

New homes allowed on closed Mizner Trail golf course

June 26, 2014|By Andy Reid, Sun Sentinel

New homes can rise on the closed Mizner Trail golf course near Boca Raton, Palm Beach County commissioners decided Thursday, after years of developers and residents fighting over what to do with the land.

The final say, however, may come from the courts. The commission's decision to allow 252 homes is expected to spawn a legal fight over the future of the old golf course that snakes through the Boca Del Mar neighborhood.

The golf course owners have been pushing to allow development on the land since the course closed in 2005.

But through the years, a large contingent of nearby residents has been trying to protect the open spaces and golf course views they thought would always remain.

Neighborhood groups opposed to building on the golf course have said they would go to court to stop development.

"We will not go quietly. We will fight for what's ours," Boca Del Mar resident William Vale said.

Even though the County Commission rejected past building plans for the Mizner Trail golf course property, this time commissioners in a 5-2 vote decided that new homes should be allowed.

Commissioners Mary Lou Berger, Priscilla Taylor, Paulette Burdick, Hal Valeche and Shelley Vana voted for allowing development on the old Mizner Trail golf course. Commissioners Steven Abrams and Jess Santamaria voted against the development plans.

"It's never going to be a golf course again," Valeche said. "I think this is the best use for it."

Building plans proposed by Compson Mizner Trail Inc. call for building 252 homes on the 130-acre golf course. That is 36 fewer homes than when commissioners in March delayed a decision on the proposal.

The 252 homes would include 115 zero-lot-line houses, 45 townhomes and 92 condominiums or apartments.

Boca Del Mar residents who oppose building plans contend that the golf course that meanders through their community was always intended to remain a golf course — not become a new neighborhood that brings more traffic, lights, noise and other intrusions.

Many paid extra to buy homes with golf course views. If they can't have a golf course, many say they want the land to become a park or at least remain undeveloped.

"Why should any property owner be forced to compromise their open space view [and] get nothing in return?" asked Dale Haley, who owns a home beside the golf course.

Developers rejected a proposal for the neighborhood to buy the golf course for \$1 million. Developers also rejected residents' suggestion that new homes could be built on areas farther away from most of the existing homes.

"My clients' rights are being impact," said Peter Sachs, attorney for the Boca Del Mar Improvement Association homeowners group, which opposes the development plan. "They were promised a golf course and open view."

Developers say the golf course wasn't profitable and isn't coming back. They say they have a right to build and that new homes would fit in well with surrounding homes and end up raising surrounding property values.

Building proponents also contend that allowing new homes would clean up the overgrown golf course, which through the years has triggered code enforcement complaints. About 74 percent of the golf course would remain as open space, buffering nearby homes.

Some Boca Del Mar residents have backed the building plans to try to improve the conditions of the closed golf course.

"Every effort has been made to address the reasonable concerns," said attorney Martin Perry, who represents the development proposal. "We have significantly minimized the impact."

Residents' concerns about allowing a new neighborhood to spring from the golf course helped squash previous building plans for the Mizner Trail golf course.

In 2006, commissioners rejected plans for 202 homes on the old golf course and the developer lost a court challenge to allow construction. In 2011, commissioners also voted down plans to build 291 homes on the old golf course.

"Nothing has changed" since then to warrant allowing development now, said Abrams, voted against building plans.

While the developers and many Boca Del Mar residents continue to differ about what to do with the closed golf course, other building plans are being considered for other Palm Beach County golf courses.

The County Commission last year approved building 689 homes and an assisted-living facility on a closed golf course beside Century Village, north of Okeechobee Boulevard and west of West Palm Beach. That approval is being challenged in court.

Also, representatives for Boca Dunes Golf and Country Club and Boca Greens Country Club have had preliminary talks with the county about building homes on golf course land.

"No one is going to want to buy [a home] on a golf course, because here today, gone tomorrow," said Betty Holland, who lives near the old Mizner Trail golf course.

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