

RESOLUTION NO. R-2025-1586

RESOLUTION APPROVING ZONING APPLICATION Z/CA-2024-01593
(CONTROL NO. 1978-00229)
an Official Zoning Map Amendment
APPLICATION OF Melodye S. Abell Revocable Trust, Norman Speier, Laura Fountain
BY Land Development Operations, Lennar Homes, LLC, WGINC, AGENT
(Nash Trail)

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 Z/CA-2024-01593 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 an Official Zoning Map Amendment and Art 3.B.3 Conditional Overlay Zone;

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 Z/CA-2024-01593, the Application of Melodye S. Abell Revocable Trust, Norman Speier, Laura Fountain, by Land Development Operations, Lennar Homes, LLC, WGINC, Agent, for an Official Zoning Map Amendment to allow a rezoning from Residential Estate (RE) to Single Family Residential (RS) with a Conditional Overlay Zone on 7.57 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 Flores 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.

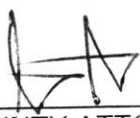
Filed with the Clerk of the Board of County Commissioners on October 23, 2025

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

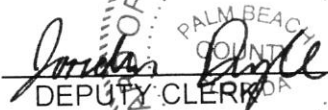
BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN 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 EAST-WEST 1/4 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.

TOGETHER WITH:

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 (E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) 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.

TOGETHER WITH:

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 (E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$), SECTION THIRTY-FIVE (35), TOWNSHIP FORTY-FOUR (44) SOUTH, RANGE FORTY-TWO (42) EAST, PALM BEACH COUNTY, FLORIDA, LESS THE EAST 10 FEET THEREOF.

MORE PARTICULARLY DESCRIBED 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 THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE, S02°02'53"W ALONG A LINE 10 FOOT 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, A DISTANCE OF 1008.26 FEET TO 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 327.10 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 OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR A DISTANCE OF 1008.25 FEET TO A POINT ON THE NORTH LINE OF A 75 FOOT EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 2962, PAGE 437 OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE, S89°14'59"E FOR A DISTANCE OF 327.55 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 329,943 SQUARE FEET OR 7.574 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

EXHIBIT B

VICINITY SKETCH

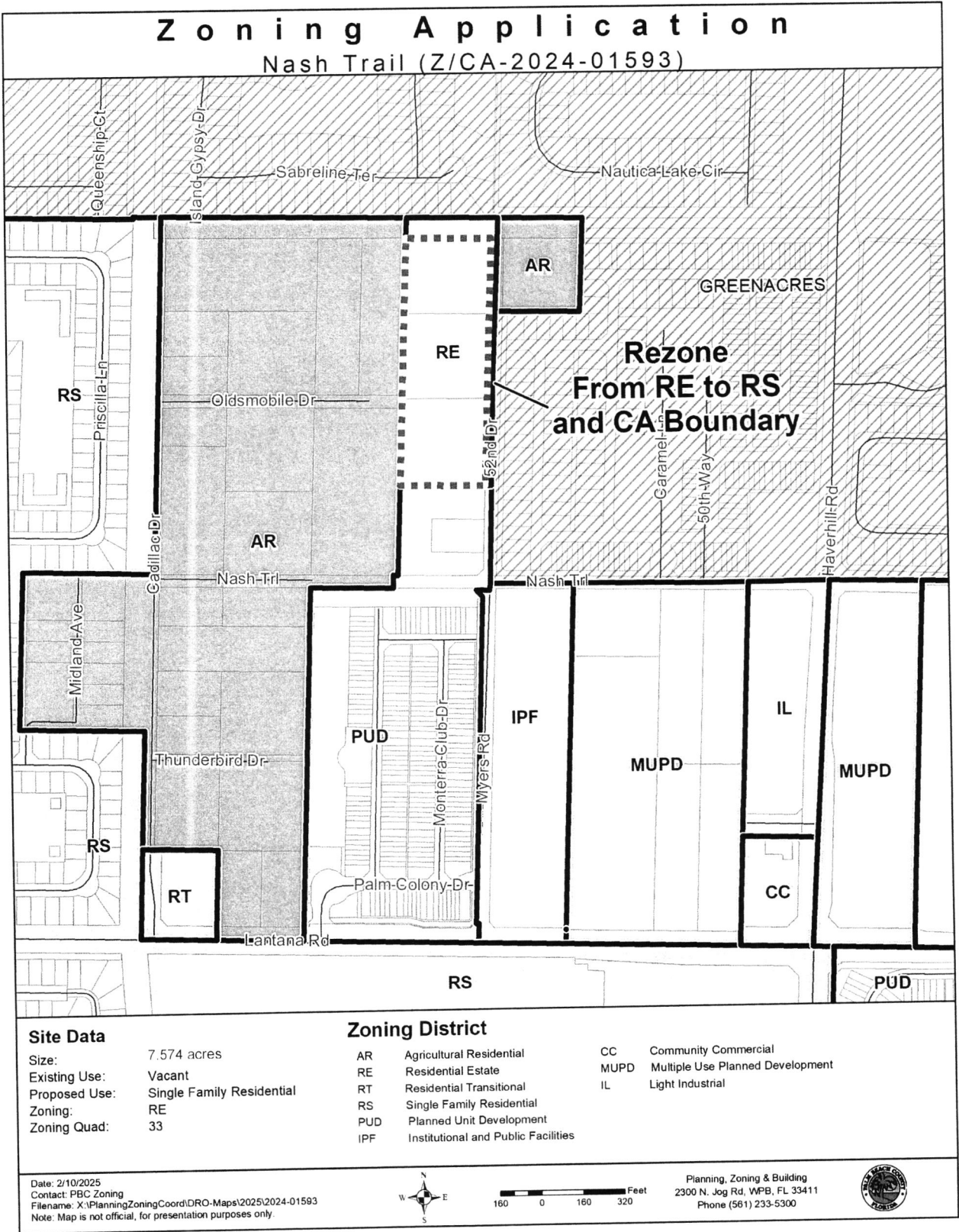


EXHIBIT C

CONDITIONS OF APPROVAL

Official Zoning Map Amendment

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.