

RESOLUTION NO. R-2025- 1584

RESOLUTION APPROVING ZONING APPLICATION DOA-2024-01618
(CONTROL NO. 1992-00026)
a Development Order Amendment
APPLICATION OF Palm Beach Bath & Tennis Homeowners Assn
BY Keiser Legal PLLC, AGENT
(Tropical Lakes PUD)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA-2024-01618 was presented to the Board of County Commissioners at a public hearing conducted on October 23, 2025;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, the recommendations of the various County Review Agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application DOA-2024-01618, the Application of Palm Beach Bath & Tennis Homeowners Assn, by Keiser Legal PLLC, Agent, for a Development Order Amendment to modify the overall Planned Unit Development (PUD) to delete land area from the overall PUD, the Recreation and Civic Pods, to reduce the open space and to modify a Condition of Approval on 27.19 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on October 23, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Weiss moved for the approval of the Resolution.

The motion was seconded by Commissioner Sachs and, upon being put to a vote, the vote was as follows:

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

The Mayor thereupon declared that the resolution was duly passed and adopted on October 23, 2025.

Filed with the Clerk of the Board of County Commissioners on October 23, 2025.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

MICHAEL A. CARUSO,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

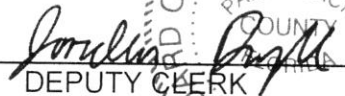
BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE NORTHEAST QUARTER (N.E.1/4) OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING ALL OF THE PLAT OF TROPICAL LAKES P.U.D. PHASE I, RECORDED IN PLAT BOOK 75 PAGE 23, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, AND A PORTION OF THE PLAT OF TROPICAL LAKES P.U.D. PHASE II, RECORDED IN PLAT BOOK 75 PAGE 25, OF SAID PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID PLAT OF TROPICAL LAKES P.U.D. PHASE II; THENCE ALONG THE BOUNDARY OF SAID PLAT OF TROPICAL LAKES P.U.D. PHASE II, S89°20'58"W FOR 565.14 FEET TO THE BOUNDARY OF SAID PLAT OF TROPICAL LAKES P.U.D. PHASE I; THENCE ALONG THE BOUNDARY OF SAID PLAT OF TROPICAL LAKES P.U.D. PHASE I, FOR THE FOLLOWING COURSES:

THENCE S00°39'02"E FOR 126.09 FEET; THENCE S46°00'29"E FOR 41.31 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 3520.68 FEET, WHERE A RADIAL LINE BEARS S01°08'10"E; THENCE WESTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02°04'53" FOR 127.89 FEET; THENCE N43°11'01"E FOR 27.94 FEET; THENCE N00°39'02"W FOR 138.38 FEET TO THE SAID BOUNDARY OF THE PLAT OF TROPICAL LAKES P.U.D. PHASE II; THENCE ALONG THE BOUNDARY OF SAID PLAT OF TROPICAL LAKES P.U.D. PHASE II, FOR THE FOLLOWING COURSES:

THENCE S89°20'58"W FOR 856.17 FEET; THENCE N00°21'36"W FOR 336.71 FEET; THENCE S89°22'34"W FOR 130.00 FEET; THENCE N00°21'36"W FOR 336.77 FEET; THENCE N89°24'11"E FOR 40.00 FEET; THENCE N00°21'36"W FOR 15.00 FEET;

THENCE DEPARTING SAID PLAT BOUNDARY, N89°24'11"E FOR 22.03, RETURNING TO SAID BOUNDARY OF TROPICAL LAKES P.U.D. PHASE II; THENCE ALONG SAID BOUNDARY OF TROPICAL LAKES P.U.D. PHASE II, FOR THE FOLLOWING COURSES:

THENCE S00°22'06"E FOR 15.00 FEET; THENCE N89°24'11"E FOR 147.02 FEET; THENCE N00°22'06"W FOR 143.63 FEET; THENCE N89°28'34"E FOR 294.05 FEET; THENCE S00°22'06"E FOR 143.25 FEET; THENCE N89°24'11"E FOR 147.02 FEET; THENCE N00°22'06"W FOR 143.06 FEET; THENCE N89°28'34"E FOR 521.09 FEET; THENCE S00°22'06"E FOR 142.40 FEET; THENCE N89°24'11"E FOR 359.05 FEET; THENCE S00°22'13"E FOR 672.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,184,451 SQUARE FEET (27.191 ACRES), MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

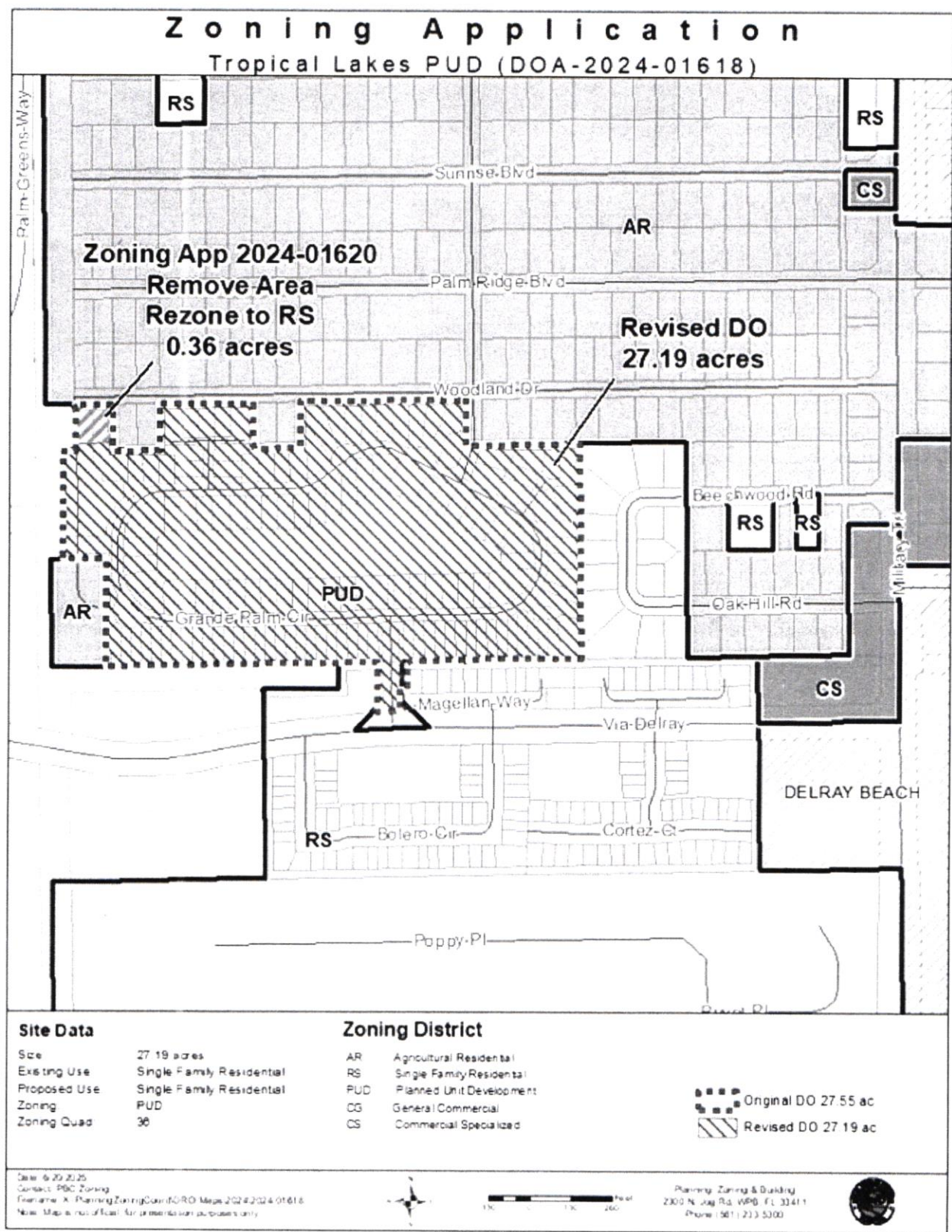


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment

ALL PETITIONS

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

2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-1993-1544 (Control 1992-00026), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: ZONING - Zoning)

ENGINEERING

1. The Property owner shall construct Crestwood Avenue from Woodland Drive to Palm Ridge Drive. This construction shall meet local street standards, including a minimum of two (2) ten (10) foot travel lanes. The construction shall be concurrent with the paving and drainage improvements for the site. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. Construction shall be completed prior to finalizing the first plat. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. The Property owner shall construct a right turn lane, east approach on Via Delray at the project's entrance road. Length of the turn lane shall be extended from Bolero Circle East to the project's entrance road. The construction shall be concurrent with the construction of paving and drainage improvements for the site. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT: MONITORING - Engineering)

3. The Property owner shall construct a median opening on Via Delray Road at the project's entrance road to permit only left turns exiting the site. This shall be subject to the approval of the County Engineer. The construction shall be concurrent with construction of paving and drainage improvements for the site. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit and construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-1993-1544, Control No.1992-00026)

4. The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance as it presently exists or as it may from time to time be amended. The Fair Share fee for this project presently is \$73,095 (443 additional trips X \$165.00 per trip) and is paid at the time of the Building Permit (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-1993-1544, Control No.1992-00026)

5. The Lake Worth Drainage District is requesting the required right-of-way for Lateral Equalizing Canal No. E- 3, by Quit Claim Deed or an Easement Deed in the form provided by said District. If the property owner agrees the Lake Worth Drainage District requests that prior to June 1, 1991 that the right of way be conveyed. (DATE: MONITORING - Lake Worth Drainage District) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-1993-1544, Control No.1992-00026)

6. Prior to Site Plan certification by the Development Review Committee the property owner shall submit verification of recorded safe sight easements at the project entrance and Via Delray. In addition the approved Site Plan shall contain a landscape plan for Casa Del Rey reflecting landscaping material proposed to be installed in the area between the project's entrance and Bolero Circle, the North right-of-way line of Via Delray Boulevard and the north edge of pavement. These landscape plans shall be approved by the Zoning Division and the County Engineer. Installation of any landscape material shall be subject to a valid permit issued by the County Engineer. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-1993-1544, Control No.1992-00026)

7. Approval of this PUD is valid only with access onto both Via Delray and Crestwood Avenue. Should access onto either Via Delray or Crestwood Avenue be deleted, this petition shall be brought back to the Board of County Commissioners for reconsideration. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 7 of Resolution R-1993-1544, Control No.1992-00026)

8. Prior to the approval of the Final Subdivision Plan, the subdivision plan shall be amended to show a utility easement for sewer service from the Tropical Lakes PUD to the adjacent 0.36 acre parcel proposed for deletion. (DRO: MONITORING - Engineering)

9. Prior to the approval of the Final Subdivision Plan, the Property shall submit an application for Technical Compliance. The application for Technical Compliance shall include engineering plans for the sanitary sewer connection. (DRO: MONITORING - Engineering)

10. Sanitary sewer shall be constructed from the Tropical Lakes PUD to the adjacent 0.36 acre parcel proposed for deletion. (ONGOING: LAND DEVELOPMENT - Land Development)

ENVIRONMENTAL

1. The petitioner shall preserve or relocate existing native sabal palms on site and shall incorporate them into the project design. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous SCHOOL BOARD Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Prior to issuance of a Vegetation Removal Permit, the petitioner shall complete the following:

a. All sabal palms to be relocated or preserved shall be identified in the field, tagged and numbered.

b. The sabal palms shall receive appropriate protection during site development. No clearing shall commence until all protection devices are installed by the petitioner, and inspected and approved by the Zoning Division. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Zoning) [Note: COMPLETED] (Previous VEGETATION PRESERVATION Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

3. All prohibited species shall be removed from the property prior to the issuance of the first Certificate of Occupancy (C.O.). (CO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous SCHOOL BOARD Condition 3 of Resolution R-1993-1544, Control No.1992-00026)

GENERAL

1. To insure compliance with the requirements of the ULDC and all conditions of approval, prior to certification by the DWC, the petitioner shall amend the Preliminary Development Plan to indicate the location of the required civic site pursuant to Section 6.8 of the ULDC. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous GENERAL Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

HEALTH

1. Sewer service is available to the property. Therefore no septic tank shall be permitted on this site. All existing onsite sewage disposal systems must be abandoned in accordance with Chapter 10D-6, FAC., and Palm Beach County ECR-I. (HEALTH DEPARTMENT - Health Department) [Note: COMPLETED] (Previous HEALTH Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing onsite potable water supply systems must be abandoned in accordance with Palm Beach County ECR-11. (HEALTH DEPARTMENT - Health Department) [Note: COMPLETED] (Previous HEALTH Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

IRRIGATION QUALITY WATER

1. When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system subject to permitting and/or requirements of the Florida Department of Environmental Regulations and/or the South Florida Water Management District. The cost for connection shall be borne by the property owner. (ONGOING: PBC WATER UTILITIES - PBC Water Utilities) (Previous IRRIGATION QUALITY WATER Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

LANDSCAPE - GENERAL

1. To insure adequate buffering with adjacent single family residences, all trees required to be planted on site by this approval shall meet the following minimum standards at installation:

- a. Tree height: fourteen (14) feet.
- b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
- c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length.
- d. Clear trunk: five (5) feet. (BLDGPMPT: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

LANDSCAPING ALONG ALL PROPERTY LINES ABUTTING RESIDENTIAL

2. To insure adequate buffering with adjacent single family residences, landscaping along all property lines abutting residential uses shall be upgraded to include:

- a. One (1) native canopy tree planted every twenty (20) feet on center;
- b. One (1) native palm tree for each thirty (30) linear feet of frontage. A group of three or more palm trees may supersede the requirement for a native canopy tree in that location. No more than twenty five percent of the required trees may be superseded by this requirement; and
- c. Thirty (30) inch high shrub or hedge material spaced twenty-four (24) inches on center at installation to be maintained a minimum of sixty (60) inches in height. (ONGOING: ZONING - Zoning) (Previous LANDSCAPE PERIMETER Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

LANDSCAPING ALONG THE ACCESS ROAD FROM VIA DELRAY ROAD

3. Landscaping shall be provided along both sides of the access road Via Delray Road to include:

- a. One (1) native canopy tree planted every twenty (20) feet on center;
- b. One (1) native palm trees for each thirty (30) linear feet of frontage. A group of three or more palm trees may supersede the requirement for, a native canopy tree in that location; and,
- c. Thirty (30) inch high shrub or hedge material spaced twenty-four (24) inches on center at installation. (BLDGPMPT: ZONING - Zoning) (BLDGPMPT: ZONING - Zoning) Previous LANDSCAPE ALONG ACCESS ROAD Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

PLANNING

1. Prior to certification of a Preliminary Development Plan, Regulatory Plan or other required plan by the Development Review Committee (DRC), the petitioner shall execute a development agreement and obtain a Certificate for Concurrency Reservation from the Planning Division. [Note: COMPLETED] (Previous PLANNING Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

SCHOOL BOARD

1. Sales and notice literature and purchase agreements for the within development shall include a statement/notice that students may not be assigned to the nearest school and that all prospective buyers are encouraged to contact the Palm Beach County School Board to determine which school assignment will apply to their children. (ONGOING: SCHOOL BOARD – School Board) (Previous SCHOOL BOARD Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Prior to master plan certification, petitioner(s) shall demonstrate that they have met with the School Board and discussed the potential of entering into an agreement to help achieve racial balance and allow the children who reside within the development to attend nearest available schools. [Note: COMPLETED] (ONGOING: MONITORING – School Board) (Previous SCHOOL BOARD Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

SITE DESIGN

1. Street lights a maximum of twenty (20) feet in height, measured from finish grade, shall be installed, maintained and operated by the property owner along all platted access tracts, easements or road ways. (BLDGPMPT: BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Median landscaping, subject to permitting by the County Engineer, shall be provided within all applicable right-of-way pursuant to Section 6.8.23.d of the ULDC. Median landscaping shall, at a minimum, include:

- a. One (1) native tree for every thirty feet (30) of median;

- b. One (1) shrub for every one hundred fifty (150) square feet or one groundcover for every seventy five (75) square feet of median area;
- c. Lawn area planted by sod; and
- d. Detail median landscaping plans shall be submitted, installed and maintained pursuant to the standards set forth in Article 6.8.23.d(2) (a) of the Palm Beach County Unified Land Development Code. (BLDGPM: BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

3. Street trees shall be planted no more than fifty (50) feet on center along both sides of all streets within all platted rights-of-way or access tracts that are interior to the PUD subject to approval by the County Engineer. All required landscaping shall be installed prior to release of the performance bond or issuance of a certificate of completion, whichever occurs first, for the road intended to be landscaped. (BLDGPM: BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 3 of Resolution R-1993-1544, Control No.1992-00026)

4. All utilities shall be underground pursuant to Article 6.8.23.d(5) of the Palm Beach County Unified Land Development Code. (BLDGPM: BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 4 of Resolution R-1993-1544, Control No.1992-00026)

5. All two story units shall be located in the interior pods. ((BLDGPM: BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 5 of Resolution R-1993-1544, Control No.1992-00026)

6. Previous SITE DESIGN Condition 6 of Resolution R-1993-1544, Control No.1992-00026, which currently states:

The minimum setback for all recreational facilities, structures, and accessory structures shall be fifty (50) feet from any required perimeter buffer adjacent to residential uses. The setback area shall be for the exclusive use of landscaping.

Is hereby amended to read:

The minimum setback for all recreational facilities, structures, and accessory structures shall be twenty-five feet from any required perimeter buffer adjacent to residential uses. (BLDGPM: BUILDING DIVISION - Zoning)

7. Prior to final approval of the subdivision plan by the Development Review Officer (DRO), the Property Owner shall remove the shuffle board court from the plan. (DRO: ZONING - Zoning)

SIGNS

1. To ensure compliance with the regulating plan submitted by the petitioner, entry or project identification sign fronting on Via Delray Road shall be limited as follows:

- a. Maximum sign height, measured from finished grade - six (6) feet;
- b. Maximum sign face area per side - 54 square feet;
- c. Maximum number of signs - one (1) on Via Delray Road.
- d. Type - monument style only. ((BLDGPM: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Prior to site plan certification, the petitioner shall submit a Master Sign Program to the Zoning Division which specifies sign location, sign dimensions, typical base planting details, and conformance to all sign related conditions of approval. (DRO: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

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.