



## FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT SMALL SCALE AMENDMENT

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PLANNING COMMISSION PUBLIC HEARING, NOVEMBER 8, 2024

### A. Application Summary

#### I. General

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<b>Project Name:</b>	<b>Haverhill Recovery Facility (SCA 2024-009)</b>
<b>Request:</b>	<b>MR-5 to INST/5</b>
<b>Acres:</b>	3.97 acres
<b>Location:</b>	Southwest corner of North Haverhill Road and Horseshoe Circle South
<b>Project Manager:</b>	Peter Germain, Planner I
<b>Applicant:</b>	Haverhill Road Holdings, LLC (Michael Silverman) - Contract Purchaser
<b>Owner:</b>	Haverhill ALF, LLC (Victoria Leggett)
<b>Agent:</b>	Randall Granberry, RDG Development Group
<b>Staff Recommendation:</b>	Staff recommends <b><i>approval with conditions</i></b> based upon the following findings and conclusions contained in this report.

#### II. Assessment & Conclusion

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The amendment proposes to change the future land use designation on a 3.97 acre site located in the Urban/Suburban Tier, on the west side of North Haverhill Road from Medium Residential, 5 units per acre (MR-5) to Institutional and Public Facilities with an underlying 5 units per acre (INST/5). The site has not been the subject of a previous land use amendment and currently supports a vacant single family home. The concurrent zoning application is proposing to develop a 100-bed skilled nursing/residential treatment facility totaling 31,000 square feet.

With the creation of the 1989 Comprehensive Plan, only existing institutional uses were assigned an Institutional and Public Facilities (INST) Future Land Use designation. Therefore, no criteria were established in the Plan to determine the appropriate location for future INST designations, and are considered on a case-by-case basis.

The amendment is generally compatible with the adjacent residential uses and represents an opportunity to allow services and facilities consistent with the needs of urban and suburban development. The concurrent site plan provides a design with a scale, mass, intensity, and character consistent with the existing development pattern. Thus, staff supports the proposed INST/5 future land use on the subject site and is recommending approval with conditions, including capping the intensity to match the zoning application square footages and uses and to provide a wall on the north and west sides of the property.

### III. Hearing History

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**Local Planning Agency:**

**Board of County Commissioners Adoption Public Hearing:**

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## B. Petition Summary

### I. Site Data

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#### Current Future Land Use

**Current FLU:** Medium Residential, 5 units per acre (MR-5)

**Existing Land Use:** Single Family

**Current Zoning:** Planned Unit Development (PUD)

**Current Dev. Potential Max:** Residential, up to 20 units (approved for Congregate Living Facility, 47 beds)

#### Proposed Future Land Use Change

**Proposed FLU:** Institutional and Public Facilities with underlying 5 units per acre (INST/MR-5)

**Proposed Use:** Residential Treatment Facility/Skilled Nursing

**Proposed Zoning:** Institutional and Public Facilities (IPF)

**Dev. Potential Max/Conditioned:** Residential Treatment Facility/Skilled Nursing, up to 173 beds (conditioned to 100 beds)

#### General Area Information for Site

**Tier/Tier Change:** Urban/Suburban Tier – No Change

**Utility Service:** Palm Beach County Water Utilities

**Overlay/Study:** None

**Comm. District:** Commissioner Bernard, District 7

# Future Land Use Atlas Amendment

## Haverhill Recovery Facility (SCA 2024-009)



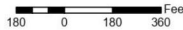
**Site Data**

Size: 3.97 acres  
 Existing Use: Residential and Vacant  
 Proposed Use: Residential Treatment Facility  
 Current FLU: MR-5  
 Proposed FLU: INST/5

**Future Land Use Designations**

MR-5 Medium Residential, 5 units/acre  
 HR-8 High Residential, 8 units/acre  
 HR-12 High Residential, 12 units/acre  
 HR-18 High Residential, 18 units/acre  
 CH/8 Commercial High, underlying HR-8  
 INST Institutional

Date: 3/13/2024  
 Contact: PBC Planning  
 Filename: T:Planning/Amend/24-SCA/SiteSpecific  
 Note: Map is not official, for presentation purposes only.



Planning, Zoning & Building  
 2300 N. Jog Rd, WPB, FL 33411  
 Phone (561) 233-5300





## C. Introduction & Overview

### I. Intent of the Amendment

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This is a privately proposed future land use amendment for a 3.97-acre site located within the Urban/Suburban Tier, on the west side of North Haverhill Road and south side of Horseshoe Circle South.

**Background.** The subject site is comprised of two adjoining parcels under the same ownership totaling 3.97 acres. The western parcel is currently vacant, while the eastern parcel abutting Haverhill Road currently supports a single-family residence with accessory structures and a tennis court. The site has not been the subject of a previous land use amendment, but has received prior Zoning approvals. The resolutions were to rezone the site from Agricultural Residential (AR) to Planned Unit Development (PUD) (R-2018-1841) and to allow a 47 bed, Type 3 Congregate Living Facility (R-2018-1842), which was never built.

**Proposed Amendment:** The intent of the amendment is to change the future land use designation for the subject site Medium Residential, 5 units per acre (MR-5) to Institutional and Public Facilities with an underlying 5 units per acre (INST/5) in order to develop up to 77,820 square feet of institutional uses and to allow a residential treatment facility

**Zoning Application.** The concurrent Zoning application (ABN/Z-2024-00519, Control No. 2017-059) is composed of two requests: The first is to rezone the subject site from Planned Unit Development (PUD) to Institutional and Public Facilities (IPF), and the second is to abandon the Zoning resolution (R-2018-1842) that previously approved the Congregate Living Facility (CLF). The applicant proposes to develop four one-story buildings to support a 100-bed skilled nursing/residential treatment facility totaling 31,000 square feet.

### II. Data and Analysis Summary

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This section of the report provides a summary of the consistency of the amendment with the County's Comprehensive Plan. The sections in Exhibit 2 detail the consistency of the amendment with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans.

**Overview of the Area.** The site is located at the southwest corner of Haverhill Road and Horseshoe Circle South directly north of the intersection of Community Drive and North Haverhill Road within the Urban/Suburban Tier. The surrounding area supports predominately residential and institutional uses, specifically places of worship, with Future Land Use designations ranging between MR-5 and HR-18. Directly north and west of the site are large lot single-family homes, and to the east and south are medium and high density multifamily residential.

**Appropriateness of the Amendment.** With the creation of the 1989 Comprehensive Plan, only existing institutional uses were assigned an Institutional and Public Facilities (INST) Future Land Use designation. Therefore, no criteria were established in the Plan to determine the appropriate location for future INST designations, and are considered on a case-by-case basis. The site is situated along North Haverhill Road, an urban minor arterial. The amendment to INST is appropriate given the site's location and future land uses surrounding the site.

**Compatibility.** As mentioned, the site is located in a predominately residential corridor along North Haverhill Road. The properties fronting the east and west sides of Haverhill Road primarily support medium to high residential uses with commercial high uses located at the intersection of Haverhill Road and Okeechobee Boulevard a mile south. The proposed amendment to Institutional on the entire site would complement the established development pattern in the area. To help further compatibility, the applicant is proposing to provide a 6 foot high wall to mitigate any potential negative impacts from established residential community to the north and west. In addition, staff is proposing a condition to limit the site to cap the intensity to match the zoning application square footages and uses and to provide a wall on the north and west sides of the property.

**Assessment and Recommendation.** The amendment proposes to change the future land use designation on a 3.97 acre site located in the Urban/Suburban Tier, on the west side of North Haverhill Road from Medium Residential, 5 units per acre (MR-5) to Institutional and Public Facilities with an underlying 5 units per acre (INST/5). The site has not been the subject of a previous land use amendment and currently supports a vacant single family home. The concurrent zoning application is proposing to develop a 100-bed skilled nursing/residential treatment facility totaling 31,000 square feet.

With the creation of the 1989 Comprehensive Plan, only existing institutional uses were assigned an Institutional and Public Facilities (INST) Future Land Use designation. Therefore, no criteria were established in the Plan to determine the appropriate location for future INST designations, and are considered on a case-by-case basis. The amendment is generally compatible with the adjacent residential uses and represents an opportunity to allow services and facilities consistent with the needs of urban and suburban development. The concurrent site plan provides a design with a scale, mass, intensity, and character consistent with the existing development pattern. Thus, staff supports the proposed INST/5 future land use on the subject site and is recommending approval with conditions, including capping the intensity to match the zoning application square footages and uses and to provide a wall on the north and west sides of the property. Thus, staff supports the proposed INST/5 future land use on the subject site and recommends **approval with conditions** based upon the findings within this report.

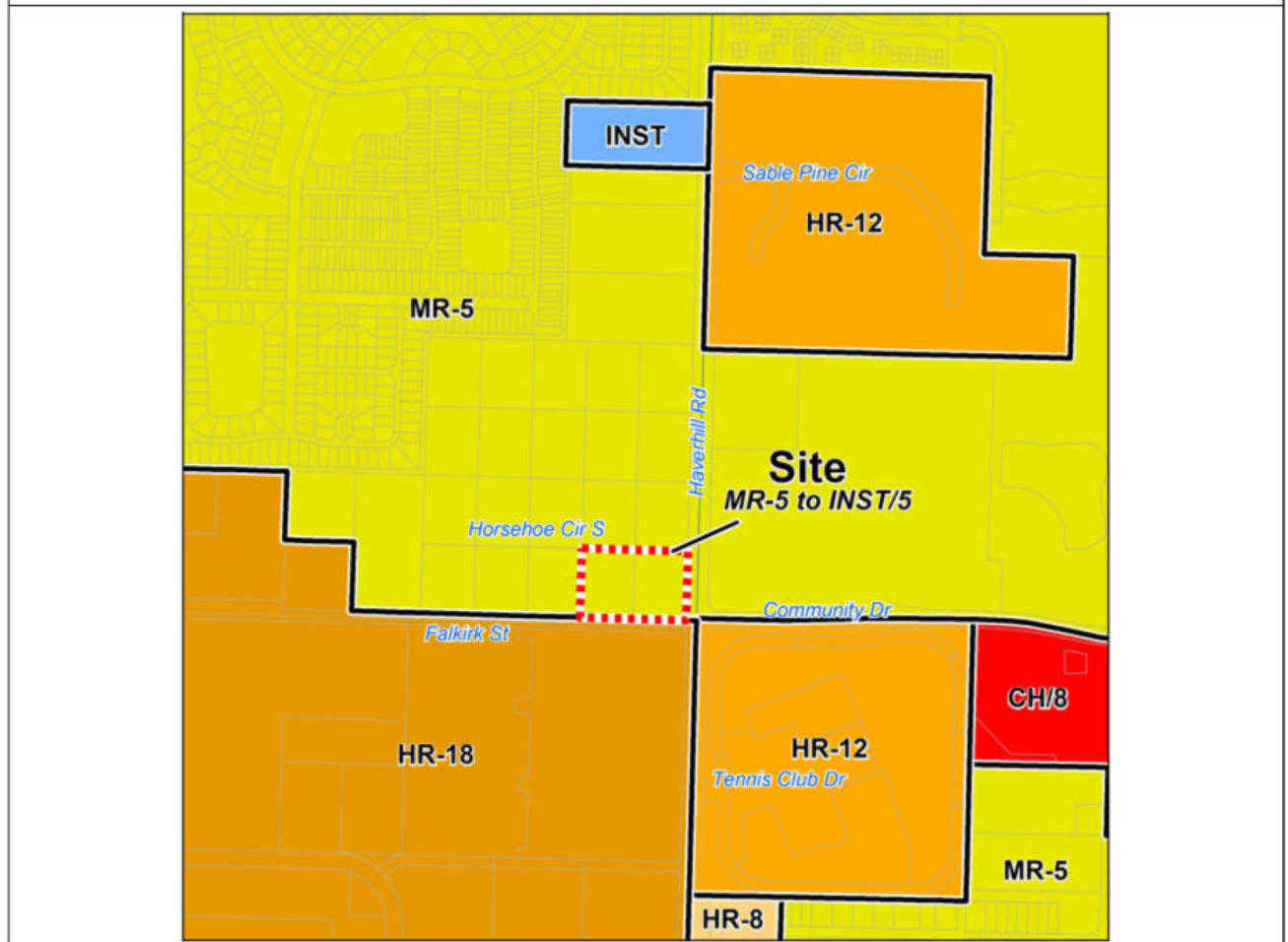
<b>Exhibits</b>	<b>Page</b>
1. Future Land Use Map & Legal Description	E-1
2. Consistency with Comprehensive Plan	E-3
3. Applicant’s Justification/Consistency with Comprehensive Plan	E-9
4. Applicant’s Public Facility Impacts Table	E-13
5. Palm Beach County Traffic Division Letter	E-15
6. Water & Wastewater Provider LOS Letter	E-17
7. Applicant’s Disclosure of Ownership Interests	E-18
8. Correspondence	E-26

## Exhibit 1

<b>Amendment No:</b>	<b>Haverhill Recovery Facility (SCA 2024-009)</b>
<b>FLUA Page No:</b>	51
<b>Amendment:</b>	From Medium Residential, 5 units per acre (MR-5) to Institutional and Public Facilities with an underlying 5 units per acre (INST/5) with conditions
<b>Location:</b>	Southwest corner of Haverhill Road and Horseshoe Circle South
<b>Size:</b>	3.97 acres approximately
<b>Property No:</b>	00-42-43-14-00-000-5190; 00-42-43-14-00-000-5030

**Conditions:** Development of the site under the INST future land use designation is subject to the following:

1. Development of the site is limited to a Skilled Nursing Facility or Residential Treatment Center use with a maximum 31,000 square feet and comprising no more than 100 beds/residents; and
2. The development order shall require a 6 foot wall on the north and west sides of the property, excluding emergency access which shall provide screening with an opaque gate.



## Legal Description

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### PARCEL 1:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 43, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA; THENCE NORTH 89 DEGREES 58' 43" WEST ALONG THE SOUTH LINE OF SAID SECTION 14, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE NORTH 89 DEGREES 58' 43" WEST ALONG THE SOUTH LINE OF SECTION 14, A DISTANCE OF 258.01 FEET TO A POINT; THENCE NORTH 0 DEGREES 05' 19" WEST, A DISTANCE OF 355.54 FEET TO A POINT; THENCE NORTH 89 DEGREES 58' 53" EAST, A DISTANCE OF 257.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HAVERHILL ROAD (A COUNTY ROAD) AS NOW LAID OUT AND IN USE; THENCE SOUTH 0 DEGREES 07' 06" EAST ALONG THE SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 335.72 FEET TO THE POINT OF BEGINNING.

### PARCEL 2:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE N 89 DEGREES 58' 43" WEST, ALONG THE SOUTH LINE OF SAID SECTION 14, A DISTANCE OF 308.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 58' 43" WEST, ALONG THE SOUTH LINE OF SAID SECTION 14, A DISTANCE OF 258.03 FEET TO A POINT; THENCE NORTH 0 DEGREES 03' 32" WEST, A DISTANCE OF 335.36 FEET TO A POINT; THENCE NORTH 89 DEGREES 58' 53', A DISTANCE OF 257.85 FEET TO A POINT; THENCE SOUTH 0 DEGREES 05' 19" EAST, A DISTANCE OF 335.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.974 ACRES MORE OR LESS



## Exhibit 2

### Consistency with Comprehensive Plan

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This Exhibit examines the consistency of the amendment with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

#### A. Consistency with the Comprehensive Plan - General

1. **Justification: FLUE Policy 2.1-f:** *Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:*

1. *The natural environment, including topography, soils and other natural resources; (see Public Facilities Section)*
2. *The availability of facilities and services; (see Public Facilities Section)*
3. *The adjacent and surrounding development; (see Compatibility Section)*
4. *The future land use balance;*
5. *The prevention of urban sprawl as defined by 163.3164(51), F.S.;*
6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section)*
7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (see Public and Municipal Review Section)*

The applicant has prepared a Justification Statement (Exhibit 3) which is summarized as follows:

- *“The subject site is located in an urban location surrounded by existing and planned development. Impact on the natural environment would be minimal, as there are no known protected resources, conservation lands, listed species, wetlands, or natural waterways adjacent or in the immediate vicinity of the subject site.”*
- *“The proposed Institutional, Public, and Civic use of ‘Residential Treatment Facility’ is an appropriate use in the Urban/Suburban tier in this location.”*
- *“The proposed FLUA Amendment from MR-5 to INST would be consistent with a nearby site located at 3443 N Haverhill Road, approximately 0.50 mi north of the subject site, which is surrounded by Medium and High Residential.”*

**Staff Analysis:** This policy is the umbrella policy over the entire FLUA amendment analysis and many of the items are addressed elsewhere in this report as identified above.

At the inception of the 1989 Comprehensive Plan, only existing institutional uses were assigned an Institutional and Public Facilities (INST) future land use designation. In addition, no criteria were established in the Plan to determine the appropriate location for future INST FLU designations, and are considered on a case-by-case basis.

The amendment proposes an institutional use on the site, which currently supports a single family home and a tennis court. The site is situated along North Haverhill Road and has an existing future land use designation of MR-5. In addition, there is an existing Place of Worship on an INST FLU designated parcel located approximately one-half mile north of the subject site. The proposed FLUA designation is justified, suitable and appropriate for the subject site and there is a basis for the proposed FLU change. For these reasons staff finds the applicant's justification adequate.

2. **County Directions – FLUE Policy 2.1-g:** *The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.*

**Direction 1. Livable Communities.** *Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.*

**Direction 2. Growth Management.** *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.*

**Direction 4. Land Use Compatibility.** *Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.*

**Staff Analysis:** The proposed amendment furthers **Direction 1, Livable Communities**, by exhibiting a balanced land use pattern and providing services for existing and future residents. In addition, the proposed amendment furthers **Direction 2, Growth Management**, by respecting the characteristics of the existing community with setbacks and building layout to minimize potential negative impact to the residents. **Direction 4, Land Use Compatibility**, is discussed in the Compatibility section of this report.

3. **Piecemeal Development - Policy 2.1-h:** *The County shall not approve site-specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.*

**Staff Analysis:** The definition of piecemeal development in the Comprehensive Plan describes “A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole.” The subject site is comprised of two parcels and no adjacent parcels are under the same ownership. A concurrent zoning application has been submitted which includes a site plan conveying development of the whole site. Therefore, the proposed amendment is not piecemeal, and does not create a residual parcel.

**B. Consistency with Urban/Suburban Tier Requirements for the Specific FLU**

Future Land Use Element Objective 1.1, Managed Growth Tier System, states that “Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers.....”

**1. FLUE Policy 1.2-a:** *Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:*

1. *Allowing services and facilities consistent with the needs of urban and suburban development;*
2. *Providing for affordable housing and employment opportunities;*
3. *Providing for open space and recreational opportunities;*
4. *Protecting historic, and cultural resources;*
5. *Preserving and enhancing natural resources and environmental systems; and,*
6. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.*

**Staff Analysis:** The proposed development is compatible with the scale, mass, intensity of use, and height and character of the neighboring community considering the proposed building height of 1 story (35 feet) and proposed 6-foot concrete panel wall to mitigate potential negative impacts to the adjacent residential uses. In addition, the applicant is proposing the main ingress and egress to align with the signalized intersection of North Haverhill Road and Community Drive to eliminate traffic on Horseshoe Circle South. Furthermore, the proposed development is located in an area that provides water and sewer, which furthers compatibility with the services and facilities consistent with the needs of urban and suburban development and is therefore consistent with this policy.

**2. FLUE Policy 2.2.8-e:** *Uses allowed in the Institutional and Public Facilities future land use designation include a full range of institutional uses including, but not limited to, the following:*

*[text omitted for brevity]*

8. *Medical uses for the purposes of medical treatment, health care, and rehabilitation including the following:*
  - a) *Hospitals and public health clinics*
  - b) *Facilities that provide 24 hour nursing and personal care to residents for persons not related to the owner or administration. Examples include nursing homes, skilled nursing facilities, and rehabilitation centers. These facilities provide care that is typically temporary in nature and is focused on rehabilitation that is*

*intended to prepare the residents to return to their homes, but can include long term custodial care.*

*[text omitted for brevity]*

**Staff Analysis:** This request for an INST Future Land Use designation is for the development of a skilled nursing/residential treatment facility within the Urban/Suburban tier. Therefore, this amendment is consistent with this policy.

### **C. Compatibility**

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use.

The surrounding land uses immediately abutting the site are the following:

**North and West:** Immediately north and west of the subject site are 18 single-family homes situated on approximately two acre lots with the MR-5 FLU designation. Further north, beyond these homes are several places of worship.

**East:** East of the subject site with the MR-5 FLU is Palm Lake Condominium, with 304 units.

**South:** South of the subject site is a portion of Century Village (Norwich A thru O Condominiums), 360 units, with the HR-18 FLU designation.

**FLUE Policy 2.1-f states that** *“the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity.”* And **FLUE Policy 2.2.1-b states that** *“Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintain to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.”*

**Applicant’s Comments:** The applicant states “The subject site is located in an urban location surrounded by existing and planned development. Impact on the natural environment would be minimal, as there are no known protected resources, conservation lands, listed species, wetlands, or natural waterways adjacent or in the immediate vicinity of the subject site. All grading and stormwater design will maintain natural drainage patterns and limit any substantial earth moving activities that would alter the topography or warrant import of off-site soils. All stormwater retention will be on site, eliminating any off discharge of potentially contaminated water into the canal system. Any trees impacted by the proposed development will be fully mitigated and replaced per Article 7 of the Unified Land Development Code.” The applicant also stated “The site sits at an existing signalized intersection and would be consistent with other Institutional, Public, and Civic uses along the corridor. There are also roadways along the north, east, and southern boundaries of the site, allowing ample separation from any existing development. The western contiguous land use of Single Family would be appropriately buffered with a Type II Incompatibility landscape buffer with a concrete panel wall to help screen the neighboring property from the proposed development.”



**Staff Analysis:** The subject site is currently comprised of two parcels totaling 3.97 acres. The western parcel is vacant and the eastern parcel supports a single family residence. The site is located adjacent to multiple residential uses, which would be compatible with an institutional use of the size, scale and mass as proposed in the zoning application and concurrent Future Land Use amendment. Considering the existing built environment, the applicant is providing a 20-foot landscape buffer with a 6-foot concrete panel wall to help screen the neighboring properties to the north and west from the proposed development. East of the subject site, at the northeast corner of North Haverhill Road and Community Drive is Palm Lake Condominiums with 304 units. Immediately, to north and west of the subject site are single-family homes suited on large 2 to 5 acre lots. Finally, south of the subject site across a 30 foot roadway easement is a portion of Century Village Condominiums, a senior multifamily housing community. Staff finds that the proposed amendment is generally compatible with adjacent residential uses.

#### **D. Consistency with County Overlays, Plans, and Studies**

- 1. Overlays – FLUE Policy 2.1-k** states *“Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.”*

**Staff Analysis:** The proposed amendment is not located within any overlay area.

- 2. Neighborhood Plans and Studies – FLUE Policy 4.1-c** states *“The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval……”*

**Staff Analysis:** The proposed amendment is not located within a neighborhood plan or special planning area.

#### **E. Public Facilities and Services Impacts**

The proposed amendment will assign a future land use designation of Institutional and Public Facilities (INST) allowing up to 77,820 square feet of institutional uses. The existing Medium Residential, 5 units per acre (MR-5) future land use designation allows up to 20 dwelling units. Public facilities impacts are detailed in the table in Exhibit 4.

- 1. Facilities and Services – FLUE Policy 2.1-a:** *The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.*

**Staff Analysis:** The proposed amendment was distributed to the County service departments for review. There are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. Staff sent a request for departmental review of the proposed amendment to various County departments and external agencies for review of public facility impacts. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Zoning (ULDC), Mass Transit (Palm Tran), Potable Water & Wastewater (PBC Water Utilities Dept.), Environmental (Environmental Resource Management), Traffic (Engineering), Historic Resources (PBC Archeologist), Parks and Recreation, Health (PBC Dept. of Health), Community Services (Health & Human Services) and Fire Rescue.

2. **Long Range Traffic - Policy 3.5-d:** *The County shall not approve a change to the Future Land Use Atlas which:*
- 1) *results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c) and d):...*

**Staff Analysis:** The Traffic Division reviewed this amendment as a proposed change from a maximum potential of 20 dwelling units to a maximum potential of 77,908 square feet of hospital use. According to the County's Traffic Engineering Department, (see letter dated September 18, 2024 in Exhibit 5) the amendment would result in 58 (39/19) AM and 60 (21/39) PM net peak hour trips based on maximum potential.

The Traffic letter concludes *"Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment meets Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the maximum potential density shown above."*

The Traffic Study (dated September 2024) was prepared by Masoud Atefi & Associates Inc. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at: <http://www.pbcgov.com/pzb/planning/activeamend/>

## II. Public and Municipal Review

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The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *"Palm Beach County will continue to ensure coordination between the County's Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities....."*

- A. **Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on October 18, 2024. On the same date, a notification letter was sent to the City of West Palm Beach regarding the amendment. To date, no comments have been received.
- B. **Other Notice:** Public notice by letter was mailed to the owner of properties within 500' of the perimeter of the site on October 18, 2024. Also on October 18, 2024, the Planning Division sent notices to interested parties including Pine Ridge at Haverhill Condominium Association Inc. and Cypress Lakes Master Homeowners Association. At the time of the printing of the report, no correspondence had been received. Any correspondence received will be added to Exhibit 8.

**Exhibit 3**  
**Applicant's Justification**

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**ATTACHMENT G.1**

**CONSISTENCY WITH THE COMPREHENSIVE PLAN AND FLORIDA  
STATUTES – JUSTIFICATION STATEMENT**

Factor 1: The proposed use is suitable and appropriate for the subject site:

**Response:** The proposed Institutional, Public, and Civic use of 'Residential Treatment Facility' is an appropriate use in the Urban/Suburban tier in this location. Please see below for consistency with the Palm Beach County Comprehensive Plan Policy 2.1.f and the overall objectives described herein:

**Policy 2.1-f**

1. Impact on the Natural Environment, including topography, soils, and other natural resources.

**Response:** The subject site is located in an urban location surrounded by existing and planned development. Impact on the natural environment would be minimal, as there are no known protected resources, conservation lands, listed species, wetlands, or natural waterways adjacent or in the immediate vicinity of the subject site. All grading and stormwater design will maintain natural drainage patterns and limit any substantial earth moving activities that would alter the topography or warrant import of off-site soils. All stormwater retention will be on site, eliminating any off discharge of potentially contaminated water into the canal system. Any trees impacted by the proposed development will be fully mitigated and replaced per Article 7 of the Unified Land Development Code.

2. The availability of facilities and services.

**Response:**

**Water/Sewer:** The site is located at a location that is immediately adjacent to existing water and sewer infrastructure on N Haverhill Rd with capacity to serve the proposed development. See Attachment I – Water and Wastewater Provider LOS Letters.

**Transportation:** The traffic study in Attachment H will show there are no short- or long-term impacts to the roadway infrastructure as a result of this FLUA Amendment request. In addition, the site is immediately adjacent to Palm Tran Route 4 stops 1546 and 1537, which services the N Haverhill Corridor.

**Emergency Services:** The site is approximately 2.4 miles from Palm Beach County Fire Rescue Station 23 with a response time of ±6 minutes.

3. Impact on the Adjacent and Surrounding Development.

**Response:** The site sits at an existing signalized intersection and would be consistent with other Institutional, Public, and Civic uses along the corridor. There are also roadways along the north, east, and southern boundaries of the site, allowing ample separation from any existing development. The western contiguous land use of Single Family would be appropriately buffered with a Type II Incompatibility landscape buffer with a concrete panel wall to help screen the neighboring property from the proposed development.

4. The future land use balance.

**Response:** The proposed FLUA will not have any impact on the future land use balance of this area. Institutional, Public, and Civic uses are permitted in this area as preceded by the following four sites withing a 0.5-mile vicinity of the subject site:

**3275 N HAVERHILL RD  
3345 N HAVERHILL RD  
3443 N HAVERHILL RD  
5348 GROVE ST**

**In addition, this site has frontage along the intersection of an Urban Minor Arterial Road (N Haverhill Road) and an Urban Collector Road (Community Drive), which is an ideal location for the proposed use.**

5. The prevention of urban sprawl as defined by 163.3164(51), F.S

**Response:** Urban sprawl would not apply to this development as it would be considered an urban infill site.

6. Community Plan and/or Planning Area Special Studies recognized by the Board of County Commissioner's.

**Response:** There are no known Community Plans or Special Studies in or around the subject site.

7. Municipalities in accordance with Intergovernmental Coordination Element 1.1

**Response:** The applicant will cooperate with the elements and objectives outlined in Goal 3: Intergovernmental Coordination of the Comprehensive Plan to support any impact as a result of the proposed development.

Factor 2: There is a basis for the proposed amendment for the particular subject site based upon one of more of following:

- a. Changes in the FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;

**Response:** The proposed FLUA Amendment from MR-5 to INST would be consistent with a nearby site located at 3443 N Haverhill Road, approximately 0.50 mi north of the subject site, which is surrounded by Medium and High



**Residential. There would be no immediate impact to the adjacent properties as a result of the proposed FLUA Amendment.**

- b. Changes in the access or characteristics of the general area and associated impacts on the subject site;

**Response: Access would be improved to the subject site by dedicating 30' of ROW along the south property and extending Community Drive per the conditions in approved resolution R-2018-1841. Primary access to the site would be from the south, utilizing the existing signalized intersection at N Haverhill Road and Community Drive. These off-site improvements open opportunity to further extend Community Drive and activate a new development corridor westward.**

- c. New information of change in circumstances which affect the subject site;

**Response: The proposed FLUA Amendment it is to allow the applicant to provide a short-term care facility for patients to occupy the site for a period less than 90-days, which is not allowed in the approved FLU MR-5 and Congregate Living Facility Use. Skilled Nursing or Residential Treatment Facility is an appropriate use as described in Section 4.C.15 of the Palm Beach County Unified Land Development Code to allow medical detox and recovery patients to occupy the site for a period of 30-days or more and Behavioral Health patients to occupy the site for a period of 90 days or more.**

- d. Inappropriateness of the adopted FLU designation; or

**Response: Medium Residential allowing 5 units per acre is not appropriate for a 3.97 acre at the intersection of an Urban Minor Arterial and Urban Collector Road. A non-residential land use would be more appropriate. This subject site meets the criteria of Institutional FLUA.**

- e. Whether the adopted FLU designation was assigned in error.

**Response: The current FLU designation was not assigned in error at the time of establishment; however, a more appropriate land use is warranted given the location of the subject site and intensity of surrounding development.**

## **G.2 Residential Density Increases**

1. Demonstrate a need for the amendment

**Response: The demand for short term care and rehabilitation facilities has steadily risen in Palm Beach County and all of South Florida. An increase in density to allow an Institutional Use is warranted at this location for reasons illustrated in Attachment G.1. In addition, a conditional use for a Congregate Living Facility was approved under Resolution 2018-1842 to allow a long-term recovery facility to operate at this location. We believe Skilled Nursing or Residential Treatment Facility is a more appropriate, and flexible, use of the site to better serve a larger diversity of patients in the local community.**

- a. Demonstrate that the current FLUA designation is inappropriate.

**Response:** The proposed FLUA Amendment is from a residential (MR-5) to a non-residential use (INST), which would increase density from 5 units per acre (approximately 20 units) to one bed per 1,000 sf of lot area (173 beds) or the equivalent of 18 units per acre. The estimated population increase is 126 people that could occupy the site with the proposed use. We believe a residential land use is an underutilization of the subject site and a non-residential use more appropriate given the juxtaposition of major roadways, surrounding High-Residential uses (up to 18 units per acre), intense multifamily developments, and ease of access to mass transit.

### **G.3 Compatibility**

Demonstrate compatibility with the surrounding land uses.

**Response:** The site has frontage along roadways on the north and east property lines and ROW for a future roadway on the south. ROW buffers would be installed per requirements set forth in Article 7, Chapter C of the Palm Beach County Unified Land Development Code. Beyond the roadways, the surrounding land uses are medium residential (MR-5) and high residential (HR-18) allowing up to 18 units per acre with the only contiguous property being MR-5 to the west.

The proposed FLUA Amendment density would match the existing HR-18 density in place at the southern neighboring property. A Skilled Nursing or Residential Treatment Facility in an Institutional FLU allows 1 bed per 1,000 sf of lot area, which equates to 18 units per acre, with an assumed population of 2.39 people per unit. ( $172,933 \text{ sf lot area} / 1,000 \text{ sf} = 173 \text{ beds} / 2.39 \text{ people per unit} = 72 \text{ units} / 3.97 \text{ acres} = 18 \text{ units/acre}$ ). For this reason, the proposed Institutional FLU would be compatible with the HR-18 property to the south.

However, an Institutional FLU would create an incompatibility with the western neighboring property, where a Type II landscape buffer would be installed with a 6'ht opaque wall as shown in the currently approved site plan of Resolution 2018-0035. This condition is similar to a property 0.50 miles north of the subject site located at 3443 N Haverhill Rd, an Institutional FLU surrounded by MR-5 on three sides with incompatibility buffer being provided around the Cypress Lakes Community.

**Exhibit 4**  
**Applicant’s Public Facility Impacts Table**

<b>A. Traffic Information</b>	
See Exhibit 5	
<b>B. Mass Transit Information</b>	
<b>Nearest Palm Tran Route (s)</b>	Palm Tran Route 4: WPB – GRN VIA HAVERHILL
<b>Nearest Palm Tran Stop</b>	Palm Tran Stops 1546 and 1537 on Route 4, 0.0 mi from project site. Stop is adjacent to project site east property line and across N Haverhill Road. Palm Tran
<b>Nearest Tri Rail Connection</b>	The nearest Tri-Rail station is 203 South Tamarind Avenue, West Palm Beach, Florida 33401, located 5.2 miles from the subject site. Nearest mass transit connection to Tri Rail Station are Palm Tran Routes 3, 4, and 43.
<b>C. Potable Water &amp; Wastewater Information</b>	
<b>Potable Water &amp; Wastewater Providers</b>	Site falls within Palm Beach County Water Utilities Department service area. PBCWUD currently has the capacity to accommodate the proposed one hundred bed facility totaling 28,500 SF of non-residential use.
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest utility connections are a 12” water main and a 6” sanitary sewer force main located adjacent to the property within Haverhill Road.
<b>D. Drainage Information</b>	
The surface water management system designed for the subject parcel of land is to be designed and constructed to satisfy drainage requirements of South Florida Water Management District (SFWMD), Palm Beach County, and other regulatory agencies. The system will collect on-site run off and via area drains, catch basins, and trench drains, which will be routed to an exfiltration trench and dry retention area for treatment and storage before discharging into the Palm Beach County storm management system. See Attachment J for more detailed information.	
<b>E. Fire Rescue</b>	
<b>Nearest Station</b>	Palm Beach County Fire Rescue Station 23 5471 Okeechobee Blvd. West Palm Beach, 33417
<b>Distance to Site</b>	2.0 miles
<b>Response Time</b>	6 minutes 30 seconds

<b>Effect on Resp. Time</b>	There is minimal impact on response time as a result of this FLUA Amendment request as the average response time for this station is 6 minutes 36 seconds.
<b>F. Environmental</b>	
<b>Significant habitats or species</b>	There are no listed species and/or habitats of significant value that occupy the property. The applicant will utilize their best efforts to preserve the existing vegetation if the site is developed as intended.
<b>Flood Zone*</b>	Site is located in Flood Zone X per FEMA panel 12099C05765 dated 10/5/2017.
<b>Wellfield Zone*</b>	Site does not fall within a wellfield zone.
<b>G. Historic Resources</b>	
No cultural resources on or within 500' of the subject site based on letter from County Historic Preservation Officer/Archeologist dated February 26, 2024.	



# Exhibit 5

## Palm Beach County Traffic Division Letter



**Department of Engineering  
and Public Works**  
P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbcgov.com

■

**Palm Beach County  
Board of County  
Commissioners**

Maria Sachs, Mayor  
Maria G. Marino, Vice Mayor  
Gregg K. Weiss  
Michael A. Barnett  
Marci Woodward  
Sara Baxter  
Mack Bernard

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*



September 18, 2024

Ali Atefi, P.E.  
Masoud Atefi & Associates, Inc.  
1263 SE Illusion Isle Way  
Stuart, Florida 34997

**RE: 3037 N Haverhill Road - Revised  
FLUA Amendment Policy 3.5-d Review  
Round 2024-25-A**

Dear Mr. Atefi:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Study for the proposed Future Land Use Amendment for the above-referenced project, revised September 2024, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

<b>Location:</b>	West side of Haverhill Road, directly across Community Drive	
<b>PCN:</b>	00-42-43-14-00-000-5190 ( <i>other on file</i> )	
<b>Acres:</b>	3.97 acres	
	<b>Current FLU</b>	<b>Proposed FLU</b>
<b>FLU:</b>	Medium Residential, 5-unit per acre (MR-5)	Institutional (INST/5)
<b>Zoning:</b>	Planned Unit Development (PUD)	Institutional & Public Facilities (IPF)
<b>Density/Intensity:</b>	5 units/acre	0.45 FAR or 1 bed/1000 SF
<b>Maximum Potential:</b>	Single Family Detached = 20 DUs	Hospital = 77,908 SF
<b>Proposed Potential:</b>	None	Nursing Home = 100 Beds
<b>Net Daily Trips:</b>	555 (maximum – current) 75 (proposed – current)	
<b>Net PH Trips:</b>	58 (39/19) AM, 60 (21/39) PM (maximum) 13 (9/4) AM, 12 (4/8) PM (proposed)	
	<i>* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities anticipated in the zoning application.</i>	

Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment **meet** Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the **maximum potential**



Ali Atefi, P.E.  
September 18, 2024  
Page 2

density shown above.

Please do not hesitate to reach out with any questions or concerns at 561-684-4030 or [DSimeus@pbcgov.org](mailto:DSimeus@pbcgov.org).

Sincerely,

A handwritten signature in blue ink, appearing to be "DS", is written over a horizontal line.

Dominique Simeus, P.E.  
Professional Engineer  
Traffic Division

DS:jb

cc:

Quazi Bari, P.E., PTOE – Manager – Growth Management, Traffic Division  
Bryan Davis – Principal Planner, Planning Division  
Stephanic Gregory – Principal Planner, Planning Division  
Khurshid Mohyuddin – Principal Planner, Planning Division  
Kathleen Chang – Senior Planner, Planning Division  
David Wiloch – Senior Planner, Planning Division  
Alberto Lopez Tagle - Technical Assistant III, Traffic Division

File: General - TPS – Unincorporated - Traffic Study Review  
N:\TRAFFIC\Development Review\Comp Plan\25-A\3037 N Haverhill Road - Revised.docx

**Exhibit 6**  
**Water & Wastewater Provider LOS Letter**

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**Water Utilities Department  
Engineering**  
8100 Forest Hill Blvd.  
West Palm Beach, FL 33413  
(561) 493-6000  
Fax: (561) 493-6085  
www.pbcwater.com



**Palm Beach County  
Board of County  
Commissioners**

Gregg K. Weiss, Mayor  
Maria Sachs, Vice Mayor  
Maria G. Marino  
Michael A. Barnett  
Marci Woodward  
Sara Baxter  
Mack Bernard

**County Administrator**  
Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

printed on sustainable  
and recycled paper

February 12, 2024

Jessamine Design Build, LLC

RE 3037 N Haverhill Rd.  
Service Availability Letter

Dear Mr. Feccia,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity to accommodate the proposed one hundred bed recovery facility totaling 28,500 SF of nonresidential use.

The nearest connection to utilities is a 12" watermain and a 6" sanitary sewer force main located adjacent to the subject property within Haverhill Road.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. In addition, the addition of new developments/customers prior to service initiation to the property may affect the available capacity. PBCWUD does not make any representations as to the availability of capacity as of the future service initiation date.

If you have any questions, please give me a call at (561)493-6116.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jackie Michels".

Jackie Michels, P.E,  
Project Manager

# Exhibit 7

## Disclosure of Ownership Interests

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PALM BEACH COUNTY - ZONING DIVISION

FORM # 8

### DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

**[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]**

**TO:** PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Michael Silverman, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [ ] individual or [x] Manager [position—e.g., president, partner, trustee] of Haverhill Road Holdings, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: Michael Silverman - Haverhill Road Holdings, LLC  
11 Island Ave #1506  
Miami Beach, FL 33139
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.


  
\_\_\_\_\_  
Michael Silverman, Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of  physical presence or  
 online notarization, this 28 day of February, 2024 by  
Michael Silverman (name of person acknowledging). He/she is personally  
known to me or has produced \_\_\_\_\_ (type of identification) as  
identification and did/did not take an oath (circle correct response).

Sofia Cordonedo  
(Name - type, stamp or print clearly)

  
\_\_\_\_\_  
(Signature)

My Commission Expires on: \_\_\_\_\_



**EXHIBIT "A"****PROPERTY**

PARCEL 1: 00-42-43-14-00-000-5190

## LEGAL DESCRIPTION

Commencing at the Southeast corner of Section 14, Township 43, Range 42 East, Palm Beach County Florida; thence North 89 degrees 58' 43" West along the South line of said Section 14, a distance of 50.00 feet to the Point of Beginning, thence continue North 89 degrees 58' 43" West along the South line of Section 14, a distance of 258.01 feet to a point; thence North 0 degrees 05' 19" West, a distance of 355.54 feet to a point; thence North 89 degrees 58' 53" East, a distance of 257.86 feet to a point on the West right-of-way line of Haverhill Road (a county road) as not laid out and in use; thence south 0 degrees 07' 06" East along the said West right-of-way line a distance of 335.72 feet to the Point of Beginning.

PARCEL 2: 00-42-43-14-00-000-5030

## LEGAL DESCRIPTION

Compromising 1.98 acres more or less in the unrecorded Plat of Haverhill Ranchettes on Horseshoe Circle, off North Haverhill Road, West Palm Beach, Florida more particularly described as:

Commencing at the Southeast corner of Section 14, Township 43 South, Range 42 East, Palm Beach County, Florida; thence N 89 degrees 58' 43" West, along the South Line of said Section 14, a distance of 308.01 feet to the Point of Beginning; thence continue North 89 degrees 58' 43" West, along the South line of said Section 14, a distance of 258.03 feet to a point; thence North 0 degrees 03' 32" West, a distance of 335.36 feet to a point; thence North 89 degrees 58' 53", a distance of 257.85 feet to a point; thence South 0 degrees 05' 19" East, a distance of 335.54 feet to the Point of Beginning.





**DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY**

*[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]*

**TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE**

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Victoria Leggett, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the  individual or  Manager *[position - e.g., president, partner, trustee]* of Haverhill ALF LLC *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: Victoria Leggett - Haverhill ALF LLC  
821 N Riverside Drive Unit 701  
Pompano Beach, FL 33062
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.



7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Victoria Leggett  
Victoria Leggett, Affiant

(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
COUNTY OF ~~PALM BEACH~~ BROWARD *GR*

The foregoing instrument was acknowledged before me by means of [] physical presence or [ ] online notarization, this 29<sup>th</sup> day of FEBRUARY, 2024 by \_\_\_\_\_ (name of person acknowledging). He/she is personally known to me or has produced FL/DL (type of identification) as identification and did/did not take an oath (circle correct response).

GEORGE R ROUNDS  
(Name - type, stamp or print clearly)

*George R Rounds*  
(Signature)

My Commission Expires on: 02/19/28

NOTARY'S SEAL OR STAMP  
George Rounds  
Comm.: HH 463409  
Expires: Feb. 19, 2028  
Notary Public - State of Florida

**EXHIBIT "A"****PROPERTY**

PARCEL 1: 00-42-43-14-00-000-5190

## LEGAL DESCRIPTION

Commencing at the Southeast corner of Section 14, Township 43, Range 42 East, Palm Beach County Florida; thence North 89 degrees 58' 43" West along the South line of said Section 14, a distance of 50.00 feet to the Point of Beginning, thence continue North 89 degrees 58' 43" West along the South line of Section 14, a distance of 258.01 feet to a point; thence North 0 degrees 05' 19" West, a distance of 355.54 feet to a point; thence North 89 degrees 58' 53" East, a distance of 257.86 feet to a point on the West right-of-way line of Haverhill Road (a county road) as not laid out and in use; thence south 0 degrees 07' 06" East along the said West right-of-way line a distance of 335.72 feet to the Point of Beginning.

PARCEL 2: 00-42-43-14-00-000-5030

## LEGAL DESCRIPTION

Compromising 1.98 acres more or less in the unrecorded Plat of Haverhill Ranchettes on Horseshoe Circle, off North Haverhill Road, West Palm Beach, Florida more particularly described as:

Commencing at the Southeast corner of Section 14, Township 43 South, Range 42 East, Palm Beach County, Florida; thence N 89 degrees 58' 43" West, along the South Line of said Section 14, a distance of 308.01 feet to the Point of Beginning; thence continue North 89 degrees 58' 43" West, along the South line of said Section 14, a distance of 258.03 feet to a point; thence North 0 degrees 03' 32" West, a distance of 335.36 feet to a point; thence North 89 degrees 58' 53", a distance of 257.85 feet to a point; thence South 0 degrees 05' 19" East, a distance of 335.54 feet to the Point of Beginning.



**Exhibit 8**  
**Correspondence**

---