

Current Issue Facing our Neighborhood: Teen Addiction Treatment Centers in PBCE

Understanding the Issue: Increased Capacity Type 2 CLF Applications

Two addresses in PBCE proposed zoning variances and requested approval as Type 2 Congregate Living Facilities (CLF), which would increase the current Type 1 maximum of 6 residents to a maximum of 14 residents, plus counselors and staff at each property. These facilities currently provide rehabilitative services to adolescent boys through Family First Adolescent Services, owned by James McManus.

Properties in question:

Banyan House 15551 79th Terrace North, Zoning Application # ZV/CA 2018-01805

Hedge House 6861 Donald Ross Road, Zoning Application # ZV/CA 2018-01804

The PBC Zoning Commission will be conducting a Public Hearing on these applications on July 3, 2019 at 9:00 a.m. at the Vista Center Complex 2300 North Jog Road, Room VC-1W-47 Ken Rogers Hearing Room, West Palm Beach, FL. The PBC Board of Commissioners will conduct a Pub-

(Understanding the Issue continued on Page 3)

JOIN US FOR THE 8th ANNUAL
PALM BEACH COUNTRY ESTATES

★ Fourth of July ★ Community Parade & Celebration

July 4th, 2019 11:00am-2:00pm

JOIN US FOR **FREE** FOOD, FUN, AND GAMES!

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- **PARADE** - **Please Join the Parade!** - Feel free to walk in the parade OR if you have an interesting vehicle (car, tractor, lawn mower, bike, etc) and would like to include it in the parade, please do!
FLOATS: If you have or want to make a float, let us know!
- **BIKE PARADE (for Kids of all ages)** - Kids and adults are invited to decorate their bikes for a small parade around the park walking path.
- **WEAR YOUR RED, WHITE, & BLUE!** - If you live along the parade route, please put out your American flags, come out, invite your friends and cheer for the parade participants!

PARADE ROUTE:

Gather at the Living Oaks Church on 64th Dr at 10:30am.
At 11:00am, West on 140th Ln to 69th, and North on 69th ending at Margaret Berman Memorial Park

◆Volunteers Needed◆

QUESTIONS?

Call Ken Trapasso at 578-9323 or Debbie 254-4664

President's Message

By now you should all know about the serious, treatment facility issue facing our neighborhood. With that said, we have a great committee working on this and I will not allow it to dampen our community spirit. Our 4th of July celebration will go off as planned and I hope you all attend. Come enjoy the bounce house and petting zoo for our kids as well as food hot off the grill followed by cold ice cream to beat the heat. It will be a great time as we celebrate the birth of the greatest nation. God bless America!
Kenneth Trapasso



Next Association
Meeting
July 9th 7:30 PM
at Living Oaks Church

Guest Speaker - Mike Dillon,
SIRWCD Manager of Operations



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lic Hearing on July 25, 2019 at 9:30 a.m. at the Governmental Center, 301 North Olive Avenue, County Commission Chambers, 6th Floor, West Palm Beach, FL.

Without the proposed variances, these properties would not qualify to be used as Type 2 CLFs. The applicant is asking for these variances and usage based on reasonable accommodations as mandated by the federal American with Disabilities and Fair Housing Acts. The Department of Justice (DOJ) guides the local government on how to determine if an accommodation is 'reasonable' by asking 2 questions. The one that is most relevant to our residents is: whether the request will *"create a fundamental alteration in the zoning scheme?"* If the answer is 'yes', then the requested accommodation is unreasonable. To determine if there is an alteration in the zoning scheme, the DOJ advises to consider whether the proposed use *"will have [any] more impact on parking, traffic, noise, and*

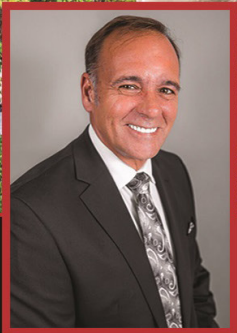
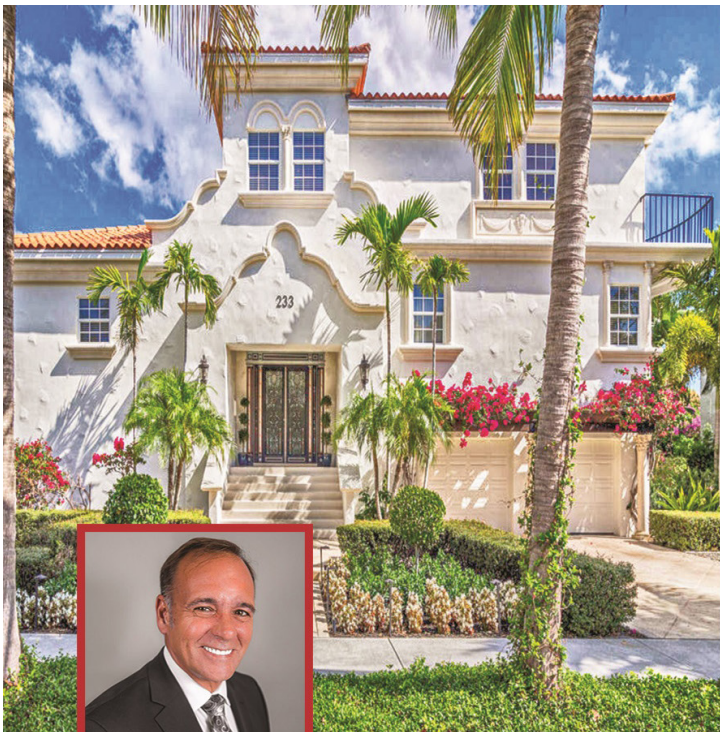
other typical concerns of zoning than an 'ordinary family'?" The DOJ says if the answer to these is 'no', that the request is reasonable. DOJ specifies that the *scope and magnitude* of the requested accommodation as well as the *relevant features of the surrounding neighborhood* are factors to be considered.

It is *extremely important* that our opposition to the change from a Type 1 CLF to a Type 2 CLF is *not misinterpreted* as attempting to deny treatment to the adolescents who are already receiving treatment at the existing Type 1 facilities. As reflected in our petition to Palm Beach County Zoning & BOCC, our opposition is limited in scope to the proposed zoning variances and conditional use as a Type 2 CLF and does not in any way seek to change the availability of services to residents of the Type 1 CLFs.

Submitted by

PBCELA Zoning Committee

See Page 7, What Can You Do?



Charles Murphy. PA

Lic:3380866

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Have questions about the industry in general? Feel free to contact me with no obligation.

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kW
KELLERWILLIAMS.

2019 CALENDAR

2019	Date	Time	Activity	Location
	July 3 rd	9:00 a.m.	PBC Zoning Commission Hearing Vista Center Complex 2300 N Jog Rd Room VC-1W-47 Ken Rogers Hearing Room West Palm Beach, FL	
	July 4th	11:00am –2pm	8th Annual Fourth of July Community Parade & Celebration	Margaret Berman Community Park
	July 9 th	7:30 pm	Association Meeting Open to all residents	Living Oaks Church 64 th Drive N.
	July 25 th	9:30 a.am	Board of County Commissioners Governmental Center 301 North Olive Avenue County Commission Chambers, 6 th Floor West Palm Beach, FL	

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- 4) WORKED TO BRING "CITY" WATER TO PBCE
- 5) ACQUIRED RIGHTS OF WAY FOR THE PAVING OF THE ARTERIAL COUNTY ROADS(69TH, 155TH, ETC.)
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PBCELA Zoning Committee:

Our Community's Response to Zoning Applications that would Fundamentally Alter Our Neighborhood's Zoning Scheme

Who is on the Committee?

The Zoning Committee is composed of PBCE Landowners Association Board members, neighbors Valerie & Todd Rozzo, Peter Hayden, Thom Frederick, and numerous residents who have volunteered their time and expertise to help our community.

When was the Committee Formed?

In mid-May, 2019, neighbors initially became aware of applications for increased capacity congregate living facilities and related variances. Within a few days, meetings took place among a group of concerned neighbors who sought expert advice on understanding the issues, what messages to deliver, and how to organize residents of PBCE. By May 21st, the Zoning Committee had been formed and PBCE Landowners Association hosted a special meeting with County officials: Despite short notice, hundreds of neighbors were in attendance.

What is the Committee Doing?

One of the primary functions of the Zoning Committee is to deliver appropriate, accurate and effective information to our neighbors so that they may take proper action. The Opposition Flyer, Sample Letter, and Petition provide tools and guidance on what to say, what not to say, and who to say it to. As a result, our informed neighbors understand the rights of residents currently receiving treatment at the properties in question as well as the relevant zoning arguments. The committee was invited to attend Eastpointe HOA meeting to present information. Several neighbors from Eastpointe are now engaged on the issue, specifically circulating petitions and writing letters of opposition to zoning requests for the 6861 Donald Ross Rd property, which is directly across from the gate used by 80% of Eastpointe residents. Members of the Committee have been in regular contact with multiple County agencies, including Zoning, Code Enforcement, Health Department as well as state and federal agencies where appropriate. Committee members attended the June 5 hearing, where the applicant was adjudicated for housing residents in excess of his mandated limit at 15551 79th Terrace N.

The Committee continues to work on a daily basis to implement and develop strategies and positions

based on extensive research and consultation with legal professionals who specialize in land use and zoning. Legal counsel will continue to provide guidance to the committee through the upcoming public hearing dates on July 3 and 25. Preceding the hearings, the committee will implement legal counsel and subject matter expert opinions in upcoming private meetings with zoning staff and elected officials. In preparation for the hearing, the committee will host a Pre-Hearing Workshop on June 20 at 7:00 p.m., at Living Oaks Church. This workshop is intended to organize and guide those who will attend the July 3 Zoning Commission hearing by advising on submitting written comments, explaining the speaking process, and organizing our viewpoints in order to maximize our communities' impact at the hearing. RSVP: PBCEgroup@gmail.com

Gary Poland

Chuck George

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June 10, 2019

Dear Neighbors,

As discussed in our last communication, the PBCE Landowners Association (“PBCELA”) Board has been working closely with the PBCELA Zoning Committee regarding a property owner’s application for a Class A Conditional Use permit for a Type 2 Congregate Living Facility (CLF) at two residences located in Palm Beach Country Estates. In conjunction with the Type 2 CLF applications, the property owner is requesting zoning variances to the minimum requirements for a Type 2 CLF. Public hearings on these requests with the PBC Zoning Commission (ZC) and Board of County Commissioners (BCC) are scheduled for July 3rd and July 25th, respectively.

Based on the overwhelming response from the community, it is clearly evident that we are a unified neighborhood opposed to the aforementioned requests. The Zoning Committee has been working tirelessly to gain as much background information as possible on this matter and interact with the various governmental oversight bodies. We have requested assistance from legal professionals, who specialize in land use and zoning issues, to formulate key arguments and devise the best strategy to present our case at the upcoming public hearings. Additionally, we intend to have legal representation present at the hearings. Subject-matter experts may also be engaged at the advice of legal counsel. To that end, we anticipate incurring a currently indeterminable amount of costs.

Several neighbors have inquired about the availability of funds from a Board-designated legal fund that was originally established in the 1990s to help oppose the installation of cell phone towers in our neighborhood. Since that threat was diffused in 1996, the legal fund, or reserve fund, remained largely unused over the next two decades. In 2017, when giving consideration to the many desired projects that were in need of funding, such as front entrance renovations/landscaping (wall repairs, new sprinkler system and lighting) and park improvements (exercise equipment, picnic tables, and electric outlets), the Board, at its discretion and for the betterment of the neighborhood, decided to utilize a portion of the idle cash reserve to help offset the costs for those projects. However, we still have some discretionary funds remaining from the reserve fund and are committing an initial amount of \$5,000 to cover the upfront legal costs.

In order to raise additional funds that will likely be needed, we are reaching out to the entire neighborhood to participate in this important fundraising effort. Donations may be made by check payable to PBCE Landowners Association. Please write ‘CLF’ in the memo section and mail to PBCELA, PO Box 30638, Palm Beach Gardens, FL 33420.

Please forward this letter to your neighbors who may not be on our e-mail list and anyone else who may be interested in supporting our cause. Also, please feel free to send an e-mail to PBCEgroup@gmail.com with any questions or suggestions you may have. In coordination with the Zoning Committee, we appreciate your patience and trust, as we continue to work together to support and protect our beautiful neighborhood.

Sincerely,
The Board
Palm Beach Country Estates Landowners Association

WHAT CAN YOU DO TO OPPOSE ZONING APPLICATIONS?

DONATE to help cover legal counsel and subject matter expert fees: Make check payable to PBCE Landowners Association. Please write 'CLF' in the memo section and mail to PO Box 30638, Palm Beach Gardens, FL 33420. Visit PBCE.org for Donation and Legal Updates.

EMAIL PBCEgroup@gmail.com to 1) Join email list and receive updates, 2) Request **copy of a sample letter** to send to County Officials, 3) Circulate your own petition, 4) Find out where to sign a petition.

CONTACT COUNTY OFFICIALS:

PBC Board of County Commissioners (BOCC) and Zoning Commission (ZC):

- **Email BOCC:** BCC-allcommissioners@pbcgov.org
- **Email ZC:** jmacgill@pbcgov.org Jon MacGillis, Zoning Director. Request that Mr. MacGillis share your correspondence with all Zoning Commission members.
- **IMPORTANT NOTE:** Please refer to sample letter and article "Understanding the Issue..." (page 1) for guidance on the zoning issues and Federally protected rights of those receiving treatment. Same letter may be sent to both BOCC and ZC.

PLAN TO ATTEND July 3 Zoning Commission Hearing

If you are going to the hearing, don't miss this:

Pre-Hearing Workshop

Thursday 6/20, 7:00pm Living Oaks Church 64th Drive

RSVP PBCEgroup@gmail.com

Public Hearing times and locations are located on our Calendar on page 4.

If you wish to speak at the Public hearing, or to have your written comments submitted, please arrive 30 minutes early to fill out a comment card. There is a 3-minute time limit, sometimes reduced to 90 seconds.



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WINDOWS BLOWN OUT. This is at a Palm Beach Gardens home. A family inside had to take cover in a bathroom. Courtesy: Kristin Campion REAL TIME WEATHER: bit.ly/2OFoyxi



2:03 PM - 2 Apr 2019



Felicia Rodriguez
@wpbf_felicia

Strong storms moving through Palm Beach County producing hail and lightning!
[@WPBF25News](#) [@WPBF_Britley](#)



1:08 PM - 2 Apr 2019

April 2, 2019 – The transition from winter to spring has been particularly rough this year, with cold fronts ripping through accompanied by high winds, torrential rain, and even some hail.

While we're not sure what this will mean for the traditionally stormy summer season, one thing we do know that now is the time to prepare.

Every year as summer approaches we are flooded with calls of people who waited until May, or worse yet, till it actually starts raining every day to try and schedule a **Roofing** project or an **Impact Window and Door** installation.

While we do work through the entire summer wait times will grow. The best way to make sure you have a place in line is to **CALL TODAY!**

Don't get stuck with a leaky roof or wrestling with shutters.

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*hundreds of references

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PBCE Landowners Special Minutes

May 21st, 2019

A Special Meeting was called to order by the Landowners Association to provide information to the residents of the community regarding zoning variances requested by the owner of two PBCE homes currently operating as a type 1 Congregated Living Facility. The meeting was attended by 221 residents. Also, in attendance was our County Commissioner, Hal Valeche and his Sr. Administrative Assistant, representatives from Code Enforcement and the Zoning Department. Resident Valerie Rozzo spoke on behalf of an Association committee that was formed to make sure our voice is heard. She provided an overview of the situation and what had been discovered so far. Peter Hayden then presented his first-hand experience of living directly adjacent to the home on 79th and 155th. The County representatives provided information on their interactions with the applicant. Several members from the audience also asked questions and provided additional information.



TREASURER'S REPORT as of 5/31/2019

CASH ON HAND \$15,965

Income:

Dues	\$13,490
Donations	\$3,174
Advertising	\$6,055
Total Income	\$22,719



Expenses:

Beautification	\$2,376
Newsletter	\$9,835
Administrative	\$1,271
Storage Shed & Rental fees	\$4,394
Community Projects	\$4,992
Total Expenses	\$22,868

(Figures rounded. Detailed reports available at regular meeting and at www.pbce.org)

Annual Meeting Minutes

May 21st, 2019

The Annual Meeting of the PBCE Landowners Association was called to order at 9:01pm by President Ken Trapasso. Board Members present - President Ken Trapasso, 1st Vice-President Tim Brown, 2nd Vice-President, Jason McFarland, Treasurer, Robert Schneider and Acting Secretary Stephanie Duncan.

Pledge - Sheriff's Deputy Russell led us in the Pledge of Allegiance.

PBSO Report - Deputy Russell reported a burglary of an unlocked vehicle, a residential burglary that was a civil dispute and burglary of lawn equipment from a lawn maintenance service

Annual election results - Acting Secretary Duncan read the following:

Official Single Ballot

In accordance with the 2017 Association By-Laws notices were published in the Association's February newsletter as well as through the internet. The notice advised the Offices that were up for election, the requirements to be a candidate and the time frame to submit intent to run. In addition, a reminder was sent out via the internet prior to the closing of the filing period.

The filing period was closed on March 31, 2019.

The following candidates submitted their intent to run:

President	Kenneth Trapasso
Second Vice President	Jason McFarland
Treasurer	Robert Schneider

All candidates are running unopposed therefore in accordance with the By-Laws this one ballot has been issued and will be signed by the Association Acting Secretary to indicate the completion of the 2019 election.

I hereby state that the 2019 Association's Election of Officers is officially closed and the winners are as indicated above.

State of the Association Report - Acting Secretary Duncan requested a motion to defer the reading of the report until the July regular meeting. The motion was made by Pam Malone and seconded by Ken Trapasso

Adjournment - Ken Trapasso requested a motion to adjourn. The motion was made by Brian Murphy and seconded by Kevin Baker.

The Annual meeting of the Landowners Association was adjourned at 9:09pm

Submitted by - Stephanie Duncan, Acting Secretary

PBCE CLF Applicant Makes the News

On June 3, Palm Beach Post reporter Hannah Morse published an article regarding the current applications for increased capacity congregate living facilities (CLF) in PBCE. Ms. Morse highlights the multiple code violations and the June 5 life safety hearing to address the owner's (James McManus) history of housing residents in excess of his mandated limit.

Our neighborhood's message in the article is focused on the safety of the teens, as well as their right to receive treatment under the current type 1 CLF maximum of 6 residents. We should all be proud of our neighbors for consistently expressing empathy and concern for the wellbeing of the teens seeking treatment at these facilities. While Mr. McManus' representative implies in the article that there is 'misinformation swirling around the neighborhood' that the boys are remanded by the court and are criminals, nothing could be further from the truth. Our neighbors continue to be very well informed on the matters surrounding the CLF's in question and the services that they provide.

CLF Owner Appears Before Magistrate

On June 5, 2019 James McManus was adjudicated at a County Magistrate hearing for building code violations, life and safety violations, specifically: housing residents in excess of the mandated limit of five for a Type 1 CLF facility in the structure located at 15551 79th Terrace North. Mr. McManus was given 30 days to bring his occupancy down to the required limit.

Submitted by Valerie Rozzo,
PBCELA Zoning Committee

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RECENT HOME SALES IN PALM BEACH COUNTRY ESTATES:

	15815 82nd Ter N Sold on 5/29/2019 for \$250,230 3 Beds/2.5 Baths/2.5-car Garage 1,780sf Living/2,880sf Total Area Built in 1981, Frame Construction Pool, BANK-OWNED (Needed major work)		16628 77th Trl N Sold on 5/22/2019 for \$750,000 5 Beds/3 Baths/3.5-car Garage 2,986sf Living/4,359sf Total Area Built in 1999, CBS Construction 1.15-acre Lot, Pool
	7127 155th Pl N Sold on 5/29/2019 for \$890,000 3 Beds/3.5 Baths/5-car Garage 3,625sf Living/6,320sf Total Area Built in 1998, CBS Construction 1.16-acre Lot, Pool, GUEST HOUSE		16064 73rd Ter N Sold on 5/20/2019 for \$620,000 4 Beds/3 Baths/3-car Garage 3,000sf Living/3,886sf Total Area Built in 2008, CBS Construction 1.15-acre Lot
	16387 78th Dr N Sold on 5/28/2019 for \$395,000 3 Beds/2 Baths/2-car Garage 1,701sf Living/2,567sf Total Area Built in 1987, Frame Construction 1.15-acre Lot, Pool		15215 80th Dr N Sold on 5/14/2019 for \$550,000 4 Beds/2.5 Baths/2-car Garage 2,848sf Living/3,795sf Total Area Built in 1989, Brick Construction 1.17-acre Lot
	15688 83rd Way N Sold on 5/23/2019 for \$368,000 3 Beds/2 Bath/2-car Garage 1,786sf Living/2,548sf Total Area Built in 1988, Frame Construction 1.17-acre Lot, Pool		15647 81st Ter N Sold on 5/7/2019 for \$630,000 4 Beds/3 Baths/2-car Garage 2,367sf Living/3,109sf Total Area Built in 2018, CBS Construction 1.17-acre Lot, NEW CONSTRUCTION
	15137 79th Ter N Sold on 5/22/2019 for \$517,000 4 Beds/2 Baths/2-Car Garage 2,498sf Living/3,480sf Total Area Built in 1987, Frame Construction 1.8 acre lot, Pool		7617 160th Ln N Sold on 5/6/2019 for \$495,000 3 Beds/2 Baths/2-car Garage 2,012sf Living/2,954sf Total Area Built in 1998, CBS Construction 1.32-acre Lot; Pool

Source: MLS

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**** Land Owners Meetings ****

Tuesdays, July 9th and Sept. 10th at 7:30 PM at Living Oaks Church on 64th Drive

**Current Issue Facing our Neighborhood:
Teen Addiction Treatment Centers in PBCE**

Page 1: Understanding the Issue: Increased Capacity Type 2 CLF Applications

Page 5: Zoning Committee Progress Report

Page 6: Board Response to Donation Inquiries

Page 7: What You Can Do To Help

Page 10: PBCE CLF Owner Makes the News and Appears Before a Magistrate

**Visit PBCE.org for Latest Legal Updates on July 3 & 25
Public Hearings and more from PBCEgroup@gmail.com**