

PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION

Application No.: Z-2021-00166
Application Name: Sunflower Light Industrial
Control No./Name: 1999-30168 (Sunflower Light Industrial)
Applicant: 15200 State Road 7 LLC
Owners: 15200 State Road 7 LLC
Agent: Urban Design Studio - Bradley Miller and Ailish Villalobos
Telephone No.: (561) 366-1100
Project Manager: Brenya Martinez, Site Planner II

TITLE: an Official Zoning Map Amendment **REQUEST:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District.

APPLICATION SUMMARY: Proposed is an Official Zoning Map Amendment for the Sunflower Light Industrial development. The site has no prior Zoning approvals and is currently being utilized for Landscape Services.

The Applicant is proposing to rezone from the AGR Zoning District to the IL Zoning District in order to allow for the continued use of the existing Landscape Services (Sunflower Landscaping and Maintenance). As the site is rezoning to a Standard Zoning District, no Site Plan has been provided at this time for review and approval.

This application is also subject of a concurrent Large Scale Future Land Use Amendment (LGA-2021-00016) under review by the Planning Division to amend the Future Land Use Atlas from Agricultural Reserve (AGR) to Industrial (IND) with an underlying Agricultural Reserve (AGR), which is consistent with the proposed Zoning District.

No changes are proposed to the existing access points, with two access points provided to State Road 7/US 441.

SITE DATA:

Location:	West side of State Road 7/US 441, approximately 0.28 miles south of Atlantic Avenue.
Property Control Number(s):	00-42-43-27-05-067-0150
Existing Future Land Use Designation:	Agricultural Reserve (AGR)
Proposed Future Land Use Designation:	Industrial (IND) with an underlying (AGR)
Existing Zoning District:	Agricultural Reserve (AGR)
Proposed Zoning District:	Light Industrial (IL)
Total Acreage:	8.19 acres
Affected Acreage:	8.19 acres
Tier:	Ag Reserve
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile:	N/A
Future Annexation Area:	N/A

RECOMMENDATION: Staff recommends approval of the request, subject to a Conditional Overlay Zone and the Conditions of Approval as indicated in Exhibit C.

PROJECT HISTORY:

As previously noted under Application Summary, the site has no prior Zoning Public Hearing approvals. Palm Beach County Planning, Zoning & Building Department and the Property Appraiser’s Office records indicates that the site was initially developed as a Single Family Residence in the 1970s and later developed has a greenhouse for commercial uses in 1990. Subsequently,

Building permit No. AP-2019-036697-0000 was submitted as part of an Ag improvement process that would change the use from Single Family Dwelling to an Office use for a Nursery operation. Zoning Confirmation letter No.ZC-1999-168 was issued on September 24, 1999 to vest the Wholesale Nursery which was stated to be in operation prior to 1990.

SURROUNDING LAND USES:

NORTH:

FLU Designation: Agricultural Reserve (AGR)
Zoning District: Agricultural Reserve (AGR)
Supporting: Vacant (Control Name and No. N/A)

SOUTH:

FLU Designation: Agricultural Reserve (AGR)
Zoning District: Agricultural Reserve District (AGR)
Supporting: Vacant (Shark Enterprise, Control No. 2007-0003)

WEST:

FLU Designation: Agricultural Reserve (AGR)
Zoning District: Agricultural Reserve Planned Unit Development (AGR-PUD)
Supporting: Agricultural (Sussman AGR-PUD, Control No. 2000-00032)

EAST: (across State Road 7/441)

FLU Designation: Agricultural Reserve (AGR)
Zoning District: Agricultural Reserve Planned Unit Development (AGR-PUD)
Supporting: Residential (Sussman AGR-PUD North , Control No. 2000-00032)

FINDINGS:

Official Zoning Map Amendment (Rezoning) to a Standard District: When considering a Development Order application for a rezoning to a Standard Zoning District with or without a Conditional Overlay Zone (COZ), the BCC and ZC shall consider Standards a through g listed under Article 2.B.7.B.2, Standards. The Standards and Staff Analyses are indicated below. An amendment that fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved.

a. Consistency with the Plan - *The proposed amendment is consistent with the Plan.*

PLANNING DIVISION COMMENTS:

- *Consistency with the Comprehensive Plan:* Should the BCC approve the amendment request, then the proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- *Concurrent Land Use Amendment:* The site is the subject of a concurrent Large Scale Amendment known as Sunflower Light Industrial (LGA-2021-016) to amend the land use from Agricultural Reserve (AGR) to Industrial with underlying Agricultural Reserve (IND/AGR) on the 8.19-acre site. The subject request will be heard by the Board of County Commissioners for adoption August 26, 2021, where the BCC may impose additional conditions of approval. The Board of County Commissioners transmitted the amendment on May 5, 2021. The request will be presented to the BCC for adoption with the following conditions:

Development of the site under the Industrial future land use designation shall be subject to the following:

- 1. Uses shall exclude heavy industrial uses which engage in the basic processing, manufacturing, or storage of flammable, hazardous, or explosive materials or products, or processes which potentially involve hazardous or commonly recognized offensive conditions as described in Future Land Use Element Policy 2.2.4-d of the Palm Beach County Comprehensive Plan; and,

2. Uses identified as Commercial in Article 4 of the Unified Land Development Code are prohibited on the site, with the exception of Landscape Service, Self-Service Storage, and accessory uses.

Currently there is an existing Landscape Service operation on the site, which would be consistent with the condition. Should any new uses be proposed, they would have to be consistent with the above condition, and any other conditions the BCC may impose at the adoption hearing.

- **Intensity:** The maximum Floor Area Ratio (FAR) of 0.45 is allowed for the IND Future Land Use designation in the Agricultural Reserve Tier (356,756.4 square feet or 8.19 acres x .45 maximum FAR = 160,540.38 square feet maximum). The request of 7,955 square feet equates to a FAR of approximately 0.02 (7,955 / 356,756.4 square feet or 8.19 acres = 0.022).

- **Special Overlay District/ Neighborhood Plan/Planning Study Area:** The site is not located within any neighborhood plans, overlays or plan study areas as identified in the Comprehensive Plan.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The proposed rezoning to the Light Industrial (IL) Zoning District will be consistent with the Industrial (IND) Future Land Use Amendment (FLUA) request.

- **Property Development Regulations (PDRs):** As the Applicant is proposing to rezone the subject site to the IL Zoning District, the property is required to meet the PDR requirements outlined in Table 3.D.1.A, Property Development Regulations.

Table 3.D.1.A requires a minimum 1-acre lot size for a site with an IL Zoning, as well as a 100 ft. minimum width, 200 ft. frontage, with a maximum Building coverage of 45%. The required setbacks include: 40 ft. minimum front setback, 15 ft. side setback and 20 ft. rear setback. As previously indicated, no Preliminary Site Plan is required as the Zoning request is for a rezoning to a Standard Zoning District. However, the Applicant provided a Conceptual Site Plan (CSP-1, Figure 4) for information purposes, and Staff were able to confirm that both the lot and existing structures will meet all PDR requirements for both the lot requirements and setbacks for existing structures. In addition, the site will be reviewed at time of building permit to ensure compliance with ULDC Regulations including setbacks requirements.

- **Code Enforcement:** The site is subject to Code Enforcement Case C-2019-03200027 for Use Violations and for not obtaining the required approvals. With the site currently being zoned AGR, a Landscape Service use is prohibited unless when collocated as a Retail or Wholesale Nursery. As such, the Applicant is proposing to rezone to IL, where a Landscape Service use is permitted-by-right. Should the Board support the rezoning, the Applicant/Owner would be required to seek the necessary building permits and use approvals to allow the continued use of the Landscape Service on-site. The site would be reviewed for code compliance through the Building permit process mentioned above.

- **Landscape and Buffering:** When the Applicant proceeds through the Building Permit process to allow for the use, the site will be required to comply with Article 7, Landscaping and Buffering requirements including: Table 7.C.2.A – R-O-W Buffer Landscape Requirements and Table 7.C.2.B – Compatibility Buffer Landscape Requirements. CSP-1 (Figure 4) indicates ± 242 ft. wide R-O-W buffer along State Road 7/US 441, as well as a ten ft. R-O-W buffer to the north side and an eight ft. Compatibility Buffer to the south property line.

- **Parking:** The Applicant will be required to comply with Table 6.B.1.B – Minimum Parking and Loading Requirements for the existing Landscape Services use. According to the Justification Statement and CSP-1 Exhibit provided, a minimum of one space per 250 sq. ft. of office; plus 1 space per 1,000 sq. ft. of outdoor storage area for employee parking shall be provided. This will be reviewed at the time of Building Permit.

- **Conditional Overlay Zone:** The Applicant proposes a Conditional Overlay Zone (COZ) in order to mitigate concerns raised by the Alliance of Delray Residential Association. The Alliance indicated concerns related to potential future uses of the subject site should the Landscape Services use be abandoned. With the rezoning of the subject site to IL, the Alliance raised concerns related to uses

that could have an impact to surrounding residential development. As such, Planning Staff are requesting a Condition of Approval for both the FLUA and the rezoning application that limits future development. This excludes heavy industrial uses which engage in the basic processing, manufacturing, or storage of flammable, hazardous, or explosive materials or products, or processes which potentially involve hazardous or commonly recognized offensive conditions as described in Future Land Use Element Policy 2.2.4-d of the Palm Beach County Comprehensive Plan.

Further, Staff have been working with the Applicant on uses that can be utilized on site, but meet the Condition requirements identified by the Planning Division and mitigate concerns identified by the Delray Alliance. Based on conversations with the Applicant, Staff are requesting a Condition of Approval that would only allow uses that are Agricultural, permitted by right uses that are Industrial (based on Art. 4 Use Matrix), and Landscape Services, subject to those uses and meeting the requirements of Planning Condition 1.

- c. **Compatibility with Surrounding Uses** - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

Directly to the north and south of the subject site, are vacant parcels currently zoned Agricultural Reserve. There are no prior approvals for the north parcel while the south property obtained zoning approval for a Class B Conditional Use to allow Agriculture Sales and Service. To the west of the subject site, are three contiguous parcels that are zoned AGR-PUD, which are preserved parcels for Amerigrow Recycling Delray. To the east across State Road 7/US 441 is the Agricultural Reserve PUD *fka* Sussman AGR-PUD- North. The subject site is currently separated by an approximately 242 ft. width R-O-W. and the residential development has an existing 25 ft. buffer which includes a continuous eight foot (ft.) wall. Furthermore, as indicated by the Applicant, the Landscape Services has been in operation since the 1990s (for over 30 years) and the request shall not have an impact to the surrounding uses as the request seeks to continue to provide Landscape services to the surrounding communities.

- d. **Effect on Natural Environment** – *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

VEGETATION PROTECTION: The property is an existing landscape nursery.

WELLFIELD PROTECTION ZONE: The property is located not within a Wellfield Protection Zone.

IRRIGATION CONSERVATION CONCERNS AND SURFACE WATER: All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Water and Irrigation Conservation Ordinance No. 93 3. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93 15.

ENVIRONMENTAL IMPACTS: There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

- e. **Development Patterns** – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The proposed rezoning seeks to establish a consistent and timely development pattern along the State Road 7/US 441 corridor to the greatest extent possible. To the north of the subject site is the SR7/Atlantic Ave. intersection, which includes existing commercial uses at the south-west corner. To the west of the intersection, on the north and south side of Atlantic Ave., are lands that have an Industrial with underlying AGR FLU designation, and have recently been rezoned to Light Industrial (Young Property North and South). The Atlantic Avenue corridor has transitioned over the past number of years and includes a mixture of industrial, commercial, and institutional uses. While the subject site is not immediately adjacent to Atlantic Ave., the development patterns within the vicinity

of the subject site have allowed for a number of rezoning applications to allow for a mixture of industrial and commercial uses. While Staff are critical in reviewing applications for a rezoning of a parcel of land from AGR to IL, with the support from the BCC for the Transmittal of the Land Use Amendment from AGR to IND, the rezoning to IL will be consistent with the Future Land Use. As previously indicated, both Planning and Zoning Staff are requesting Conditions of Approval for the proposed rezoning to limit uses to those that have the least amount of impact on surrounding lands for a parcel with an IL Zoning. As previously indicated, it is worth noting that the lands immediately to the north and south of the subject site are vacant, and lands to the west are zoned as Preserve parcels, and this rezoning will have limited to no impact on these lands

f. Adequate Public Facilities – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

ENGINEERING COMMENTS:

This rezoning only application has assumed a preliminary development potential of 50,000 sf of Light Industrial development, which may change when a final site plan is submitted in the future stages of development approval process. However, with this assumed Light Industrial development potential, the site is expected to generate 223 net daily trips, 31 net AM peak hour trips, and 29 net PM peak hour trips. The build out of the project is expected to happen by 2025.

There are no roadway improvements required to meet the Traffic Performance Standards, since the project will have insignificant impact on the roadways.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)

Segment: SR-7 from Atlantic Ave to Clint Moore Rd
Existing count: Northbound=1824, Southbound=1088
Background growth: Northbound=387, Southbound=331
Project Trips: Northbound=13, Southbound=13
Total Traffic: Northbound=2224, Southbound=1432
Present laneage: 2/3 in each direction
Assured laneage: 2/3 in each direction
LOS “D” capacity: 1960/2940 per direction
Projected level of service: Worse than LOS D (north segment), but better than LOS D (south segment)

There are no Engineering conditions of approval with this application.

PALM BEACH COUNTY HEALTH DEPARTMENT:

This project meets the requirements of the Florida Department of Health.

FIRE PROTECTION:

Staff has reviewed this application and have no comment.

SCHOOL IMPACTS:

Staff has reviewed this application and have no comment.

PARKS AND RECREATION:

This is a non-residential application and Park and Recreation Department ULDC standards do not apply.

g. Changed Conditions or Circumstances – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

According to the Applicant’s Justification Statement, the request necessitates the amendment due to Code Enforcement Use Violations for missing the required zoning approvals. In addition, the Applicant is seeking a concurrent FLUA request to IND to ensure consistency with the proposed Zoning and FLU Designations. The areas surrounding the subject site along State Road 7/441, indicate limited areas designated for Industrial uses along State Road 7/441 north and south corridors. More specifically between Boynton Beach Boulevard and Palmetto Park Road in Boca Raton. The Current AGR Zoning and FLU classification is within the Agricultural Reserve Tier, which

further limits future Industrial Uses. The Zoning Amendment with a Conditional Overlay Zone (COZ) would allow the existing Landscape Services to remain as a Permitted by Right use per Table 4.B.5.A – Industrial Use Matrix and Table 4.B.6.A-Agricultural Use Matrix. In addition, the Applicant is working with Staff Condition of Approvals to limit the uses to Landscape Services, including Wholesale Nursery and Warehouse uses with the exception of Heavy industrial uses as indicated in Exhibit C. Therefore, Staff has determined that the amendment is necessary to allow the continuation of the existing Landscape Services to remain by obtaining the required zoning approvals and allowing possible Industrial Uses per staff Conditions of Approval to lessen any future potential impacts.

CONCLUSION: Staff has evaluated the Applicant’s justification and responses for Standards a-g of Article 2.B.7.A.2 for an Official Zoning Map Amendment with a Conditional Overlay Zone (COZ), and determined that there is a balance between the need for change and the potential impacts generated by this change. Therefore, Staff is recommending approval of the request, subject to the recommended Conditions of Approval as indicated in Exhibit C.

CONDITIONS OF APPROVAL

EXHIBIT C: Official Zoning Map Amendment with a Conditional Overlay Zone

PLANNING

1. Per LGA 2021-016, condition 1: Development of the site under the Industrial future land use designation shall exclude heavy industrial uses which engage in the basic processing, manufacturing, or storage of flammable, hazardous, or explosive materials or products, or processes which potentially involve hazardous or commonly recognized offensive conditions as described in Future Land Use Element Policy 2.2.4-d of the Palm Beach County Comprehensive Plan. (ONGOING: PLANNING - Planning)

2. Per LGA 2021-016, condition 2: Development of the site under the Industrial future land use designation shall be subject to the following: Uses identified as Commercial in Article 4 of the Unified Land Development Code are prohibited on the site, with the exception of Landscape Service, Self-Service Storage, and accessory uses. (ONGOING: PLANNING - Planning)

USE LIMITATIONS

1. Development of the site shall be limited to Landscape Services, Agricultural Uses, and Permitted by Right uses listed under the Industrial Use Matrix as identified in Article 4, Supplement 29 of the ULDC. Any uses that conflicts with Planning Condition 1, as determined by the Director of Planning, shall not be permitted. (BLDGPMT/ONGOING: 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.

Figure 1 - Land Use Map

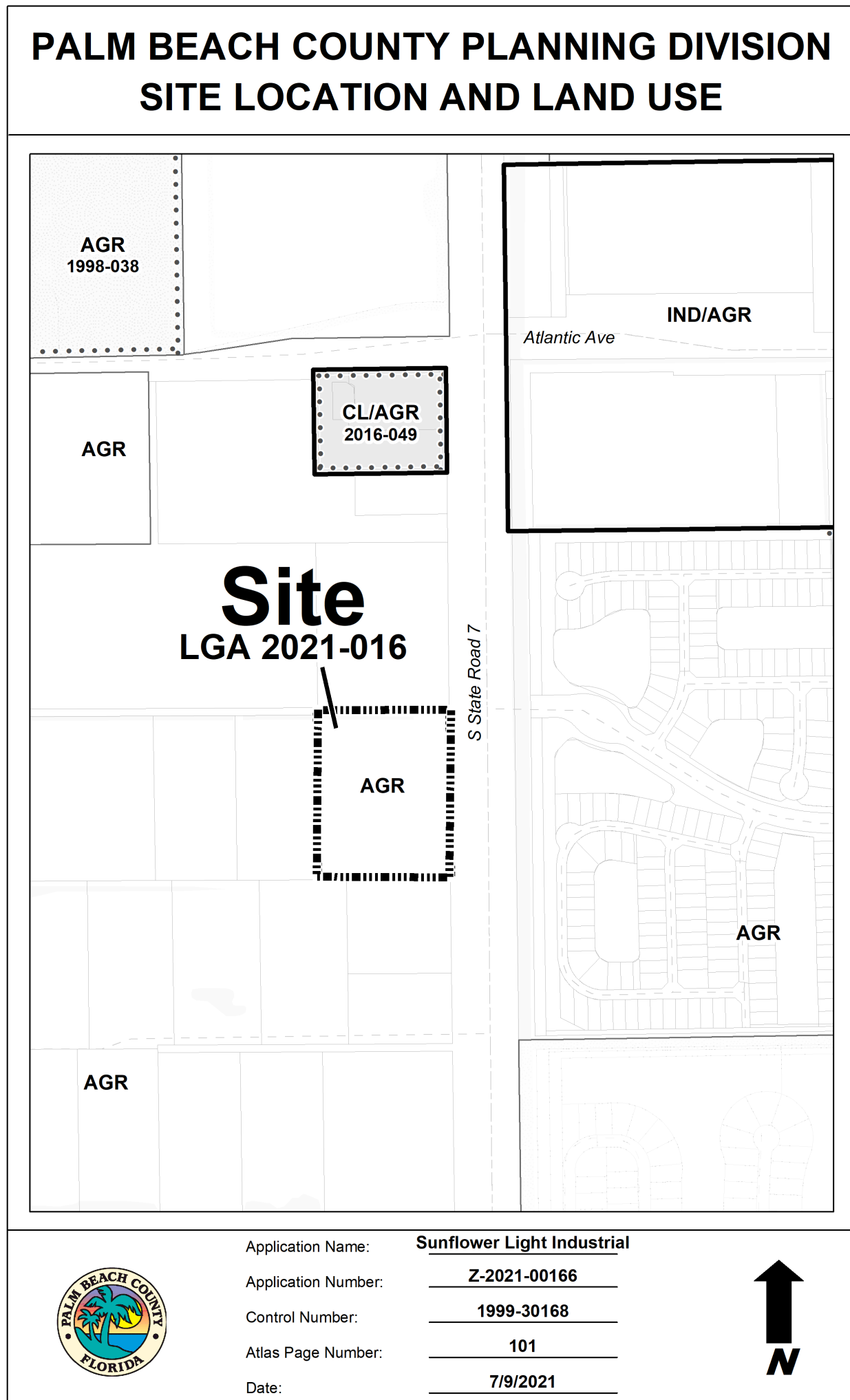


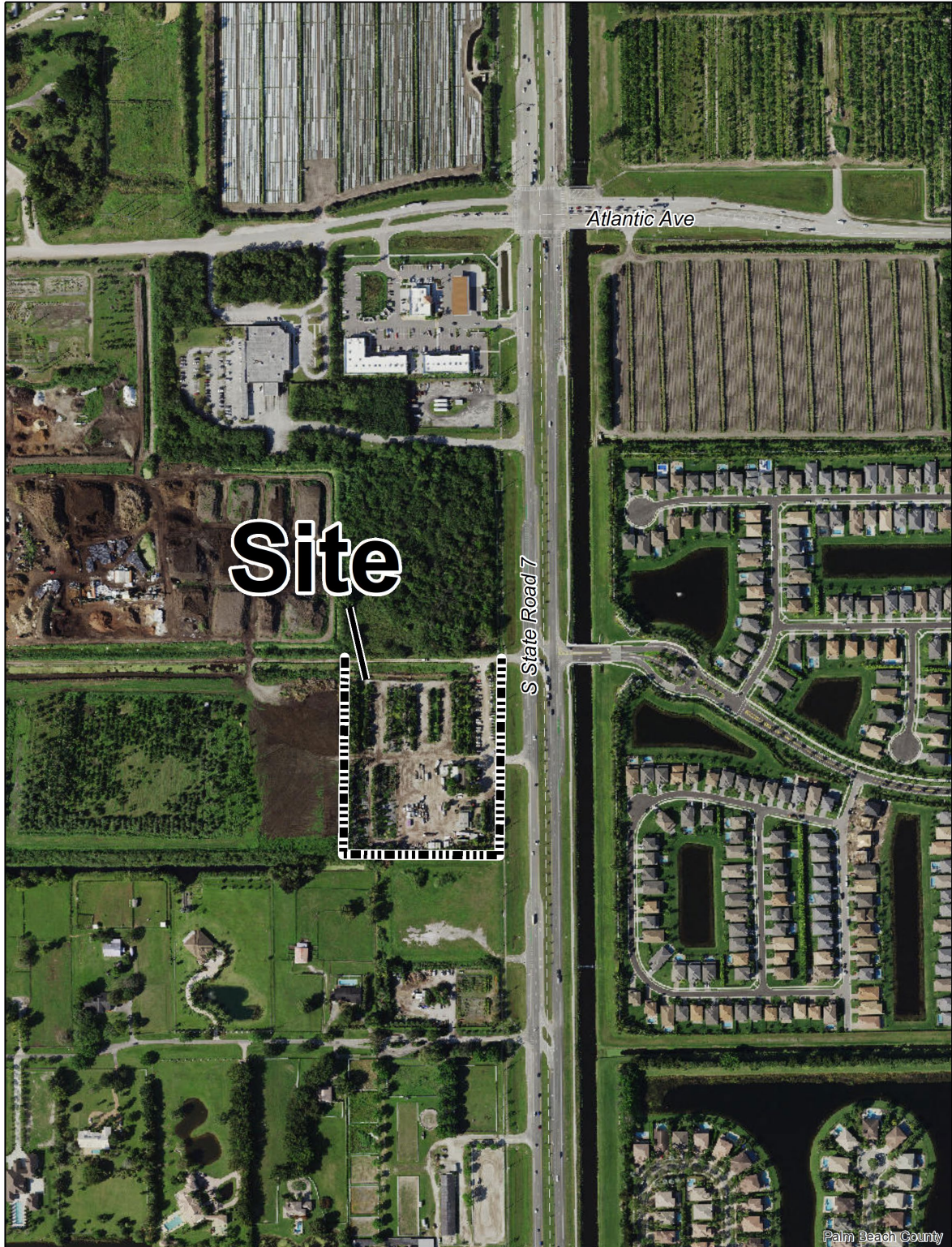
Figure 2 - Zoning Map



Figure 3 – Aerial

PALM BEACH COUNTY PLANNING DIVISION

SITE LOCATION



Application Name:	<u>Sunflower Light Industrial</u>
Application Number:	<u>Z-2021-00166</u>
Control Number:	<u>1999-30168</u>
Atlas Page Number:	<u>101</u>
Date:	<u>7/9/2021</u>



(FOR INFORMATION PURPOSES ONLY. THIS PLAN HAS NOT BEEN REVIEWED AS PART OF THIS APPLICATION.)

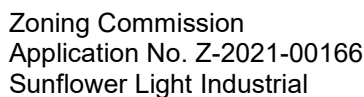


Exhibit D – Disclosure of Ownership (Owner)

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 Douglas Fash, 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] MGMR [position - e.g., president, partner, trustee] of 15200 STATE ROAD 7, 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: 15200 State Road 7, Delray Beach, FL 33446
- 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.

Douglas Fash
Douglas Fash
 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 20th day of OCTOBER, 2020 by _____ (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).

 (Name - type, stamp or print clearly)

Irma Espinoza
 (Signature)

My Commission Expires on: _____

NOTARY'S SEAL OR STAMP



EXHIBIT "A"
PROPERTY

DESCRIPTION:
TRACT 15, BLOCK 67, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS A PORTION OF TRACT 15, BLOCK 67 OF THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 24, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT A FOUND PALM BEACH COUNTY BRASS CAP MARKING THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 46 SOUTH, RANGE 42 EAST, THENCE SOUTH 88°44'06" WEST ALONG THE NORTH LINE OF SAID SECTION 24, A DISTANCE OF 2.063 METERS (6.77 FEET) TO A POINT ON THE BASELINE OF SURVEY FOR STATE ROAD 7 (U.S. 441) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 93210-2515; THENCE SOUTH 00°18'44" EAST ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 0.786 METERS (2.58 FEET); THENCE SOUTH 00°39'54" EAST CONTINUING ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 439.967 METERS (1,443.46 FEET); THENCE SOUTH 89°20'06" WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 22.860 METERS (75.00 FEET) TO A POINT ON THE WESTERLY EXISTING RIGHT OF WAY LINE FOR SAID STATE ROAD 7 (U.S. 441) AS SHOWN OF THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 93210-2515 AND THE POINT OF BEGINNING; THENCE SOUTH 00°39'54" EAST ALONG SAID WESTERLY EXISTING RIGHT OF WAY LINE AND A LINE 22.860 METERS (75.00 FEET) WEST OF AND PARALLEL WITH SAID BASELINE OF SURVEY, A DISTANCE OF 200.794 METERS (658.77 FEET); THENCE SOUTH 89°35'33" WEST ALONG THE SOUTH LINE OF SAID TRACT 15, A DISTANCE OF 49.692 METERS (163.03 FEET); THENCE NORTH 00°34'56" WEST, A DISTANCE OF 200.777 METERS (658.72 FEET); THENCE NORTH 89°34'28" EAST ALONG THE NORTH LINE OF SAID TRACT 15, A DISTANCE OF 49.402 METERS (162.08 FEET) TO THE POINT OF BEGINNING.
TOGETHER WITH A PORTION THAT ROAD, DYKE AND DITCH RESERVATION 30.00 FEET IN WIDTH, BLOCK 67, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ABUTTING THE NORTH LINE OF TRACT 15, SAID BLOCK 67 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE NORTHWEST CORNER OF SAID TRACT 15, THENCE NORTH 00°26'38" WEST ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID TRACT 15, A DISTANCE OF 15.00 FEET; THENCE NORTH 89°44'53" EAST ALONG A LINE 15.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 15, A DISTANCE OF 531.64 FEET; THENCE SOUTH 00°34'56" EAST, ALONG THE EXISTING WEST RIGHT-OF-WAY OF STATE ROAD NO. 7 AS LAID OUT AND IN USE, A DISTANCE OF 15.00 FEET; THENCE SOUTH 89°44'53" WEST ALONG THE NORTH LINE OF SAID TRACT 15, A DISTANCE OF 531.68 FEET TO THE POINT OF BEGINNING.
CONTAINING A TOTAL OF 8.185 ACRES, MORE OR LESS.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. 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.

Name	Address
DOUGLAS FASH	1134 MARBLE WAY BOCA RATON, FL. 33432
WILLIAM FASH	10968 EL PARAISO PL., DELRAY BCH, FL. 33446