura Fountain and Melodyne Abel Revocable Trust. I have been the sole property owner since 1999. The property has been utilized as an equine boarding and training facility since the 1970s.

I deeply oppose the proposed Nash Trail project in its' current form and the rezoning of the proposed density increase higher than the future development zoning of 5 units per acre as a result of the 1989 Future Development rezoning of 1989.

In the early 2000s, Palm Beach county established the Work Force Housing [WHP] program to establish housing opportunities for the "work force" in new developments.

In this case, WHP, will not be utilized for the working class, WHP will be manipulated with builder exchange program. The result will benefit only the county tax base and the Lennar homes financial holdings.

My opposition to the Nash Trail project is as follows:

- 1] Currently, there is a 230 +/- unit development in the early stages of ground breaking, whereas, the actual of the development cannot be measured until the project is completed and sold out 100 with 100 percent occupancy.
Access to current project and proposed Nash Trail project will share a single access road to Haverhill road .
In addition, the American German social club utilizes Nash Trail during events conducted on their property.
- 2] In the 2000s, when the development now called, Colony Reserve, located South of the proposed Nash Trail project, was in the planning stages, site planners, county staff and builder coordinated with the abutting property owners to come to reasonable solutions to the adverse impacts the high density development brought upon our semi-rural lifestyle.
The result of cooperation by all parties resulted in the most natural, vegetation property line buffer zones, while allowing the developer to complete his project.
WGI and Lennar have offered nothing other than a hasty meeting at a coffee shop and very short notice for a zoom call.
I object to the Nash Trail development due to minimum preservation of natural native vegetation habitat. Eliminating the WHP increase in density will certainly improve the project's compliance in keeping with the surrounding properties to the South and the West sides.

3] The current site plan does not include any type of physical wall at the property line set back. I operate an equine business and only welcome previously announced guests on the property along to include signed liability disclaimers, prior to gaining access to my property. Without a proper wall, anyone at anytime could gain access my property, especially a wandering child from the “tot lot” currently planned in close proximity to my property. Construction of a 6 foot concrete wall on top of a four foot earth berm was a condition for the Colony Reserve project. The same condition must be incorporated as a condition for approval for the Nash Trail project.

Attached to this communication are my responses, underlined and highlighted to the following:

- Z-CA 2024-01593 Nash Trail Conditions Exhibit C-1 Conditions and Approval
- Article 2 Application Processes and Procedures

I insist on the following:

- An in depth traffic study be conducted for the use of Nash Trail by two high density developments totaling in excess 285 units as well as an established social event venue for more than 500 members, guests and patrons.
- WHP not be implemented for the Nash Trail project in order to comply with abutting property usage.
- WGI and Lennar to be more communitive with the abutting property owners and surrounding neighbors to come to a reasonable agreement for the Nash Trail development project.

Best regards,

Michael R. Gordon
Gateway Stables
5360 Oldsmobile Drive
Lake Worth, Florida
Email: rgsurveyor@aol.com
Phone: 954-612-6834

Exhibit C-1 - Conditions of Approval

Official Zoning Map Amendment- Conditional Overlay Zone

ENVIRONMENTAL

1. All existing native vegetation within the three Tree Preservation Areas as depicted on the Subdivision Plan shall be preserved and maintained in perpetuity. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

** No power driven machinery to be utilized when removing nonnative vegetation in the designated preserve areas, so as not to disturb the earth surrounding the vegetation to be preserved.

** Native vegetation along west property line abutting Gordon Stables and Sadler property to remain intact and undisturbed within the 17 foot set back. No power driven machinery to be used to remove nonnative vegetation, so as not to disturb earth surrounding native vegetation to be preserved.

2. Prior to final approval by the Development Review Officer (DRO), a Tree Preservation Area Management Plan shall be provided to ERM for review and approval for Tree Preservation Areas 1, 2 and 3 as depicted on the Subdivision Plan. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT- Environmental Resources Management)

DISCLOSURE

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

Exhibit C-2 Conditions of Approval

Class A TDR

ALL PETITIONS

1. The approved Preliminary Subdivision Plan is dated February 13, 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)

**** 6 foot concrete wall on 4 foot earth berm be constructed around entire development property**

ENGINEERING

1. This Development Order is based upon an approved Traffic Study projecting a Build-out date of December 31, 2028. No Building Permits for the site may be issued after December 31, 2028 unless the site meets the Build-out requirements pursuant to Art. 12, or the Build-out date is revised through a time extension pursuant to the requirements of Art. 2.E of the Unified Land Development Code. The County Engineer may approve an Art. 2.E time extension to the build out date based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. (DATE: MONITORING-Eng)

2. The Property Owner shall improve Nash Trail from 52nd Drive South to Haverhill Road in accordance with Palm Beach County's Land Development Design Standards for a Local Street, or as approved by the County Engineer.

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

- a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)
- b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

3. The Property Owner shall improve 52nd Drive South from the intersection of Nash Trail to the project's entrance, and then transition to the existing road, in accordance with Palm Beach County's Land Development Design Standards for a Local Street, or as approved by the County Engineer.

- a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)
- b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

4. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

- a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)
- b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - Engineering)

5. Property Owner shall construct a minimum 5 foot wide concrete sidewalk along the west side of 52nd Drive South from Nash Trail to the terminus for 52nd Drive South. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. The sidewalk shall be completed prior to the issuance of the first certificate of occupancy. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the condition shall be considered satisfied. (CO: MONITORING - Engineering)

6. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPM: MONITORING - Engineering)

PLANNING

1. The subject request for 53 units with a 4-unit Workforce Housing Program (WHP) obligation was calculated based on Limited Incentive Development Option with the WHP units to be provided off-site

utilizing the Exchange Builder option. A 39% (15du) WHP density bonus was utilized. Should a reduction in overall units occur, the WHP obligation may be reduced subject to a new analysis, and the timing mechanisms may be adjusted administratively accordingly. (ONGOING: PLANNING - Planning)

2. The minimum exchange price for the Exchange Builder shall be 80 percent of the applicable In-Lieu fee in effect at the time of the Development Order for subject development which equates to \$380,352 (4WHP X \$118,860 for Townhome = \$475,440 total In-Lieu fee) X 0.80 = \$380,352 total exchange price for Exchange Builder). (ONGOING: PLANNING - Planning)

3. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the official records of Palm Beach County a Notice of Disposition, in a form acceptable to the Palm Beach County Attorney. (BLDGPM: MONITORING - Planning)

4. Prior to the issuance of the first residential Building Permit, the Property Owner shall submit all required documentation as described in Art. 5. G.1.C.4.b.2. regarding utilization of the Exchange Builder options: (1) the Exchange Builder has been engaged and has all applicable documentation completed with prior approval by the County Attorney and Planning Division; or (2) No Exchange Builder has been engaged, provision of a guarantee acceptable to Palm Beach County and approved by the County Attorney's Office, for an amount equal to 100 percent of the in-lieu fee. The Guarantee for Option 1, at 80% of the In-Lieu Fee, equates to \$380,352 (4WHP X \$118,860 for Townhome \$475,440 total In-Lieu fee X 0.80 = \$380,352). The Guarantee for Option 2, at 100% of the In-Lieu Fee, equates to \$475,440 (4WHP X \$118,860 for Townhome = \$475,440 total In-Lieu fee). (BLDGPM: MONITORING - Planning)

5. Prior to the issuance of no more than 25 percent (13du) of the residential Building Permits, (Exchange Option 2) the Property Owner shall submit documentation regarding the engagement of the Exchange Builder. If an Exchange Builder is not engaged, the surety would be cashed out. (BLDGPM: MONITORING - Planning)

6. Prior to issuance of no more than 25 percent (13du) of the residential Building Permits in the subject development, (Exchange Option 2) the Developer of the subject development shall have the option to replace the guarantee provided at first Building Permit with items meeting the requirements of Art. 5.G.1.C.4.b.2)d)(1). If, at 25 percent of Building Permits, the required information has not been provided or is not approved by the County Administrator or designee, the developer may pay the full In-Lieu fees of \$475,440 (4WHP X \$118,860 for Townhome = \$475,440 total In-Lieu fee), and if not Palm Beach County shall file a claim against the guarantee for 100 percent of the in-lieu fees. Prepayment of the In-Lieu fee by the Developer shall not be allowed. The Site Plan and other appropriate document(s), as determined by the Planning Director or designee, shall be amended to reflect the number of WHP units, including the number in each applicable WHP income category, to be located on the Exchange Project(s). (BLDGPM: MONITORING - Planning)

7. Per Art. 5. G.1.C.4.b.; Since the subject site is Fee Simple Townhomes, the WHP obligation shall be 1.5 times the number of WHP units required, should any required WHP units be provided offsite as rentals. (ONGOING: PLANNING - Planning)

8. Prior to issuance of the first residential Certificate of Occupancy (CO), the Site Plan and other appropriate documents shall be modified to include the Official Record Book and Page of the recorded Documents, the name of the Off-Site Project(s), the total number of WHP units, the number in each applicable WHP income category and provide a copy of the revised Site Plan to Planning. (CO: MONITORING - Planning)

SCHOOL BOARD

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board)

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-1978-00229	Title: Official Zoning Map Amendment Request: Rezoning from AG-Agricultural District to RE-Residential Estate District	R-1978-01593	Approved As Amended	11/30/1978

ARTICLE 2
APPLICATION PROCESSES AND PROCEDURES
EXCERPT

Chapter B. Public Hearing Processes

Section 7 Types of Applications

A. Official Zoning Map Amendment (Rezoning) to a Standard District

1. Purpose

To provide a means for changing the boundaries of the Official Zoning Map for a parcel of land. This Section is not intended to relieve particular hardships or to confer special privileges or rights on any person, but only to make necessary adjustments in light of changed conditions. In determining whether to grant an amendment, the BCC shall consider, the consistency of the proposed amendment with the intent of the Plan set forth in this Section. [Ord. 2018-002]

2. Standards

When considering an application for Rezoning to a Standard Zoning District with or without a COZ, the BCC and ZC shall utilize Standards a through g indicated below. An amendment which fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved. [Ord. 2007-001] [Ord. 2012-003] [Ord. 2017-007] [Ord. 2018-002]

a. Consistency with the Plan

The proposed amendment is consistent with the Plan. [Ord. 2007-001]

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. [Ord. 2007-001]

c. Compatibility with Surrounding Uses

The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district. [Ord. 2007-001]

**** Proposed project is not consistent with properties abutting West side boundary.**

d. Effect on the Natural Environment

The proposed amendment will not result in significantly adverse impacts on the natural environment, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment. [Ord. 2007-001]

**** Nash Trail East cannot handle the heavy traffic volume for the 280+ new units**

Currently under construction and proposed Nash Trail development

**** 6 foot concrete wall on top of earth berm to be constructed on East, South and**

West property lines. Chain link fence on top of earth berm to be constructed at

North property line along established preserve area

e. Development Patterns

The proposed amendment will result in a logical, orderly, and timely development pattern. [Ord. 2007-001]

f. Adequate Public Facilities

The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards). [Ord. 2007-001]

g. Changed Conditions or Circumstances

There are demonstrated changed site conditions or circumstances provided by the Applicant's Justification Statement that necessitate the amendment. [Ord. 2007-001] [Ord. 2018-002]

3. Effect of a Map Amendment

a. General

Approval of a rezoning shall be deemed to authorize only the particular zoning district for which it is approved.

b. Time Limitations

A Rezoning with a COZ may be reviewed pursuant to Art. 2.E, Monitoring of Development Orders (DOs) and Conditions of Approval. [Ord. 2005-002] [Ord. 2018-002]

4. Development Order Amendment to a Standard Zoning District with a COZ

A DO for a Standard Zoning District with a COZ may be modified through a DOA pursuant to the Conditions of Approval established with its original approval, or as otherwise set forth in this Code. The Applicant shall demonstrate and the BCC must find that a change of circumstances or site conditions has occurred which make it necessary or reasonable to amend, extend, vary, or alter the COZ. [Ord. 2005-041] [Ord. 2009-040] [Ord. 2018-002]

5. Rezoning of Mobile Home Parks

Any rezoning of property having an existing Mobile Home Park shall comply with the requirements of F.S. § 723.083, Governmental Action Affecting Removal of Mobile Home Owners. [Ord. 2017-025]

B Conditional Uses and Official Zoning Map Amendment (Rezoning) to a PDD or TDD

1. Purpose

Conditional Uses and Rezoning to a PDD or TDD, require individual review of the subject property's location, proposed design, site configuration, intensity or density to ensure the appropriateness, and compatibility of the use with its surrounding land uses. [Ord. 2007-001] [Ord. 2011-016] [Ord. 2017-007] [Ord. 2018-002]

2. Standards

When considering a DO application for a Rezoning to a PDD or a TDD, or a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHP), the BCC or ZC shall utilize the Standards a through h indicated below. An application which fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved. [Ord. 2007-001] [Ord. 2011-016] [Ord. 2012-003] [Ord. 2017-007] [Ord. 2018-002] [Ord. 2019-033]

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. [Ord. 2007-001]

b. Consistency with the Code

The proposed use or amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code. [Ord. 2007-001] [Ord. 2018-002]

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. [Ord. 2007-001]

**** Proposed project is not consistent with properties abutting West side boundry.**

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.

**** Nash Trail East cannot handle the heavy traffic volume for the 280+ new units**

Currently under construction and proposed Nash Trai development

**** 6 foot concrete wall on top of earth berm to be constructed on East, South and**

West properly lines. Chain link fence on top of earth berm to be contstruced at

North property line along established preserve are

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. [Ord. 2007-001]

**** No power driven machinery to be utilized in the designated native vegetation**

Preserves or west property set back areas.

f. Development Patterns

The proposed use or amendment will result in a logical, orderly, and timely development pattern. [Ord. 2007-001]

g. Adequate Public Facilities

The extent to which the proposed use complies with Art. 2.F, Concurrency (Adequate Public Facility Standards). [Ord. 2007-001]

h. Changed Conditions or Circumstances

There are demonstrated changed site conditions or circumstances, provided by the Applicant's Justification Statement that necessitate a modification. [Ord. 2007-001] [Ord. 2018-002]

3. Standards

When considering a DO application for a Conditional Use request for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHP), the BCC shall utilize the Standards indicated in Art. 5.G.1.B.2.e.2)b), Factors for Consideration. [Ord. 2019-033]

**** Nash Trail cannot handle increased WFH density. WFH density increase should**

Should not be granted for this project

4. Effect of an Issuance of a DO or a Map Amendment

a. General

Issuance of a DO for a Conditional Use or a Rezoning to a PDD or TDD shall be deemed to authorize only the particular site configuration, layout, and level of impacts which were approved pursuant to this Code. [Ord. 2018-002] [Ord. 2019-034]

- 1) Permitted uses may occur in conjunction with or in place of a Conditional Use; and [Ord. 2018-002]
- 2) Approval of a rezoning shall be deemed to authorize only the particular zoning district for which it is approved. [Ord. 2018-002]

b. Time Limitations

The DO shall be reviewed pursuant to Art. 2.E, Monitoring of Development Orders (DOs) and Conditions of Approval. [Ord. 2018-002]

c. Zoning Plan Compliance and Initiation of Use

Development, benefit, or use of a Conditional Use shall not be permitted until the Applicant has secured and complied with all other DOs and site improvements required by this Code. [Ord. 2017-007] [Ord. 2018-002]

The approval of a DO shall not ensure that subsequent approvals for other Development Permits will be granted unless the relevant and applicable portions of this Code are met. [Ord. 2018-002]

5. Authorized Class A Conditional Uses

Only those uses that are authorized as Class A Conditional Use in the Use Matrices in Art. 4, Use Regulations, may be approved as Class A Conditional Use, unless stated otherwise herein. The designation of a use as a Class A Conditional Use in a district does not constitute an authorization of such use or an assurance that such use will be approved under this Code. [Ord. 2017-007] [Ord. 2018-002]

6. Authorized Class B Conditional Uses

Only those uses that are authorized as Class B Conditional Use in the Use Matrices in Art. 4, Use Regulations, may be approved as Class B Conditional Use. The designation of a use as a Class B Conditional Use in a district does not constitute an authorization of such use or an assurance that such use will be approved under this Code. [Ord. 2017-007]

7. Requested Use

All prior approvals for a Requested Use shall correspond to a Conditional Use. [Ord. 2017-007]
[Ord. 2018-002]

April 28, 2025

Palm Beach County Commissioners and Zoning Commission and Staff

The following is my statement of record in opposition to the proposed Nash Trail development Project application name, Nash Trail Z/CA-2024-01593. Abutting property owner's and neighbors of the Nash Trail development project proposed by WGI and Lennar Homes have not been given the opportunity to contest this proposed project in the presence of the Zoning Board commissioners.

My property abuts the proposed development project on the West side adjacent to the properties owned by Laura Fountain and Melodyne Abel Revocable Trust. I have been the sole property owner since 1999. The property has been utilized as an equine boarding and training facility since the 1970s.

I deeply oppose the proposed Nash Trail project in its' current form and the rezoning of the proposed density increase higher than the future development zoning of 5 units per acre as a result of the 1989 Future Development rezoning of 1989.

In the early 2000s, Palm Beach county established the Work Force Housing [WHP] program to establish housing opportunities for the "work force" in new residential developments.

In this case, WHP, will not be utilized for the working class. WHP will be manipulated by using the Builder exchange program. The result will benefit only the county tax base and the Lennar homes financial holdings.

My opposition to the Nash Trail project is as follows:

1] Currently, there is a 230 +/- unit development in the early stages of ground breaking, whereas, the actual impact of the development cannot be measured until the project is completed and sold out with 100 percent occupancy.

Access to current project and proposed Nash Trail project will share a single access road to Haverhill road .

In addition, the American German social club utilizes Nash Trail during events conducted on their property.

2] In the 2000s, when the development now called, Colony Reserve, located South of the proposed Nash Trail project was in the planning stages, site planners, county staff and builder representatives coordinated with the abutting property owners to come to reasonable solutions to the adverse impacts the high density development brought upon our semi-rural lifestyle.

The result of cooperation by all parties resulted in the most natural, vegetation property line buffer Zones possible, while allowing the developer to complete his project.

WGI and Lennar have offered nothing other than a hasty meeting at a coffee shop and very short notice for a zoom calls.

I object to the Nash Trail development due to minimum preservation of natural native vegetation habitat. Eliminating the WHP increase in density will certainly improve the project's compliance in keeping with the surrounding properties to the South and the West sides.

3] The current site plan does not include any type of physical wall at the property line set back.
I operate an equine business and only welcome previously announced guests on the property
After submitting signed liability disclaimers, prior to gaining access to my property.
Without a proper wall, anyone at anytime could gain access my property, especially a wandering
child from the “tot lot” proposed adjacent to my property in the site plan.
Construction of a 6 foot concrete wall on top of a four foot earth berm was a condition for the
Colony Reserve project. The same condition must be incorporated as a condition for approval
for the Nash Trail project.

I insist on the following:

- An in depth traffic study be conducted for the use of Nash Trail by two high density developments totaling in excess 285 units as well as an established social event venue for more than 500 members, guests and patrons.
- WHP not be implemented for the Nash Trail project in order to comply with abutting property usage.
- WGI and Lennar to be more communitive with the abutting property owners and surrounding neighbors to come to a reasonable agreement for the Nash Trail development project.

Best regards,

Michael R. Gordon
Gateway Stables
5360 Oldsmobile Drive
Lake Worth, Florida
Email: rgsurveyor@aol.com
Phone: 954-612-6834

William & Debinique Sadler
Sadler Family Trust
5319 Oldsmobile Drive
Lake Worth, Florida 33463

April 28, 2025

To: Palm Beach County Commissioners and Zoning Commission Staff

Re: Letter of Opposition
Nash Trail Development Project
Project Application: Nash Trail Z/CA-2024-01593

Dear Zoning Commission Members:

The following represents our formal opposition of the proposed Nash Trail Development Project. We are the owners of the 5319 Oldsmobile Drive in Lake Worth, Florida. Our 3-acre property abuts the proposed Nash Trail project to the west extending from Oldsmobile Drive to the north limits of the proposed development. We purchased our property, we refer to as the "Ranch", in 2009 for the primary purpose of raising and training horses for our family along with other farm animals. We originally were seeking property in the Loxahatchee area as we were unaware such a unique tract of land existed this far east in Palm Beach County. We immediately fell in love with the property as it was of the size we were seeking, very private and surrounded by tall trees and other mature vegetation trees and was close to shopping and restaurants. The property was situated at the terminus of Oldsmobile Drive and bordered to the west by a single-family estate style home and to the east by both by a single-family home and commercial landscape property, the proposed location of the Nash Trail project.

We understand that when the County review and considers a project for rezoning there are certain Standards that must be met. If a project fails to meet any of these Standards it shall be deemed adverse to the public interest and shall not be approved. One of the Standards is as follows:

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. [Ord. 2007-001]

Our property is zoned AR, Agricultural Residential District. By County definition, AR Zoning is as follows:

AR, Agriculture Residential District The AR district is to protect and enhance the rural lifestyle and quality of life of residents in areas designated rural residential, to protect watersheds and water supplies, wilderness and scenic areas, conservation and wildlife areas, and to permit a variety of uses that require non-urban locations but do not operate to the detriment of adjoining lands devoted to rural and residential purposes.

We formally object to the project as the proposed 53-Unit Nash Trail townhome development is not consistent with the uses and character of the land surrounding the proposed project. It will totally impact the rural lifestyle of adjacent properties and quality of life for us and my neighbors to the

Letter of Opposition

Nash Trail Development Project

Project Application: Nash Trail Z/CA-2024-01593

Page Two

south and west. It will destroy the very mature vegetation, have extensive impacts to the environment and disrupt existing wilderness.

We, as abutting neighbors to this multi-family community, insist on the following:

- Lower density of residential units.
- Preservation of more trees and vegetation.
- A concrete, not plastic, 6' high privacy wall bordering our property and the development for security purposes. The wall should be decorative and have thick and dense landscaping.
- Water and sewer service (at the developer's cost) extended to the east side of Oldsmobile Drive.

Best regards,



William & Debinique Sadler

Sadler Family Trust

5319 Oldsmobile Drive

Lake Worth, Florida 33463

wts@seadiv.com

561-441-2521

April 28, 2025

Palm Beach County Commissioners and Zoning Commission Staff

The following is my statement of record in opposition to the proposed Nash Trail development Project application name, Nash Trail Z/CA-2024-01593.

My property abuts the proposed development project on the East side of 52 dr S. to the west & adjacent properties owned by Norman Speier and Melodyne Abel Revocable Trust.

I have been the sole property owner since 2003. The property is currently utilized as a single-family estate home.

I deeply oppose the proposed Nash Trail project in its current form and the rezoning of the proposed density increase higher than that of the future development zoning of 5 units per acre because of the 1989 Future Development rezoning of 1989.

In the early 2000s, Palm Beach County established the Work Force Housing [WHP] program to establish housing opportunities for the “work force” in new developments.

In this case, WHP, will not be utilized for the working class. WHP will be manipulated with builder exchange program. The result will benefit only the county tax base and the Lennar homes financial holdings.

My opposition to the Nash Trail project is as follows:

1] Currently, there is a 233-unit development in the early stages of groundbreaking, the full impact of the development impact of which cannot be measured until the project is completed and sold out with 100 percent occupancy.

Access to current project and proposed Nash Trail project will share the same single access road to Haverhill Road, which approximately 1300 feet for both projects.

In addition, the American German Social club utilizes Nash Trail during events conducted on their property.

2] In the 2000s, when the development now called, Colony Reserve, located South of the proposed Nash Trail project, was in the planning stages, site planners, county staff and builder coordinated with the abutting property owners to come to reasonable solutions to the adverse impacts the high-density development brought upon our semi-rural lifestyle.

The result of cooperation by all parties resulted in the most natural, vegetation property line buffer zones, while allowing the developer to complete his project.

WGI and Lennar have offered nothing other than a hasty meeting at a coffee shop and very short notice for a zoom call.

I object to the Nash Trail development due to minimum preservation of natural native vegetation habitat. Eliminating the WHP increase in density will certainly improve the project’s compliance in keeping with the surrounding properties to the South and the East & West sides.

3] The current site plan does not include any type of physical wall at the property line set back.

I have a single-family estate home on 2½ acres, and the proposed development will facilitate residents gravitating towards the open spaces near the rear of the property & along the canal and roadway. Without a proper wall anyone at any time could gain access my property, especially a wandering child/juvenile from the current planned development which abuts my property.

Construction of a 6-foot concrete wall on top of a four-foot earth berm was a condition for the Colony Reserve project. At a minimum, the same condition must be incorporated as a condition for approval for the Nash Trail project. In addition: the 52 Dr S Road needs to be improved/paved to my south property line along with the addition of Water & Sewer that is less than 600 feet south of my property line. This is keeping with PBC well & septic elimination.

Attached to this communication are my responses, underlined and highlighted to the following:

- Z-CA 2024-01593 Nash Trail Conditions Exhibit C-1 Conditions and Approval
- Article 2 Application Processes and Procedures

I insist on the following:

- An in- d e p t h traffic study be conducted for the use of Nash Trail by two high density developments totaling in excess of 233 plus 53 units as well as an established social event venue for more than 500 members, guests and patrons.
- WHP **NOT** be implemented for the Nash Trail project to comply with abutting property usage.
- The applicant has listed acres on the sworn affidavits contradicts what is shown on Palm Beach Property Appraiser website.
- No claim of infeasibility has been demonstrated by applicant to forgive them to fulfill the PBC complete streets.
- Based on verified national statistics, the applicant has misrepresented to this board the number of students by 300%.
- It is disingenuous for the applicant to grossly underestimate the impact of the services of PBC that this development represents. **As the photos included** are of the same development by this applicant.
- The number of vehicles & children are just two examples of the gross misrepresentation by the applicant
- WGI and Lennar to be more communitive with the abutting property owners and surrounding neighbors to come to a reasonable agreement for the Nash Trail development project.

Best regards,

Rob & Angelia Palahunik
5536 52 Dr South
Lake Worth, Florida
Email: rpalahunik1@gmail.com
Phone: 561-310-6951





April 28, 2025

Palm Beach County Commissioners and Zoning Commission Staff

The following is my statement of record in opposition to the proposed Nash Trail development Project application name, Nash Trail Z/CA-2024-01593.

Attached to this communication are my responses, underlined and highlighted to the following:

- Z-CA 2024-01593 Nash Trail Conditions Exhibit C-1, C-2 and Conditions of Approval
 - Article 2 Application Processes and Procedures
-
- The listed acres do not match PBC records
 - The number of vehicles & children are just two examples of the gross misrepresentation by the applicant
 - Based on verified national statistics, the applicant has misrepresented to this board the number of students by 300%.
 - This misrepresentation constitutes a material defect in the application.
 - This board would be failing the taxpayers and residents of PBC by not recognizing the actual statistics of and the same development as the one proposed today. **See attached photos** It is disingenuous for the applicant to grossly underestimate the impact of the services of PBC that this development represents. **As the photos included** are of the same development by this applicant.
 - There is no statute that relieves this board of its obligation to do due diligence in the review of said application, and once alerted to the material defects of the application, there is no statute allowing the board to disregard.
 - WGI and Lennar to be more communitive with the abutting property owners and surrounding neighbors to come to a reasonable agreement for the Nash Trail development project.

Best regards,

Rob & Angelia Palahunik
5536 52 Dr South
Lake Worth, Florida
Email: rpalahunik1@gmail.com
Phone: 561-310-6951

Exhibit C-1 - Conditions of Approval

Official Zoning Map Amendment- Conditional Overlay Zone

ENVIRONMENTAL

1. All existing native vegetation within the three Tree Preservation Areas as depicted on the Subdivision Plan shall be preserved and maintained in perpetuity. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. Prior to final approval by the Development Review Officer (DRO), a Tree Preservation Area Management Plan shall be provided to ERM for review and approval for Tree Preservation Areas 1, 2 and 3 as depicted on the Subdivision Plan. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT-Environmental Resources Management)

4. Tree Preservation Area 4 to be added to NE dry retention area-area, of parcel 00-42-44-35-00-000-5410

DISCLOSURE

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

Exhibit C-2 Conditions of Approval

Class A TDR

ALL PETITIONS

1. The approved Preliminary Subdivision Plan is dated February 13, 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)

ENGINEERING

1. This Development Order is based upon an approved Traffic Study projecting a Build-out date of December 31, 2028. No Building Permits for the site may be issued after December 31, 2027, ~~unless the site meets the Build-out requirements pursuant to Art. 12, or the Build-out date is revised through a time extension pursuant to the requirements of Art. 2.E of the Unified Land Development Code. The County Engineer may approve an Art. 2.E time extension to the build out date based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request.~~ (DATE: MONITORING-Eng)

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2. The Property Owner shall improve Nash Trail from 52nd Drive South to Haverhill Road in accordance with Palm Beach County's Land Development Design Standards for a Local Street, or as approved by the County Engineer.

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. ~~a-~~Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

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b. Property Owner shall extend at their cost water and sewer services to south boundary parcel number 00-42-44-35-00-000-5070. on east sided of 52 dr S, this will eliminate pockets of well & septic, which PBC wants to eliminate.

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b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

3. The Property Owner shall improve 52nd Drive South from the intersection of Nash Trail to the project's entrance, ~~and then transition to the existing road, and then continue improvement to south boundary of parcel 00-42-44-35-00-000-5410 and then transition to existing road, the way the application reads now what is left as unimproved road would be impassable by emergencies vehicles~~ -in accordance with Palm Beach County's Land Development Design Standards for a Local Street, or as approved by the County Engineer.

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a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

4. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - Engineering)

5. Property Owner shall construct a minimum 5 foot wide concrete sidewalk along the west side of 52nd Drive South from Nash Trail to the terminus for 52nd Drive South. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. The sidewalk shall be completed prior to the issuance of the first certificate of occupancy. Property Owner shall erect a block wall and a berm around the entire project, the west and east boundaries to be heavily landscape with mature trees and bushes, Per Palm Beach County Codes. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the condition shall be considered satisfied. (CO: MONITORING - Engineering)
No claim of infeasibility has been demonstrated by applicant to forgive them to fulfill the complete streets of PBC.

6. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPM: MONITORING - Engineering)

PLANNING

1. ~~1.~~ The subject request for 53 units with a 4-unit Workforce Housing Program (WHP) obligation was calculated based on Limited Incentive Development Option with the WHP units to be provided off-site utilizing the Exchange Builder option. A 39% (15du) WHP density bonus was utilized. Should a reduction in overall units occur, the WHP obligation may be reduced subject to a new analysis, and the timing mechanisms may be adjusted administratively accordingly. (ONGOING: PLANNING - Planning)

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2. The minimum exchange price for the Exchange Builder shall be 80 percent of the applicable In-Lieu fee in effect at the time of the Development Order for subject development which equates to \$380,352 (4WHP X \$118,860 for Townhome = \$475,440 total In-Lieu fee) X 0.80 = \$380,352 total exchange price for Exchange Builder). (ONGOING: PLANNING - Planning)

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3. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the official records of Palm Beach County a Notice of Disposition, in a form acceptable to the Palm Beach County Attorney. (BLDGPM: MONITORING - Planning)

4. Prior to the issuance of the first residential Building Permit, the Property Owner shall submit all required documentation as described in Art. 5. G.1.C.4.b.2. regarding utilization of the Exchange Builder options: (1) the Exchange Builder has been engaged and has all applicable documentation completed with prior approval by the County Attorney and Planning Division; or (2) No Exchange Builder has been engaged, provision of a guarantee acceptable to Palm Beach County and approved by the County Attorney's Office, for an amount equal to 100 percent of the in-lieu fee. The Guarantee for Option 1, at 80% of the In-Lieu Fee, equates to \$380,352 (4WHP X \$118,860 for Townhome \$475,440 total In-Lieu fee X 0.80 = \$380,352). The Guarantee for Option 2, at 100% of the In-Lieu Fee, equates to \$475,440 (4WHP X \$118,860 for Townhome = \$475,440 total In-Lieu fee). (BLDGPM: MONITORING - Planning)

5. Prior to the issuance of no more than 25 percent (13du) of the residential Building Permits, (Exchange Option 2) the Property Owner shall submit documentation regarding the engagement of the Exchange Builder. If an Exchange Builder is not engaged, the surety would be cashed out. (BLDGPM: MONITORING - Planning)

6. Prior to issuance of no more than 25 percent (13du) of the residential Building Permits in the subject development, (Exchange Option 2) the Developer of the subject development shall have the option to replace the guarantee provided at first Building Permit with items meeting the requirements of Art. 5.G.1.C.4.b.2)d)(1). If, at 25 percent of Building Permits, the required information has not been provided or is not approved by the County Administrator or designee, the developer may pay the full In-Lieu fees of \$475,440 (4WHP X \$118,860 for Townhome = \$475,440 total In-Lieu fee), and if not Palm Beach County shall file a claim against the guarantee for 100 percent of the in-lieu fees. Prepayment of the In-Lieu fee by the Developer shall not be allowed. The Site Plan and other appropriate document(s), as determined by the Planning Director or designee, shall be amended to reflect the number of WHP units, including the number in each applicable WHP income category, to be located on the Exchange Project(s). (BLDGPM: MONITORING - Planning)

7. Per Art. 5. G.1.C.4.b.; Since the subject site is Fee Simple Townhomes, the WHP obligation shall be 1.5 times the number of WHP units required, should any required WHP units be provided offsite as rentals. (ONGOING: PLANNING - Planning)

8. Prior to issuance of the first residential Certificate of Occupancy (CO), the Site Plan and other appropriate documents shall be modified to include the Official Record Book and Page of the recorded Documents, the name of the Off-Site Project(s), the total number of WHP units, the number in each applicable WHP income category and provide a copy of the revised Site Plan to Planning. (CO: MONITORING - Planning)

There is no provision in the PBC codes to use WFH to increase density & zoning and then payoff and then not build the WFH. Everything that is done here has to be done per existing statutes, there is no statute that allows for using WFH for the purpose of rezoning and increasing density, and payoff and not build. This is tanamonut to buying rezoning and buying density. This subverts the goal of WFH and allows an applicant to subvert goal of WFH with money.

The applicant has misrepresented to this board the square footage available. The applicant/owner has gone as far as taking an affidavit an indicated more acres than is available. This misrepresentation constitutes a material defect in the application.

There is no statute that relives this board of its obligation to do due diligence in the review of said application, and once alerted to the material defects of the application, there is no statute allowing the board to disregard.

SCHOOL BOARD

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board)

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)

~~1.~~

Formatted: List Paragraph

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)

Compatibility with Surrounding Uses- All of PBC surrounding uses are single family units, not multifamily townhomes. The applicant can't allege a consistence with zoning in another city.

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-1978-00229	Title: Official Zoning Map Amendment Request: Rezoning from AG-Agricultural District to RE-Residential Estate District	R-1978-01593	Approved As Amended	11/30/1978

Application Nash Trail Z/CA-2024-01593

Imene Haddad

Senior Site Planner PBC

Unanswered Questions for Proposed Development

1. 50 ft ROW as shown on site plan vs 60 ft as dictated by PBC?
2. How is the unimproved road that gets rutted to be improved?
3. What are the plans for water & sewer for 52 Dr s?
4. What are provisions for the 106 plus cars that will use 1000 feet of road with the new PUD?
5. How is the Dr Horton community of 466 plus cars, that is several hundred feet away from this proposed entrance going to work?
6. What are the provisions for Berm & Walls around proposed development? What is county requirement?
7. What is justification for shoehorning in Townhomes between 2-5 acres Equestrian/Estate homes?
8. What are the provisions for truck traffic? County would be delinquent in not figuring services vehicles trips.
9. Proposed daily trips at a minimum of 1,144 trips, that is just two trips a day car only?
10. Where is approval of the development with its constraint for firetrucks and fire safety, trucks will be forced to use this dirt road sometimes seasonally impassable on certain times of the year.

These are just a few questions that we would like to have clarified. Please respond in writing, to better help us understand this position.

Robert & Angelia Palahunik

5536 52 Dr South

Lake Worth 33463

561-310-6951 mobile

Cc: JGFlores@pbc.gov

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SNIFFEN & SPELLMAN, P.A.

Senders Direct Line: (561) 721-4002
Email: jeubanks@sniffenlaw.com

April 30, 2025

Via E-mail

Palm Beach County
Zoning Commissioners
2300 North Jog Road
West Palm Beach, FL 33411

**Re: Violation of Rules and Procedures for Participation at County Meetings.
Failure to allow Public to Speak in Objection to Nash Trail Development
(Z/CA-2024-01593) at April 3, 2025 Zoning Commission Meeting.**

Dear Zoning Commissioners:

Our office has been retained by Robert Palahunik, Walter Ross, Michael Gordon, William T. Sadler, and Patrick Ledger (“Clients”) to object to the Nash Trail Development Application (“Application”) seeking the rezoning of a purported 7.57-acre parcel of property (“Property”) from Residential Estate (RE) to Single Family Residence (RS) to allow Townhomes on the Property (“Project”). In that capacity, it has come to our attention that despite completing Public Comment Cards at the April 3, 2025, Zoning Commission meeting, our Clients were not permitted to speak on the issue prior to a vote by the Commission.¹

In its most recent update to the Staff Report for the Application, it admits that:

At the April 3, 2025 Zoning Commission Hearing this item was on the Consent Agenda. **Five members of the public submitted comment cards in opposition with requests to speak.** Due to staff error, those cards were not provided to the Chair **and the members of the public were not called upon to speak** (Ex. B).

Such a failure is a **direct violation** of the Unified Land Development Code (ULDC) (Ex. C), Article 2.B.6.D.2 Rights of all Persons, **as admitted within the Revised Staff Report.** But it was also in violation of Article 2.B.6.D.3(a) - (g) which outlines **the order of the proceedings.** The procedure as established is that the Applicant presents (a), the PBC Official responsible for reviewing the Application presents (b), **“Public testimony shall be heard”**(c), then the PBC Official the Applicant may respond (d)-(e), and under (g) **“The Decision-Making Body shall discuss the facts of the application and make a recommendation.”** This mandatory procedure was admittedly not followed.²

¹ See, attached Affidavits from our Clients (Ex. A). The mere fact that a rezoning for a Project of this size was on the Consent Agenda raises questions in and of itself.

² The County may claim other procedures apply, but the ones provided to our office were for Quasi-Judicial proceedings which on their face are in violation of ULDC Article 2.

REPLY TO:

605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401
PHONE: 561.721.4000
FAX: 561.721.4001

WWW.SNIFFENLAW.COM

123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

Zoning Commissioners
April 30, 2025
Page -2-

The language regarding **Public Testimony is mandatory** it “**shall be heard,**” and must be heard **before** the Decision-making Body **makes a recommendation**. There is **no provision allowing public comment after** the Decision-Making Body (Zoning Commission) has ruled.

Similar provisions are included in the Rules of Procedure of the BCC section VI (I) (Ex. D) which demands that “**Prior to Board approval of the Consent Agenda**, Public comment **will be accepted.**” Again, the “General Rules & Procedures for Public Participation at BCC Meetings” (Ex. E) indicates that “The **public may offer comments to the Board at their meeting for all consent**, regular and public hearing items.” Again, in each case the ability to provide Public Comment is **mandatory and must be prior to any approval**.

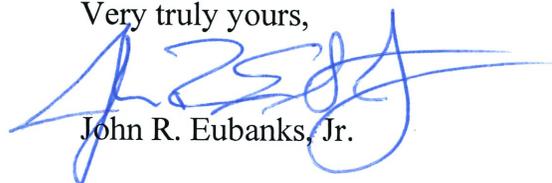
In this case, our Clients were deprived of their due process rights and free speech rights to speak out against the Application. Public input by nearby property owners (such as our Clients) is especially important as they can draw attention to issues that are unique to the area, not readily observable to Staff, or that might not have been disclosed by an Applicant. In this case, for example, there will be severe adverse impacts of having only one road in and out of the proposed Townhomes and the adjacent DR Horton community which will create a traffic nightmare.

This and other information may well have convinced one or more Commissioners to pull the Application from the Consent Agenda which would have allowed for a full and open discussion. After a complete discussion the Commission may have decided to recommend approval in part or even denial. Instead, our Clients’ rights were improperly stifled, in violation of their due process and free speech rights.

While the County is now allowing our Clients to testify tomorrow, the County Attorney has indicated that there will be no new vote by the Zoning Commission making the outcome a foregone conclusion. While our Clients have been told they will have an opportunity to address their issues at the BCC, it is a small consequence when an 8-0 recommendation of approval was made without their input.

In light of the above, the prior improper “approval” is invalid and void *ab initio*, should be quashed, and the Application re-noticed allowing our Clients (and anyone else from the public) to be heard prior to a vote on the Application to avoid any potential future disputes.

Very truly yours,



John R. Eubanks, Jr.

Attachments

cc: County Commissioners
Lisa Amara, Zoning Director
Scott Stone, Esq., County Attorney

AFFIDAVIT OF ROBERT PALAHUNIK

STATE OF FLORIDA

COUNTY OF PALM BEACH

Before me, the undersigned authority, personally appeared the Affiant Robert Palahunik, who first being duly sworn, did depose and state under oath as follows:

1. My name is Robert Palahunik. I am *sui juris*, over the age of 18 years old, and make this affidavit based upon my personal knowledge.
2. I am the owner of the property with the mailing address of 5536 52nd Drive S., Lake Worth, Florida 33463.
3. I was present at April 3, 2025 Zoning Board meeting and filled out the Comments by the Public.
4. Nevertheless, I was not permitted to speak in opposition to the Nash Trail Development prior to a vote by the Commission.

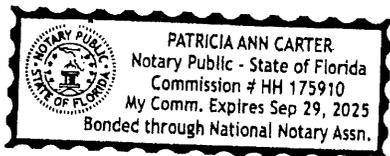
FURTHER AFFIANT SAYETH NAUGHT:

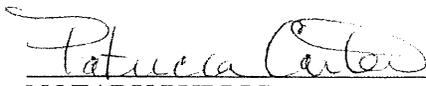


ROBERT PALAHUNIK

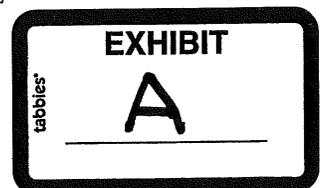
STATE OF FLORIDA)
 :SS.
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 29 day of April, 2025 by Robert Palahunik, who is personally known to me, or had produced _____ as identification.





NOTARY PUBLIC
My Commission Expires: Sept 29, 2025
AFFIX NOTARY SEAL



AFFIDAVIT OF WILLIAM T. SADLER, JR.

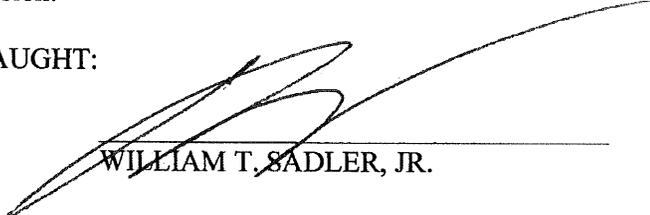
STATE OF FLORIDA

COUNTY OF PALM BEACH

Before me, the undersigned authority personally appeared the Affiant William T. Sadler, Jr., who first being duly sworn, did depose and state under oath as follows:

1. My name is William T. Sadler. I am *sui juris*, over the age of 18 years old, and make this affidavit based upon my personal knowledge.
2. I am the owner of the property with the mailing address of 5319 Oldsmobile Drive, Lake Worth, Florida 33463.
3. I was present at April 3, 2025 Zoning Board meeting and filled out the Comments by the Public card.
4. Nevertheless, I was not permitted to speak in opposition to the Nash Trail Development prior to a vote by the Commission.

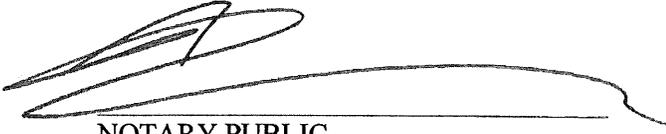
FURTHER AFFIANT SAYETH NAUGHT:

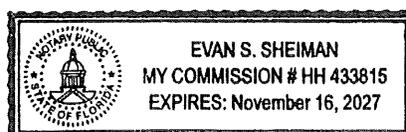


WILLIAM T. SADLER, JR.

STATE OF FLORIDA)
 :SS.
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 29 day of April, 2025 by William T. Sadler, Jr., who is personally known to me, or had produced _____ as identification.


NOTARY PUBLIC
My Commission Expires:
AFFIX NOTARY SEAL



AFFIDAVIT OF WALTER ROSS

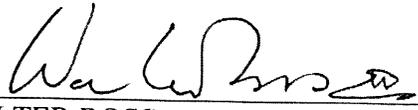
STATE OF FLORIDA

COUNTY OF PALM BEACH

Before me, the undersigned authority, personally appeared the Affiant Walter Ross, who first being duly sworn, did depose and state under oath as follows:

1. My name is Walter Ross. I am *sui juris*, over the age of 18 years old, and make this affidavit based upon my personal knowledge.
2. I am the owner of the property with the mailing address at 5407 Nash Trail, Lake Worth, Florida 33463.
3. I was present at April 3, 2025 Zoning Board meeting and filled out the Comments by the Public card.
4. Nevertheless, I was not permitted to speak in opposition to the Nash Trail Development prior to a vote by the Commission.

FURTHER AFFIANT SAYETH NAUGHT:

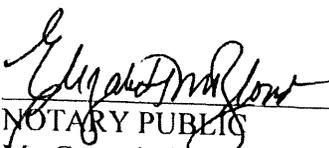


WALTER ROSS

STATE OF FLORIDA)
) :ss.
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 30th day of April, 2025 by Walter Ross, who is personally known to me, or had produced FL DRIVERS LICENSE as identification.





NOTARY PUBLIC
My Commission Expires: 1/9/2026
AFFIX NOTARY SEAL

AFFIDAVIT OF PATRICK LEGER

STATE OF FLORIDA

COUNTY OF PALM BEACH

Before me, the undersigned authority, personally appeared the Affiant Patrick Leger, who first being duly sworn, did depose and state under oath as follows:

1. My name is Patrick Leger. I am *sui juris*, over the age of 18 years old, and make this affidavit based upon my personal knowledge.
2. I am the owner of the property with the mailing address of 5695 52nd Drive S., Lake Worth, Florida 33463.
3. I was present at April 3, 2025, Zoning Board meeting and filled out the Comments by the Public card.
4. Nevertheless, I was not permitted to speak in opposition to the Nash Trail Development prior to a vote by the Commission.

FURTHER AFFIANT SAYETH NAUGHT:

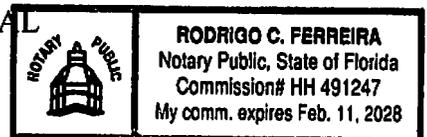


 PATRICK LEGER

STATE OF FLORIDA)
 :ss.
 COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 30 day of April, 2025 by Patrick Leger, who is personally known to me, or had produced _____ as identification.


 NOTARY PUBLIC
 My Commission Expires:
 AFFIX NOTARY SEAL





**PALM BEACH COUNTY
ZONING APPLICATION STAFF REPORT**

ZONING COMMISSION PUBLIC HEARING, MAY 1, 2025

A. Application Summary

I. General

Application Name:	Nash Trail, Z/CA-2024-01593
Control Name:	Marguerite K. Speier (1978-00229)
Applicant:	Melodye S. Abell Revocable Trust; Laura Foutain; and Norman Speier
Owner:	Melodye S. Abell Revocable Trust; Laura Foutain; and Norman Speier
Agent:	WGINC - Arianna Hilliard and Erin Lees Land Development Operations, Lennar Homes, LLC - Greg Pettibon
Project Manager:	Imene Haddad, AICP, Senior Site Planner

Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from Residential Estate (RE) to Single Family Residential (RS) with a Conditional Overlay Zone (COZ) on 7.57 acres **Title:** a Class A Conditional Use **Request:** to allow Townhomes on 7.57 acres

Application Summary: The application is for the proposed Nash Trail residential development. The subject site was originally by the Board of County Commissioners (BCC) on December 19, 1978, for an Official Zoning Map Amendment from (AG) Agricultural District to the Residential Estate (RE) Zoning District.

The request proposes a rezoning from the RE Zoning District to the Residential (RS) Zoning District and a Class A request for the development of 53 Townhomes. The Preliminary Subdivision Plan indicates Townhomes, a Recreation Area and a Water Management Tract. Access is proposed from 52nd Drive South.

II. Site Data

Acres:	7.57 acres
Location:	West side of 52 nd Drive South, approx.. 380 feet north of Nash Trail
Parcel Control:	00-42-44-35-00-000-5410, 5420, and, 5140
Future Land Use:	Medium Residential, 5 units per acre (MR-5)
Zoning District:	Residential Estate (RE)
Proposed Zoning:	Single Family Residential (RS)
Tier:	Urban/Suburban
Utility Service:	Palm Beach County Water Utilities
Overlay/Study:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Comm. District:	3, Commissioner Joel Flores

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B. and Art 3.B.3, 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 a Conditional Overlay Zone and the Conditions of Approval as indicated in Exhibit C-1 and C-2.

PUBLIC COMMENT SUMMARY: At the time of publication of the April 3rd Zoning Commission staff report, Staff had received no contacts from the public regarding this application.

Nash Trail
Z/CA-2024-01593



IV. Hearing History

ZONING COMMISSION: At the April 3, 2025 Zoning Commission Hearing, this item was on the Consent Agenda. Five members of the public submitted comment cards in opposition with requests to speak. Due to staff error, these cards were not provided to the Chair and the members of the public were not called upon to speak. Therefore, Staff is adding this item to the May 1st Zoning Commission Hearing for public comment for consistency with Art. 2.B.6.D.2, Rights of All Persons, below.

D. Conduct of Hearings

2. Rights of All Persons. Any person may appear at a public hearing and submit evidence, either individually or as a representative of an organization. Anyone representing an organization shall present evidence of his/her authority to speak on behalf of the organization in regard to the matter under consideration. Each person who appears at a public hearing shall be identified, state an address, and if appearing on behalf of an organization, state the name and mailing address of the organization.

BCC HEARING: Scheduled May 22, 2025

B. Data & Analysis

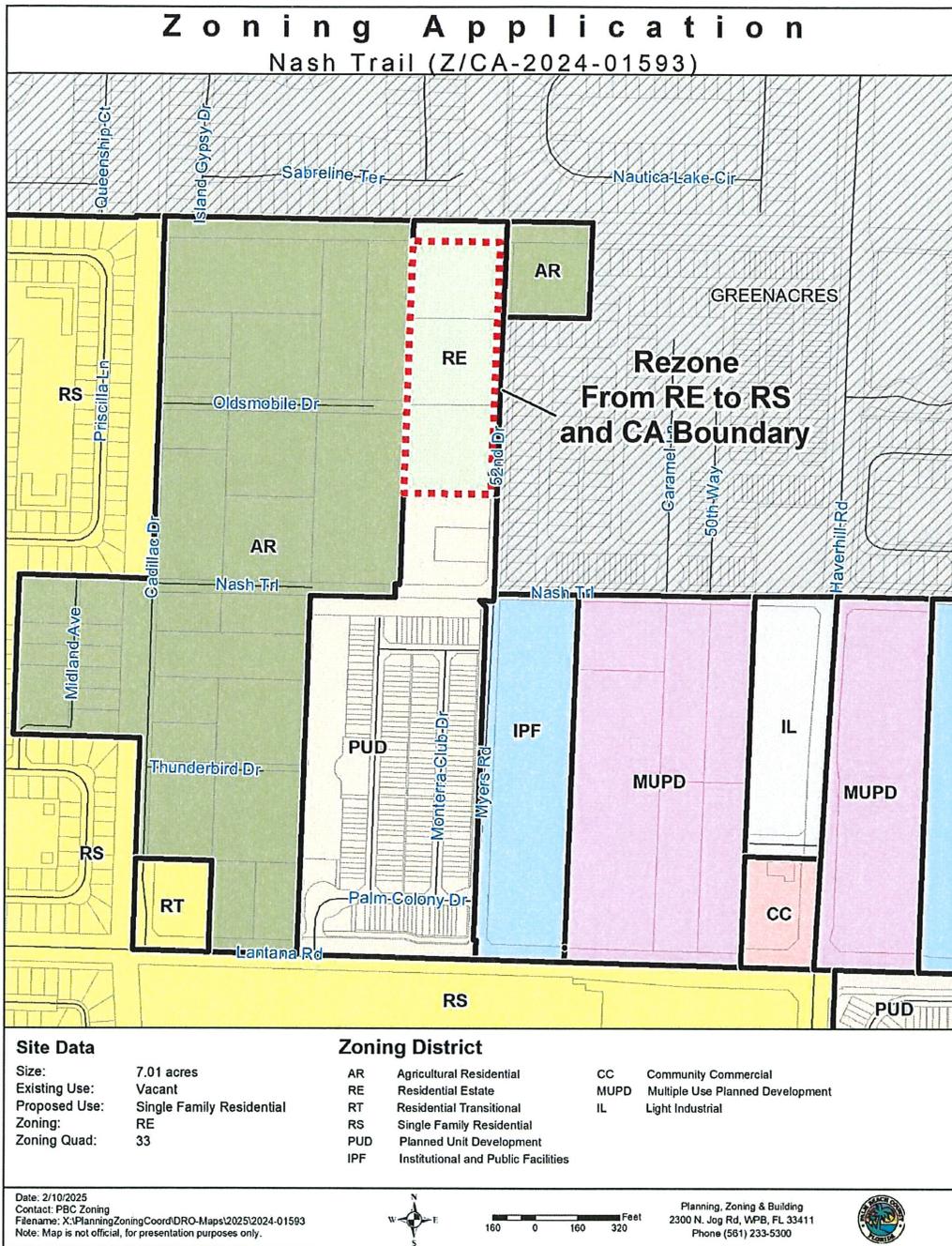
The supporting data and analysis is provided within the following Exhibits.

I. Exhibits	Page
A.1 Future Land Use Map	3
A.2 Zoning Map	4
B. Standards Analysis & Findings	5
C. Conditions of Approval	13
D. Project History	17
E. Applicant's Exhibits	
E.1 Preliminary Subdivision Plan February 13, 2025	E-1
E.2 Preliminary Master Sign Plan January 27, 2025	E-2
E.3 Disclosure of Ownership	E-5
E.4 Drainage Statement	E-6
E.5 Utility Letter	E-7
E.6 Work Force Housing determination letter (WHP)	E-8
E.7 School Capacity Availability Determination (SCAD)	E-9

Exhibit A-1 - Future Land Use Map



Exhibit A-2 - Zoning Map



ARTICLE 2

APPLICATION PROCESSES AND PROCEDURES

CHAPTER A GENERAL

Section 1 Purpose

To establish procedures and standards for Zoning and Planning applications. This Article is organized under the following Chapters with specific requirements pertaining to each type of application or process. In addition, Art. 2.G, Decision Making Bodies specifies the powers and duties of each Authority. [Ord. 2018-002]

- A. Chapters A through C – Zoning Applications related to the Legislative, Quasi-Judicial, or Administrative processes; [Ord. 2018-002]
- B. Chapter D – Privately Initiated Amendments to the Unified Land Development Code; [Ord. 2018-002]
- C. Chapter E – Monitoring of Development Orders; [Ord. 2018-002]
- D. Chapter F – Concurrency (Adequate Public Facility Standards) for Development Orders; [Ord. 2018-002]
- E. Chapter G – Decision Making Bodies; [Ord. 2018-002]
- F. Chapter H – Comprehensive Plan Amendments; and, [Ord. 2018-002]
- G. Chapter I – Coordinated School Planning. [Ord. 2018-002]

Section 2 Zoning Applications

Chapters A through D address application processes of the Zoning Division. These processes are generally classified as legislative, quasi-judicial, and administrative, and are reviewed by various County Agencies and presented to the applicable Decision Making Bodies or Person for consideration. Both legislative and quasi-judicial processes are subject to the public hearing procedures. For the purpose of this Article, the term “public hearing” refers to the legislative and quasi-judicial processes. [Ord. 2018-002] [Ord. 2020-001]

A. Applicability

The provisions in this Article shall apply to all Zoning applications unless otherwise specified. Quasi-judicial and Administrative Approvals of applications will result in the issuance of DOs. DOs run with the land and may be transferred to new owners unless otherwise stipulated. [Ord. 2018-002]

B. Definitions

See Art. 1.H, Definitions and Acronyms.



D. Conduct of Hearings**1. Oath or Affirmation**

All testimony and evidence shall be given under oath or by affirmation to the body conducting the hearing. [Ord. 2018-002]

2. Rights of All Persons

Any person may appear at a public hearing and submit evidence, either individually or as a representative of an organization. Anyone representing an organization shall present evidence of his/her authority to speak on behalf of the organization in regard to the matter under consideration. Each person who appears at a public hearing shall be identified, state an address, and if appearing on behalf of an organization, state the name and mailing address of the organization. [Ord. 2018-002]

3. Procedures for Public Hearings

The procedures of the hearings shall be in accordance with Art. 2.G.2, General Provisions. The Decision Making Body may adopt by-laws stipulating the manner in which the proceedings will be conducted. The body conducting the hearing may exclude testimony or evidence that it finds to be irrelevant, immaterial, or unduly repetitious formal rules of evidence. Formal rules of evidence shall not apply but fundamental due process shall be observed. The order of the proceedings shall be as follows: [Ord. 2018-002]

a. The Applicant shall present any information the Applicant deems appropriate. [Ord. 2018-002]

b. The PBC Official responsible for reviewing the applications shall present a written or oral recommendation, including any report prepared. This recommendation shall address each standard required to be considered by this Code prior to rendering a decision on the application. For PO Deviations, the Applicant shall present a written or oral recommendation, including any report prepared, with no presentation from the PBC Official. This recommendation shall address each standard required to be considered by this Code prior to rendering a decision on the application. [Ord. 2018-002] [Ord. 2019-005]

c. Public testimony shall be heard. [Ord. 2018-002]

d. The PBC Official responsible for reviewing the application may respond to any statement made by the Applicant or any public comment. [Ord. 2018-002]

e. The Applicant may respond to any testimony or evidence presented by the PBC Staff or public at the discretion of the Chair. [Ord. 2018-002]

f. The Decision Making Body may direct questions to Staff and the Applicant specific to the request. [Ord. 2018-002]

g. The Decision Making Body shall discuss the facts of the application and make a recommendation. [Ord. 2018-002]

E. Continuance or Postponement of Hearings

The BCC or ZC conducting the public hearing, may on its own motion or at the request of an Applicant, consider an application be continued or postponed when a decision can be rendered within the timeframe enumerated in the F.S., or if both parties agree to a reasonable request for an extension of time. [Ord. 2005-041] [Ord. 2006-036] [Ord. 2018-002] [Ord. 2020-001] [Ord. 2023-020]

1. Postponement by Right

An Applicant shall be allowed a Postponement by Right for an application scheduled for a ZC or BCC public hearing provided that the request for postponement is made in writing at least nine-calendar days prior to the hearing and when a decision can be rendered within the timeframe enumerated in the F.S., or if both parties agree to a reasonable request for an extension of time. If the postponement is requested less than nine-calendar days prior to the date of the scheduled hearing, the request for postponement shall be presented at the hearing and at the discretion of the ZC or BCC. [Ord. 2018-002] [Ord. 2020-001] [Ord. 2023-020]

F. Finalization of Approved DOs

The Applicant shall submit an application to the DRO for finalization of the BCC or ZC-approved DOs in accordance with the procedures in Art. 2.C.3.B, Finalization of BCC or ZC DOs, as applicable. [Ord. 2018-002] [Ord. 2019-005]

G. Other Procedures

Other procedures, which include: Postponement, Remand, Suspension of Development Review, Withdrawal, and Denial of Application are referenced in Art. 2.A.10; Violation of Condition of DO in Art. 2.A.11; Outstanding Liens or Fines in Art. 2.A.12; Misrepresentation in Art. 2.A.13; and, Appeal in Art. 2.A.14. [Ord. 2018-002] [Ord. 2020-001]

C. Application Types and Authorities

For the purposes of this Article, the authority of the Board of County Commissioners, Zoning Commission, and Development Review Officer shall be limited to the powers and duties pursuant to Art. 2.G, Decision Making Bodies on those applications specified below. [Ord. 2006-036] [Ord. 2018-002]

1. Board of County Commissioners (BCC)

The BCC shall make a final decision on the following types of applications: [Ord. 2018-002]

Table 2.A.2.C – Board of County Commissioners, Legislative and Quasi-Judicial Processes

Legislative	
Privately Initiated Unified Land Development Code (ULDC) Amendment (PIA)	
County Initiated Official Zoning Map Amendment (Rezoning)	
Quasi-Judicial	
Official Zoning Map Amendment (Rezoning) (1)	
Class A Conditional Use (2)	
Development Order Amendment (DOA) of a prior DO approved by the BCC	
DOA – Expedited Application Consideration (EAC) of a prior DO approved by the BCC	
Development Order Abandonment (ABN) of a prior DO approved by the BCC	
Status Report of a prior DO approved by the BCC (3)	
Public Ownership (PO) Deviations (4)	
Type 2 Waiver	
Unique Structure	
Release of Agreement (3)	
Administrative Inquiry (AI) (3)	
Corrective Resolution for prior DO approved by the BCC	
[Ord. 2007-013] [Ord. 2008-003] [Ord. 2009-040] [Ord. 2012-027] [Ord. 2017-007] [Ord. 2018-002] [Ord. 2019-005]	
Notes:	
1.	Only Rezoning to a PDD or TDD will issue a DO. A Rezoning to a Standard District with a COZ may result in the issuance of a DO.
2.	Includes where it specifies the process is subject to the BCC in Table 4.A.9.B, Thresholds for Projects Requiring Board of County Commissioners Approval, Art. 4.B, Use Classification, Art. 3.B, Overlays, Art. 5.G.1.B.3, Approval Process for WHP, Table 5.G.2.D, Review Process for AHP, and Art. 5.G.3.K.3, Review Process for TDR.
3.	This is not considered as a quasi-judicial process; however, it is subject to the Public Hearing process.
4.	PO Deviations reviewed by the BCC do not include those PO Deviations described in Art. 11, Subdivision, Platting, and Required Improvements that are reviewed and approved or denied by the County Engineer. [Ord. 2019-005]

2. Zoning Commission (ZC)

The ZC shall make a final decision on the following types of applications. [Ord. 2018-002]

Table 2.A.2.C – Zoning Commission, Quasi-Judicial Processes

Quasi-Judicial	
Class B Conditional Use	
DOA for a prior approved Class B Conditional Use	
ABN for a prior DO approved by the ZC	
Type 2 Variance (1)	
Status Report for a prior DO approved by the ZC (2)	
Unique Structure	
Corrective Resolution for a prior DO approved by the ZC	
Release of Unity (2)	
Notes:	
1.	Refer to Art. 2.B.7.E, Type 2 Variance for specific provisions where it indicates that the ZC is not authorized to grant Variances from Code regulations with prohibited provisions.
2.	This is not considered as quasi-judicial; however, it is subject to the Public Hearing process.

3. Development Review Officer (DRO)

The DRO, shall make a final decision on the types of applications indicated in Art. 2.C.3.A, Process for Administrative Requests. [Ord. 2006-036] [Ord. 2018-002] [Ord. 2018-018]

RULES OF PROCEDURE



Rules of Procedure

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which the conflict was declared. A copy of Form 8B shall also be filed with the Palm Beach County Commission on Ethics.

- D. Vote Change.** Any Commissioner may change his/her vote before the next item is called for consideration.
- E. Tie Vote.** A tie vote shall result in the failure of the motion; however, there is no prevailing side for the purposes of a Motion to Reconsider. Any member of the Board may, at the next regular meeting and with approval by a majority of the Board, request that the item be placed on a future agenda for consideration.

VI. Public Participation in County Government.

- A. Citizen Input.** The Board recognizes the important right of all citizens to express their opinions on the operation of County government and encourages citizen participation in the local government process by expressing opinions on Board Business. The Board also recognizes the necessity for conducting orderly and efficient meetings so that Board Business may be completed efficiently, effectively, and timely. Members of the public wishing to speak at Board meetings shall comply with the procedures set forth below.
- B. Accessibility.** All persons with disabilities shall be provided reasonable assistance to enable them to effectively participate in Board meetings.
- C. Comment Cards.** The purpose of public comment at Board of County Commissioners' (the "Board") meetings is to afford speakers an opportunity to provide the Board with input and feedback on Board Business. Any member of the public wishing to speak before the Board or who wants to make their position known but does not want to address the Board shall complete a "comment card" and present the card to staff in the Commission Chambers for forwarding to the Mayor. Only those individuals who have submitted comment cards and who have been recognized by the Mayor may address the Board. Any member of the public who has filled out a card must be present when the Mayor announces the person's name if they desire to be recognized. If an individual does not wish to speak and instead submits a card with his/her comment noted, it is within the Mayor's discretion to read the comment into the record. If the Mayor does not read the comment, the comment card is nonetheless submitted as part of the official record. As a general practice, comment cards will not be accepted after presentation of an agenda item has begun; however, the Mayor has the discretion to accept additional comment cards. Comment cards are considered public records and are to be submitted to the Minutes Clerk before the meeting adjourns.
- D. Civility.** The content of all public comment shall be limited to Board Business. Comments relating to agenda items appearing on the regular or consent agenda shall be relevant to the item and addressed when the item is considered. Comments during Matters by the Public must relate to Board Business. All multimedia, materials distributed, signage, and hand-outs shall pertain to Board Business and shall be presented only during the relevant agenda discussion or during the allotted comment time according to these rules. Anyone not in compliance with the above rules, or if a person is repetitious, disorderly, disruptive,

exceeds the allotted time, is truculent, or obstructs the meeting progress, may have further comments curtailed and/or the microphone silenced and/or be escorted from Chambers by the Sheriff's Office at the direction of the Mayor, unless permission to continue or again address the Board is granted by a majority vote of the Board members present.

- E. Relevancy.** Comments shall be limited to the subject being considered by the Board and, if there is a motion on the floor, shall be limited to the motion. Comments during "Matters by the Public" should be germane to Board Business. Comments on any matter appearing on the agenda the same day are to be made at the time the item is considered under the Consent or Regular Agenda and not under "Matters by the Public."
- F. Manner.** Each person addressing the Board shall step up to the podium and give his/her name and address for the record. No person other than a member of the Board and the person having the floor shall be permitted to enter into any discussion without the permission of the Mayor. All remarks shall be addressed to the Board as a body and not to any individual member, or to any person in the audience. Commissioners may ask questions of the speaker after his/her uninterrupted comments have been made. No question shall be directed to a Commissioner or staff except through the Mayor. No persons other than members of the Board, County staff, individuals participating in an agenda item presentation at the staff table, or persons authorized by the Mayor, are allowed beyond the podiums.
- G. Allotted Time.** Each member of the public shall be granted three (3) minutes to speak. The Mayor has the discretion to extend the maximum speaking time or allow the use of a speaker's time by another individual. In the event more than twenty (20) people indicate their desire to speak on the same or a related subject, the Mayor may establish time limits to ensure the progress of the meeting and resolution of the issue. In any event, the Mayor shall have the discretion to increase or reduce speaking time limits as may be necessary.
- H. Lobbyists.** Any person defined as a "lobbyist" under the County's Lobbyist Registration Ordinance shall register before addressing the Board unless an exception set forth in the ordinance applies.
- I. Consent Agenda.** Prior to Board approval of the Consent Agenda, public comment will be accepted. One comment card identifying all items of interest shall be submitted to County staff who will pass it on to the Mayor. If more than one item is identified, the three-minute allotment may be extended at the Mayor's discretion.
- J. Dissemination of Information/Use of Multimedia.** Any member of the public desiring to submit information to the Board relevant to the item may do so only when they are at the podium and recognized to speak. No motion to receive and file any submission by the public is necessary to make same a part of the record; the Mayor may "accept without objection" providing there is none. Due to time constraints, there shall be no expectation that the Board will read any information submitted at a Board meeting. Early submission of information relevant to an item appearing for Board consideration is encouraged. The public is authorized to use multimedia related to Board Business or an agenda item

supportive of their comments. Multimedia is to be submitted to the County's Public Affairs Department five (5) working days prior to the Board meeting.

- K. Employees.** Employees of the County have every right as any other member of the public to address the Board. However, comments pertaining to an active grievance, arbitration, or other personnel dispute are not appropriate for this forum and will not be addressed by the Board.

VII. County Commission.

- A. Designation as Mayor/Vice Mayor.** The member elected as Chair shall be known as the Mayor of Palm Beach County, and the member elected Vice Chair shall be known as the Vice Mayor.

- B. Mayor/Vice Mayor Duties.** The Mayor presides over Board meetings and is recognized as the ceremonial dignitary who serves as the County's official representative. The Mayor's responsibilities include, but are not limited to, the following:

1. Calling the meeting to order after ascertaining that a quorum is present.
2. Preserving order and deciding points of order.
3. Expediting business in a way that is compatible with the rights of members of the Board.
4. Executing documents as provided in paragraph D. below.
5. Declaring the meeting adjourned.

The Vice Mayor acts in the absence of the Mayor or, in the event of his/her inability to serve by reason of illness or accident, shall perform the duties and functions of the Mayor until his/her return.

- C. Mayor/Vice Mayor Election; Term of Office.** The Mayor and Vice Mayor shall be elected from and by the members of the Board at the first Board meeting following the November election and the swearing-in of the newly-elected County Commissioners or, in years in which no swearing-in takes place, at the first Board meeting after the first Tuesday in November. The term shall be for one year from the date of the election, unless a different term is approved by a majority of the Board. The Board may remove the individual from the position of Mayor by majority vote. In the event the Mayor relinquishes his/her office, the Vice Mayor shall be automatically appointed Mayor for the remainder of the term. In the event the office of Vice Mayor becomes vacant, the Board shall elect a new Vice Mayor to serve until the term expires. The election process shall be as follows:

1. The Clerk, in the case of the Mayor's election, and the Mayor, in the case of the Vice Mayor's election, calls for nominations.
2. Nominations are made and received. A member may nominate himself or herself. No second is required.

General Rules & Procedures for Public Participation at BCC Meetings

THE AGENDA:

There shall be an official agenda for every meeting of the County Commission, which shall determine the order of business conducted at the meeting. The County Commission shall not take action upon any matter which is not listed upon the official agenda unless a majority of the Commission shall have first consented to the presentation thereof for consideration.

- a. **Consent Agenda:** These are items that the Commission typically does not need to discuss individually and which are voted on as a group.
- b. **Regular Agenda/Public Hearings:** These are items that the Commission will discuss individually in the order listed on the agenda.
- c. **Workshops:** These are items which may require more extensive Commission discussion.
- d. **Silent Vote:** A silent vote of the Commission indicates approval of the agenda item.

PUBLIC COMMENTS:

The public may offer comments to the Board at their meetings for all consent, regular and public hearing items. Receipt of comments on Workshop items is at the discretion of the Chair. Normally, SPEAKERS ARE LIMITED TO 3 MINUTES; however based on the number of Comments by the Public cards received, the Chair may reduce speaking time to 2 MINUTES. In any event, in accordance with the BCC's official Rules of Procedure, the Chair shall have the discretion to adjust speaking time limits as he or she deems appropriate and necessary.

Matters by the Public: Any citizen shall be entitled to be heard concerning any matter within the scope of the jurisdiction of the Commission, with the exception of any items scheduled to be considered by the Board on upcoming meetings, under the section entitled "Matters by the Public," on the first meeting of each month at 2:00 p.m. Time is subject to change, so please check with the Agenda Coordinator at 561-355-3229. EXCEPTION: NO MATTERS BY THE PUBLIC DURING THE MONTH OF AUGUST. Speaking times are as specified above.

Electronic Public Comment
ACCESSIBILITY &
TRANSLATIONS

In addition to in-person public comment, members of the public are also able to submit their



comments online here: **Submit Public Comment**.

All comments must be submitted prior to the agenda item starting or prior to the 2:00 p.m. time certain public hearing for all other matters. Please refer to the **latest agenda** below for the item number you'd like to speak on and include that in the form when submitting. All comments submitted may be read aloud and will be filed in the official record with the Clerk's office.

For anyone in need of ADA accommodations to attend the meeting or to submit public comments, please send an e-mail to **pbcaccessibility@pbc.gov** or contact the Public Affairs at **561-355-2754**.

PROCEDURE:

Please complete a Comments by the Public card and give it to the Public Affairs representative seated near the speaker's podium on the east side of the Chambers, prior to the start of the item. Cards will not be accepted once an item has begun.

Paid Lobbyists are required to register with County Administration before lobbying the Board of County Commissioners, any County advisory board member or County employee. According to Ordinance No. 2003-018, a lobbyist is any person who is employed and receives payment, or contracts for economic consideration for the purpose of lobbying on behalf of a Principal in order to influence the decision of any County Commissioner, County advisory board member or County employee. Registration forms are available in the County Administration Office located on the 11th floor, Government Center, 301 N. Olive Ave., West Palm Beach, Florida or on the County web page at **pbc.gov**.

ADDRESSING THE COMMISSION:

When your name is called, please step up to either podium and state, for the record, your name, and address.

DECORUM:

Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred from further audience before the Commission by the presiding officer unless permission to continue or again address the Commission is granted by the majority vote of the Commission members present.

Board of County Commission meetings are held in the Jane Thompson Memorial Chambers, 6th floor, Governmental Center, 301 N. Olive Ave, West Palm Beach. Board meetings are held on one or more Tuesdays each month. Please check the **BCC Meeting Schedule** or call the Agenda Coordinator at **561-355-3229** for specific dates.

TRANSLATIONS

Please note: In case of an emergency or the sounding of the fire alarm system, all employees and visitors must immediately evacuate the building. In the event of an emergency, please proceed to the nearest exists leading out of the room and towards the stairwell as directed by the meeting organizer and/or security. Building elevators will not be operational during an emergency. For persons with disabilities who are unable to evacuate using stairs, please assist these individuals to the closest enclosed stairwell to wait for assistance. Notify emergency personnel of the condition and location of the person(s) requiring assistance.

H
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D
E

ACCESSIBILITY &
TRANSLATIONS

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SNIFFEN & SPELLMAN, P.A.

Senders Direct Line: (561) 721-4002
Email: jeubanks@sniffenlaw.com

May 20, 2025

Via E-mail

Palm Beach County
Board of County Commissioners
c/o Maria G. Marino, Mayor
2300 North Jog Road
West Palm Beach, FL 33411

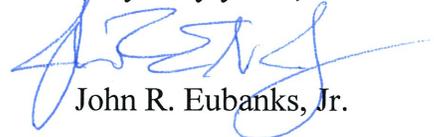
**Re: Agreement to Request for Postponement by Applicant
Z/CA-2024-01593 Nash Trail Development Application**

Dear Board of County Commissioners:

Our office represents Robert Palahunik, Walter Ross, Michael Gordon, William T. Sadler, and Patrick Leger ("Clients"). In that capacity, please be advised that without waiving any prior due process or other issues or arguments raised, our Clients Agree to the Request for Postponement by the Applicant in its May 19, 2025, letter to allow time for the parties to work towards mutual amenable solutions to any issues between them.

Please do not hesitate to contact me if you have any questions.

Very truly yours,



John R. Eubanks, Jr.

cc: County Commissioners
Lisa Amara, Zoning Director
Scott Stone, Esq., County Attorney

REPLY TO:

605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401
PHONE: 561.721.4000
FAX: 561.721.4001

WWW.SNIFFENLAW.COM

123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

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SNIFFEN & SPELLMAN, P.A.

Sender's Direct Line: (561) 721-4002
Email: jeubanks@blesmlaw.com

August 20, 2025

Via E-mail

Henry Handler
Weiss, Handler & Cornwell P.A.
One Boca Place
2255 Glades Road, Suite 205-East
Boca Raton, FL 33431-7392

**Re: Z/CA-2024-01593 Nash Trail Development Application
Neighbors' Concerns and Demands**

Henry:

As a follow-up to our conversation, I forwarded the information regarding the SimTek fence and revised Site Plan you provided to my clients. Given that my clients never received a response from the issues raised in our May Zoom call, the below represents my clients' concerns and their demands for the resolution of the same.

Property Perimeter Incompatibility Buffers

West Property Line - the West Buffer shall be upgraded as follows:

- a. **Width:** 20.0 ft. Enhanced Type 3 Incompatibility Buffer along entire west property line.
- b. **Canopy Trees:** Minimum height of 12 feet (oak); minimum one tree per 20 linear feet.
- c. **Palm or Pine:** Minimum quantity (12 feet); minimum one per 20 linear feet.
- d. **Midstory Tree:** Minimum height 6 feet (magnolia) one per 20 linear feet.
- e. **Shrubs/Hedges:** 1 row of each: **Small shrubs** – 1 per 2 linear feet (ferns); and **Medium shrubs** – (3 feet tall) 1 per 4 linear feet (silver buttonwood); **large shrubs** (5 feet tall) 1 per 5 linear feet (cocoplum) maintained at 8 feet.
- f. **Barrier:** Concrete wall at least 6 feet tall on a three-foot berm set back at least 10 feet from the property line.
- g. **Example:** Robust planting in excess of the Code as shown in the drawing by Environmental Design Group with an emphasis on pines over palms as they provide more perches for native birds. *See Exhibit "A"*.

REPLY TO:

605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401
PHONE: 561.721.4000
FAX: 561.721.4001

WWW.SNIFFENLAW.COM

123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

North, South, and East Property Lines shall be upgraded as follows:

- a. **Width:** 17.5 ft. Enhanced Type 1 Incompatibility Buffer along the entire north, south and east property lines.
- b. **Canopy Trees:** Minimum height of 12 feet (oak); minimum one tree per 20 linear feet.
- c. **Palm or Pine:** Minimum quantity (12 feet); minimum one per 20 linear feet.
- d. **Midstory Tree:** Minimum height 6 feet (magnolia) one per 20 linear feet.
- e. **Shrubs/Hedges:** 1 row of each: **Small shrubs** – 1 per 2 linear feet (ferns); and **Medium shrubs** – (3 feet) 1 per 4 linear feet (silver buttonwood);
- f. **Large shrubs** (5 feet) 1 per 5 linear feet (cocoplum) maintained at 8 feet.
- g. **Barrier:** SimTek fence at least 6 feet tall on a three-foot berm set back at least 10 feet from the property line.
- h. **Example:** Robust planting in excess of the code as shown in the drawing by Environmental Design Group with an emphasis on pines over palms. *See* Exhibit “B”.
- i. **Copy of Final Site Plan** - Our clients would be provided with a copy of the Final Site Plan at least 3 business days in advance of the BCC meeting to make sure the above items are accurately reflected.

52nd Drive South Issues

- a. **Reinstate the sidewalk** on the west side of 52nd Drive S. The absence of the same creates a safety issue for pedestrians who will be forced to walk on the unimproved roadway of 52nd Drive South.
- b. **Heavy Landscape** - the last 300 feet from the FPL pole to the northern boundary on the east side of their proposed wall shall have additional landscaping.
- c. **No Parking Signs** – No Parking and Towing signs shall be installed along the 52nd Drive South from the entrance of the community to the terminus of the road.
- d. **Solid Paving** - 52nd Drive South shall further be paved from the entrance of the community to the northern terminus of the road near Mr. Palahunik’s property at 5536 52nd Drive South. Such paving should not consist of just crushed asphalt which deteriorates too quickly for daily use and is already deteriorating from the DR Horton construction use. The extension of the

pavement will also provide Emergency Vehicles with a solid base for their heavy equipment.

- e. **Sewer and Water Extension** - The installation of sewer and water should be extended 670 ft north of existing hydrant currently in place on 52nd Drive South to the terminus of 52nd Drive South. This will eliminate any potential contamination from nearby existing properties. The Code and case law allow the County to require new developments to extend water and sewer availability to nearby properties to avoid any potential well contamination, a critical environmental protection measure which aligns with the county's water quality protection objectives. In the alternative a stub out from the proposed development next door could be used as shown on the site plan.
- f. **Meet the Standards of a 50 ROW** – The Applicant shall meet the standards for a 50-foot Right of Way under the Code as a Local Street. To do so it must have at least 20 feet of pavement width and must use a curb and gutter system (not rely on roadside swales) which does not appear in in the latest Site Plan. A 12-foot Utility Easement must also fit within the ROW. *See*, Table 11.E.2.A.
- g. **Visitor Spaces** - Provide more than the 6 visitor parking spaces recently identified. With such narrow streets and 53 Units, even the smallest of occasions will easily overwhelm available parking. Vehicles which do not fit in a driveway will simply park on 52nd Drive South and walk into the community.
- h. **Lack of ADA Spaces** - There also appears to be a lack of visiting ADA parking spaces, including one or more van accessible spaces which are not shown on the Site Plan.
- i. **Speed Tables** - The Applicant shall install at least two speed tables: (1) speed table along 52nd Drive South before the entrance to the Development and at least (1) speed table to the west of the entrance, subject to review and approval. Installation shall occur prior to the issuance of the final Certificate of Occupancy

Oldsmobile Drive Issues

- a. **Sewer and Water Extension** – Sewer and water should be extended from the community to the edge of Oldsmobile Drive such that the two adjacent properties may hook up to the same. Much like on 52nd Drive South this will eliminate any potential contamination from these nearby existing properties.

August 20, 2025

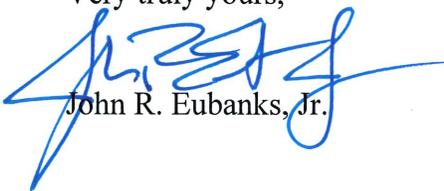
Page 4

Reimbursement of Attorney Fees and Costs

Lennar shall reimburse our clients' attorney fees and costs in the amount of \$25,000 for having to unnecessarily spend such sums to protect their free speech rights and ensure the project meets the applicable Codes.

Our clients reserve the right to add to the above items as well as raise any other issues if the parties are unable to come to an agreement.

Very truly yours,



John R. Eubanks, Jr.

JREjr:mar
Attachments

cc: Clients

SNIFFEN & SPELLMAN, P.A. Item 6

Senders Direct Line: (561) 721-4002
Email: jeubanks@sniffenlaw.com

August 25, 2025

Via E-mail

Palm Beach County
Board of County Commissioners
c/o Maria G. Marino, Mayor
310 N Olive Avenue, Suite 1201
West Palm Beach, FL 33401

Re: (Z/CA-2024-01593) Nash Trail Application Should be Quashed and Remanded Due to Violation of Procedures for Public Comment at the Zoning Commission.

Dear Mayor and County Commissioners:

Our office represents Robert Palahunik, Walter Ross, R. Michael Gordon, William T. Sadler, and Patrick Ledger (“Clients”) all of whom object to the Nash Trail Application (“Application”) seeking the rezoning of a 7.57-acre parcel of property (“Property”) from Residential Estate (RE) to Single Family Residence (RS) to allow 53 Townhomes on the Property (“Project”). An aerial identifying the location of our Clients’ property in relation to the Project is attached. (Ex. A)

Violations of Rules and Procedures for Public Comments at Zoning Commission

As detailed in our April 30, 2025 letter (Ex. B), despite completing Public Comment Cards at the April 3, 2025, Zoning Commission meeting, our Clients were not permitted to speak on the issue prior to a vote by the Zoning Commission. As admitted in the subsequent Staff Report:

At the April 3, 2025, Zoning Commission Hearing this item was on the Consent Agenda.¹ **Five members of the public submitted comment cards in opposition with requests to speak.** Due to staff error, those cards were not provided to the Chair **and the members of the public were not called upon to speak.**

Such a failure is a **direct violation** of Unified Land Development Code (ULDC) Article 2.B.6.D.2 **as admitted within the Revised Staff Report.** It was also in violation of Article 2.B.6.D.3(a) - (g) which outlines **the order of the proceedings.** The procedure established is that (a) the Applicant presents, (b) the PBC Official responsible for reviewing the Application presents (c), **“Public testimony shall be heard”**, then the PBC Official the Applicant may respond (d)-(e), and under (g) **“The Decision-Making Body shall discuss the facts of the application and make a recommendation.”** This mandatory procedure was admittedly not followed.

The language regarding **Public Testimony is mandatory** it **“shall be heard,”** and must be heard **before** the Decision-making Body **makes a recommendation.** There is **no provision allowing public comment after** the Decision-Making Body (Zoning Commission) has ruled. As such, any consideration by the Zoning Commission was invalid.

¹ The mere fact that a rezoning and Class A Conditional Use for a Project of this size was on the Consent Agenda raises questions in and of itself.

REPLY TO:

605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401
PHONE: 561.721.4000
FAX: 561.721.4001

WWW.SNIFFENLAW.COM

123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

Mayor and County Commissioners
August 25, 2025
Page -2-

Similar provisions are included in the Rules of Procedure of the Board of County Commissioners (BCC) section VI (I) which demands that “**Prior to Board approval of the Consent Agenda, Public comment will be accepted.**” Again, the “General Rules & Procedures for Public Participation at BCC Meetings” indicates that “**The public may offer comments to the Board at their meeting for all consent, regular and public hearing items.**” In each case the ability to provide Public Comment is **mandatory and must be prior to any approval.** Nevertheless, our Clients’ rights were stifled, in violation of their established due process and free speech rights.

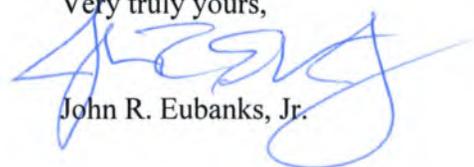
By the time our Clients were allowed to testify at the May 1st Zoning Commission meeting, it was too little too late. They were told there could be no new vote because any reconsideration by the Zoning Commission had to be at the same meeting, and only the BBC had the power to Remand the Application, making the outcome a foregone conclusion and their testimony irrelevant. The resulting prejudice not only robbed the Zoning Commission of considering **all of the evidence** to make an informed decision about its approval but also put our Clients behind the 8 ball of an **8-0 Recommendation of Approval** to the BCC made without their input.

Public input is integral to the review process as it allows neighbors such as our Clients to draw attention to issues that may be unique to the area, not readily observable to Staff, or not disclosed by the Applicant. Many times, the presence, information and oral testimony provided by adversely affected parties is quite persuasive. Here, for example, additional information regarding severe traffic issues, public safety, and the requirements for additional buffering could easily have resulted in one or more Zoning Commissioners pulling the item from the consent agenda and reviewing it on the merits and potentially resulting in recommending the Application in part or even a denial.

In light the above, the Recommendation of Approval by the Zoning Commission is **invalid, void *ab initio*, should be quashed, and the entire Application Remanded by the BCC to be re-noticed** so that our Clients (and anyone else from the public) can be heard **prior to the vote** by the Zoning Commission on the Application to avoid any potential future disputes or litigation.

The County attorney has indicated that the BCC is the only body that can issue a Remand of the Application at this point. As such, it is in your hands to do the right thing and Remand the Application back to the beginning of the process to not only allow our Clients to testify but also have the Zoning Board make a full evaluation and vote based upon all the facts.

Very truly yours,



John R. Eubanks, Jr.

Attachments

cc: Lisa Amara, Zoning Director
Wendy Hernandez, Deputy Zoning Director
Scott Stone, County Attorney

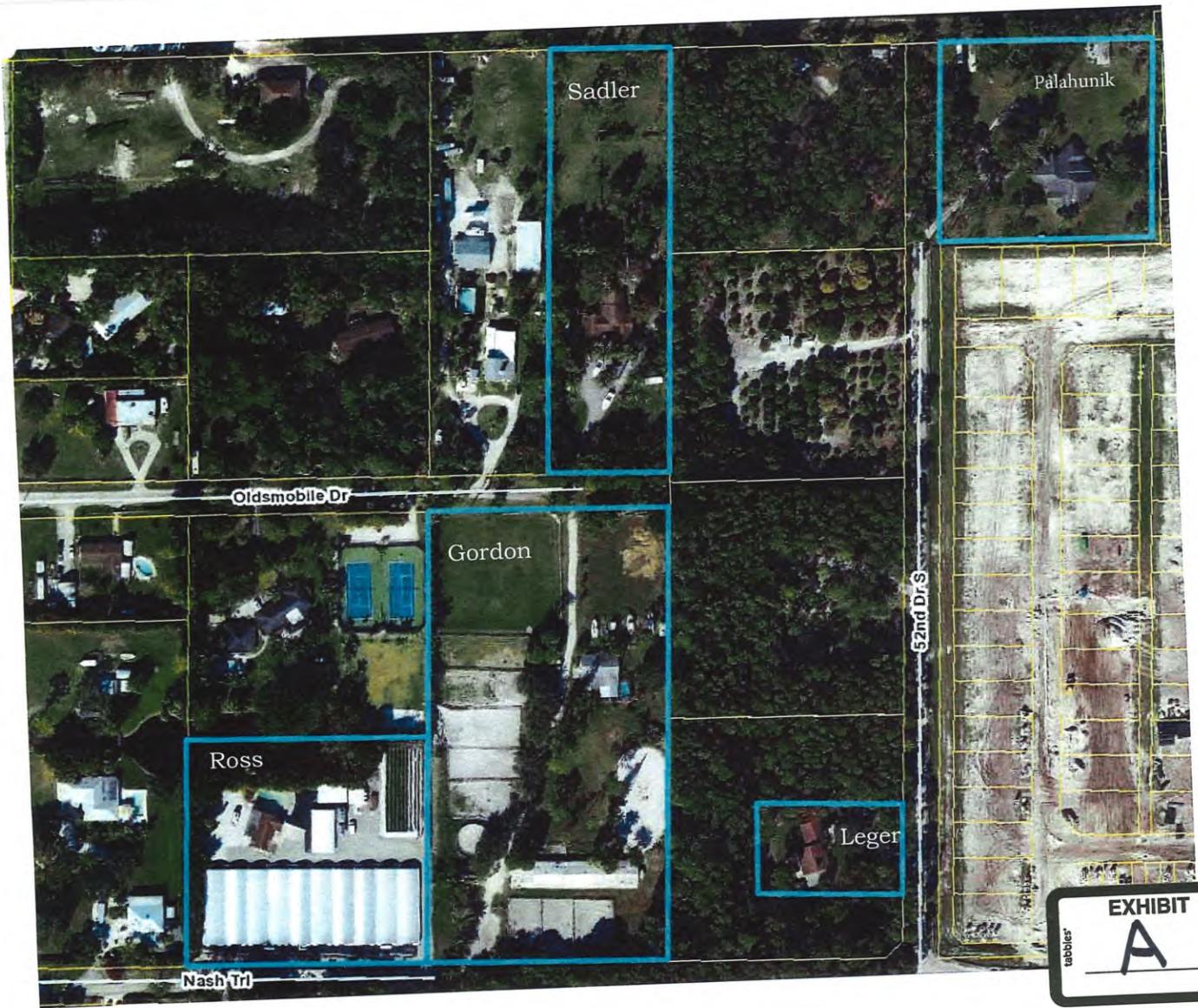


EXHIBIT
A

SNIFFEN & SPELLMAN, P.A.

Senders Direct Line: (561) 721-4002
Email: jeubanks@sniffenlaw.com

April 30, 2025

Via E-mail

Palm Beach County
Zoning Commissioners
2300 North Jog Road
West Palm Beach, FL 33411

**Re: Violation of Rules and Procedures for Participation at County Meetings.
Failure to allow Public to Speak in Objection to Nash Trail Development
(Z/CA-2024-01593) at April 3, 2025 Zoning Commission Meeting.**

Dear Zoning Commissioners:

Our office has been retained by Robert Palahunik, Walter Ross, Michael Gordon, William T. Sadler, and Patrick Ledger (“Clients”) to object to the Nash Trail Development Application (“Application”) seeking the rezoning of a purported 7.57-acre parcel of property (“Property”) from Residential Estate (RE) to Single Family Residence (RS) to allow Townhomes on the Property (“Project”). In that capacity, it has come to our attention that despite completing Public Comment Cards at the April 3, 2025, Zoning Commission meeting, our Clients were not permitted to speak on the issue prior to a vote by the Commission.¹

In its most recent update to the Staff Report for the Application, it admits that:

At the April 3, 2025 Zoning Commission Hearing this item was on the Consent Agenda. **Five members of the public submitted comment cards in opposition with requests to speak.** Due to staff error, those cards were not provided to the Chair **and the members of the public were not called upon to speak** (Ex. B).

Such a failure is a **direct violation** of the Unified Land Development Code (ULDC) (Ex. C), Article 2.B.6.D.2 Rights of all Persons, **as admitted within the Revised Staff Report.** But it was also in violation of Article 2.B.6.D.3(a) - (g) which outlines **the order of the proceedings.** The procedure as established is that the Applicant presents (a), the PBC Official responsible for reviewing the Application presents (b), **“Public testimony shall be heard”**(c), then the PBC Official the Applicant may respond (d)-(e), and under (g) “The Decision-Making Body shall **discuss the facts of the application and make a recommendation.**” This mandatory procedure was admittedly not followed.²

¹ See, attached Affidavits from our Clients (Ex. A). The mere fact that a rezoning for a Project of this size was on the Consent Agenda raises questions in and of itself.

² The County may claim other procedures apply, but the ones provided to our office were for Quasi-Judicial proceedings which on their face are in violation of ULDC Article 2.

REPLY TO:

605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401
PHONE: 561.721.4000
FAX: 561.721.4001

WWW.SNIFFEN



NORTH MONROE STREET
LAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

SNIFFEN & SPELLMAN, P.A.

Senders Direct Line: (561) 721-4002
Email: jeubanks@sniffenlaw.com

April 30, 2025

Via E-mail

Palm Beach County
Zoning Commissioners
2300 North Jog Road
West Palm Beach, FL 33411

**Re: Violation of Rules and Procedures for Participation at County Meetings.
Failure to allow Public to Speak in Objection to Nash Trail Development
(Z/CA-2024-01593) at April 3, 2025 Zoning Commission Meeting.**

Dear Zoning Commissioners:

Our office has been retained by Robert Palahunik, Walter Ross, Michael Gordon, William T. Sadler, and Patrick Ledger (“Clients”) to object to the Nash Trail Development Application (“Application”) seeking the rezoning of a purported 7.57-acre parcel of property (“Property”) from Residential Estate (RE) to Single Family Residence (RS) to allow Townhomes on the Property (“Project”). In that capacity, it has come to our attention that despite completing Public Comment Cards at the April 3, 2025, Zoning Commission meeting, our Clients were not permitted to speak on the issue prior to a vote by the Commission.¹

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¹ See, attached Affidavits from our Clients (Ex. A). The mere fact that a rezoning for a Project of this size was on the Consent Agenda raises questions in and of itself.

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123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

The language regarding **Public Testimony is mandatory** it “**shall be heard,**” and must be heard **before** the Decision-making Body **makes a recommendation**. There is **no provision allowing public comment after** the Decision-Making Body (Zoning Commission) has ruled.

Similar provisions are included in the Rules of Procedure of the BCC section VI (I) (Ex. D) which demands that “**Prior to Board approval of the Consent Agenda**, Public comment **will be accepted.**” Again, the “General Rules & Procedures for Public Participation at BCC Meetings” (Ex. E) indicates that “**The public may offer comments to the Board at their meeting for all consent**, regular and public hearing items.” Again, in each case the ability to provide Public Comment is **mandatory and must be prior to any approval**.

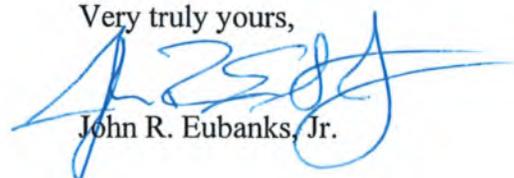
In this case, our Clients were deprived of their due process rights and free speech rights to speak out against the Application. Public input by nearby property owners (such as our Clients) is especially important as they can draw attention to issues that are unique to the area, not readily observable to Staff, or that might not have been disclosed by an Applicant. In this case, for example, there will be severe adverse impacts of having only one road in and out of the proposed Townhomes and the adjacent DR Horton community which will create a traffic nightmare.

This and other information may well have convinced one or more Commissioners to pull the Application from the Consent Agenda which would have allowed for a full and open discussion. After a complete discussion the Commission may have decided to recommend approval in part or even denial. Instead, our Clients’ rights were improperly stifled, in violation of their due process and free speech rights.

While the County is now allowing our Clients to testify tomorrow, the County Attorney has indicated that there will be no new vote by the Zoning Commission making the outcome a foregone conclusion. While our Clients have been told they will have an opportunity to address their issues at the BCC, it is a small consequence when an 8-0 recommendation of approval was made without their input.

In light of the above, the prior improper “approval” is invalid and void *ab initio*, should be quashed, and the Application re-noticed allowing our Clients (and anyone else from the public) to be heard prior to a vote on the Application to avoid any potential future disputes.

Very truly yours,



John R. Eubanks, Jr.

Attachments

cc: County Commissioners
Lisa Amara, Zoning Director
Scott Stone, Esq., County Attorney

AFFIDAVIT OF ROBERT PALAHUNIK

STATE OF FLORIDA

COUNTY OF PALM BEACH

Before me, the undersigned authority, personally appeared the Affiant Robert Palahunik, who first being duly sworn, did depose and state under oath as follows:

1. My name is Robert Palahunik. I am *sui juris*, over the age of 18 years old, and make this affidavit based upon my personal knowledge.
2. I am the owner of the property with the mailing address of 5536 52nd Drive S., Lake Worth, Florida 33463.
3. I was present at April 3, 2025 Zoning Board meeting and filled out the Comments by the Public.
4. Nevertheless, I was not permitted to speak in opposition to the Nash Trail Development prior to a vote by the Commission.

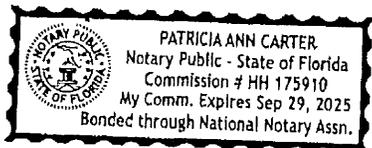
FURTHER AFFIANT SAYETH NAUGHT:

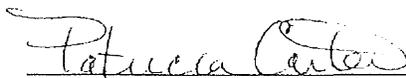


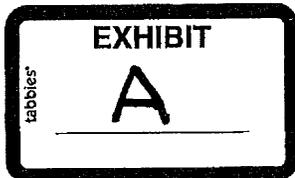
ROBERT PALAHUNIK

STATE OF FLORIDA)
 :SS.
 COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 29 day of April, 2025 by Robert Palahunik, who is personally known to me, or had produced _____ as identification.




 NOTARY PUBLIC
 My Commission Expires: Sept 29, 2025
 AFFIX NOTARY SEAL



AFFIDAVIT OF WILLIAM T. SADLER, JR.

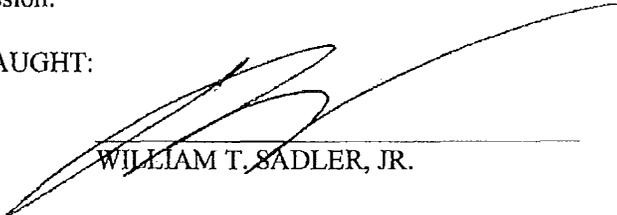
STATE OF FLORIDA

COUNTY OF PALM BEACH

Before me, the undersigned authority personally appeared the Affiant William T. Sadler, Jr., who first being duly sworn, did depose and state under oath as follows:

1. My name is William T. Sadler. I am *sui juris*, over the age of 18 years old, and make this affidavit based upon my personal knowledge.
2. I am the owner of the property with the mailing address of 5319 Oldsmobile Drive, Lake Worth, Florida 33463.
3. I was present at April 3, 2025 Zoning Board meeting and filled out the Comments by the Public card.
4. Nevertheless, I was not permitted to speak in opposition to the Nash Trail Development prior to a vote by the Commission.

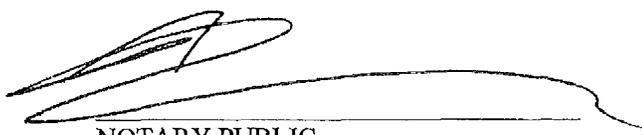
FURTHER AFFIANT SAYETH NAUGHT:



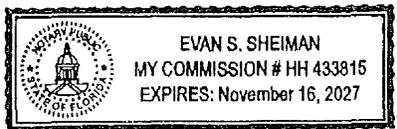
 WILLIAM T. SADLER, JR.

STATE OF FLORIDA)
 :SS.
 COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 29 day of April, 2025 by William T. Sadler, Jr., who is personally known to me, or had produced _____ as identification.



NOTARY PUBLIC
 My Commission Expires:
 AFFIX NOTARY SEAL



AFFIDAVIT OF MICHAEL R. GORDON

STATE OF FLORIDA

COUNTY OF PALM BEACH

Before me, the undersigned authority, personally appeared the Affiant Michael R. Gordon, who first being duly sworn, did depose and state under oath as follows:

1. My name is Michael R. Gordon. I am *sui juris*, over the age of 18 years old, and make this affidavit based upon my personal knowledge.
2. I am the owner of the property with the mailing address of 5360 Oldsmobile Drive, Lake Worth, Florida 33463.
3. I was present at April 3, 2025 Zoning Board meeting and filled out the Comments by the Public card.
4. Nevertheless, I was not permitted to speak in opposition to the Nash Trail Development prior to a vote by the Commission.

FURTHER AFFIANT SAYETH NAUGHT:


MICHAEL R. GORDON

STATE OF FLORIDA)
 :SS.
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 27th day of April, 2025 by Michael R. Gordon, who is personally known to me, or had produced FL Driver License as identification.


NOTARY PUBLIC
My Commission Expires: 03/31/2029
AFFIX NOTARY SEAL



AFFIDAVIT OF WALTER ROSS

STATE OF FLORIDA

COUNTY OF PALM BEACH

Before me, the undersigned authority, personally appeared the Affiant Walter Ross, who first being duly sworn, did depose and state under oath as follows:

- 1. My name is Walter Ross. I am *sui juris*, over the age of 18 years old, and make this affidavit based upon my personal knowledge.
- 2. I am the owner of the property with the mailing address at 5407 Nash Trail, Lake Worth, Florida 33463.
- 3. I was present at April 3, 2025 Zoning Board meeting and filled out the Comments by the Public card.
- 4. Nevertheless, I was not permitted to speak in opposition to the Nash Trail Development prior to a vote by the Commission.

FURTHER AFFIANT SAYETH NAUGHT:

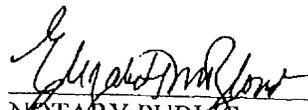


 WALTER ROSS

STATE OF FLORIDA)
 :SS.
 COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 30th day of April, 2025 by Walter Ross, who is personally known to me, or had produced FL DRIVERS LICENSE as identification.





 NOTARY PUBLIC
 My Commission Expires: 1/9/2026
 AFFIX NOTARY SEAL



PALM BEACH COUNTY
ZONING APPLICATION STAFF REPORT

ZONING COMMISSION PUBLIC HEARING, MAY 1, 2025

A. Application Summary

I. General

Application Name: Nash Trail, Z/CA-2024-01593
Control Name: Marguerite K. Speier (1978-00229)
Applicant: Melodye S. Abell Revocable Trust; Laura Foutain; and Norman Speier
Owner: Melodye S. Abell Revocable Trust; Laura Foutain; and Norman Speier
Agent: WGINC - Arianna Hilliard and Erin Lees
Land Development Operations, Lennar Homes, LLC - Greg Pettibon
Project Manager: Imene Haddad, AICP, Senior Site Planner

Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from Residential Estate (RE) to Single Family Residential (RS) with a Conditional Overlay Zone (COZ) on 7.57 acres **Title:** a Class A Conditional Use **Request:** to allow Townhomes on 7.57 acres

Application Summary: The application is for the proposed Nash Trail residential development. The subject site was originally by the Board of County Commissioners (BCC) on December 19, 1978, for an Official Zoning Map Amendment from (AG) Agricultural District to the Residential Estate (RE) Zoning District.

The request proposes a rezoning from the RE Zoning District to the Residential (RS) Zoning District and a Class A request for the development of 53 Townhomes. The Preliminary Subdivision Plan indicates Townhomes, a Recreation Area and a Water Management Tract. Access is proposed from 52nd Drive South.

II. Site Data

Acres: 7.57 acres
Location: West side of 52nd Drive South, approx.. 380 feet north of Nash Trail
Parcel Control: 00-42-44-35-00-000-5410, 5420, and, 5140
Future Land Use: Medium Residential, 5 units per acre (MR-5)
Zoning District: Residential Estate (RE)
Proposed Zoning: Single Family Residential (RS)
Tier: Urban/Suburban
Utility Service: Palm Beach County Water Utilities
Overlay/Study: N/A
Neighborhood Plan: N/A
CCRT Area: N/A
Comm. District: 3, Commissioner Joel Flores

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B. and Art 3.B.3, 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 a Conditional Overlay Zone and the Conditions of Approval as indicated in Exhibit C-1 and C-2.

PUBLIC COMMENT SUMMARY: At the time of publication of the April 3rd Zoning Commission staff report, Staff had received no contacts from the public regarding this application.

Nash Trail
Z/CA-2024-01593



IV. Hearing History

ZONING COMMISSION: At the April 3, 2025 Zoning Commission Hearing, this item was on the Consent Agenda. Five members of the public submitted comment cards in opposition with requests to speak. Due to staff error, these cards were not provided to the Chair and the members of the public were not called upon to speak. Therefore, Staff is adding this item to the May 1st Zoning Commission Hearing for public comment for consistency with Art. 2.B.6.D.2, Rights of All Persons, below.

D. Conduct of Hearings

2. Rights of All Persons. Any person may appear at a public hearing and submit evidence, either individually or as a representative of an organization. Anyone representing an organization shall present evidence of his/her authority to speak on behalf of the organization in regard to the matter under consideration. Each person who appears at a public hearing shall be identified, state an address, and if appearing on behalf of an organization, state the name and mailing address of the organization.

BCC HEARING: Scheduled May 22, 2025

B. Data & Analysis

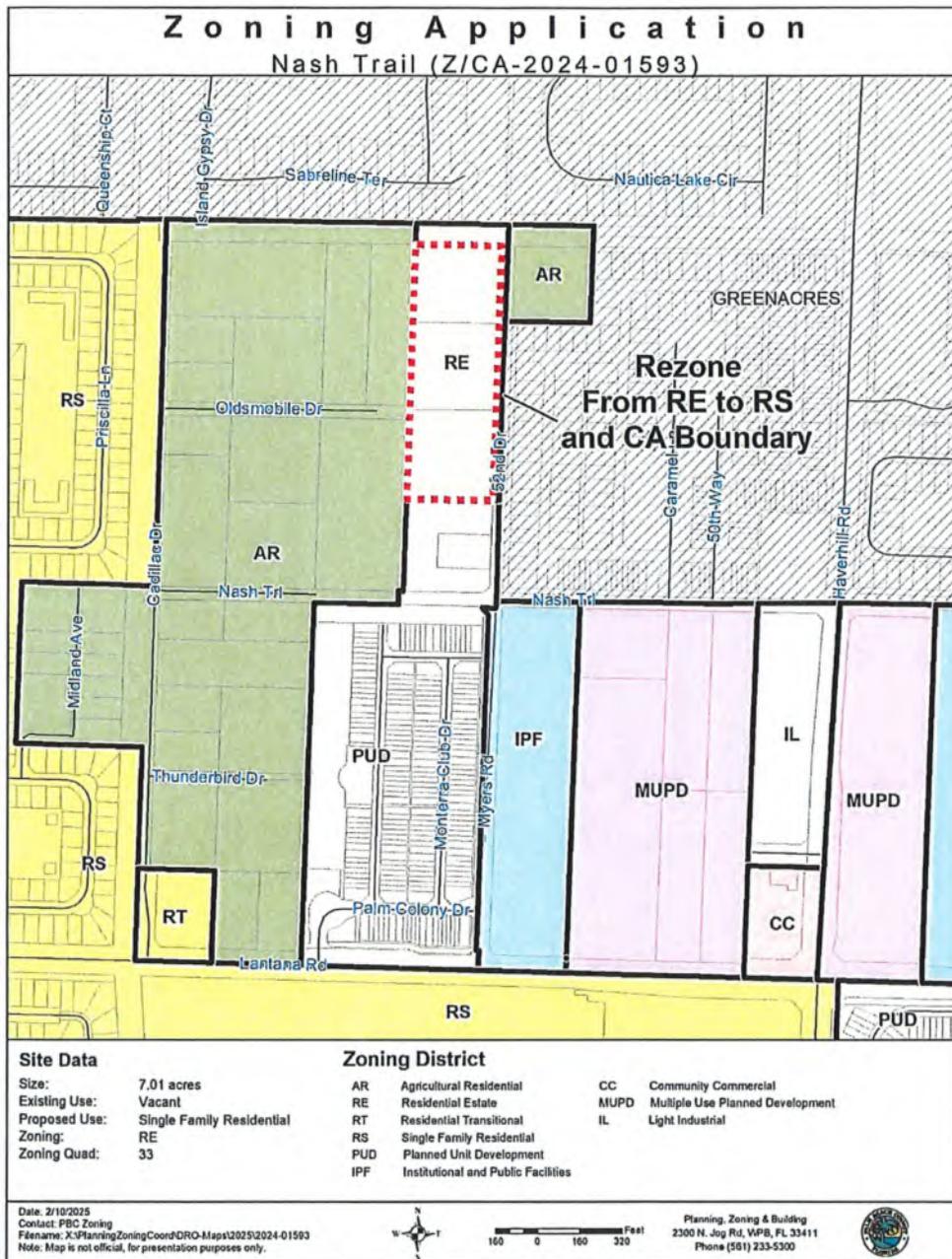
The supporting data and analysis is provided within the following Exhibits.

I. Exhibits	Page
A.1 Future Land Use Map	3
A.2 Zoning Map	4
B. Standards Analysis & Findings	5
C. Conditions of Approval	13
D. Project History	17
E. Applicant's Exhibits	
E.1 Preliminary Subdivision Plan February 13, 2025	E-1
E.2 Preliminary Master Sign Plan January 27, 2025	E-2
E.3 Disclosure of Ownership	E-5
E.4 Drainage Statement	E-6
E.5 Utility Letter	E-7
E.6 Work Force Housing determination letter (WHP)	E-8
E.7 School Capacity Availability Determination (SCAD)	E-9

Exhibit A-1 - Future Land Use Map



Exhibit A-2 - Zoning Map



ARTICLE 2

APPLICATION PROCESSES AND PROCEDURES

CHAPTER A GENERAL

Section 1 Purpose

To establish procedures and standards for Zoning and Planning applications. This Article is organized under the following Chapters with specific requirements pertaining to each type of application or process. In addition, Art. 2.G, Decision Making Bodies specifies the powers and duties of each Authority. [Ord. 2018-002]

- A. Chapters A through C – Zoning Applications related to the Legislative, Quasi-Judicial, or Administrative processes; [Ord. 2018-002]
- B. Chapter D – Privately Initiated Amendments to the Unified Land Development Code; [Ord. 2018-002]
- C. Chapter E – Monitoring of Development Orders; [Ord. 2018-002]
- D. Chapter F – Concurrency (Adequate Public Facility Standards) for Development Orders; [Ord. 2018-002]
- E. Chapter G – Decision Making Bodies; [Ord. 2018-002]
- F. Chapter H – Comprehensive Plan Amendments; and, [Ord. 2018-002]
- G. Chapter I – Coordinated School Planning. [Ord. 2018-002]

Section 2 Zoning Applications

Chapters A through D address application processes of the Zoning Division. These processes are generally classified as legislative, quasi-judicial, and administrative, and are reviewed by various County Agencies and presented to the applicable Decision Making Bodies or Person for consideration. Both legislative and quasi-judicial processes are subject to the public hearing procedures. For the purpose of this Article, the term "public hearing" refers to the legislative and quasi-judicial processes. [Ord. 2018-002] [Ord. 2020-001]

A. Applicability

The provisions in this Article shall apply to all Zoning applications unless otherwise specified. Quasi-judicial and Administrative Approvals of applications will result in the issuance of DOs. DOs run with the land and may be transferred to new owners unless otherwise stipulated. [Ord. 2018-002]

B. Definitions

See Art. 1.H, Definitions and Acronyms.



D. Conduct of Hearings**1. Oath or Affirmation**

All testimony and evidence shall be given under oath or by affirmation to the body conducting the hearing. [Ord. 2018-002]

2. Rights of All Persons

Any person may appear at a public hearing and submit evidence, either individually or as a representative of an organization. Anyone representing an organization shall present evidence of his/her authority to speak on behalf of the organization in regard to the matter under consideration. Each person who appears at a public hearing shall be identified, state an address, and if appearing on behalf of an organization, state the name and mailing address of the organization. [Ord. 2018-002]

3. Procedures for Public Hearings

The procedures of the hearings shall be in accordance with Art. 2.G.2, General Provisions. The Decision Making Body may adopt by-laws stipulating the manner in which the proceedings will be conducted. The body conducting the hearing may exclude testimony or evidence that it finds to be irrelevant, immaterial, or unduly repetitious formal rules of evidence. Formal rules of evidence shall not apply but fundamental due process shall be observed. The order of the proceedings shall be as follows: [Ord. 2018-002]

a. The Applicant shall present any information the Applicant deems appropriate. [Ord. 2018-002]

b. The PBC Official responsible for reviewing the applications shall present a written or oral recommendation, including any report prepared. This recommendation shall address each standard required to be considered by this Code prior to rendering a decision on the application. For PO Deviations, the Applicant shall present a written or oral recommendation, including any report prepared, with no presentation from the PBC Official. This recommendation shall address each standard required to be considered by this Code prior to rendering a decision on the application. [Ord. 2018-002] [Ord. 2019-005]

c. Public testimony shall be heard. [Ord. 2018-002]

d. The PBC Official responsible for reviewing the application may respond to any statement made by the Applicant or any public comment. [Ord. 2018-002]

e. The Applicant may respond to any testimony or evidence presented by the PBC Staff or public at the discretion of the Chair. [Ord. 2018-002]

f. The Decision Making Body may direct questions to Staff and the Applicant specific to the request. [Ord. 2018-002]

g. The Decision Making Body shall discuss the facts of the application and make a recommendation. [Ord. 2018-002]

E. Continuance or Postponement of Hearings

The BCC or ZC conducting the public hearing, may on its own motion or at the request of an Applicant, consider an application be continued or postponed when a decision can be rendered within the timeframe enumerated in the F.S., or if both parties agree to a reasonable request for an extension of time. [Ord. 2005-041] [Ord. 2006-036] [Ord. 2018-002] [Ord. 2020-001] [Ord. 2023-020]

1. Postponement by Right

An Applicant shall be allowed a Postponement by Right for an application scheduled for a ZC or BCC public hearing provided that the request for postponement is made in writing at least nine-calendar days prior to the hearing and when a decision can be rendered within the timeframe enumerated in the F.S., or if both parties agree to a reasonable request for an extension of time. If the postponement is requested less than nine-calendar days prior to the date of the scheduled hearing, the request for postponement shall be presented at the hearing and at the discretion of the ZC or BCC. [Ord. 2018-002] [Ord. 2020-001] [Ord. 2023-020]

F. Finalization of Approved DOs

The Applicant shall submit an application to the DRO for finalization of the BCC or ZC-approved DOs in accordance with the procedures in Art. 2.C.3.B, Finalization of BCC or ZC DOs, as applicable. [Ord. 2018-002] [Ord. 2019-005]

G. Other Procedures

Other procedures, which include: Postponement, Remand, Suspension of Development Review, Withdrawal, and Denial of Application are referenced in Art. 2.A.10; Violation of Condition of DO in Art. 2.A.11; Outstanding Liens or Fines in Art. 2.A.12; Misrepresentation in Art. 2.A.13; and, Appeal in Art. 2.A.14. [Ord. 2018-002] [Ord. 2020-001]

C. Application Types and Authorities

For the purposes of this Article, the authority of the Board of County Commissioners, Zoning Commission, and Development Review Officer shall be limited to the powers and duties pursuant to Art. 2.G, Decision Making Bodies on those applications specified below. [Ord. 2006-036] [Ord. 2018-002]

1. Board of County Commissioners (BCC)

The BCC shall make a final decision on the following types of applications: [Ord. 2018-002]

Table 2.A.2.C – Board of County Commissioners, Legislative and Quasi-Judicial Processes

Legislative	
Privately Initiated Unified Land Development Code (ULDC) Amendment (PIA)	
County Initiated Official Zoning Map Amendment (Rezoning)	
Quasi-Judicial	
Official Zoning Map Amendment (Rezoning) (1)	
Class A Conditional Use (2)	
Development Order Amendment (DOA) of a prior DO approved by the BCC	
DOA – Expedited Application Consideration (EAC) of a prior DO approved by the BCC	
Development Order Abandonment (ABN) of a prior DO approved by the BCC	
Status Report of a prior DO approved by the BCC (3)	
Public Ownership (PO) Deviations (4)	
Type 2 Waiver	
Unique Structure	
Release of Agreement (3)	
Administrative Inquiry (AI) (3)	
Corrective Resolution for prior DO approved by the BCC	
[Ord. 2007-013] [Ord. 2008-003] [Ord. 2009-040] [Ord. 2012-027] [Ord. 2017-007] [Ord. 2018-002] [Ord. 2019-005]	
Notes:	
1.	Only Rezoning to a PDD or TDD will issue a DO. A Rezoning to a Standard District with a COZ may result in the issuance of a DO.
2.	Includes where it specifies the process is subject to the BCC in Table 4.A.9.B, Thresholds for Projects Requiring Board of County Commissioners Approval, Art. 4.B, Use Classification, Art. 3.B, Overlays, Art. 5.G.1.B.3, Approval Process for WHP, Table 5.G.2.D, Review Process for AHP, and Art. 5.G.3.K.3, Review Process for TDR.
3.	This is not considered as a quasi-judicial process; however, it is subject to the Public Hearing process.
4.	PO Deviations reviewed by the BCC do not include those PO Deviations described in Art. 11, Subdivision, Platting, and Required Improvements that are reviewed and approved or denied by the County Engineer. [Ord. 2019-005]

2. Zoning Commission (ZC)

The ZC shall make a final decision on the following types of applications. [Ord. 2018-002]

Table 2.A.2.C – Zoning Commission, Quasi-Judicial Processes

Quasi-Judicial	
Class B Conditional Use	
DOA for a prior approved Class B Conditional Use	
ABN for a prior DO approved by the ZC	
Type 2 Variance (1)	
Status Report for a prior DO approved by the ZC (2)	
Unique Structure	
Corrective Resolution for a prior DO approved by the ZC	
Release of Unity (2)	
Notes:	
1.	Refer to Art. 2.B.7.E, Type 2 Variance for specific provisions where it indicates that the ZC is not authorized to grant Variances from Code regulations with prohibited provisions.
2.	This is not considered as quasi-judicial; however, it is subject to the Public Hearing process.

3. Development Review Officer (DRO)

The DRO, shall make a final decision on the types of applications indicated in Art. 2.C.3.A, Process for Administrative Requests. [Ord. 2006-036] [Ord. 2018-002] [Ord. 2018-018]

RULES OF PROCEDURE



Rules of Procedure

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which the conflict was declared. A copy of Form 8B shall also be filed with the Palm Beach County Commission on Ethics.

- D. **Vote Change.** Any Commissioner may change his/her vote before the next item is called for consideration.
- E. **Tie Vote.** A tie vote shall result in the failure of the motion; however, there is no prevailing side for the purposes of a Motion to Reconsider. Any member of the Board may, at the next regular meeting and with approval by a majority of the Board, request that the item be placed on a future agenda for consideration.

VI. **Public Participation in County Government.**

- A. **Citizen Input.** The Board recognizes the important right of all citizens to express their opinions on the operation of County government and encourages citizen participation in the local government process by expressing opinions on Board Business. The Board also recognizes the necessity for conducting orderly and efficient meetings so that Board Business may be completed efficiently, effectively, and timely. Members of the public wishing to speak at Board meetings shall comply with the procedures set forth below.
- B. **Accessibility.** All persons with disabilities shall be provided reasonable assistance to enable them to effectively participate in Board meetings.
- C. **Comment Cards.** The purpose of public comment at Board of County Commissioners' (the "Board") meetings is to afford speakers an opportunity to provide the Board with input and feedback on Board Business. Any member of the public wishing to speak before the Board or who wants to make their position known but does not want to address the Board shall complete a "comment card" and present the card to staff in the Commission Chambers for forwarding to the Mayor. Only those individuals who have submitted comment cards and who have been recognized by the Mayor may address the Board. Any member of the public who has filled out a card must be present when the Mayor announces the person's name if they desire to be recognized. If an individual does not wish to speak and instead submits a card with his/her comment noted, it is within the Mayor's discretion to read the comment into the record. If the Mayor does not read the comment, the comment card is nonetheless submitted as part of the official record. As a general practice, comment cards will not be accepted after presentation of an agenda item has begun; however, the Mayor has the discretion to accept additional comment cards. Comment cards are considered public records and are to be submitted to the Minutes Clerk before the meeting adjourns.
- D. **Civility.** The content of all public comment shall be limited to Board Business. Comments relating to agenda items appearing on the regular or consent agenda shall be relevant to the item and addressed when the item is considered. Comments during Matters by the Public must relate to Board Business. All multimedia, materials distributed, signage, and hand-outs shall pertain to Board Business and shall be presented only during the relevant agenda discussion or during the allotted comment time according to these rules. Anyone not in compliance with the above rules, or if a person is repetitious, disorderly, disruptive,

exceeds the allotted time, is truculent, or obstructs the meeting progress, may have further comments curtailed and/or the microphone silenced and/or be escorted from Chambers by the Sheriff's Office at the direction of the Mayor, unless permission to continue or again address the Board is granted by a majority vote of the Board members present.

- E. Relevancy.** Comments shall be limited to the subject being considered by the Board and, if there is a motion on the floor, shall be limited to the motion. Comments during "Matters by the Public" should be germane to Board Business. Comments on any matter appearing on the agenda the same day are to be made at the time the item is considered under the Consent or Regular Agenda and not under "Matters by the Public."
- F. Manner.** Each person addressing the Board shall step up to the podium and give his/her name and address for the record. No person other than a member of the Board and the person having the floor shall be permitted to enter into any discussion without the permission of the Mayor. All remarks shall be addressed to the Board as a body and not to any individual member, or to any person in the audience. Commissioners may ask questions of the speaker after his/her uninterrupted comments have been made. No question shall be directed to a Commissioner or staff except through the Mayor. No persons other than members of the Board, County staff, individuals participating in an agenda item presentation at the staff table, or persons authorized by the Mayor, are allowed beyond the podiums.
- G. Allotted Time.** Each member of the public shall be granted three (3) minutes to speak. The Mayor has the discretion to extend the maximum speaking time or allow the use of a speaker's time by another individual. In the event more than twenty (20) people indicate their desire to speak on the same or a related subject, the Mayor may establish time limits to ensure the progress of the meeting and resolution of the issue. In any event, the Mayor shall have the discretion to increase or reduce speaking time limits as may be necessary.
- H. Lobbyists.** Any person defined as a "lobbyist" under the County's Lobbyist Registration Ordinance shall register before addressing the Board unless an exception set forth in the ordinance applies.
- I. Consent Agenda.** Prior to Board approval of the Consent Agenda, public comment will be accepted. One comment card identifying all items of interest shall be submitted to County staff who will pass it on to the Mayor. If more than one item is identified, the three-minute allotment may be extended at the Mayor's discretion.
- J. Dissemination of Information/Use of Multimedia.** Any member of the public desiring to submit information to the Board relevant to the item may do so only when they are at the podium and recognized to speak. No motion to receive and file any submission by the public is necessary to make same a part of the record; the Mayor may "accept without objection" providing there is none. Due to time constraints, there shall be no expectation that the Board will read any information submitted at a Board meeting. Early submission of information relevant to an item appearing for Board consideration is encouraged. The public is authorized to use multimedia related to Board Business or an agenda item

supportive of their comments. Multimedia is to be submitted to the County's Public Affairs Department five (5) working days prior to the Board meeting.

- K. Employees.** Employees of the County have every right as any other member of the public to address the Board. However, comments pertaining to an active grievance, arbitration, or other personnel dispute are not appropriate for this forum and will not be addressed by the Board.

VII. County Commission.

- A. Designation as Mayor/Vice Mayor.** The member elected as Chair shall be known as the Mayor of Palm Beach County, and the member elected Vice Chair shall be known as the Vice Mayor.

- B. Mayor/Vice Mayor Duties.** The Mayor presides over Board meetings and is recognized as the ceremonial dignitary who serves as the County's official representative. The Mayor's responsibilities include, but are not limited to, the following:

1. Calling the meeting to order after ascertaining that a quorum is present.
2. Preserving order and deciding points of order.
3. Expediting business in a way that is compatible with the rights of members of the Board.
4. Executing documents as provided in paragraph D. below.
5. Declaring the meeting adjourned.

The Vice Mayor acts in the absence of the Mayor or, in the event of his/her inability to serve by reason of illness or accident, shall perform the duties and functions of the Mayor until his/her return.

- C. Mayor/Vice Mayor Election; Term of Office.** The Mayor and Vice Mayor shall be elected from and by the members of the Board at the first Board meeting following the November election and the swearing-in of the newly-elected County Commissioners or, in years in which no swearing-in takes place, at the first Board meeting after the first Tuesday in November. The term shall be for one year from the date of the election, unless a different term is approved by a majority of the Board. The Board may remove the individual from the position of Mayor by majority vote. In the event the Mayor relinquishes his/her office, the Vice Mayor shall be automatically appointed Mayor for the remainder of the term. In the event the office of Vice Mayor becomes vacant, the Board shall elect a new Vice Mayor to serve until the term expires. The election process shall be as follows:

1. The Clerk, in the case of the Mayor's election, and the Mayor, in the case of the Vice Mayor's election, calls for nominations.
2. Nominations are made and received. A member may nominate himself or herself. No second is required.

General Rules & Procedures for Public Participation at BCC Meetings

THE AGENDA:

There shall be an official agenda for every meeting of the County Commission, which shall determine the order of business conducted at the meeting. The County Commission shall not take action upon any matter which is not listed upon the official agenda unless a majority of the Commission shall have first consented to the presentation thereof for consideration.

- a. **Consent Agenda:** These are items that the Commission typically does not need to discuss individually and which are voted on as a group.
- b. **Regular Agenda/Public Hearings:** These are items that the Commission will discuss individually in the order listed on the agenda.
- c. **Workshops:** These are items which may require more extensive Commission discussion.
- d. **Silent Vote:** A silent vote of the Commission indicates approval of the agenda item.

PUBLIC COMMENTS:

The public may offer comments to the Board at their meetings for all consent, regular and public hearing items. Receipt of comments on Workshop items is at the discretion of the Chair. Normally, SPEAKERS ARE LIMITED TO 3 MINUTES; however based on the number of Comments by the Public cards received, the Chair may reduce speaking time to 2 MINUTES. In any event, in accordance with the BCC's official Rules of Procedure, the Chair shall have the discretion to adjust speaking time limits as he or she deems appropriate and necessary.

Matters by the Public: Any citizen shall be entitled to be heard concerning any matter within the scope of the jurisdiction of the Commission, with the exception of any items scheduled to be considered by the Board on upcoming meetings, under the section entitled "Matters by the Public," on the first meeting of each month at 2:00 p.m. Time is subject to change, so please check with the Agenda Coordinator at **561-355-3229**. EXCEPTION: NO MATTERS BY THE PUBLIC DURING THE MONTH OF AUGUST. Speaking times are as specified above.

Electronic Public Comment

ACCESSIBILITY & TRANSLATIONS

In addition to in-person public comment, members of the public are also able to submit their



comments online here: **Submit Public Comment**.

All comments must be submitted prior to the agenda item starting or prior to the 2:00 p.m. time certain public hearing for all other matters. Please refer to the **latest agenda** below for the item number you'd like to speak on and include that in the form when submitting. All comments submitted may be read aloud and will be filed in the official record with the Clerk's office.

For anyone in need of ADA accommodations to attend the meeting or to submit public comments, please send an e-mail to **pbccaccessibility@pbc.gov** or contact the Public Affairs at **561-355-2754**.

PROCEDURE:

Please complete a Comments by the Public card and give it to the Public Affairs representative seated near the speaker's podium on the east side of the Chambers, prior to the start of the item. Cards will not be accepted once an item has begun.

Paid Lobbyists are required to register with County Administration before lobbying the Board of County Commissioners, any County advisory board member or County employee. According to Ordinance No. 2003-018, a lobbyist is any person who is employed and receives payment, or contracts for economic consideration for the purpose of lobbying on behalf of a Principal in order to influence the decision of any County Commissioner, County advisory board member or County employee. Registration forms are available in the County Administration Office located on the 11th floor, Government Center, 301 N. Olive Ave., West Palm Beach, Florida or on the County web page at **pbc.gov**.

ADDRESSING THE COMMISSION:

When your name is called, please step up to either podium and state, for the record, your name, and address.

DECORUM:

Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred from further audience before the Commission by the presiding officer unless permission to continue or again address the Commission is granted by the majority vote of the Commission members present.

Board of County Commission meetings are held in the Jane Thompson Memorial Chambers, 6th floor, Governmental Center, 301 N. Olive Ave, West Palm Beach. Board meetings are held on one or more Tuesdays each month. Please check the **BCC Meeting Schedule** or call the Agenda Coordinator at **561-355-3229** for specific dates.

TRANSLATIONS

Please note: In case of an emergency or the sounding of the fire alarm system, all employees and visitors must immediately evacuate the building. In the event of an emergency, please proceed to the nearest exits leading out of the room and towards the stairwell as directed by the meeting organizer and/or security. Building elevators will not be operational during an emergency. For persons with disabilities who are unable to evacuate using stairs, please assist these individuals to the closest enclosed stairwell to wait for assistance. Notify emergency personnel of the condition and location of the person(s) requiring assistance.

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ACCESSIBILITY &
TRANSLATIONS

SNIFFEN & SPELLMAN, P.A. Item 6

Senders Direct Line: (561) 721-4002
Email: jeubanks@sniffenlaw.com

August 26, 2025

Via E-mail

Palm Beach County
Board of County Commissioners
c/o Maria G. Marino, Mayor
2300 North Jog Road
West Palm Beach, FL 33411

Re: Z/CA-2024-01593 Nash Trail Development Application Flaws

Dear Mayor and County Commissioners:

Our office represents Robert Palahunik, Walter Ross, R. Michael Gordon, William T. Sadler, and Patrick Ledger (“Clients”) all of whom object to the Nash Trail Development Application (“Application”) seeking the rezoning of a 7.57-acre parcel of property (“Property”) from Residential Estate (RE) to Single Family Residence (RS) to allow 53 Townhomes on the Property (“Project”). A review of the Application and the Staff Report shows a series of fatal flaws which demonstrate the Application should be denied.

Failure to Follow Requirements for Public Comments

As set forth in our companion letter of August 25, 2025, given the admission by Staff that my Clients submitted comment cards in opposition to the Application but were not allowed to speak at the April 3, 2025, Zoning Commission Meeting:

- The failure is in direct violation of the ULDC and the Rules of Procedure for Board of County Commissioners.
- Our Clients due process and free speech rights were violated.
- The Zoning Commission’s Recommendation was made without public input.
- The Recommendation is null and void and the Application should be Remanded.

The Application Violates Key Standards for Rezoning

A. Incompatibility With Surrounding Uses

- **Rezoning is not a right** under the ULDC, especially when it requires making a major modification to the Zoning Map which will affect the value of property in the area, including our Clients, for years to come.
- The proposed rezoning amendment is incompatible with the existing uses and zoning districts in the County.
- The comparisons made by the Applicant and Staff rely upon consistency with the City of Green Acres not the County.

REPLY TO:

605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401
PHONE: 561.721.4000
FAX: 561.721.4001

WWW.SNIFFENLAW.COM

123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

- The Applicant and Staff **cannot compare the lax zoning standards in Green Acres** to support a Compatibility Study with the **adjoining properties which are exclusively Agricultural Residential properties under the County's more stringent restrictions** under the ULDC.
- Rezoning the Property from RE to RS is in **violation of the purpose of the ULDC.**
- The purpose of the **AR district** is designed to protect and enhance the **rural lifestyle and quality of life of residents in areas designated rural residential, to protect watersheds and water supplies, wilderness and scenic areas, conservation and wildlife areas...**
- The purpose of the **RE district is to provide a transition between the agricultural and conservation areas and more urban residential communities ...** As such, townhomes are not permitted in the RE district.
- The purpose of the **RS district is to provide areas for moderate-density Single Family dwelling units.**
- As a result, placing an RS district next to the AR district is incompatible as it ignores the whole purpose of RE district **which is to provide a transition between Agricultural and higher density dwelling units.**
- As such, the Application does not demonstrate Compatibility with Surrounding Uses and should be denied.
- Similarly, it will not result in a logical, orderly and timely development pattern as the proposed density of the Property is surrounded by agricultural property with only three dwelling units.

B. Inconsistent Development Patterns

- As noted, the RS district allows for different types of residential housing including single family, zero lot lines, and townhouses. The RE district was established to provide a transition and buffer between the AR and RS districts.
- The increased density development in the RS district is inconsistent when placed immediately abutting AR agricultural rural and the quality-of-life issues such as protecting use types of **wilderness and scenic areas, conservation and wildlife areas.**
- Such a juxtaposition is not permitted in the ULDC.

C. Negative Impact on the Environment

- The Application will have a tremendous adverse impact on the natural environment.
- While the Applicant has agreed to "preserve" .94 acres of the Property as "tree preservation" areas, it discounts the removal of the remaining 6.63 acres of the heavily wooded Property, including innumerable scrub pines, which must be torn out to clear the Property for construction of the Town Homes and infrastructure.
- At the same time, while there are restrictions in the preserve areas for the replacement of trees which die, no such protection is provided for the hundreds of trees in the rest of the Project.

- To offset this loss, the Applicant should be required to replace any tree which dies, whether in the preserve or anywhere else in the Property. Regardless of why or how it died, a new tree should take its place at the cost of the Applicant.

D. Lack of Adequate Public Facilities-Inadequate Roads

- While the Applicant has indicated it has complied with the minimalistic Concurrency standards, looking at the Property and proposed Project in the context of new construction to the East there will be catastrophic traffic jams on Nash Road.
- The Project has only one entrance and one exit onto 52nd Drive South, which then runs south to Nash Trail and exits to the east on Haverhill Road.
- Nash Trail is already committed to being used as the sole entrance and exit for the DR Horton Blossom Trail community and its 230 units to the east.
- The combination of both Projects will create a massive traffic flow onto Nash Trail.
- This means that all rush hour traffic, bus stops and constant delivery trucks during the day will all come through one bottle neck at Haverhill and Nash Trail.

E. Questionable Traffic Analysis

- The Applicant's Traffic Analysis shows several Traffic Impact Study Deficiencies and ULDC Compliance Issues which must be solved prior to any potential approval.
- The Applicant's Traffic Study show an Insufficient Trip Generation Analysis
 - Estimated 357 daily trips for 53 units equates to only 6.74 trips per unit.
 - Townhomes typically generate 8-10 trips per dwelling unit per ULDC standards.
 - Study is missing weekend peak analysis required under ULDC Article 5.E
 - Appears to be an inadequate Peak Hour Distribution:
 - AM peak: only 21 trips (5.9% of daily) during morning rush hour.
 - PM peak: only 27 trips (7.6% of daily) during evening rush hour.
 - These percentages appear below the standard ITE rates and ULDC requirements
- Based on the above Traffic Performance Standards (TPS) the conclusion that there will be an "Insignificant Impact" on 52nd Drive South is questionable at best.
- The addition of even the low estimate of 357 daily trips on Haverhill warrants a deeper analysis before there can be a conclusion the
- There is no cumulative impact assessment which includes all the other pending developments such as the D.R. Horton project to the east.
- There is no analysis of school traffic impact during peak periods.
- There are Access Design Issues:
 - Single access point through 52nd Dr South creates potential bottle neck.
 - ULDC fire access requirements may necessitate secondary emergency access.
 - No turn lane analysis at Haverhill Road connection.

Mayor and County Commissioners
August 26, 2025
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- Critical ULDC Article 5.E Violations/Missing Required Studies:
 - Sight distance analysis at 52nd Dr South/Haverhill intersection.
 - Pedestrian/bicycle connectivity per ULDC mobility standards.
 - Transit accessibility assessment for workforce housing residents.

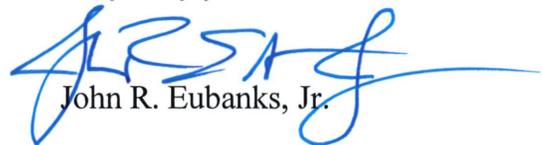
- Build-out Timeline Issues:
 - 2028 build-out assumption appears outdated and unachievable.
 - No phasing plan for traffic mitigation during construction
 - Missing coordination with Dr. Horton construction impacts.

As a result, at a minimum, the BCC should require:

- A comprehensive TPS be completed using current ITE rates and ULDC methodologies.
- Require cumulative impact analysis with all pending developments.
- Mandate emergency access evaluation per fire code requirements.
- Include construction traffic management plan addressing existing road degradation issues.

In light of the above flaws, the Application should be denied.

Very truly yours,



John R. Eubanks, Jr.

cc: County Commissioners
Lisa Amara, Zoning Director
Wendy Hernandez, Deputy Zoning Director
Scott Stone, Esq., County Attorney

SNIFFEN & SPELLMAN, P.A. Item 6

Sender's Direct Line: (561) 721-4002
Email: jeubanks@blesmlaw.com

Via E-mail
Palm Beach County
Board of County Commissioners
c/o Maria G. Marino, Mayor
310 N Olive Avenue, Suite 1201
West Palm Beach, FL 33401

August 26, 2025

**Re: (Z/CA-2024-01593) Nash Trail Development
Neighbors' Proposed Conditions of Approval and Rebuttal of
Applicant's Objections and Responses**

Dear Mayor and Board of County Commissioners:

Our office represents Robert Palahunik, Walter Ross, R. Michael Gordon, William T. Sadler, and Patrick Ledger ("Neighbors") all of whom object to the Nash Trail Development Application ("Application") seeking to rezone a 7.57-acre parcel of property ("Property") from Residential Estate (RE) to Single Family Residence (RS) to allow 53 Townhomes to be built on Property ("Project") abutting Agricultural Residential (AR) zoning. An aerial identifying the location of the Neighbors property in relation to the Project is attached. (Ex. A)

After the Neighbors did not receive a response to the issues raised during their May 8, 20205 Zoom call with the Applicant, our office provided a series of proposals set out in distinct categories on August 20, 2025, representing the Neighbors' Proposed Conditions of Approval ("Proposal"). (Ex B) We received a Response ("Response") from the Applicant after-hours on Friday, August 22, 2025. (Ex. C) As such, this Rebuttal is the first opportunity we have had to address the Response.

Application Should be Denied Due to Violation of Key Standards and Definitions in the ULDC

On its face, the Application should be denied as it is inconsistent with and in **violation of the standards and definitions in the ULDC**. The purpose of the **AR district** is "to protect and enhance the **rural lifestyle and quality of life** of residents **in areas designated rural residential, to protect** watersheds and water supplies, **wilderness and scenic areas, conservation and wildlife areas...**" The purpose of the **RE district** "is to provide a transition between the **agricultural and conservation areas and more urban residential communities ...**" The RE district was purposefully established to act as a buffer between rural and urban development. As a result, Townhouses are not permitted in the RE district.

By contrast, the purpose of the **RS district is to provide areas for moderate-density Single Family dwelling units in a more urban setting**. As a result, placing an RS higher density Project directly next to an AR district is inconsistent with the ULDC. To do so would render the purpose of RE as a **transition between Agricultural and higher density dwelling units moot**

REPLY TO:

605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401
PHONE: 561.721.4000
FAX: 561.721.4001

WWW.SNIFFENLAW.COM

123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

and its language superfluous. As such, the Applicant's entire project is nothing more than an improper attempt to bypass the clearly defined purpose of the ULDC of separating incompatible AR and RS zonings with the RE district. As such, the Application **should be denied.**

Focus on Increasing Perimeter Incompatibility Buffers

Even if the above could legally be overlooked (which it cannot), the BCC's first and foremost focus should be on how to insulate the Neighbors in an **Agricultural** bucolic zoning who have lived there for decades from the lights, sights, sound, noise, smells and any other inconvenience **of higher density urban Townhouses.** To do so, the Neighbors created the list below of proposed Conditions of Approval to offset the improper placement of the Project next to an AR zoning.

Incompatibility Buffer Requests

Neighbors' Request- West Property Line - the West Buffer shall be upgraded as follows:

- a. **Width:** 20.0 ft. Enhanced Type 3 Incompatibility Buffer along entire west property line.
- b. **Canopy Trees:** Minimum height of 12 feet (oak); minimum one tree per 20 linear feet.
- c. **Palm or Pine:** Minimum quantity (12 feet); minimum one per 20 linear feet.
- d. **Midstory Tree:** Minimum height 6 feet (magnolia) one per 20 linear feet.
- e. **Shrubs/Hedges:** 1 row of each: **Small shrubs** – 1 per 2 linear feet (ferns); and **Medium shrubs** – (3 feet tall) 1 per 4 linear feet (silver buttonwood); **large shrubs** (5 feet tall) 1 per 5 linear feet (cocoplum) maintained at 8 feet.
- f. **Barrier: Concrete wall** at least 6 feet tall on a three-foot berm set back at least 10 feet from the property line.
- g. **Dense Landscaping:** Robust planting in excess of the Code as shown in the drawing by Environmental Design Group with an emphasis on pines over palms as they provide more perches for native birds. (Ex. D)

Response by Applicant – Western Buffer – Gordon Property

- a. **Width and Wall:** 20.0 ft. Enhanced Type 3 Incompatibility Buffer with 6 ft. wall only along border with the Gordon property. **No berm.**
- b. **SimTek Fence:** Type 1 Incompatibility Buffer with 6 ft. SimTek fence along the Sadler property to the north to avoid damage to trees by heavy machinery use. **1 ft. berm**

- c. **Dense Landscaping:** 20-ft landscaping in Ex. D “buffer does not support the excessive landscaping requested.”

Rebuttal by Neighbors – Western Buffer Sadler Property

- a. **Width and Wall:** The **6 ft. concrete wall** should extend the entire western boundary including the Sadler Property for consistency purposes as well as to offset creating an RS Zoning next to AR zoning without an RE transition.
- b. **Berm:** Staff has previously indicated to Mr. Gordon that he is entitled to a **3 ft (2’ 9”)** berm along his property. The **same berm and wall should be a requisite along Mr. Sadler’s** property as well.
- c. **Wall Not SimTek Fence:** While we have heard the argument that installation of a wall may harm the surrounding trees, it will be no more intrusive than the heavy machinery needed to remove the invasive species. Installation of the wall along the Sadler property can be done at the same time and will not exacerbate any potential harm.
- d. **Dense Landscape:** Robust landscaping shown in Ex. D is needed to protect AR zoning next to RS zoning instead of RE zoning.

Neighbors’ North, South, East Property Line Requests – buffers shall be upgraded as follows:

- a. **Width:** 17.5 ft. Enhanced Type 1 Incompatibility Buffer along the entire north, south and east property lines.
- b. **Canopy Trees:** Minimum height of 12 feet (oak); minimum one tree per 20 linear feet.
- c. **Palm or Pine:** Minimum quantity (12 feet); minimum one per 20 linear feet.
- d. **Midstory Tree:** Minimum height 6 feet (magnolia) one per 20 linear feet.
- e. **Shrubs/Hedges:** 1 row of each: **Small shrubs** – 1 per 2 linear feet (ferns); and **Medium shrubs** – (3 feet) 1 per 4 linear feet (silver buttonwood);
- f. **Large shrubs** (5 feet) 1per 5 linear feet (cocoplum) maintained at 8 feet.
- g. **Barrier:** SimTek fence at least **6 feet tall on a three-foot berm** set back at least 10 feet from the property line.
- h. **Dense Landscape:** Robust planting in excess of the Code as shown in the drawing by Environmental Design Group with an emphasis on pines over palms. (Ex. E)

- i. **Copy of Final Site Plan** - Our clients would be provided with a copy of the Final Site Plan at least 3 business days in advance of the BCC meeting to make sure the above items are accurately reflected.

Response by Applicant – North, South, East Property Lines

- a. **Width and Wall: North and South** 17.5-foot buffer, 6 ft. opaque (not SimTek) fence on **1 ft. berm**.
- b. **Width and Wall: East Property Line:** 15-foot R.O.W. buffer per Code Minimum.
- c. **Dense Landscape** – No to Ex. D but “Enhanced landscaping” along South and East with residential fences along East side of townhomes property lines. Minimum R.O.W. Landscape Buffer. **No berm**.

Rebuttal by Neighbors – North, South, East Property Lines

- a. **Width and Wall:** To maintain continuity and ensure security a 17.5 ft. Type 1 Incompatibility buffer with a 6 ft. SimTek fence should be the minimum on a **3 ft. berm**.
- b. **Dense Landscape** – As presented in Ex. D to ensure safety as well as quell any and sights, sound, noise, light from the Project.

52nd Drive South Issues

Neighbors’ Requests

- a. **Reinstate the sidewalk** on the west side of 52nd Drive S. The absence of the same creates a safety issue for pedestrians who will be forced to walk on the unimproved roadway of 52nd Drive South.
- b. **Heavy Landscape** - the last 300 feet from the FPL pole to the northern boundary on the east side of their proposed wall shall have additional landscaping.
- c. **No Parking Signs** – No Parking and Towing signs shall be installed along the 52nd Drive South from the entrance of the community to the terminus of the road.
- d. **Solid Paving** - 52nd Drive South shall further be paved from the entrance of the community to the northern terminus of the road near Mr. Palahunik’s property at 5536 52nd Drive South. Such paving should not consist of just crushed asphalt which deteriorates too quickly for daily use and is already

deteriorating from the DR Horton construction use. The extension of the pavement will also provide Emergency Vehicles with a solid base (especially after a rainstorm) for their heavy equipment.

- e. **Sewer and Water Extension** - The installation of sewer and water should be extended 670 ft north of existing hydrant currently in place on 52nd Drive South to the terminus of 52nd Drive South. This will eliminate any potential contamination from nearby existing properties. The Code and case law allow the County to require new developments to extend sewer and water availability to nearby properties to avoid any potential well contamination, a critical environmental protection measure which aligns with the county's water quality protection objectives. In the alternative a stub out from the proposed development next door could be used as shown on the site plan.
- f. **Meet the Standards of a 50 ROW** – The Applicant shall meet the standards for a 50-foot Right of Way under the Code as a Local Street. To do so it must have at least 20 feet of pavement width and must use a curb and gutter system (not rely on roadside swales) which does not appear in in the latest Site Plan. A 12-foot Utility Easement must also fit within the ROW. *See*, Table 11.E.2.A.

Response by Applicant

- a. **Sidewalk:** An internal sidewalk is being provided for the residents of the Nash Trail Development. No external sidewalks will be provided.
- b. **Heavy Landscaping:** Willing to provide an additional hedge row to screen area for last 300 ft.
- c. **No Parking Signs:** Signage is responsibility of PBC Public Works. If authorized, it will install signs that meet T-P-24 requirements.
- d. **Solid Paving:** Neither Code nor Palm Beach County Fire Department require 52nd Drive South to be paved. It is an **undesired and unnecessary liability** for the developer.
- e. **Sewer and Water Extension:** Not required by Code and represents a potential liability which is **commercially unreasonable risk and cost to incur**.
- f. **Meet the Standards of a 50 ROW:** Adding curb and gutters will negatively impact the current drainage system along Nash Trail and 52nd Drive South.

Neighbors' Rebuttal

- a. **Sidewalk:** While the Applicant can choose to also have a private internal sidewalk it does not excuse the need for a public sidewalk along 52nd Drive South.
- b. **Heavy Landscaping:** Robust landscaping should be provided for the last 300 feet.
- c. **No Parking Signs:** A condition of approval should be to work with Public Works on the installation of the same.
- d. **Solid Paving:** To avoid any potential liability, the Applicant can either pave the road and dedicate it to the County with an acceptance finding it has been properly completed or can pay the equivalent cost of paving the remainder of the road into a fund and have the County Public Works Department to perform the work.
- e. **Sewer and Water Extension:** The County's public policies include a policy and directive to remove any potential water contamination from isolated wells and septic systems by hooking them up to public water and sewer lines. In doing so it is the County's policy not to land lock surrounding property owners with no water or sewer when water and sewer are accessible. As such, Sections 3.3 and 3.3.1 of the Uniform Policies and Procedures (UPAP) of the County dictate the extension of water and sewer to the north terminus of 52nd Drive South. Again, the Applicant can either perform the work and dedicate the extensions to the County or pay the County Public Works Department to perform the work.
- f. **Meet the Standards of 50 ROW:** The standards for a 50 RW Local Road include the need for at least 20 feet of pavement width and must use a curb and gutter system for curbs and drainage. *See, Table See, Table 11.E.2.*

Oldsmobile Drive Issues

Neighbors' Requests

- a. **Sewer and Water Extension** – Sewer and water should be extended from the Project to the edge of Oldsmobile Drive such that the two adjacent properties may hook up to the same.

Response by Applicant

- a. **Sewer and Water Extension:** Not required by Code and represents a **potential liability which is a commercially unreasonable risk and cost.**

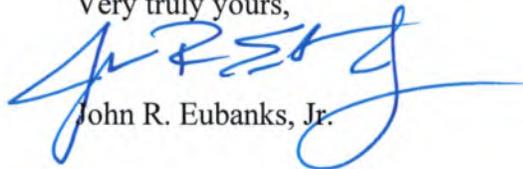
Mayor and County Commissioners
August 26, 2025
Page 7

Neighbors' Rebuttal

- a. **Sewer and Water Extension:** The County's Policies and Procedures remain to remove any potential water contamination from isolated wells and septic systems by hooking them up to public water and sewer. Again, the Applicant can either perform the work and dedicate the extensions or pay the cost to the County Public Works Department to perform the work.

The Neighbors strongly believe that the Application should either be Remanded (due to their inability to make Public Comment) or be Denied for allowing a change in zoning that would result in incompatible AR and RS zoning districts side by side. Absent either such determination they request the BCC adopt and incorporate their Neighbors' Conditions of Approval above.

Very truly yours,



John R. Eubanks, Jr.

Attachments

cc: Clients
County Commissioners
Lisa Amara, Zoning Director
Wendy Hernandez, Deputy Zoning Director
Scott Stone, County Attorney



Palahumik

Leger

Sadler

Gordon

Ross

52nd Dr S

Oldsmobile Dr

Nash Trl

tabbles®
EXHIBIT
 A

SNIFFEN & SPELLMAN, P.A.

Sender's Direct Line: (561) 721-4002
Email: jeubanks@blesmlaw.com

August 20, 2025

Via E-mail

Henry Handler
Weiss, Handler & Cornwell P.A.
One Boca Place
2255 Glades Road, Suite 205-East
Boca Raton, FL 33431-7392

**Re: Z/CA-2024-01593 Nash Trail Development Application
Neighbors' Concerns and Demands**

Henry:

As a follow-up to our conversation, I forwarded the information regarding the SimTek fence and revised Site Plan you provided to my clients. Given that my clients never received a response from the issues raised in our May Zoom call, the below represents my clients' concerns and their demands for the resolution of the same.

Property Perimeter Incompatibility Buffers

West Property Line - the West Buffer shall be upgraded as follows:

- a. **Width:** 20.0 ft. Enhanced Type 3 Incompatibility Buffer along entire west property line.
- b. **Canopy Trees:** Minimum height of 12 feet (oak); minimum one tree per 20 linear feet.
- c. **Palm or Pine:** Minimum quantity (12 feet); minimum one per 20 linear feet.
- d. **Midstory Tree:** Minimum height 6 feet (magnolia) one per 20 linear feet.
- e. **Shrubs/Hedges:** 1 row of each: **Small shrubs** – 1 per 2 linear feet (ferns); and **Medium shrubs** – (3 feet tall) 1 per 4 linear feet (silver buttonwood); **large shrubs** (5 feet tall) 1 per 5 linear feet (cocoplum) maintained at 8 feet.
- f. **Barrier:** Concrete wall at least 6 feet tall on a three-foot berm set back at least 10 feet from the property line.
- g. **Example:** Robust planting in excess of the Code as shown in the drawing by Environmental Design Group with an emphasis on pines over palms as they provide more perches for native birds. *See Exhibit "A"*.

REPLY TO:
605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401
PHONE: 561.721.4000
FAX: 561.721.4001



123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

North, South, and East Property Lines shall be upgraded as follows:

- a. **Width:** 17.5 ft. Enhanced Type 1 Incompatibility Buffer along the entire north, south and east property lines.
- b. **Canopy Trees:** Minimum height of 12 feet (oak); minimum one tree per 20 linear feet.
- c. **Palm or Pine:** Minimum quantity (12 feet); minimum one per 20 linear feet.
- d. **Midstory Tree:** Minimum height 6 feet (magnolia) one per 20 linear feet.
- e. **Shrubs/Hedges:** 1 row of each: **Small shrubs** – 1 per 2 linear feet (ferns); and **Medium shrubs** – (3 feet) 1 per 4 linear feet (silver buttonwood);
- f. **Large shrubs** (5 feet) 1 per 5 linear feet (cocoplum) maintained at 8 feet.
- g. **Barrier:** SimTek fence at least 6 feet tall on a three-foot berm set back at least 10 feet from the property line.
- h. **Example:** Robust planting in excess of the code as shown in the drawing by Environmental Design Group with an emphasis on pines over palms. *See* Exhibit “B”.
- i. **Copy of Final Site Plan** - Our clients would be provided with a copy of the Final Site Plan at least 3 business days in advance of the BCC meeting to make sure the above items are accurately reflected.

52nd Drive South Issues

- a. **Reinstate the sidewalk** on the west side of 52nd Drive S. The absence of the same creates a safety issue for pedestrians who will be forced to walk on the unimproved roadway of 52nd Drive South.
- b. **Heavy Landscape** - the last 300 feet from the FPL pole to the northern boundary on the east side of their proposed wall shall have additional landscaping.
- c. **No Parking Signs** – No Parking and Towing signs shall be installed along the 52nd Drive South from the entrance of the community to the terminus of the road.
- d. **Solid Paving** - 52nd Drive South shall further be paved from the entrance of the community to the northern terminus of the road near Mr. Palahunik’s property at 5536 52nd Drive South. Such paving should not consist of just crushed asphalt which deteriorates too quickly for daily use and is already deteriorating from the DR Horton construction use. The extension of the

pavement will also provide Emergency Vehicles with a solid base for their heavy equipment.

- e. **Sewer and Water Extension** - The installation of sewer and water should be extended 670 ft north of existing hydrant currently in place on 52nd Drive South to the terminus of 52nd Drive South. This will eliminate any potential contamination from nearby existing properties. The Code and case law allow the County to require new developments to extend water and sewer availability to nearby properties to avoid any potential well contamination, a critical environmental protection measure which aligns with the county's water quality protection objectives. In the alternative a stub out from the proposed development next door could be used as shown on the site plan.
- f. **Meet the Standards of a 50 ROW** – The Applicant shall meet the standards for a 50-foot Right of Way under the Code as a Local Street. To do so it must have at least 20 feet of pavement width and must use a curb and gutter system (not rely on roadside swales) which does not appear in in the latest Site Plan. A 12-foot Utility Easement must also fit within the ROW. *See*, Table 11.E.2.A.
- g. **Visitor Spaces** - Provide more than the 6 visitor parking spaces recently identified. With such narrow streets and 53 Units, even the smallest of occasions will easily overwhelm available parking. Vehicles which do not fit in a driveway will simply park on 52nd Drive South and walk into the community.
- h. **Lack of ADA Spaces** - There also appears to be a lack of visiting ADA parking spaces, including one or more van accessible spaces which are not shown on the Site Plan.
- i. **Speed Tables** - The Applicant shall install at least two speed tables: (1) speed table along 52nd Drive South before the entrance to the Development and at least (1) speed table to the west of the entrance, subject to review and approval. Installation shall occur prior to the issuance of the final Certificate of Occupancy

Oldsmobile Drive Issues

- a. **Sewer and Water Extension** – Sewer and water should be extended from the community to the edge of Oldsmobile Drive such that the two adjacent properties may hook up to the same. Much like on 52nd Drive South this will eliminate any potential contamination from these nearby existing properties.

August 20, 2025

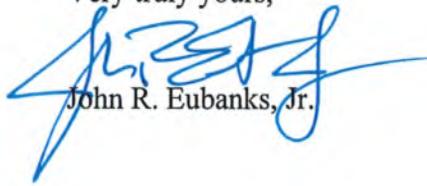
Page 4

Reimbursement of Attorney Fees and Costs

Lennar shall reimburse our clients' attorney fees and costs in the amount of \$25,000 for having to unnecessarily spend such sums to protect their free speech rights and ensure the project meets the applicable Codes.

Our clients reserve the right to add to the above items as well as raise any other issues if the parties are unable to come to an agreement.

Very truly yours,



John R. Eubanks, Jr.

JREjr:mar
Attachments

cc: Clients

WEISS, HANDLER & CORNWELL, P.A.

HENRY B. HANDLER
hbh@whcfla.com

ATTORNEYS AT LAW
ONE BOCA PLACE
2255 GLADES ROAD, SUITE 205-EAST
BOCA RATON, FLORIDA 33431-7392

www.whcfla.com

Telephone (561) 997-9995
Toll Free (800) 863-9560
Facsimile (561) 423-0458
Facsimile (561) 997-5280

August 22, 2025

VIA EMAIL: jeubanks@sniffenlaw.com

John R. Eubanks, Jr., Esq.
Sniffen & Spellman, P.A.
605 North Olive Ave. 2nd Floor
West Palm Beach, FL 33401

Re: Z/CA-2024-01593 Nash Trail Development Application – Continuing
Community Outreach

Dear John:

Thank you for your August 20, 2025 letter identifying both repeated and new neighborhood requests for development changes to the Nash Trail site plan. We appreciate your organization of certain details which had been missing from the meetings hosted by Lennar with one or more of your clients on March 26 and 31, 2025, April 23, 2025 and May 8, 2025. In response, please find the attached schedule of detailed responses.

Lennar believes that the changes and improvements described on the attached schedule are responsive in a meaningful way to the numerous observations and requests of your several clients in light of the project's size, location, and development limitations.

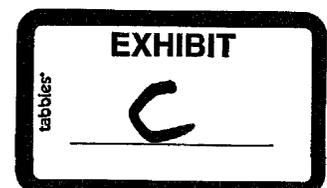
Very truly yours,

WEISS, HANDLER & CORNWELL



HENRY B. HANDLER

HBH/jdn
Enclosure
cc via email: Client



Nash Trail Development - Neighbors' Requests

Request	Response
<p>West Property Line Width: 20.0 ft. Enhanced Type 3 Incompatibility Buffer along entire west property line. Canopy Tree: Minimum height 12 ft. (oak); minimum 1 tree per 20 linear ft. Palm or Pine: Minimum quantity (12 ft.); minimum 1 per 20 linear feet. Midstory Tree: Minimum height of 6 feet (magnolia), one per 20 linear feet. Shrubs/Hedges: 1 row of each: Small shrubs – 1 per 2 linear feet (ferns); and medium shrubs – (3 feet tall) 1 per 4 linear feet (silver buttonwood); large shrubs (5 feet tall) 1 per 5 linear feet (cocoplum) maintained at 8 feet. Barrier: Concrete wall at least 6 feet tall on a three-foot berm set back at least 10 feet from the property line</p>	<p>We are providing an enhanced buffer along the west property line and a 6 ft. wall along the agricultural use on the west property line. We are proposing a Simtek fence north of the agricultural use to preserve trees. The Simtek fence does not require the heavy machinery a concrete wall requires and will cause less disturbance to the trees on this property line. A berm at this location cannot be accommodated due to the required space for grading and earthworks. A 20 ft. landscape buffer does not support the excessive landscaping requested. Watering and maintenance demands exceed what is possible in a 20 ft. landscape buffer.</p> <p>Code Minimum: - 20 ft. Type 3 Incompatibility buffer against Ag use, 10 ft. Type 1 Incompatibility buffer north of Ag use, 1 canopy tree per 20 LF, 1 palm or pine per 30 LF (in Type 3 incompatibility buffer), No palms or pines (in Type 1 Incompatibility Buffer), 1 row of small shrubs @ 1 per 2 LF and 1 row of medium shrubs @ 1 per 4 LF (in Type 3 incompatibility buffer), 1 row of small shrubs @ 1 per 2 LF north of Ag use (in Type 1 incompatibility buffer), 6 ft. high opaque wall against Ag use (In Type 3 Incompatibility Buffer), and 6 ft. high opaque fence or hedge (in Type 1 Incompatibility Buffer)</p> <p>Proposed Landscape Buffer: -20 ft. Type 3 Incompatibility buffer against Ag use, 20 ft. Type 1 Incompatibility buffer north of Ag use, 1 canopy tree per 20 LF, 1 palm or pine per 30 LF, 1 midstory tree per 60 LF, 1 row of small shrubs @ 1 per 2 LF, 1 row of medium shrubs @ 1 per 4 LF, and 1 row of large shrubs @ 1 per 5 LF, 6 ft. opaque wall in Type 3 Incompatibility buffer, 6 ft. Simtek fence in Type 1 Incompatibility buffer, 1 ft. high berm.</p>
<p>North, South, & East Property Line Width: 17.5 ft. Enhanced Type 1 Incompatibility Buffer along entire north, south, and east property lines. Canopy Tree: Minimum height 12 ft. (oak); minimum 1 tree per 20 linear ft. Palm or Pine: Minimum quantity (12 feet); minimum 1 per 20 linear feet. Midstory Tree: Minimum height of 6 feet (magnolia), one per 20 linear feet. Shrubs/Hedges: 1 row of each: Small shrubs – 1 per 2 linear feet (ferns); and medium shrubs – (3 feet tall) 1 per 4 linear feet (silver buttonwood).</p>	<p>We will provide an enhanced landscaping buffer along the south and east property lines with residential fences installed along the east side of the townhome property lines on 52nd Drive South and a 6 ft. opaque fence along the north and south property lines, per code. The space required for grading and earthworks will not accommodate a 3 ft. berm. Our proposed landscaping meets and exceeds all County landscape code requirements. The east property line also contains a utility easement which limits landscaping.</p>

<p>Large Shrubs (5 feet) 1 per 5 linear feet (cocoplum)maintained at 8 feet.</p> <p>Barrier: Simtek fence at least 6 feet tall on a three-foot berm set back at least 10 feet from property line.</p>	<p>North and South Property Lines Code Minimum: 10 ft. Incompatibility buffer, 1 canopy tree per 20 LF, 1 row of small shrubs @ 1 per 2 LF, 6 ft. high opaque fence or hedge</p> <p>North and South Property Lines Proposed Landscape Buffer: 17.5 foot buffer width, 1 canopy tree per 20 LF, 1 palm or pine per 30 LF, 1 midstory tree per 60 LF, 1 row of small shrubs @ 1 per 2 LF, 1 row of medium shrubs at 1 per 4 LF, 1 row of large shrubs @ 1 per 5 LF, 6 ft. high opaque fence, 1 ft. high berm.</p> <p>East Property Line Code Minimum: 15 ft. wide R-O-W buffer, 1 canopy tree per 25 LF, 1 palm or pine per 30 LF , 1 row of small shrubs @ 1 per 2 LF, 1 row of large shrubs @ 1 per 4 LF.</p> <p>East Property Line Proposed Landscape Buffer: 15 ft. wide buffer, 1 canopy tree per 25 LF, 1 palm or pine per 30 LF, 1 row of small shrubs @ 1 per 2 LF, 1 row of large shrubs @ 1 per 4 LF</p>
<p>Provide copy of Final Site Plan to neighbors at least 3 business days in advance of BCC meeting.</p>	<p>The final site plan has already been submitted to County staff and is available for review. A copy will be delivered to Mr. Eubanks.</p>
<p>Reinstate sidewalk on west side of 52nd Drive South.</p>	<p>An internal sidewalk is provided for the residents of the Nash Trail development that connects to 52nd drive South at the project entry. 52nd Drive South will not be paved past the entrance and a sidewalk along a gravel road may create undesired and unnecessary liability for the developer.</p>
<p>Add heavy landscaping on last 300 ft (FPL pole to northern boundary) east side of proposed wall.</p>	<p>We offered to put a fence on the property at 5336 52nd Drive South to provide privacy and security, and the owner declined. We are providing perimeter fencing (6 ft. opaque fence) along the north, south and east property lines. We are willing to provide an additional hedge row to screen the area for the last 300 ft.</p>
<p>Install No Parking and Towing signs along 52nd Drive South (entrance to terminus).</p>	<p>Lennar does not own 52nd Drive South and all signage is the responsibility of the PBC Public Works Department. If authorized by the Public Works Department we will install signs that meet all T-P-24 requirements.</p>
<p>Pave 52nd Drive South (solid paving, not crushed asphalt) from entrance to northern terminus near 5536 52nd Drive South.</p>	<p>Neither the Code nor the Palm Beach County Fire Department require 52nd Drive South to be paved. It is an undesired and unnecessary liability for the developer.</p>
<p>Extend sewer and water 670 ft north of existing hydrant on 52nd Drive South to terminus (or stub out from adjacent development).</p>	<p>Extending sewer and water is not required by Code and represents a potential liability which is a commercially unreasonable risk and cost to incur.</p>
<p>Meet 50 ft ROW standards (20 ft pavement width, curb & gutter system, 12 ft utility easement).</p>	<p>The section of 52nd Drive S. we are paving meets all County roadway requirements. Adding curb and gutter will negatively impact the current drainage system along Nash Trail and 52nd Drive South.</p>
<p>Provide more than 6 visitor parking spaces (current plan insufficient).</p>	<p>Our site plan provides 183 total parking spaces, inclusive of the 6 visitor spaces, far exceeding the minimum required parking standard of 106 spaces.</p>

Add ADA visitor parking spaces, including van accessible spaces.	Our site plan exceeds parking requirements and ADA guest spaces are not required for multi-family (townhome) developments.
Install at least two speed tables (before entrance and west of entrance). Must be installed before final Certificate of Occupancy.	We suggested the addition of speed tables with Palm Beach County staff, and we were told the County will not support the addition of speed tables.
Extend sewer and water from community to edge of Oldsmobile Drive for adjacent properties to hook up.	Extending the sewer and water lines from the Nash Trail development to Oldsmobile Drive may create undesired and unnecessary liability to the developer.
Reimburse attorney fees and costs of \$25,000.	Our site plan and application are in compliance with the Code, as indicated by County staffs' recommendation of approval. The developer incurs significant professional costs in site plan changes resulting from neighborhood outreach. There is neither a legal nor business reason to shift liability for the payment of another's attorney's fees for involvement in neighborhood outreach.

Exhibit E.9 – Preliminary Regulating Plan and Tree List

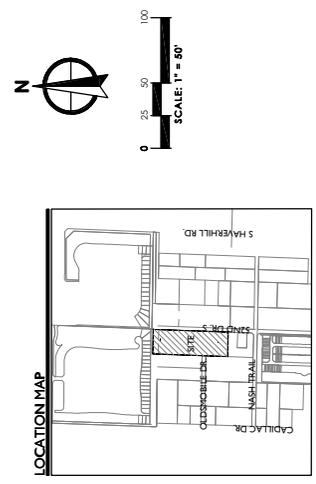
NASH TRAIL
5657 52ND DR S
PALM BEACH COUNTY, FLORIDA
PRELIMINARY REGULATING PLAN



NO.	DATE	REVISION
01	01/18/2024	SUPPLEMENTAL RESUBMITTAL
02	11/29/2024	RESUBMITTAL
03	12/23/2024	RESUBMITTAL
04	01/27/2025	RESUBMITTAL

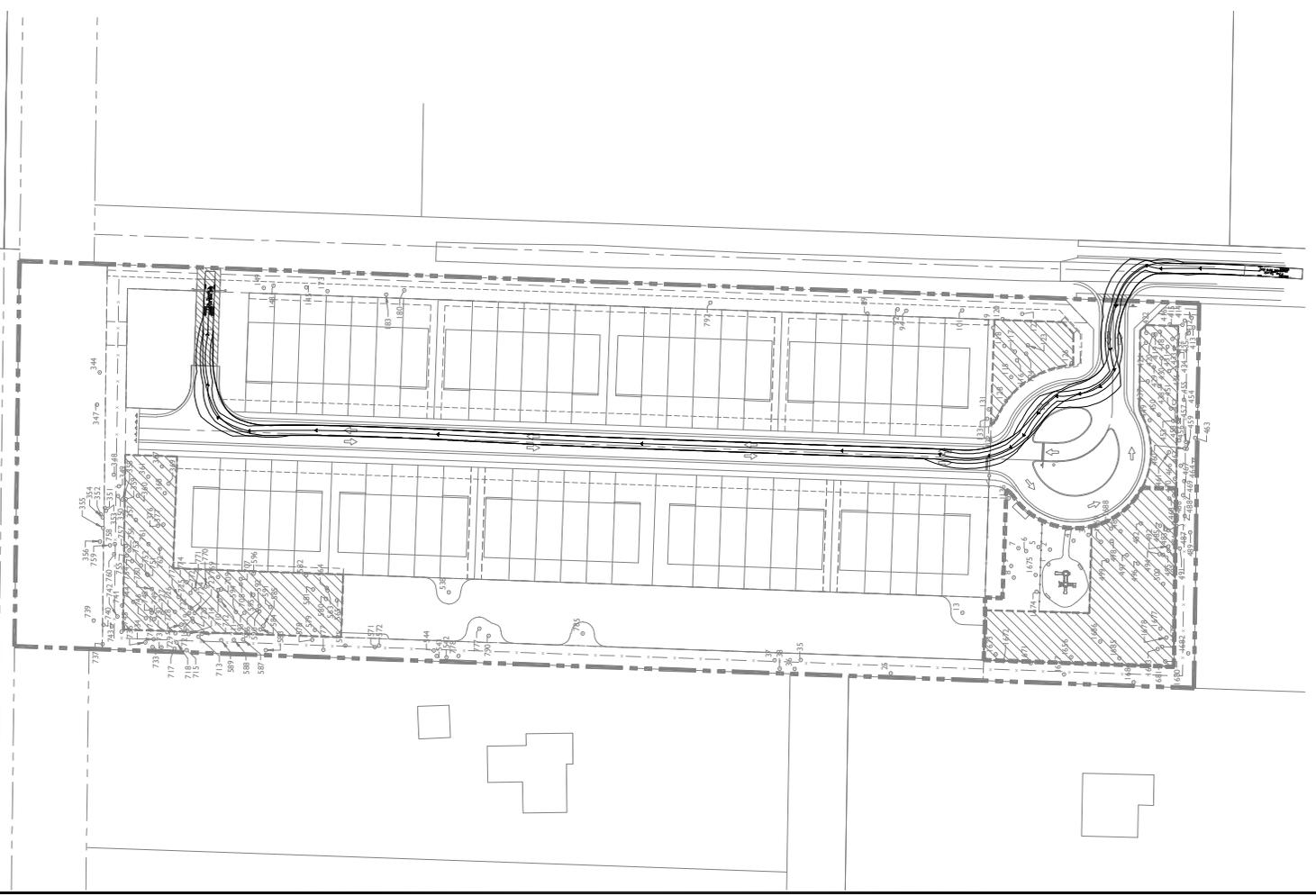
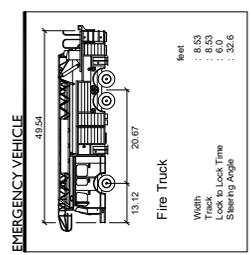
AMENDMENTS

ZONING STAMP



SITE DATA
APPLICATION NAME: NASH TRAIL PROPERTY
CONTROL NUMBER: 225-60225
APPLICATION NUMBER: ZICA-2024-1191

- LEGEND**
- AC = ACRES
 - ADT = AVERAGE DAILY TRIPS
 - AS = ASBESTOS
 - DL = DRAINAGE LINE
 - DL = DRAINAGE BASIN
 - DU = DWELLING UNITS
 - EA = EXISTING
 - EA = EXISTING LAND USE
 - INC = INCOMPATIBILITY
 - LAE = LIMITED ACCESS BASEMENT
 - LAE = LIMITED ACCESS BASEMENT
 - LMAE = LAKE MAINTENANCE ACCESS BASEMENT
 - LEE = LEFT STATION BASEMENT
 - OT = OFFICE RECORD BOOK
 - PB = PLAT BOOK
 - PBC = PALM BEACH COUNTY
 - PBC = PALM BEACH COUNTY
 - PC = PLAT
 - PC = PLAT
 - R = RADIUS
 - RW = RIGHT-OF-WAY
 - RW = RIGHT-OF-WAY
 - SB = SETBACK
 - SB = SETBACK
 - SW = SIDEWALK
 - SW = SIDEWALK
 - T.B.A. = TO BE ABANDONED
 - ULDC = UNIFIED LAND DEVELOPMENT CODE
 - WV = WORKSPACE HOUSING UNIT
 - WV = WORKSPACE HOUSING UNIT
 - T.B.R. = TO BE RELEASED
 - T.B.R. = TO BE RELEASED
 - ☐ = TREE PRESERVATION AREA



Prepared by: [Name] Date: [Date]
Checked by: [Name] Date: [Date]
Reviewed by: [Name] Date: [Date]

10621.00 Nash Trail
 Tabular Tree List
 February 13, 2025

Tag #	Common Name	Scientific Name	DBH (inches)*	ERM Tree	Zoning Tree	Disposition	ERM Mitigation			Zoning Replacement	Credit	Notes
							Calculated per Table 14.C.7.B - Native Vegetation Mitigation					
1	Slash Pine	<i>Pinus elliottii</i>	9	X		Preserve						
2	Slash Pine	<i>Pinus elliottii</i>	7.5	X		Preserve						Severe lean, fair
3	Slash Pine	<i>Pinus elliottii</i>	14.7	X		Preserve						Specimen, many vines, otherwise good form
4	Slash Pine	<i>Pinus elliottii</i>	14.8	X		Preserve						Specimen, many vines, otherwise ok form
5	Slash Pine	<i>Pinus elliottii</i>	11.7	X		Preserve						
6	Sabal Palm	<i>Sabal palmetto</i>	21.5	X		Preserve						Good form
7	Slash Pine	<i>Pinus elliottii</i>	10	X		Preserve						
8	Slash Pine	<i>Pinus elliottii</i>	7.4	X		Preserve						
9	Slash Pine	<i>Pinus elliottii</i>	11.2	X		Preserve						
10	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3					
11	Slash Pine	<i>Pinus elliottii</i>	11.5	X		Mitigate On-site	4					
12	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Mitigate On-site	3					
13	Slash Pine	<i>Pinus elliottii</i>	16.2	X		Preserve						Specimen, some vines in canopy, good
14	Sabal Palm	<i>Sabal palmetto</i>	11	X		Relocate On-site						
15	Sabal Palm	<i>Sabal palmetto</i>	13	X		Relocate On-site						
16	Slash Pine	<i>Pinus elliottii</i>	11.2	X		Mitigate On-site	4					
17	Slash Pine	<i>Pinus elliottii</i>	13.1	X		Mitigate On-site	4					
18	Slash Pine	<i>Pinus elliottii</i>	11.6	X		Mitigate On-site	4					
19	Slash Pine	<i>Pinus elliottii</i>	9.3	X		Mitigate On-site	3					
20	Slash Pine	<i>Pinus elliottii</i>	7.6	X		Mitigate On-site	2					
21	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Mitigate On-site	4					
22	Sabal Palm	<i>Sabal palmetto</i>	14.1	X		Relocate On-site						Good form
23	Pongam	<i>Pongamia pinnata</i>	14.4	X		Mitigate On-site	N/A					Codominant stems, one trunk dead, other damage
24	Slash Pine	<i>Pinus elliottii</i>	11.7	X		Mitigate On-site	4					
25	Sabal Palm	<i>Sabal palmetto</i>	11.9	X		Preserve						
26	Slash Pine	<i>Pinus elliottii</i>	9.3	X		Mitigate On-site	3					
27	Sabal Palm	<i>Sabal palmetto</i>	12.7	X		Relocate On-site						
28	Slash Pine	<i>Pinus elliottii</i>	8.9	X		Mitigate On-site	3					
29	Sabal Palm	<i>Sabal palmetto</i>	15.2	X		Relocate On-site						Fair
30	Slash Pine	<i>Pinus elliottii</i>	12.8	X		Mitigate On-site	4					
31	Slash Pine	<i>Pinus elliottii</i>	14	X		Mitigate On-site	4					Specimen, good form, no defects
32	Slash Pine	<i>Pinus elliottii</i>	7.5	X		Mitigate On-site	2					
33	Slash Pine	<i>Pinus elliottii</i>	10.9	X		Mitigate On-site	3					
34	Sabal Palm	<i>Sabal palmetto</i>	11.6	X		Offsite						
35	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Preserve						
36	Slash Pine	<i>Pinus elliottii</i>	13	X		Preserve						
37	Slash Pine	<i>Pinus elliottii</i>	11.1	X		Preserve						
38	Slash Pine	<i>Pinus elliottii</i>	10.7	X		Preserve						
39	Slash Pine	<i>Pinus elliottii</i>	13.2	X		Mitigate On-site	4					Minimal canopy, many vines, poor
40	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3					
41	Slash Pine	<i>Pinus elliottii</i>	11.5	X		Mitigate On-site	4					
42	Sabal Palm	<i>Sabal palmetto</i>	17.5	X		Relocate On-site						Good form
43	Slash Pine	<i>Pinus elliottii</i>	9.9	X		Mitigate On-site	3					
44	Slash Pine	<i>Pinus elliottii</i>	7.2	X		Mitigate On-site	2					
45	Slash Pine	<i>Pinus elliottii</i>	13	X		Mitigate On-site	4					
46	Slash Pine	<i>Pinus elliottii</i>	8.4	X		Mitigate On-site	3					
47	Slash Pine	<i>Pinus elliottii</i>	15.4	X		Mitigate On-site	5					Specimen, some vines in canopy
48	Slash Pine	<i>Pinus elliottii</i>	12	X		Mitigate On-site	4					Severe lean, minimal canopy, fair
49	Slash Pine	<i>Pinus elliottii</i>	13.8	X		Mitigate On-site	4					
50	Slash Pine	<i>Pinus elliottii</i>	11.6	X		Mitigate On-site	4					
51	Slash Pine	<i>Pinus elliottii</i>	12.5	X		Mitigate On-site	4					
52	Slash Pine	<i>Pinus elliottii</i>	14.1	X		Mitigate On-site	5					Specimen, Fair, vines on canopy
53	Slash Pine	<i>Pinus elliottii</i>	14.6	X		Mitigate On-site	5					Specimen, good
54	Slash Pine	<i>Pinus elliottii</i>	6.1	X		Mitigate On-site	2					
55	Slash Pine	<i>Pinus elliottii</i>	14.8	X		Mitigate On-site	5					Specimen, good
56	Slash Pine	<i>Pinus elliottii</i>	9.7	X		Mitigate On-site	3					
57	Slash Pine	<i>Pinus elliottii</i>	11.5	X		Mitigate On-site	4					
58	Slash Pine	<i>Pinus elliottii</i>	13.4	X		Mitigate On-site	4					
59	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Mitigate On-site	3					
60	Sabal Palm	<i>Sabal palmetto</i>	11.3	X		Relocate On-site						
61	Slash Pine	<i>Pinus elliottii</i>	10.4	X		Mitigate On-site	3					
62	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Mitigate On-site	3					
63	Slash Pine	<i>Pinus elliottii</i>	8.2	X		Mitigate On-site	3					
64	Slash Pine	<i>Pinus elliottii</i>	11	X		Mitigate On-site	3					
65	Slash Pine	<i>Pinus elliottii</i>	13.2	X		Mitigate On-site	4					
66	Slash Pine	<i>Pinus elliottii</i>	7.9	X		Mitigate On-site	2					
67	Slash Pine	<i>Pinus elliottii</i>	8.2	X		Mitigate On-site	3					
68	Slash Pine	<i>Pinus elliottii</i>	12.8	X		Mitigate On-site	4					
69	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Mitigate On-site	3					
70	Slash Pine	<i>Pinus elliottii</i>	11.9	X		Mitigate On-site	4					
71	Slash Pine	<i>Pinus elliottii</i>	7.6	X		Mitigate On-site	2					
72	Slash Pine	<i>Pinus elliottii</i>	8.3	X		Mitigate On-site	3					
73	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Mitigate On-site	4					
74	Slash Pine	<i>Pinus elliottii</i>	12	X		Mitigate On-site	4					
75	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3					
76	Slash Pine	<i>Pinus elliottii</i>	8	X		Mitigate On-site	2					
77	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Mitigate On-site	3					
78	Slash Pine	<i>Pinus elliottii</i>	9.2	X		Mitigate On-site	3					
79	Sabal Palm	<i>Sabal palmetto</i>	12.9	X		Relocate On-site						
80	Slash Pine	<i>Pinus elliottii</i>	12.1	X		Mitigate On-site	4					
81	Slash Pine	<i>Pinus elliottii</i>	11.9	X		Mitigate On-site	4					
82	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Mitigate On-site	4					
83	Slash Pine	<i>Pinus elliottii</i>	12.6	X		Mitigate On-site	4					
84	Sabal Palm	<i>Sabal palmetto</i>	12.2	X		Relocate On-site						
85	Slash Pine	<i>Pinus elliottii</i>	14.3	X		Mitigate On-site	5					Specimen, many vines, asymmetric canopy
86	Slash Pine	<i>Pinus elliottii</i>	11.7	X		Mitigate On-site	4					
87	Slash Pine	<i>Pinus elliottii</i>	12.4	X		Mitigate On-site	4					
88	Black Olive	<i>Terminalia buceras</i>	16.6	X		Mitigate On-site	5					Sapsucker damage and slight lean, otherwise good form
89	Slash Pine	<i>Pinus elliottii</i>	8	X		Preserve						
90	Slash Pine	<i>Pinus elliottii</i>	13	X		Mitigate On-site	4					
91	Slash Pine	<i>Pinus elliottii</i>	8.8	X		Mitigate On-site	3					
92	Slash Pine	<i>Pinus elliottii</i>	15.9	X		Preserve						Specimen, good form, no defects
93	Slash Pine	<i>Pinus elliottii</i>	9.1	X		Mitigate On-site	3					

10621.00 Nash Trail
 Tabular Tree List
 February 13, 2025

Tag #	Common Name	Scientific Name	DBH (inches)*	ERM Tree	Zoning Tree	Disposition	ERM Mitigation	Zoning Replacement	Credit	Notes
94	Slash Pine	<i>Pinus elliottii</i>	7.8	X		Preserve				
95	Slash Pine	<i>Pinus elliottii</i>	8.6	X		Mitigate On-site	3			
96	Slash Pine	<i>Pinus elliottii</i>	7.3	X		Mitigate On-site	2			Minimal canopy, fair
97	Slash Pine	<i>Pinus elliottii</i>	15.8	X		Mitigate On-site	5			Specimen, good
98	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Mitigate On-site	3			
99	Slash Pine	<i>Pinus elliottii</i>	7.2	X		Mitigate On-site	2			
100	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3			
101	Slash Pine	<i>Pinus elliottii</i>	8	X		Preserve				
102	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Mitigate On-site	4			
103	Slash Pine	<i>Pinus elliottii</i>	10.2	X		Mitigate On-site	3			
105	Slash Pine	<i>Pinus elliottii</i>	7.6	X		Mitigate On-site	2			
106	Slash Pine	<i>Pinus elliottii</i>	10.6	X		Mitigate On-site	3			
107	Slash Pine	<i>Pinus elliottii</i>	6	X		Mitigate On-site	2			
108	Slash Pine	<i>Pinus elliottii</i>	10.9	X		Mitigate On-site	3			
109	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Mitigate On-site	3			
110	Slash Pine	<i>Pinus elliottii</i>	11.1	X		Mitigate On-site	4			
111	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Mitigate On-site	4			
112	Slash Pine	<i>Pinus elliottii</i>	11.2	X		Mitigate On-site	4			
113	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3			
114	Sabal Palm	<i>Sabal palmetto</i>	13	X		Relocate On-site				
115	Slash Pine	<i>Pinus elliottii</i>	14.4	X		Preserve				Specimen, good
116	Slash Pine	<i>Pinus elliottii</i>	8.8	X		Preserve				
117	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Preserve				
118	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Preserve				
119	Slash Pine	<i>Pinus elliottii</i>	7.5	X		Preserve				
120	Slash Pine	<i>Pinus elliottii</i>	10.4	X		Preserve				
121	Slash Pine	<i>Pinus elliottii</i>	9.5	X		Mitigate On-site	3			
122	Slash Pine	<i>Pinus elliottii</i>	13.7	X		Preserve				Damage to trunk, fair
123	Slash Pine	<i>Pinus elliottii</i>	13.7	X		Preserve				
124	Sabal Palm	<i>Sabal palmetto</i>	13.8	X		Preserve				
125	Sabal Palm	<i>Sabal palmetto</i>	12	X		Relocate On-site				
126	Sabal Palm	<i>Sabal palmetto</i>	13	X		Preserve				
127	Slash Pine	<i>Pinus elliottii</i>	15.1	X		Mitigate On-site	5			Specimen, good, slight leaning
128	Slash Pine	<i>Pinus elliottii</i>	16.9	X		Preserve				Specimen, good
129	Slash Pine	<i>Pinus elliottii</i>	15.1	X		Mitigate On-site	5			Specimen, good, previous limb failure
130	Slash Pine	<i>Pinus elliottii</i>	8.3	X		Mitigate On-site	3			
131	Slash Pine	<i>Pinus elliottii</i>	10.6	X		Preserve				
132	Slash Pine	<i>Pinus elliottii</i>	15.2	X		Preserve				Specimen, good
133	Sabal Palm	<i>Sabal palmetto</i>	15	X		Preserve				Good form
134	Slash Pine	<i>Pinus elliottii</i>	12.5	X		Mitigate On-site	4			
135	Slash Pine	<i>Pinus elliottii</i>	13.1	X		Mitigate On-site	4			
136	Slash Pine	<i>Pinus elliottii</i>	14.2	X		Preserve				Specimen, good
137	Slash Pine	<i>Pinus elliottii</i>	13.5	X		Mitigate On-site	4			
138	Slash Pine	<i>Pinus elliottii</i>	10.7	X		Mitigate On-site	3			
139	Slash Pine	<i>Pinus elliottii</i>	15	X		Mitigate On-site	5			Specimen, good
140	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Offsite				
141	Slash Pine	<i>Pinus elliottii</i>	6.3	X		Mitigate On-site	2			
142	Slash Pine	<i>Pinus elliottii</i>	12.2	X		Mitigate On-site	4			
143	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Mitigate On-site	3			
144	Slash Pine	<i>Pinus elliottii</i>	9.5	X		Mitigate On-site	3			
145	Slash Pine	<i>Pinus elliottii</i>	7	X		Preserve				
146	Slash Pine	<i>Pinus elliottii</i>	11.5	X		Mitigate On-site	4			
147	Slash Pine	<i>Pinus elliottii</i>	9.7	X		Mitigate On-site	3			
148	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Preserve				
149	Slash Pine	<i>Pinus elliottii</i>	13.2	X		Preserve				
150	Slash Pine	<i>Pinus elliottii</i>	10.2	X		Offsite				
151	Slash Pine	<i>Pinus elliottii</i>	10.2	X		Mitigate On-site	3			
152	Slash Pine	<i>Pinus elliottii</i>	10.4	X		Offsite				
153	Slash Pine	<i>Pinus elliottii</i>	6.5	X		Offsite				
154	Slash Pine	<i>Pinus elliottii</i>	8.8	X		Offsite				
155	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Mitigate On-site	3			
156	Slash Pine	<i>Pinus elliottii</i>	7.6	X		Mitigate On-site	2			
157	Slash Pine	<i>Pinus elliottii</i>	13.5	X		Mitigate On-site	4			
158	Slash Pine	<i>Pinus elliottii</i>	14.9	X		Mitigate On-site	5			Specimen, good
159	Slash Pine	<i>Pinus elliottii</i>	9.5	X		Mitigate On-site	3			
160	Slash Pine	<i>Pinus elliottii</i>	11.9	X		Mitigate On-site	4			
161	Slash Pine	<i>Pinus elliottii</i>	13.9	X		Mitigate On-site	4			
162	Slash Pine	<i>Pinus elliottii</i>	13.7	X		Mitigate On-site	4			
163	Slash Pine	<i>Pinus elliottii</i>	11.5	X		Mitigate On-site	4			
164	Slash Pine	<i>Pinus elliottii</i>	7.3	X		Mitigate On-site	2			
165	Slash Pine	<i>Pinus elliottii</i>	13.2	X		Mitigate On-site	4			
166	Slash Pine	<i>Pinus elliottii</i>	12.2	X		Mitigate On-site	4			
167	Slash Pine	<i>Pinus elliottii</i>	6	X		Mitigate On-site	2			
168	Slash Pine	<i>Pinus elliottii</i>	13.5	X		Mitigate On-site	4			
169	Slash Pine	<i>Pinus elliottii</i>	12.5	X		Mitigate On-site	4			
170	Slash Pine	<i>Pinus elliottii</i>	13.5	X		Mitigate On-site	4			
171	Slash Pine	<i>Pinus elliottii</i>	11	X		Mitigate On-site	3			
172	Slash Pine	<i>Pinus elliottii</i>	13	X		Mitigate On-site	4			
173	Slash Pine	<i>Pinus elliottii</i>	11.5	X		Preserve				
174	Slash Pine	<i>Pinus elliottii</i>	10.4	X		Mitigate On-site	3			
175	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Mitigate On-site	2			
176	Slash Pine	<i>Pinus elliottii</i>	12.5	X		Mitigate On-site	4			
177	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Offsite				
178	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Offsite				
179	Slash Pine	<i>Pinus elliottii</i>	12.1	X		Mitigate On-site	4			
180	Slash Pine	<i>Pinus elliottii</i>	10.9	X		Preserve				
181	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Mitigate On-site	2			
182	Slash Pine	<i>Pinus elliottii</i>	6.8	X		Mitigate On-site	2			
183	Slash Pine	<i>Pinus elliottii</i>	7.3	X		Preserve				
184	Slash Pine	<i>Pinus elliottii</i>	20.7	X		Mitigate On-site	7			Specimen, good
185	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Mitigate On-site	3			
186	Slash Pine	<i>Pinus elliottii</i>	12.5	X		Mitigate On-site	4			
187	Slash Pine	<i>Pinus elliottii</i>	7.6	X		Mitigate On-site	2			

10621.00 Nash Trail
 Tabular Tree List
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Tag #	Common Name	Scientific Name	DBH (inches)*	ERM Tree	Zoning Tree	Disposition	ERM Mitigation			Notes
							ERM Mitigation	Zoning Replacement	Credit	
							Calculated per Table 14.C.T.B - Native Vegetation Mitigation			
188	Slash Pine	<i>Pinus elliottii</i>	6.1	X		Mitigate On-site	2			
189	Slash Pine	<i>Pinus elliottii</i>	9.5	X		Mitigate On-site	3			
190	Slash Pine	<i>Pinus elliottii</i>	15.7	X		Mitigate On-site	5			Specimen, fair
191	Slash Pine	<i>Pinus elliottii</i>	15	X		Mitigate On-site	5			Specimen, good
192	Slash Pine	<i>Pinus elliottii</i>	14.7	X		Mitigate On-site	5			Specimen, good
193	Slash Pine	<i>Pinus elliottii</i>	6.3	X		Mitigate On-site	2			
194	Slash Pine	<i>Pinus elliottii</i>	13.8	X		Mitigate On-site	4			
195	Slash Pine	<i>Pinus elliottii</i>	6.7	X		Mitigate On-site	2			
196	Slash Pine	<i>Pinus elliottii</i>	10.4	X		Mitigate On-site	3			Half dead, fair
197	Slash Pine	<i>Pinus elliottii</i>	10	X		Mitigate On-site	3			
198	Slash Pine	<i>Pinus elliottii</i>	7.5	X		Mitigate On-site	2			
199	Slash Pine	<i>Pinus elliottii</i>	7.7	X		Mitigate On-site	2			
200	Slash Pine	<i>Pinus elliottii</i>	6.8	X		Mitigate On-site	2			
301	Slash Pine	<i>Pinus elliottii</i>	13	X		Mitigate On-site	4			
302	Slash Pine	<i>Pinus elliottii</i>	6.7	X		Mitigate On-site	2			
303	Slash Pine	<i>Pinus elliottii</i>	21	X		Mitigate On-site	7			Specimen, good
304	Slash Pine	<i>Pinus elliottii</i>	8	X		Mitigate On-site	2			
305	Slash Pine	<i>Pinus elliottii</i>	13.5	X		Mitigate On-site	4			
306	Slash Pine	<i>Pinus elliottii</i>	10	X		Mitigate On-site	3			
307	Slash Pine	<i>Pinus elliottii</i>	8	X		Mitigate On-site	2			
308	Slash Pine	<i>Pinus elliottii</i>	6.7	X		Mitigate On-site	2			
309	Slash Pine	<i>Pinus elliottii</i>	13.7	X		Mitigate On-site	4			
310	Slash Pine	<i>Pinus elliottii</i>	9.7	X		Mitigate On-site	3			
311	Slash Pine	<i>Pinus elliottii</i>	12.7	X		Mitigate On-site	4			
312	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Mitigate On-site	2			
313	Slash Pine	<i>Pinus elliottii</i>	9.2	X		Mitigate On-site	3			
314	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Mitigate On-site	4			
315	Slash Pine	<i>Pinus elliottii</i>	10.6	X		Mitigate On-site	3			
316	Slash Pine	<i>Pinus elliottii</i>	7.1	X		Mitigate On-site	2			
317	Slash Pine	<i>Pinus elliottii</i>	9.7	X		Mitigate On-site	3			
318	Slash Pine	<i>Pinus elliottii</i>	8.7	X		Mitigate On-site	3			
319	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3			
320	Slash Pine	<i>Pinus elliottii</i>	9.1	X		Mitigate On-site	3			
321	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Mitigate On-site	4			
322	Slash Pine	<i>Pinus elliottii</i>	12.4	X		Mitigate On-site	4			
323	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Mitigate On-site	3			
324	Slash Pine	<i>Pinus elliottii</i>	8.3	X		Mitigate On-site	3			
325	Slash Pine	<i>Pinus elliottii</i>	8.9	X		Mitigate On-site	3			
326	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Mitigate On-site	3			
327	Slash Pine	<i>Pinus elliottii</i>	14.2	X		Mitigate On-site	5			Specimen, good
328	Slash Pine	<i>Pinus elliottii</i>	7.7	X		Mitigate On-site	2			
329	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Mitigate On-site	3			
330	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Mitigate On-site	3			
331	Slash Pine	<i>Pinus elliottii</i>	20.1	X		Mitigate On-site	7			Specimen, Codominant trunks
332	Slash Pine	<i>Pinus elliottii</i>	13.8	X		Mitigate On-site	4			
333	Slash Pine	<i>Pinus elliottii</i>	14.4	X		Mitigate On-site	5			Specimen, good
334	Slash Pine	<i>Pinus elliottii</i>	16.6	X		Mitigate On-site	5			Specimen, good
335	Slash Pine	<i>Pinus elliottii</i>	13.6	X		Mitigate On-site	4			Trunk rot and damage at the base, fair
336	Slash Pine	<i>Pinus elliottii</i>	7.6	X		Mitigate On-site	2			
337	Slash Pine	<i>Pinus elliottii</i>	14.8	X		Mitigate On-site	5			Specimen, good
338	Slash Pine	<i>Pinus elliottii</i>	14.1	X		Mitigate On-site	5			Specimen, good
339	Slash Pine	<i>Pinus elliottii</i>	19	X		Mitigate On-site	6			Specimen, good
340	Slash Pine	<i>Pinus elliottii</i>	6.4	X		Mitigate On-site	2			
341	Slash Pine	<i>Pinus elliottii</i>	9	X		Mitigate On-site	3			Major lean in upper canopy, fair
342	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Offsite				
343	Slash Pine	<i>Pinus elliottii</i>	15.1	X		Offsite				Specimen, codominate stems at 10 ft, damage to structure
344	Slash Pine	<i>Pinus elliottii</i>	14.6	X		Preserve				Specimen, good, slight lean, In L.W.D.D. Easement
345	Slash Pine	<i>Pinus elliottii</i>	10.1	X		Offsite				
346	Slash Pine	<i>Pinus elliottii</i>	12.9	X		Offsite				
347	Slash Pine	<i>Pinus elliottii</i>	15.5	X		Preserve				Specimen, codominate, structural damage, L.W.D.D. Easement
348	Slash Pine	<i>Pinus elliottii</i>	16.3	X		Preserve				Specimen, good, slight lean
349	Slash Pine	<i>Pinus elliottii</i>	10.4	X		Preserve				
350	Slash Pine	<i>Pinus elliottii</i>	8	X		Preserve				
351	Slash Pine	<i>Pinus elliottii</i>	17	X		Preserve				Specimen, good form
352	Slash Pine	<i>Pinus elliottii</i>	14.7	X		Preserve				Specimen, good form, In L.W.D.D. Easement
353	Slash Pine	<i>Pinus elliottii</i>	8	X		Preserve				
354	Slash Pine	<i>Pinus elliottii</i>	8.2	X		Preserve				In L.W.D.D. Easement
355	Slash Pine	<i>Pinus elliottii</i>	7.4	X		Preserve				In L.W.D.D. Easement
356	Slash Pine	<i>Pinus elliottii</i>	17.2	X		Preserve				Specimen, good form, In L.W.D.D. Easement
357	Slash Pine	<i>Pinus elliottii</i>	14.4	X		Preserve				Specimen, good form
358	Slash Pine	<i>Pinus elliottii</i>	12.9	X		Preserve				
359	Slash Pine	<i>Pinus elliottii</i>	7.1	X		Preserve				
360	Slash Pine	<i>Pinus elliottii</i>	8.9	X		Preserve				
361	Slash Pine	<i>Pinus elliottii</i>	6.3	X		Preserve				
362	Slash Pine	<i>Pinus elliottii</i>	9.2	X		Mitigate On-site	3			Evidence of girdling, lots of dead branches, poor
363	Slash Pine	<i>Pinus elliottii</i>	10.9	X		Mitigate On-site	3			Major lean, fair
364	Slash Pine	<i>Pinus elliottii</i>	13.7	X		Mitigate On-site	4			
365	Slash Pine	<i>Pinus elliottii</i>	6.7	X		Mitigate On-site	2			
366	Slash Pine	<i>Pinus elliottii</i>	7.3	X		Mitigate On-site	2			
367	Slash Pine	<i>Pinus elliottii</i>	7.6	X		Preserve				
368	Slash Pine	<i>Pinus elliottii</i>	8.9	X		Preserve				
369	Slash Pine	<i>Pinus elliottii</i>	14.7	X		Preserve				Specimen, good form
370	Slash Pine	<i>Pinus elliottii</i>	13.5	X		Mitigate On-site	4			
371	Slash Pine	<i>Pinus elliottii</i>	11.6	X		Mitigate On-site	4			
372	Slash Pine	<i>Pinus elliottii</i>	11.7	X		Mitigate On-site	4			Damage in canopy, fair
373	Slash Pine	<i>Pinus elliottii</i>	10.9	X		Mitigate On-site	3			
374	Slash Pine	<i>Pinus elliottii</i>	6.3	X		Mitigate On-site	2			
375	Slash Pine	<i>Pinus elliottii</i>	8.6	X		Mitigate On-site	3			
376	Slash Pine	<i>Pinus elliottii</i>	9.9	X		Preserve				
377	Slash Pine	<i>Pinus elliottii</i>	11.3	X		Preserve				
378	Slash Pine	<i>Pinus elliottii</i>	8.7	X		Mitigate On-site	3			Minimal canopy, fair
379	Slash Pine	<i>Pinus elliottii</i>	12	X		Mitigate On-site	4			
380	Slash Pine	<i>Pinus elliottii</i>	9.5	X		Mitigate On-site	3			

10621.00 Nash Trail
 Tabular Tree List
 February 13, 2025

Tag #	Common Name	Scientific Name	DBH (inches)*	ERM Tree	Zoning Tree	Disposition	ERM Mitigation			Zoning Replacement	Credit	Notes
							Calculated per Table 14.C.T.B. - Native Vegetation Mitigation					
381	Slash Pine	<i>Pinus elliottii</i>	6.8	X		Mitigate On-site	2					
382	Slash Pine	<i>Pinus elliottii</i>	8.2	X		Mitigate On-site	3					
383	Sabal Palm	<i>Sabal palmetto</i>	18	X		Relocate On-site						Good form
384	Slash Pine	<i>Pinus elliottii</i>	7.3	X		Mitigate On-site	2					
385	Slash Pine	<i>Pinus elliottii</i>	11.8	X		Mitigate On-site	4					
386	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Mitigate On-site	2					
387	Slash Pine	<i>Pinus elliottii</i>	12.1	X		Mitigate On-site	4					
388	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Mitigate On-site	2					
389	Slash Pine	<i>Pinus elliottii</i>	10.7	X		Mitigate On-site	3					Major lean, fair
390	Slash Pine	<i>Pinus elliottii</i>	12.9	X		Mitigate On-site	4					
391	Slash Pine	<i>Pinus elliottii</i>	13	X		Mitigate On-site	4					
392	Slash Pine	<i>Pinus elliottii</i>	14.5	X		Mitigate On-site	5					Specimen, good form
393	Slash Pine	<i>Pinus elliottii</i>	7.1	X		Mitigate On-site	2					
394	Slash Pine	<i>Pinus elliottii</i>	6.3	X		Mitigate On-site	2					
395	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Mitigate On-site	3					Major lean, fair
396	Slash Pine	<i>Pinus elliottii</i>	7.9	X		Mitigate On-site	2					
397	Slash Pine	<i>Pinus elliottii</i>	6.9	X		Mitigate On-site	2					
398	Slash Pine	<i>Pinus elliottii</i>	7.8	X		Mitigate On-site	2					
399	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Mitigate On-site	3					
400	Slash Pine	<i>Pinus elliottii</i>	13.5	X		Mitigate On-site	4					Canopy damage and lean, fair
412	Sabal Palm	<i>Sabal palmetto</i>	14	X		Preserve						Good form
413	Slash Pine	<i>Pinus elliottii</i>	9.9	X		Preserve						
414	Slash Pine	<i>Pinus elliottii</i>	6	X		Preserve						
415	Slash Pine	<i>Pinus elliottii</i>	12.8	X		Preserve						
416	Slash Pine	<i>Pinus elliottii</i>	12.2	X		Preserve						
417	Slash Pine	<i>Pinus elliottii</i>	11.7	X		Mitigate On-site	4					
418	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Preserve						
419	Slash Pine	<i>Pinus elliottii</i>	10.6	X		Preserve						
420	Cocoplum	<i>Chrysobalanus icaco</i>	6.1	X		Preserve						
421	Slash Pine	<i>Pinus elliottii</i>	9.9	X		Preserve						
422	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Preserve						
423	Slash Pine	<i>Pinus elliottii</i>	12	X		Mitigate On-site	4					
424	Slash Pine	<i>Pinus elliottii</i>	9.9	X		Mitigate On-site	3					
425	Sabal Palm	<i>Sabal palmetto</i>	11.4	X		Relocate On-site						
426	Slash Pine	<i>Pinus elliottii</i>	9.4	X		Mitigate On-site	3					
427	Slash Pine	<i>Pinus elliottii</i>	9.4	X		Mitigate On-site	3					
428	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3					
429	Slash Pine	<i>Pinus elliottii</i>	10.9	X		Preserve						
430	Slash Pine	<i>Pinus elliottii</i>	11.6	X		Preserve						
431	Slash Pine	<i>Pinus elliottii</i>	10.7	X		Preserve						
432	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Preserve						
433	Slash Pine	<i>Pinus elliottii</i>	6.7	X		Preserve						
434	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Preserve						
435	Slash Pine	<i>Pinus elliottii</i>	7.4	X		Preserve						Fair
436	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Preserve						
437	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Preserve						
438	Slash Pine	<i>Pinus elliottii</i>	7.9	X		Preserve						
441	Slash Pine	<i>Pinus elliottii</i>	14.9	X		Mitigate On-site	5					Specimen, good form
442	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Mitigate On-site	3					Covered in vines, fair
443	Slash Pine	<i>Pinus elliottii</i>	10.6	X		Mitigate On-site	3					
444	Slash Pine	<i>Pinus elliottii</i>	9.2	X		Mitigate On-site	3					
445	Slash Pine	<i>Pinus elliottii</i>	7.1	X		Mitigate On-site	2					
446	Slash Pine	<i>Pinus elliottii</i>	11	X		Mitigate On-site	3					
447	Slash Pine	<i>Pinus elliottii</i>	14	X		Mitigate On-site	4					Specimen, some vines, could be a fire ladder
448	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Mitigate On-site	4					
449	Slash Pine	<i>Pinus elliottii</i>	14.3	X		Preserve						Specimen, some vines, good
450	Slash Pine	<i>Pinus elliottii</i>	10.4	X		Preserve						Leaning, fair
451	Slash Pine	<i>Pinus elliottii</i>	12.2	X		Preserve						
452	Slash Pine	<i>Pinus elliottii</i>	8.9	X		Preserve						
453	Slash Pine	<i>Pinus elliottii</i>	8	X		Preserve						
454	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Preserve						
455	Sabal Palm	<i>Sabal palmetto</i>	11.4	X		Preserve						
456	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Preserve						
457	Slash Pine	<i>Pinus elliottii</i>	11	X		Preserve						
458	Slash Pine	<i>Pinus elliottii</i>	7.7	X		Preserve						
459	Slash Pine	<i>Pinus elliottii</i>	6.8	X		Preserve						
460	Slash Pine	<i>Pinus elliottii</i>	15.1	X		Preserve						Specimen, good form
461	Sabal Palm	<i>Sabal palmetto</i>	10	X		Preserve						
462	Slash Pine	<i>Pinus elliottii</i>	12.9	X		Preserve						
463	Sabal Palm	<i>Sabal palmetto</i>	12.4	X		Preserve						
464	Slash Pine	<i>Pinus elliottii</i>	10	X		Preserve						
465	Sabal Palm	<i>Sabal palmetto</i>	11.2	X		Offsite						
466	Slash Pine	<i>Pinus elliottii</i>	6.7	X		Preserve						
467	Slash Pine	<i>Pinus elliottii</i>	13.6	X		Preserve						
468	Sabal Palm	<i>Sabal palmetto</i>	15	X		Preserve						Fair, covered in vines
469	Slash Pine	<i>Pinus elliottii</i>	10.2	X		Preserve						Comprised due to severe lean, fair
470	Slash Pine	<i>Pinus elliottii</i>	13.6	X		Preserve						
471	Slash Pine	<i>Pinus elliottii</i>	10	X		Mitigate On-site	3					
472	Slash Pine	<i>Pinus elliottii</i>	12.8	X		Mitigate On-site	4					
473	Slash Pine	<i>Pinus elliottii</i>	11.1	X		Mitigate On-site	4					Severe lean, fair
474	Slash Pine	<i>Pinus elliottii</i>	12.4	X		Mitigate On-site	4					
475	Sabal Palm	<i>Sabal palmetto</i>	12.4	X		Relocate On-site						
476	Slash Pine	<i>Pinus elliottii</i>	14.6	X		Mitigate On-site	5					Specimen, wires nailed but no signs of damage, good
477	Slash Pine	<i>Pinus elliottii</i>	12.7	X		Mitigate On-site	4					
478	Sabal Palm	<i>Sabal palmetto</i>	16	X		Relocate On-site						Good form
479	Slash Pine	<i>Pinus elliottii</i>	12.2	X		Mitigate On-site	4					
480	Slash Pine	<i>Pinus elliottii</i>	12	X		Mitigate On-site	4					
481	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Preserve						
482	Slash Pine	<i>Pinus elliottii</i>	12.4	X		Preserve						
483	Slash Pine	<i>Pinus elliottii</i>	12.5	X		Preserve						Good form
484	Slash Pine	<i>Pinus elliottii</i>	8.6	X		Preserve						
485	Slash Pine	<i>Pinus elliottii</i>	8.1	X		Preserve						
486	Slash Pine	<i>Pinus elliottii</i>	8.7	X		Preserve						

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 Tabular Tree List
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Tag #	Common Name	Scientific Name	DBH (inches)*	ERM Tree	Zoning Tree	Disposition	ERM Mitigation Zoning Replacement Credit			Notes
							ERM Mitigation	Zoning Replacement	Credit	
487	Slash Pine	<i>Pinus elliottii</i>	8.1	X		Preserve				Very Poor
488	Slash Pine	<i>Pinus elliottii</i>	6	X		Preserve				
489	Slash Pine	<i>Pinus elliottii</i>	8.6	X		Preserve				
490	Slash Pine	<i>Pinus elliottii</i>	11.7	X		Offsite				Good form
491	Slash Pine	<i>Pinus elliottii</i>	10.9	X		Preserve				
492	Slash Pine	<i>Pinus elliottii</i>	11.5	X		Preserve				
493	Sabal Palm	<i>Sabal palmetto</i>	16.8	X		Preserve				Fair, covered in vines
494	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Preserve				
495	Slash Pine	<i>Pinus elliottii</i>	14.3	X		Preserve				Specimen, good form
496	Slash Pine	<i>Pinus elliottii</i>	7.5	X		Preserve				
497	Slash Pine	<i>Pinus elliottii</i>	9.1	X		Preserve				Leaning, fair
498	Slash Pine	<i>Pinus elliottii</i>	12.6	X		Preserve				
499	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Preserve				Good form
500	Slash Pine	<i>Pinus elliottii</i>	11.1	X		Preserve				
501	Slash Pine	<i>Pinus elliottii</i>	14.7	X		Mitigate On-site	5			Specimen, good form
502	Slash Pine	<i>Pinus elliottii</i>	10.4	X		Mitigate On-site	3			Canopy damage, fair
503	Slash Pine	<i>Pinus elliottii</i>	8	X		Mitigate On-site	2			
504	Slash Pine	<i>Pinus elliottii</i>	12.6	X		Mitigate On-site	4			
505	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3			
506	Slash Pine	<i>Pinus elliottii</i>	14.6	X		Mitigate On-site	5			Specimen, good form
507	Slash Pine	<i>Pinus elliottii</i>	7.4	X		Mitigate On-site	2			
508	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3			
509	Slash Pine	<i>Pinus elliottii</i>	8.9	X		Mitigate On-site	3			
510	Slash Pine	<i>Pinus elliottii</i>	6.7	X		Mitigate On-site	2			
511	Slash Pine	<i>Pinus elliottii</i>	9	X		Mitigate On-site	3			
512	Slash Pine	<i>Pinus elliottii</i>	8.4	X		Mitigate On-site	3			
513	Slash Pine	<i>Pinus elliottii</i>	9.3	X		Mitigate On-site	3			
514	Slash Pine	<i>Pinus elliottii</i>	6.8	X		Mitigate On-site	2			
515	Slash Pine	<i>Pinus elliottii</i>	9.3	X		Mitigate On-site	3			
516	Slash Pine	<i>Pinus elliottii</i>	10.1	X		Mitigate On-site	3			
517	Slash Pine	<i>Pinus elliottii</i>	12.8	X		Mitigate On-site	4			
518	Slash Pine	<i>Pinus elliottii</i>	11.7	X		Mitigate On-site	4			
519	Slash Pine	<i>Pinus elliottii</i>	6.5	X		Mitigate On-site	2			
520	Slash Pine	<i>Pinus elliottii</i>	6.1	X		Mitigate On-site	2			
521	Slash Pine	<i>Pinus elliottii</i>	12.6	X		Mitigate On-site	4			
522	Slash Pine	<i>Pinus elliottii</i>	15.8	X		Mitigate On-site	5			Specimen, good form
523	Slash Pine	<i>Pinus elliottii</i>	8.6	X		Mitigate On-site	3			
524	Slash Pine	<i>Pinus elliottii</i>	13.1	X		Mitigate On-site	4			
525	Slash Pine	<i>Pinus elliottii</i>	7.9	X		Mitigate On-site	2			
526	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Mitigate On-site	3			
527	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Mitigate On-site	4			
528	Slash Pine	<i>Pinus elliottii</i>	6.4	X		Mitigate On-site	2			
529	Slash Pine	<i>Pinus elliottii</i>	6.4	X		Mitigate On-site	2			
530	Slash Pine	<i>Pinus elliottii</i>	8.2	X		Mitigate On-site	3			
531	Slash Pine	<i>Pinus elliottii</i>	11.2	X		Mitigate On-site	4			
532	Slash Pine	<i>Pinus elliottii</i>	9.7	X		Mitigate On-site	3			
533	Slash Pine	<i>Pinus elliottii</i>	7.8	X		Mitigate On-site	2			
534	Slash Pine	<i>Pinus elliottii</i>	11.8	X		Mitigate On-site	4			
535	Slash Pine	<i>Pinus elliottii</i>	6.6	X		Mitigate On-site	2			Canopy damage, fair
536	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Mitigate On-site	3			
537	Sabal Palm	<i>Sabal palmetto</i>	16	X		Relocate On-site				Good form
538	Slash Pine	<i>Pinus elliottii</i>	16.7	X		Preserve				Specimen, good form
539	Slash Pine	<i>Pinus elliottii</i>	13	X		Mitigate On-site	4			
540	Slash Pine	<i>Pinus elliottii</i>	10.1	X		Mitigate On-site	3			
541	Slash Pine	<i>Pinus elliottii</i>	7.7	X		Mitigate On-site	2			
542	Slash Pine	<i>Pinus elliottii</i>	11.7	X		Preserve				
543	Slash Pine	<i>Pinus elliottii</i>	11.7	X		Preserve				
544	Slash Pine	<i>Pinus elliottii</i>	6.7	X		Preserve				
545	Sabal Palm	<i>Sabal palmetto</i>	18	X		Offsite				Good form
546	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Offsite				
547	Sabal Palm	<i>Sabal palmetto</i>	14	X		Offsite				Good form
548	Slash Pine	<i>Pinus elliottii</i>	12.6	X		Mitigate On-site	4			
549	Slash Pine	<i>Pinus elliottii</i>	6.3	X		Mitigate On-site	2			
550	Slash Pine	<i>Pinus elliottii</i>	16.7	X		Offsite				Specimen, good form
551	Slash Pine	<i>Pinus elliottii</i>	7.5	X		Mitigate On-site	2			
552	Slash Pine	<i>Pinus elliottii</i>	12.5	X		Mitigate On-site	4			
553	Slash Pine	<i>Pinus elliottii</i>	9.9	X		Mitigate On-site	3			
554	Slash Pine	<i>Pinus elliottii</i>	8.1	X		Mitigate On-site	3			
555	Slash Pine	<i>Pinus elliottii</i>	12.2	X		Mitigate On-site	4			
556	Slash Pine	<i>Pinus elliottii</i>	8.2	X		Mitigate On-site	3			
557	Slash Pine	<i>Pinus elliottii</i>	10.1	X		Mitigate On-site	3			
558	Slash Pine	<i>Pinus elliottii</i>	9.4	X		Mitigate On-site	3			
559	Slash Pine	<i>Pinus elliottii</i>	11.8	X		Mitigate On-site	4			
560	Slash Pine	<i>Pinus elliottii</i>	10.6	X		Mitigate On-site	3			
561	Slash Pine	<i>Pinus elliottii</i>	8.91	X		Mitigate On-site	3			
562	Slash Pine	<i>Pinus elliottii</i>	12	X		Mitigate On-site	4			
563	Slash Pine	<i>Pinus elliottii</i>	8.8	X		Preserve				
564	Slash Pine	<i>Pinus elliottii</i>	8.9	X		Preserve				
565	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Preserve				
566	Slash Pine	<i>Pinus elliottii</i>	11.2	X		Mitigate On-site	4			
567	Slash Pine	<i>Pinus elliottii</i>	6.7	X		Mitigate On-site	2			Codominant stems, fair
568	Slash Pine	<i>Pinus elliottii</i>	11.9	X		Mitigate On-site	4			
569	Slash Pine	<i>Pinus elliottii</i>	9.9	X		Mitigate On-site	3			
570	Slash Pine	<i>Pinus elliottii</i>	9	X		Mitigate On-site	3			
571	Slash Pine	<i>Pinus elliottii</i>	9.4	X		Preserve				
572	Slash Pine	<i>Pinus elliottii</i>	7.4	X		Preserve				
573	Slash Pine	<i>Pinus elliottii</i>	13.1	X		Offsite				
574	Slash Pine	<i>Pinus elliottii</i>	13.8	X		Mitigate On-site	4			
575	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Preserve				
576	Slash Pine	<i>Pinus elliottii</i>	7.5	X		Mitigate On-site	2			
577	Slash Pine	<i>Pinus elliottii</i>	13	X		Preserve				
578	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Preserve				
579	Slash Pine	<i>Pinus elliottii</i>	14.3	X		Preserve				Specimen, good form

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 Tabular Tree List
 February 13, 2025

Tag #	Common Name	Scientific Name	DBH (inches)*	ERM Tree	Zoning Tree	Disposition	ERM Mitigation	Zoning Replacement	Credit	Notes
580	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Preserve				
581	Slash Pine	<i>Pinus elliottii</i>	13.9	X		Preserve				
582	Slash Pine	<i>Pinus elliottii</i>	14.1	X		Preserve				Specimen, good form
583	Slash Pine	<i>Pinus elliottii</i>	11.5	X		Preserve				
584	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Preserve				
585	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Preserve				
586	Slash Pine	<i>Pinus elliottii</i>	10.4	X		Preserve				
587	Slash Pine	<i>Pinus elliottii</i>	10.9	X		Preserve				
588	Slash Pine	<i>Pinus elliottii</i>	11.2	X		Preserve				
589	Slash Pine	<i>Pinus elliottii</i>	9.2	X		Preserve				
590	Slash Pine	<i>Pinus elliottii</i>	12.1	X		Preserve				
591	Slash Pine	<i>Pinus elliottii</i>	7.4	X		Preserve				
592	Slash Pine	<i>Pinus elliottii</i>	6	X		Preserve				
593	Slash Pine	<i>Pinus elliottii</i>	7.1	X		Preserve				
594	Slash Pine	<i>Pinus elliottii</i>	8.1	X		Preserve				
595	Slash Pine	<i>Pinus elliottii</i>	15	X		Preserve				Specimen, good form
596	Slash Pine	<i>Pinus elliottii</i>	9.5	X		Preserve				
597	Slash Pine	<i>Pinus elliottii</i>	14.1	X		Mitigate On-site	5			Specimen, good form
598	Slash Pine	<i>Pinus elliottii</i>	6.4	X		Mitigate On-site	2			
599	Slash Pine	<i>Pinus elliottii</i>	13.7	X		Mitigate On-site	4			
600	Slash Pine	<i>Pinus elliottii</i>	6.1	X		Mitigate On-site	2			Leaning, fair
701	Slash Pine	<i>Pinus elliottii</i>	10.7	X		Mitigate On-site	3			
702	Slash Pine	<i>Pinus elliottii</i>	6.3	X		Mitigate On-site	2			
703	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Mitigate On-site	4			
704	Slash Pine	<i>Pinus elliottii</i>	10.2	X		Mitigate On-site	3			
705	Slash Pine	<i>Pinus elliottii</i>	7.5	X		Mitigate On-site	2			
706	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Mitigate On-site	3			
707	Slash Pine	<i>Pinus elliottii</i>	12	X		Preserve				
708	Slash Pine	<i>Pinus elliottii</i>	7.3	X		Preserve				
709	Slash Pine	<i>Pinus elliottii</i>	12.6	X		Preserve				
710	Slash Pine	<i>Pinus elliottii</i>	10.7	X		Preserve				
711	Slash Pine	<i>Pinus elliottii</i>	10.9	X		Preserve				
712	Slash Pine	<i>Pinus elliottii</i>	18.2	X		Preserve				Specimen, good form
713	Sabal Palm	<i>Sabal palmetto</i>	14	X		Preserve				Good form
714	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Preserve				
715	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Preserve				
716	Slash Pine	<i>Pinus elliottii</i>	13.3	X		Offsite				
717	Slash Pine	<i>Pinus elliottii</i>	6.4	X		Preserve				
718	Sabal Palm	<i>Sabal palmetto</i>	15	X		Preserve				
719	Slash Pine	<i>Pinus elliottii</i>	7.9	X		Preserve				
720	Slash Pine	<i>Pinus elliottii</i>	6.4	X		Preserve				Minimal canopy, unhealthy looking, fair
721	Slash Pine	<i>Pinus elliottii</i>	10.2	X		Preserve				
722	Sabal Palm	<i>Sabal palmetto</i>	14	X		Preserve				Good form
723	Slash Pine	<i>Pinus elliottii</i>	11.8	X		Preserve				
724	Sabal Palm	<i>Sabal palmetto</i>	14	X		Preserve				Good form
725	Slash Pine	<i>Pinus elliottii</i>	9.8	X		Preserve				
726	Slash Pine	<i>Pinus elliottii</i>	11	X		Preserve				
727	Slash Pine	<i>Pinus elliottii</i>	10.5	X		Preserve				
728	Slash Pine	<i>Pinus elliottii</i>	10	X		Preserve				
729	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Preserve				
730	Slash Pine	<i>Pinus elliottii</i>	12.5	X		Preserve				
731	Slash Pine	<i>Pinus elliottii</i>	11.2	X		Preserve				
732	Slash Pine	<i>Pinus elliottii</i>	7.3	X		Offsite				
733	Slash Pine	<i>Pinus elliottii</i>	9.2	X		Preserve				
734	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Preserve				
735	Slash Pine	<i>Pinus elliottii</i>	11.3	X		Preserve				
736	Slash Pine	<i>Pinus elliottii</i>	6.2	X		Offsite				
737	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Preserve				Canopy damage, fair
738	Slash Pine	<i>Pinus elliottii</i>	16.2	X		Offsite				Specimen, good form
739	Slash Pine	<i>Pinus elliottii</i>	11.9	X		Preserve				In L.W.D.D. Easement
740	Slash Pine	<i>Pinus elliottii</i>	14.3	X		Preserve				Specimen, good form
741	Slash Pine	<i>Pinus elliottii</i>	11.3	X		Preserve				
742	Slash Pine	<i>Pinus elliottii</i>	12.9	X		Preserve				
743	Slash Pine	<i>Pinus elliottii</i>	7.6	X		Preserve				Canopy damage, fair
744	Slash Pine	<i>Pinus elliottii</i>	8.8	X		Preserve				
745	Slash Pine	<i>Pinus elliottii</i>	10	X		Preserve				
746	Slash Pine	<i>Pinus elliottii</i>	8	X		Preserve				
747	Slash Pine	<i>Pinus elliottii</i>	6.6	X		Preserve				Minimal canopy, fair
748	Sabal Palm	<i>Sabal palmetto</i>	16	X		Preserve				Good form
749	Slash Pine	<i>Pinus elliottii</i>	7	X		Preserve				
750	Slash Pine	<i>Pinus elliottii</i>	8.5	X		Preserve				
751	Sabal Palm	<i>Sabal palmetto</i>	14	X		Preserve				Good form
752	Slash Pine	<i>Pinus elliottii</i>	10.2	X		Preserve				
753	Slash Pine	<i>Pinus elliottii</i>	11.6	X		Preserve				
754	Slash Pine	<i>Pinus elliottii</i>	8.1	X		Preserve				
755	Slash Pine	<i>Pinus elliottii</i>	10.2	X		Preserve				
756	Slash Pine	<i>Pinus elliottii</i>	7.3	X		Preserve				Major lean, fair
757	Slash Pine	<i>Pinus elliottii</i>	14.2	X		Preserve				Specimen, good form
758	Slash Pine	<i>Pinus elliottii</i>	9.5	X		Preserve				
759	Slash Pine	<i>Pinus elliottii</i>	17	X		Preserve				Specimen, good form
760	Slash Pine	<i>Pinus elliottii</i>	7.3	X		Preserve				
761	Slash Pine	<i>Pinus elliottii</i>	10.1	X		Preserve				
762	Slash Pine	<i>Pinus elliottii</i>	10	X		Preserve				
763	Slash Pine	<i>Pinus elliottii</i>	9.9	X		Mitigate On-site	3			
764	Slash Pine	<i>Pinus elliottii</i>	8.1	X		Mitigate On-site	3			
765	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Mitigate On-site	3			
766	Slash Pine	<i>Pinus elliottii</i>	9	X		Mitigate On-site	3			
767	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Mitigate On-site	4			
768	Slash Pine	<i>Pinus elliottii</i>	11	X		Mitigate On-site	3			
769	Slash Pine	<i>Pinus elliottii</i>	8.3	X		Preserve				
770	Slash Pine	<i>Pinus elliottii</i>	12.3	X		Preserve				
771	Slash Pine	<i>Pinus elliottii</i>	7.6	X		Preserve				
772	Slash Pine	<i>Pinus elliottii</i>	7	X		Preserve				

Tag #	Common Name	Scientific Name	DBH (inches)*	ERM Tree	Zoning Tree	Disposition	ERM Mitigation Zoning Replacement Credit			Notes	
							ERM Mitigation	Zoning Replacement	Credit		
773	Slash Pine	<i>Pinus elliottii</i>	9	X		Preserve					
774	Slash Pine	<i>Pinus elliottii</i>	8.4	X		Preserve					
775	Slash Pine	<i>Pinus elliottii</i>	9.6	X		Mitigate On-site	3				
776	Slash Pine	<i>Pinus elliottii</i>	14.4	X		Mitigate On-site	N/A			Dead	
777	Slash Pine	<i>Pinus elliottii</i>	14.8	X		Preserve				Specimen, good form	
778	Slash Pine	<i>Pinus elliottii</i>	9	X		Preserve					
779	Slash Pine	<i>Pinus elliottii</i>	11.8	X		Offsite					
780	Slash Pine	<i>Pinus elliottii</i>	15.7	X		Offsite				Specimen, good form	
781	Slash Pine	<i>Pinus elliottii</i>	16	X		Offsite				Specimen, covered in vines	
782	Slash Pine	<i>Pinus elliottii</i>	15.1	X		Offsite				Specimen, Fair, strong lean	
783	Sabal Palm	<i>Sabal palmetto</i>	11.4	X		Offsite					
784	Slash Pine	<i>Pinus elliottii</i>	12	X		Offsite				Sparse canopy, fair	
785	Slash Pine	<i>Pinus elliottii</i>	14.5	X		Preserve				Specimen, good form, wire around base of trunk	
786	Slash Pine	<i>Pinus elliottii</i>	15.3	X		Mitigate On-site	5			Specimen, good form	
787	Slash Pine	<i>Pinus elliottii</i>	13.2	X		Mitigate On-site	4				
788	Slash Pine	<i>Pinus elliottii</i>	12.8	X		Mitigate On-site	4				
789	Slash Pine	<i>Pinus elliottii</i>	8	X		Mitigate On-site	2			Minimal canopy, fair	
790	Slash Pine	<i>Pinus elliottii</i>	11.2	X		Preserve					
791	Slash Pine	<i>Pinus elliottii</i>	15.4	X		Mitigate On-site	5			Specimen, good form	
792	Slash Pine	<i>Pinus elliottii</i>	13.3	X		Preserve					
793	Slash Pine	<i>Pinus elliottii</i>	9	X		Mitigate On-site	3				
794	Slash Pine	<i>Pinus elliottii</i>	11.9	X		Mitigate On-site	4				
795	Slash Pine	<i>Pinus elliottii</i>	11.6	X		Mitigate On-site	4				
796	Slash Pine	<i>Pinus elliottii</i>	12.4	X		Mitigate On-site	4				
797	Slash Pine	<i>Pinus elliottii</i>	12.9	X		Mitigate On-site	4				
798	Slash Pine	<i>Pinus elliottii</i>	13.1	X		Mitigate On-site	4				
799	Slash Pine	<i>Pinus elliottii</i>	11.4	X		Offsite					
800	Slash Pine	<i>Pinus elliottii</i>	18.8	X		Mitigate On-site	6			Specimen	
1501	Slash Pine	<i>Pinus elliottii</i>	18	X		Mitigate On-site	6			Specimen, good form	
1502	Slash Pine	<i>Pinus elliottii</i>	13.8	X		Mitigate On-site	4				
1503	Royal Palm	<i>Roystonea regia</i>	20	X		Relocate On-site				Good form	
1504	Royal Palm	<i>Roystonea regia</i>	10.7	X		Relocate On-site					
1505	Royal Palm	<i>Roystonea regia</i>	14.6	X		Relocate On-site				Good form	
1506	Royal Palm	<i>Roystonea regia</i>	19.2	X		Relocate On-site				Good form	
1656	Slash Pine	<i>Pinus elliottii</i>	12.8	X		Preserve					
1657	Slash Pine	<i>Pinus elliottii</i>	13.3	X		Preserve					
1669	Slash Pine	<i>Pinus elliottii</i>	8.8	X		Preserve					
1670	Sabal Palm	<i>Sabal palmetto</i>	10.4	X		Preserve					
1671	Slash Pine	<i>Pinus elliottii</i>	13.4	X		Preserve					
1672	Slash Pine	<i>Pinus elliottii</i>	11.1	X		Preserve					
1673	Slash Pine	<i>Pinus elliottii</i>	14.1	X		Preserve				Specimen, good form	
1674	Slash Pine	<i>Pinus elliottii</i>	7.2	X		Preserve					
1675	Slash Pine	<i>Pinus elliottii</i>	10.8	X		Preserve					
1677	Slash Pine	<i>Pinus elliottii</i>	11.6	X		Preserve					
1678	Slash Pine	<i>Pinus elliottii</i>	13.9	X		Preserve					
1679	Slash Pine	<i>Pinus elliottii</i>	12.6	X		Preserve				Good form	
1680	Slash Pine	<i>Pinus elliottii</i>	12.8	X		Preserve					
1681	Slash Pine	<i>Pinus elliottii</i>	13.7	X		Preserve					
1682	Slash Pine	<i>Pinus elliottii</i>	6.6	X		Preserve					
1683	Slash Pine	<i>Pinus elliottii</i>	10.3	X		Preserve					
1684	Slash Pine	<i>Pinus elliottii</i>	24.1	X		Preserve				Specimen, good form	
1685	Slash Pine	<i>Pinus elliottii</i>	11.1	X		Preserve				Leaning, fair	
1686	Sabal Palm	<i>Sabal palmetto</i>	13.6	X		Preserve					
1688	Slash Pine	<i>Pinus elliottii</i>	13	X		Preserve					
Required Hardwood Mitigation:							1097			(326 Slash pines, 1 Black olive)	
Required Palm Mitigation:							0				
Hardwoods Relocated:							0				
Palms Relocated:							20			(4 Royal palms, 16 Sabal palms)	
Hardwoods Preserved:							215			(214 Slash pines, 1 Cocoplum)	
Palms Preserved:							19			(19 Sabal palms)	

*All palms are measured in feet to clear trunk

Requirements	Quantity
a. Total existing vegetation on site (surveyed and tagged)	812
b. Total existing vegetation to be preserved and remain in their original location	234
c. Total existing vegetation to be relocated on site	20
d. Total existing vegetation to be mitigated	327
e. Total mitigated vegetation per ULDC Table 7.E.3.C, Native Vegetation Mitigation	1097
g. Total proposed vegetation per ULDC Article 7 (e.g., perimeter buffers and interior landscaping)	100
h. Total no. of vegetation to be preserved/relocated/mitigated/replaced and ULDC Article 7 (= b +	1451

Exhibit E.10 – Traffic County Analysis by PBC

From: [Dom Simeus](#)
To: [Olive Bailey T.](#); [Bill Sadler, PE, PSM](#); [Lisa Amara A.](#); [Briana Tagdharie](#); [Palahunik, Robert](#); [frmhse5407@aol.com](#); [rgsurveyor@aol.com](#)
Cc: [Wendy Hernandez N.](#); [Jamie Collins](#)
Subject: RE: Nash Trail Mtg w/ Residents
Date: Thursday, May 8, 2025 3:43:54 PM
Attachments: [image001.png](#)
[image003.png](#)
[image005.png](#)
[NASH TRAIL W OF HAVERHILL RD RVA 5 8 25 \(002\).pdf](#)

Good afternoon,

I hope this message finds you well. As promised, I have attached the existing traffic counts for Nash Trail and the intersection of 52nd and Nash Trail, located west of Haverhill. We observed that the peak traffic volume on Nash Trail occurs in the morning, reaching a count of 45 vehicles per hour (vph). Please keep in mind that this figure does not consider the influence from the southeast corner of Myers Road and Nash Trail, where the access gate to the development is closed and locked. Most of the traffic impact is attributed to the recent development north of Nash Trail.

From my recollection of our recent meeting, there was a discussion concerning the SE development's influence on traffic during special events, despite lacking a direct connection to Nash Trail. I would greatly appreciate any information regarding the timing of these events so that I may thoughtfully incorporate it into my analysis. Furthermore, our team of field professionals is currently waiting for the special events schedule to proceed with gathering additional data at the Haverhill Road and Nash Trail intersection.

Thank you very much for your continued patience and understanding as we work together to address these matters.

Dom

From: Olive Bailey T. <OBailey@pbc.gov>
Sent: Tuesday, April 29, 2025 8:14 AM
To: Bill Sadler, PE, PSM <wts@seadiv.com>; Lisa Amara A. <LAMara@pbc.gov>; Briana Tagdharie <BTagdharie@pbc.gov>; Palahunik, Robert <Robert.Palahunik@fpl.com>; frmhse5407@aol.com; rgsurveyor@aol.com
Cc: Dom Simeus <DSimeus@pbc.gov>; Wendy Hernandez N. <wnhernan@pbc.gov>
Subject: RE: Nash Trail Mtg w/ Residents

Good morning. As requested at the meeting on Friday, please find attached the plan sheet for the improvements on Nash Trail from 52nd to Haverhill. Please note that this is for the right-of-way permit for the Blossom Trail PUD subdivision on the northwest corner of Haverhill Rd & Nash Trail.

Olive

Olive Bailey, PE
Assistant Land Development Director

PALM BEACH COUNTY TRAFFIC ENGINEERING

Date Start: 5/7/2025
 Site Code: RVA
 Station ID:
 NASH TRAIL W OF HAVERHILL RD
 Latitude: 0' 0.0000 Undefined

Start Time	5/7/2025 Wed	W/B,E/B		Hour Totals	
		Morning	Afternoon	Morning	Afternoon
12:00		0		7	
12:15		0		12	
12:30		0		7	
12:45		0		4	
01:00		0		2	0
01:15		0		5	
01:30		0		6	
01:45		0		1	0
02:00		0		0	
02:15		0		1	
02:30		0		10	
02:45		0		1	0
03:00		0		3	
03:15		0		10	
03:30		0		4	
03:45		0		0	0
04:00		0		3	
04:15		0		1	
04:30		0		2	
04:45		0		2	0
05:00		0		2	
05:15		0		1	
05:30		5		1	
05:45		0		1	5
06:00		0		1	
06:15		1		0	
06:30		0		1	
06:45		1		3	2
07:00		3		2	
07:15		3		0	
07:30		1		1	
07:45		3		0	10
08:00		2		0	
08:15		3		2	
08:30		10		0	
08:45		16		0	31
09:00		14		1	
09:15		5		0	
09:30		5		0	
09:45		3		0	27
10:00		3		0	
10:15		2		0	
10:30		1		0	
10:45		0		0	6
11:00		3		0	
11:15		0		0	
11:30		4		0	
11:45		5		0	12
Total		93		97	
Percent		48.9%		51.1%	

**PALM BEACH COUNTY TRAFFIC ENGINEERING
TURNING MOVEMENT COUNT
561-684-4041**

LOCATION:NASH TRL@52ND DR S

File Name : NASH TRL@52ND DR S P55

Site Code : 00000000

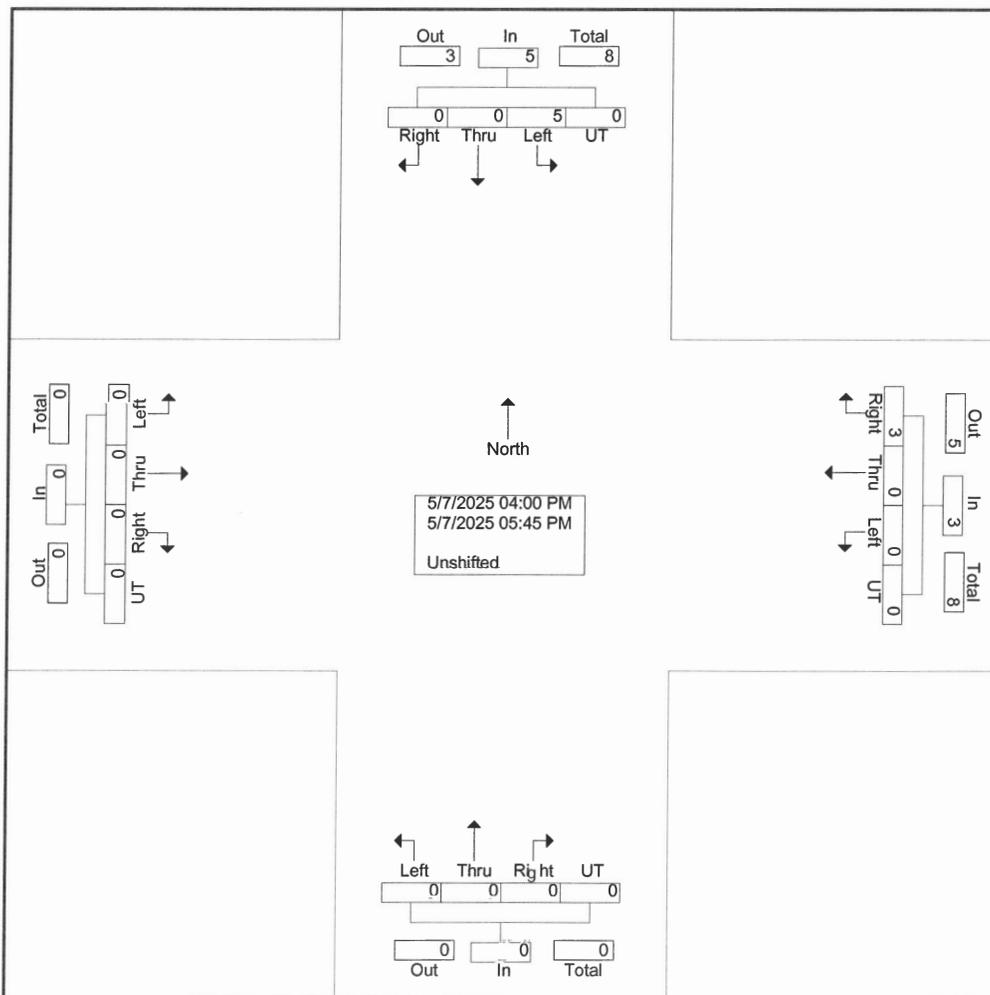
COUNTED BY:RVA

Start Date : 5/7/2025

Page No : 1

Groups Printed- Unshifted

Start Time	From North					From East					From South					From West					Int. Total					
	Left	Thru	Right	UT	App. Total	Left	Thru	Right	UT	App. Total	Left	Thru	Right	UT	App. Total	Left	Thru	Right	UT	App. Total						
04:00 PM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
*** BREAK ***																										
04:30 PM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
04:45 PM	1	0	0	0	1	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Total	3	0	0	0	3	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
05:00 PM	1	0	0	0	1	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
05:15 PM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
*** BREAK ***																										
Total	2	0	0	0	2	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Grand Total	5	0	0	0	5	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
Apprch %	100	0	0	0		0	0	100	0		0	0	0	0		0	0	0	0		0	0	0	0		
Total %	62.5	0	0	0	62.5	0	0	37.5	0	37.5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	



**PALM BEACH COUNTY TRAFFIC ENGINEERING
TURNING MOVEMENT COUNT
561-684-4041**

LOCATION:NASH TRL@52ND DR S

File Name : NASH DR @ 52ND DR S A55

Site Code : 00000000

COUNTED BY:RVA

Start Date : 5/7/2025

Page No : 1

Groups Printed- Unshifted

Start Time	From North					From East					From South					From West					Int. Total
	Left	Thru	Right	UT	App. Total	Left	Thru	Right	UT	App. Total	Left	Thru	Right	UT	App. Total	Left	Thru	Right	UT	App. Total	
07:00 AM	2	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:15 AM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:30 AM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
*** BREAK ***																					
Total	4	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
08:00 AM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
*** BREAK ***																					
08:30 AM	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	1
08:45 AM	0	0	0	0	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	2
Total	1	0	0	0	1	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	4
Grand Total	5	0	0	0	5	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	8
Apprch %	100	0	0	0		0	0	100	0		0	0	0	0		0	0	0	0		
Total %	62.5	0	0	0	62.5	0	0	37.5	0	37.5	0	0	0	0	0	0	0	0	0	0	

