

RESOLUTION NO. R-2025- 1805

RESOLUTION APPROVING ZONING APPLICATION DOA/CA-2024-01594
(CONTROL NO. 1984-00071)

a Class A Conditional Use

APPLICATION OF SBA Towers X, LLC - Larry Harris, Polo Club Of Boca Raton Property
Owners Assoc.BY Gunster, Yoakley & Stewart, PA, Insite Studio, Inc., AGENT
(Polo Club of Boca Raton)

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/CA-2024-01594 was presented to the Board of County Commissioners at a public hearing conducted on December 10, 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 Class A Conditional Use;

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/CA-2024-01594, the Application of SBA Towers X, LLC - Larry Harris, Polo Club Of Boca Raton Property Owners Assoc., by Gunster, Yoakley & Stewart, PA, Insite Studio, Inc., Agent, for a Class A Conditional Use to allow a Communication Tower (100-foot tall Stealth Tower) within the Recreation Pod of a PUD on 27.31 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 December 10, 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 Woodward and, upon being put to a vote, the vote was as follows:

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

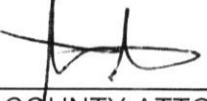
The Mayor thereupon declared that the resolution was duly passed and adopted on December 10, 2025.

Filed with the Clerk of the Board of County Commissioners on December 10th, 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

BY: 
COUNTY ATTORNEY

MICHAEL A. GARUSO,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND BEING TRACT R-1, THE POLO CLUB OPEN SPACE PLAT THREE, AS RECORDED IN PLAT BOOK 57, PAGE 50, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

CONTAINING 27.31 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

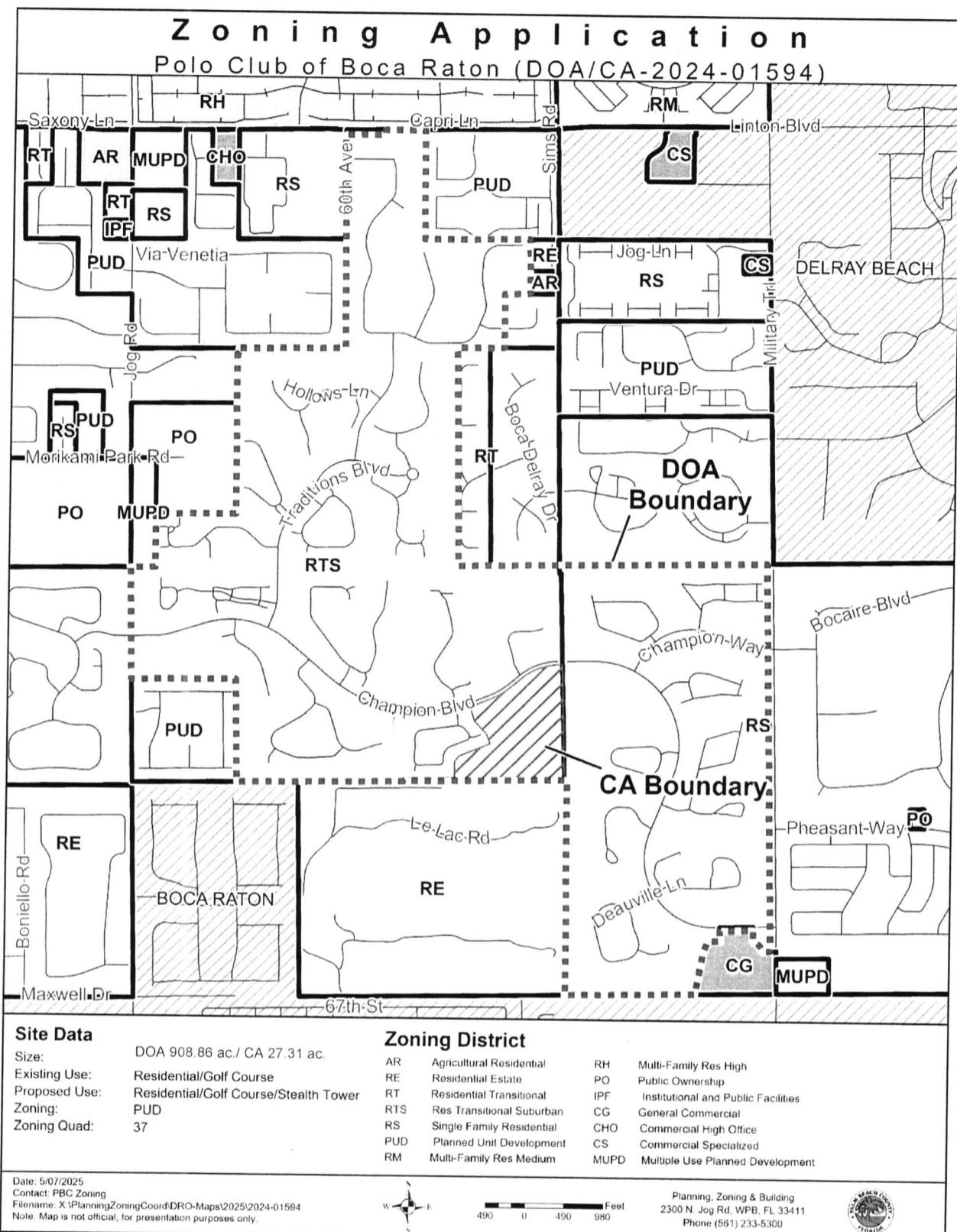


EXHIBIT C

CONDITIONS OF APPROVAL

Class A Conditional Use – Stealth Communication Tower

ALL PETITIONS

1. The approved Site Plan is dated April 28, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)
2. Prior to Final Approval by the Development Review Officer, the Applicant shall revise the boundaries of the lease area and Perpetual Landscape Agreement to be consistent with the lease area depicted on the approved Site Plan dated April 28, 2025 and the Conditions of Approval. (DRO: ZONING - Zoning)

ENGINEERING

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

LANDSCAPE - GENERAL-COMMUNICATION TOWER AREA

1. Prior to final approval by the Development Review Officer, the Applicant shall submit a landscape plan in detail the planting of pine trees and palms around the proposed tower. The approved plan shall be submitted with the building permit. The landscape plan shall include a minimum of the following:
 - a. Buffer width around the entire lease area: 20 feet.
 - b. Pine trees: Minimum height at installation 20 feet. Minimum quantity 1 pine tree for each 15 feet and may be planted in clusters.
 - c. Palm Trees: Minimum height at installation 18 feet. Minimum quantity: 1 palm for each 15 feet and may be planted in clusters.(BLDGPMT/DRO: ZONING - Zoning)

SITE DESIGN

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

USE LIMITATIONS

1. The maximum height of the Communication (Stealth) Tower shall be 100 feet. The minimum setbacks shall be 173 feet from north, south and west property lines; 100 feet from the east property line and 300 feet from any residential structures. (ONGOING: ZONING - Zoning)
2. The proposed Communication Tower shall be designed to replicate a Florida Slash Pine. Prior to final approval by the Development Review Officer, the Elevations of the Stealth Tower shall be revised to increase the spread and the quantity of branches to cover the top 40% of the height of the pole and to screen the antennas. At time of Building Permit the approved elevations shall be included in the application. (BLDGPMT/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.