

**PALM BEACH COUNTY  
PLANNING, ZONING AND BUILDING DEPARTMENT  
ZONING DIVISION**

**Application No.:** Z/CA-2022-00844  
**Application Name:** Hunter's Crossing  
**Control No./Name:** 2013-00360 (Amber Woods)  
**Applicant:** DiVosta Homes L.P.  
 C Hendrix  
**Owners:** C Hendrix  
**Agent:** Urban Design Studio - Tyler Woolsey and Wendy Tuma  
**Telephone No.:** (561) 366-1100  
**Project Manager:** Joyce Lawrence, Senior Site Planner

**TITLE:** an Official Zoning Map Amendment **REQUEST:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District on 36.9 acres

**TITLE:** a Class A Conditional Use **REQUEST:** to allow Zero Lot Line (ZLL) dwelling units on 36.9 acres

**TITLE:** a Class A Conditional Use **REQUEST:** to allow Townhouse dwelling units on 36.9 acres

**APPLICATION SUMMARY:** The proposed requests are for the 36.9-acre Hunter's Crossing development. The site consists of four parcels of land that currently support a Single Family dwelling unit, vacant land and a pastureland with cows. The site has no prior Zoning approval.

The requests to allow a Rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) District, along with the Conditional Uses, would allow a residential development with a mix of Zero Lot Line Homes (ZLL) and Townhouse (TH) units. The Preliminary Subdivision Plan indicates a total of 117 units comprised of 97 Zero Lot Line (ZLL) dwelling units, 9 Townhouse (TH) dwelling units, and 11 Single Family (SF) dwelling units. The Plan also indicates a Recreation Pod, Water Management Tracts, and a South Florida Water Management District Wetland Preserve. Access to the site will be from Lake Worth Road.

These requests are contingent upon a concurrent application for a Large Scale Future Land Use (FLU) Amendment (Planning Application No. LGA-2023-008) to amend the FLU designation from Low Residential, 1 unit per acre (LR-1) to Low Residential, 2 units per acre (LR-2).

**SITE DATA:**

Location:	South side of Lake Worth Road, approximately 900 feet east of State Road 7
Property Control Number(s)	00-42-43-27-05-027-0050; 00-42-43-27-05-027-0040 00-42-43-27-05-027-0060; 00-42-43-27-05-027-0101
Existing Future Land Use Designation:	Low Residential (LR-1)
Proposed Future Land Use Designation:	Low Residential (LR-2)
Existing Zoning District:	Agricultural Residential District (AR)
Proposed Zoning District:	Single Family Residential (RS)
Total Acreage:	36.9 acres
Tier:	Urban/Suburban
Overlay District:	N/A
Neighborhood Plan:	West Lake Worth Road Neighborhood Plan
CCRT Area:	N/A
Municipalities within 1 Mile	Wellington
Future Annexation Area	Greenacres
Commissioner District	District 6, Commissioner Sara Baxter

**RECOMMENDATION:** Staff recommends approval of the requests, with a Conditional Overlay Zone, subject to the Conditions of Approval as indicated in Exhibit C-1, C-2 and C-3.

**PUBLIC COMMENT SUMMARY:** At the time of publication, Staff had received no contact from the public regarding this application.

**PROJECT HISTORY:** The site currently supports a single family residence that, according to the Applicant, was constructed in 1948 and existed in its current configuration prior to the expansion of Lake Worth Road. The site has been historically used as pasturelands. No prior Zoning approval by the Board of County Commissioners (BCC) has been issued for the subject property.

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**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.A.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.***

○ **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 Hunter's Crossing (LGA 2023-008). The request proposes amending the future land use designation from Low Residential 1 unit per acre (LR-1) to Low Residential 2 units per acre (LR-2). At a public hearing on November 28, 2022 the BCC approved transmittal of the item with a 7-0 vote with the following conditions:

1. Residential dwelling units shall be limited to a maximum of 117 units with no further density increases through density bonus programs.
2. The zoning Development Order shall require a minimum of 12% of the total dwelling units to be built as workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of the ULDC.
3. A minimum of 18% of the total units shall be purchased as Transfer of Developments Rights (TDR) units. The 34% workforce housing obligation of the TDR units, pursuant to the ULDC, shall apply to the minimum number of workforce housing units required by this ordinance. TDRs may be purchased at the WHP rate for the WHP units provided onsite.
4. The proposed future land use amendment and the proposed zoning applications shall be considered for adoption by the Board of County Commissioners at the same public hearing.

**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 site is the subject of a concurrent Large Scale Amendment known as Hunter's Crossing (LGA 2023-008) to amend the existing Future Land Use (FLU) designation to change from LR-1 to LR-2. Applicant is proposing to rezone the subject site from the AR to the RS Zoning District to allow the development of 117 total dwelling units. This total will consist of 97 ZLL, nine TH and 11 SF dwelling units. Access to the site will be provided from Lake Worth Road. The proposed Zoning District will be consistent with the proposed LR-2 FLU designation.

The subject site is comprised of four properties with one existing single family residence. In order to develop the property to accommodate the request, the rezoning from the AR to the RS Zoning District will be required pursuant to Table 4.B.1.A. - Residential Use Matrix. Also, the properties will have to be platted to create the proposed lots, subject to the requirements of Article 11 - Subdivision, Platting, and Required Improvements.

○ **Conditional Overlay Zone (COZ):** Zoning Staff is recommending a COZ as part of the rezoning request. The COZ will ensure that a minimum 8 foot wide Compatibility Landscape Buffer is installed and maintained along the North 345.37 feet of property line that abuts the South Florida Water Management District (SFWMD) Wetland Preserve (2.29 acres), or be included in the 25 feet wide wetland buffer. This will mitigate any negative impact to the proposed adjacent parcels, Lots

51 to 58.

Per Art.3.B.3.C, the BCC shall find one or more of the following reasons for the COZ district:

1. Potential impact to surrounding land uses requires mitigation;
2. Compatibility will be furthered between the requested zoning district and adjacent zones if uses and property development regulations (PDRs) are modified; and/or,
3. Intensity limits reflect available capacity of public facilities.

It has been determined by Staff, that there may be potential impacts of the proposed rezoning as it relates to landscaping and buffering to the adjacent residential properties, thus necessitating the COZ. Staff is recommending approval of the rezoning request subject to the Conditions of Approval in Exhibit C-1.

○ *Landscape/Buffering:* The perimeter buffers as indicated on the Preliminary Subdivision Plan are generally in compliance with Code requirements. A 30 foot Right-Of-Way (R-O-W) Buffer with a 2 foot berm, and a 6 foot high concrete panel wall, is provided along the site's northern property line, adjacent to Lake Worth Road.

To the southeast property line, an 8 foot Compatibility Buffer and 12 feet of open space and drainage with a 6 foot high concrete panel wall, is provided. To the southwest, the Plan indicates a 20 foot Compatibility Buffer. However, because it is adjacent to Fox View Place, Staff have included a Condition of Approval that at time of Final Development Review Officer (DRO) approval, to revise the Plan to provide a Right of Way Buffer that would include a wall, to meet code requirements. The proposed buffer exceeds Code requirements (15 feet). Additionally, the entire south property line will include a 6 foot high concrete panel wall, with the exception of the SFWMD Wetland Preserve.. A 15 foot R-O-W Buffer with a 6 foot high opaque fence is provided along the east property line. Along the west property line, and between the Recreation Pod and the nearest residential parcels, a 15 foot Type 2 Incompatibility Buffer is provided.

Staff is recommending a Condition of Approval, that at time of final DRO approval, the Applicant shall revise the Final Subdivision Plan to indicate the required buffer (8 foot Compatibility) around the perimeter of the property that supports the South Florida Water Management District (SFWMD) Wetland Preserve area.

○ *Property Development Regulations (PDR):* The lots supporting proposed ZLL, SFD, and Townhouse units meet the minimum requirements of Tables Table 3.D.2.B - ZLL Property Development Regulations, Table 3.D.1.A, Property Development Regulations, and Table 3.D.2.A - Townhouse Property Development Regulations, respectively. Setbacks and other applicable design standards for the proposed units shall comply with the minimum requirements stated in the aforementioned ULDC Tables, and will be reviewed through the Building Permit process.

**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.*

The proposed rezoning to RS will be consistent with the proposed LR-2 FLU designation and is generally consistent and compatible with the other residential and commercial neighborhood properties within the surrounding area and uses. The site is surrounded by a mix of residential zoning classifications supporting standard size and large lot single family residential uses. Additional to the west the site abuts commercial uses with Commercial Low FLU within the Multiple Use Planned Development. The Zoning is the appropriate zoning district abutting Lake Worth Road the other residential and commercial districts.

**d. Effect on Natural Environmental** – *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.*

○ *Vegetation Protection:* The site contains native vegetation such as native strangler figs, oaks, pines, and sabal palms that are regulated pursuant to Article 14.C.7.C of the ULDC. Species that cannot be relocated or preserved in place will be mitigated in accordance with Table 14.C.7.C. of the ULDC. Submittal of a Protection of Native Vegetation Approval application, and a SFWMD Wetland Determination Letter will be required prior to final approval by the Development Review Officer (DRO).

○ *Wellfield Protection Zone:* This property is located within Wellfield Protection Zone 4.

o *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 Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. 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.

o *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 development pattern within the area consists of a mix of commercial Multiple Use Planned Developments directly to the west and northwest, Planned Unit Developments to the north and east with Single Family Residential, and a Residential Estate residential subdivision and large lot Agricultural Residential, with Single Family uses as well. The proposed amendment to the RS Zoning District is a logical zoning district that supports the development pattern of the area.

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

**ENGINEERING COMMENTS:**

The proposed residential development on the currently unimproved parcel is expected to generate 1141 net new daily trips, 80 net new AM peak hour trips, and 107 net new PM peak hour trips. The build out of the project is expected to happen by 2027.

The intersections of SR-7 and Lyons Rd with Lake Worth Rd will be background deficient without the project traffic. Similarly, the link of Lake Worth Rd from Lyons Rd to Florida Turnpike will be background deficient. However, the direct link of Lake Worth Rd fronting the property will meet adopted Level of Service (LOS). Main access of the site will be at the existing signalized intersection of Lake Worth Rd and Woods Walk Blvd. This intersection will operate at acceptable LOS.

**ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)**

Segment: Lake Worth Rd from SR-7 to Lyons Rd

Existing count: Eastbound=1632, Westbound=1648

Background growth: Eastbound=649, Westbound=673

Project Trips: Eastbound=27, Westbound=40

Total Traffic: Eastbound=2308, Westbound=2361

Present laneage: 3 in each direction

Assured laneage: 3 in each direction

LOS "D" capacity: 2680 per direction

Projected level of service: Better than LOS D in both directions

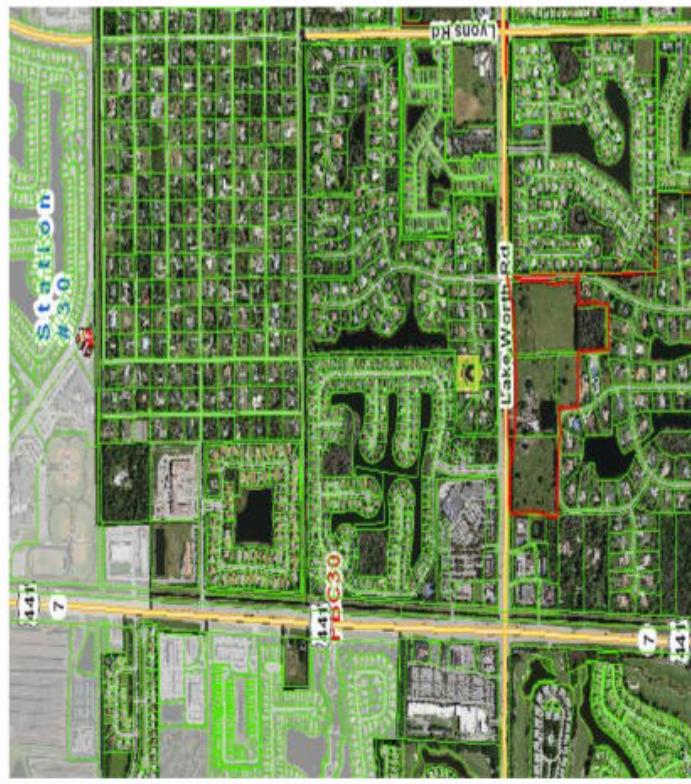
The Property Owner shall plat the property prior to the issuance of the building permit.

The Property Owner shall submit a drainage study that identifies historical flows that currently enter the site prior to the Final Site Plan approved by the DRO.

**PALM BEACH COUNTY HEALTH DEPARTMENT:** This project has met the requirements of the Florida Department of Health.

**FIRE PROTECTION:** Staff has reviewed this application and have no comment. The subject development is located within the boundaries of PBC Fire Station #30.

**SCHOOL IMPACTS:** In accordance with the adopted Coordinated Planning Interlocal Agreement, a School Capacity Availability



Determination (SCAD) for 117 residential units (108 single-family, 9 townhouses) had been approved on October 11, 2022 (SCAD Case #22092901D). The subject property is located in SAC 216C.

This project is estimated to generate approximately forty-four (44) public school students. The schools currently serving this project area are as follows:

1. Discovery Key Elementary School
2. Woodlands Middle School
3. Palm Beach Central High School.

The School Capacity Availability Determination (SCAD) analysis for this application has determined that the proposal would exacerbate capacity deficiencies at the District elementary, middle and high school levels. The additional eighteen (18) elementary school students generated by this proposal will increase the utilization percentage of Discovery Key Elementary School to 110%. The additional eleven (11) middle school students generated by this proposal will increase the utilization percentage of Woodlands Middle School to 117%. The additional fifteen (15) high school students generated by this proposal will increase the utilization percentage of Palm Beach Central High School to 115%.

The revised Preliminary Subdivision Plan (dated 12/15/22) shows one (1) 10' by 15' public school bus shelter location. A bus shelter condition of approval has been applied to this request.

PARKS AND RECREATION: Project proposes 117 dwelling units requiring 0.70 acres of onsite recreation, site plan depicts 0.72 acres of onsite recreation, therefore the recreational requirement has been satisfied.

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

As indicated in the Applicant’s Justification Statement, there have been significant changes in the market demands within the suburban residential development and growth in demographics within the County, resulting in the scarcity of residential properties. The proposed rezoning will allow the Applicant to provide more housing options in the area to serve the growing demands for housing market. The proposed rezoning is in keeping with this trend and is consistent with the demonstrated change conditions in the area.

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**FINDINGS:**

Conditional Uses – Zero Lot Lines and Townhouse:

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

**The analysis below summarizes the findings for both Class A Conditional uses for the ZLL and Townhouse dwelling units.**

- a. Consistency with the Plan** – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*
  - *Consistency with the Comprehensive Plan*: Should the BCC approve the amendment request, then the proposed uses are consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
  - *Density and Workforce Housing Program (WHP)*: The subject request seeks approval for 117 total units which includes a 30% (22 dwelling unit) Workforce Housing Density Bonus and an additional 21 Transfer of Development Rights (TDR) bonus units. Additionally, the companion amendment will limit the subject site to the 117 units with a 12% (14 du) WHP obligation as stipulated in the land use conditions. The applicant is in agreement with the amendment conditions and has identified that, of the 14 units required to be deed restricted as Workforce Housing, that 9 units will be constructed as on-site for-sale townhouses and 5 units will be constructed as off-site for-sale single-family homes.

For the purposes of the density calculations for the 117 dwelling units utilizing the proposed LR-2 future land use designation on the 36.9 acres, the proposed LR-2 would yield 74 units (36.9 ac x 2 du/ac = 73.8 units), and the remaining 43 were achieved using both density bonus programs as follows:

<u>Standard, Max &amp; Bonus Density:</u>	<u>Workforce Housing (WHP):</u>
55.35 Standard units	1.38 WHP units (2.5%)
18.45 Maximum units	1.48 WHP units (8%)
22 WHP Density Bonus units (30%)	3.74 WHP units (17%)
<u>21 TDR units</u>	<u>7.14 WHP units (34%)</u>
116.8 or 117 (rounded up) units total	13.74 or 14 required WHP (rounded up)

With the utilization of all of the bonus density programs, including the base density, the subject request for 117 dwelling units results in a gross density for the 36.90-acre project of 3.17 dwelling units per acre (117du x 36.90ac = 3.17du/ac).

- *Workforce Housing (WHP) Program:* The WHP has both a mandatory and a voluntary component. This program requires that a percentage of units in new residential developments of 10 or more units are to be provided as workforce housing, affordable to income qualified households having 60 to 140% of area Median Family Income (MFI). The program is applicable in the Urban/Suburban Tier of the unincorporated County, and in other areas where required by conditions of approval. The program’s optional component allows for a density bonus in exchange for a portion of the additional units being dedicated as workforce housing.

The subject request was submitted and deemed sufficient June 2, 2022, when the 2021 price schedule was in effect. In Palm Beach County, the 2021 area MFI is \$82,200 for a family of four (per HUD). The following are the current sales and rental prices per income category for 2021 in Palm Beach County. The income categories are the same for both programs. These homes cannot be sold or rented at a higher rate than the designated price, as adjusted annually. For all WHP Sales and rental pricing information, please visit:

<https://discover.pbcgov.org/pzb/planning/Projects-Programs/WorkforceHousingProgram.aspx>.

While the subject request is a rental project, the figures below show price ranges for both types.

- *WHP Sales Prices:* The sales prices are based on HUD annual median income figure.

WHP Income Category			2021 (WHP) Sales Prices
Low	60 -80%) of MFI	\$48,120 - \$64,160	\$168,420
Moderate 1	>80 -100%) of MFI	>\$64,160 - \$80,200	\$216,540
Moderate 2	>100 -120%) of MFI	>\$80,200 - \$96,240	\$264,660
Middle*	>120 -140%) of MFI	>\$96,240 - \$112,280	\$312,780*

\*Does not apply to WHP units in projects approved under WHP Code adopted 8/22/2019.

- *WHP Rental Prices:* The WHP rents are based on the annual Florida Housing Finance Corporation (FHFC)

Multi-Family Rental Figures, adjusted for number of bedrooms and any Utility Allowances are applied against gross maximum rent. WHP prices are set annually, based on the provisions of Article 5.G.1.A.3.c.2 of the Unified Land Development Code. The following are the 2021 Rental Prices for projects approved under the Workforce Housing code that was adopted August 22, 2019.

WHP Income Category 2021			Studio	1 BR	2 BR	3BR	4BR
Low	60-70% of MFI	\$48,120 - \$56,140	\$ 963 - 1,124	\$1,156 - \$1,349	\$1,335 - \$1,558	\$1,489 - \$1,738	\$1,489 - \$1,738
	>70-80% of MFI	>\$56,140 - \$64,160	\$1,124 - \$1,285	\$1,349 - \$1,542	\$1,558 - \$1,781	\$1,738 - \$1,986	\$1,738 - \$1,986
Moderate 1	>80-90% of MFI	>\$64,160 - \$72,180	\$1,285 - \$1,446	\$1,542 - \$1,735	\$1,781 - \$2,004	\$1,986 - \$2,235	\$1,986 - \$2,235
	>90-100% of MFI	>\$72,180 - \$80,200	\$1,446 - \$1,606	\$1,735 - \$1,928	\$2,004 - \$2,226	\$2,235 - \$2,483	\$2,235 - \$2,483
Moderate 2	>100-110% of MFI	>\$80,200 - \$88,220	\$1,606 - \$1,767	\$1,928 - \$2,121	\$2,226 - \$2,449	\$2,483 - \$2,731	\$2,483 - \$2,731
	>110-120% of MFI	>\$88,220 - \$96,240	\$1,767 - \$1,927	\$2,121 - \$2,313	\$2,449 - \$2,671	\$2,731 - \$2,979	\$2,731 - \$2,979
Middle	>120-130% of MFI	>\$96,240 - \$104,260	\$1,927 - \$2,088	\$2,313 - \$2,506	\$2,671 - \$2,894	\$2,979 - \$3,227	\$2,979 - \$3,227

	>130-140% of MFI	\$104,260 - \$112,280	\$2,088 - \$2,248	\$2,506 - \$2,698	\$2,894 - \$3,116	\$3,227 - \$3,475	\$3,227 - \$3,475
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○ *Special Overlay District/Neighborhood Plan/Planning Study Area:* The site is located within the boundaries of the West Lake Worth Road (WLWR) Neighborhood Plan. The Lake Worth Road Coalition, Inc., is the primary stakeholder group established to monitor implementation of the Neighborhood Plan recommendations.

The Applicant has received letter of support from the representatives of the Lake Worth Coalition dated 12/5/2022. This letter confirms the organizations support for the project and specifically states support to deviate from the prescribed buffer guidelines within the WLWR Neighborhood 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 two requested Conditional Uses to allow ZLL and Townhouse units, are not in conflict and is consistent with the stated purpose and intent of this Code.

○ *Property Development Regulations:* The lots supporting the proposed ZLL Homes and Townhouses are in compliance with the minimum Code requirements of Table 3.D.2.B - ZLL Property Development Regulations and Table 3.D.2.A - Townhouse Property Development Regulations, respectively. The project will have frontage and access on Lake Worth Road, as well as a 20-foot wide Emergency Access Easement. The setbacks and other applicable design standards for the proposed dwelling units shall comply with the minimum dimension stated in the aforementioned ULDC Tables, and will be reviewed through the Building Permit process.

Pursuant to Art. 3.C.1.C.4, RS, Single Family Residential District, the RS district is to provide for moderate-density single family dwelling units. The Applicant is proposing to develop the site to accommodate a total of 117 dwelling units (11 SFD, 9 TH, and 97 ZLL). The typical lot details provided for the residential subdivision is in compliance with the minimum requirements for lot size, width, frontage, depth and setbacks as required by the ULDC. Single Family units are Permitted by Right in the RS Zoning District, and Townhouse and Zero Lot Line units are subject to the Class A Conditional Use approval.

○ *Type 2 Excavation:* Pursuant to Article 4.B.10.C.4, Type 2 Excavation, at time of Final Development Review Officer (DRO) approval of the Final Subdivision Plan, the Applicant will be requesting the approval of a Type 2 Excavation for the on-site construction of the proposed water management tracts. All required documents will be provided prior to Final DRO approval

○ *Workforce Housing Program (WHP):* In order to achieve the density proposed, the Applicant is requesting a WHP Density Bonus of 30% (22 units). This request is subject to an Administrative Review, and documents will be reviewed and approved at time of Final DRO approval.

○ *Transfer of Development Rights (TDR) Program:* In order to achieve the density proposed, the Applicant is requesting TDRs, 28% density bonus totaling less than 21 units. This request is subject to an Administrative Review, and documents will be reviewed and approved prior to Final DRO approval.

○ *Parking:* Pursuant to the ULDC Table 6.B.1.B - Minimum Parking Requirements, a total of 234 parking spaces is required (2 spaces per unit), and this requirement has been met.

○ *Landscape/Buffering:* Refer to the analysis under the Official Zoning Map Amendment (Rezoning) Standards District, b. Consistency with the Code.

○ *Signage:* One entrance sign is proposed within the median at the entrance to the development on Lake Worth Road. This is in compliance with setbacks requirements

**c. Compatibility with Surrounding Uses** – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The requested Conditional Uses to allow ZLL and Townhouse uses are compatible and consistent with the established residential character of the surrounding area. The properties to the north, south, and the east are surrounded by residential developments.

**d. Design Minimizes Adverse Impact** – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The proposed residential subdivision is separated from Lake Worth Road by approximately 80 feet of Lake

Worth Drainage District (LWDD) easement and a 30-foot R-O-W Landscape Buffer with two feet high berm and 6 feet in height concrete panel wall, therefore minimizing noise and visual impact to adjacent parcels of land. The perimeter buffers along the remaining south, east and west property lines have met Code requirements. Staff recommends that the required minimum 8 feet wide Compatibility Landscape Buffer along the North 345.37 feet of property line that abuts the SFWMD Wetland Preserve (2.29 acres) shall be installed, or be included in the 25 feet wide wetland buffer indicated on the Preliminary Subdivision Plan.

Given the buffering provided and the residential character of the surrounding area, the design of the proposed project minimizes adverse effects on the adjacent lands, while also providing sufficient mitigation of external impacts on the subject land. The proposed Townhouse use is abutting an 80 feet wide LWDD easement and Commercial uses. Also, the Zero Lot Line uses abut the 80 feet wide LWDD easement, that is adjacent to the Lake Worth Road to the north of the property, a roadway along the east, as well as, the SFWMD Wetland preserve area, and a proposed Water Management Tract towards the south property line. The Conditions of Approval for landscape buffer for the south property line provides separation and buffering from the home along the southeast property line.

- e. **Design Minimizes Environmental Impact** – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

Refer to the analysis under the Official Zoning Map Amendment (Rezoning) Standards District, d. Effect on Natural Environment, the proposed uses do not create any additional impacts beyond the analysis provided for the rezoning.

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

The proposed residential subdivision consists of ZLL, Townhouse and Single Family residential units. With the utilization of the bonus density programs, including the base density, the subject site will be developed with a total of 117 units resulting in a gross density for the proposed 36.90-acre site of 3.17 du per acre (117du x 36.90ac = 3.17du/ac). The proposed development will result in a logical, orderly and timely development pattern complimentary to the residential developments in the area.

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

Refer to the analysis under the Official Zoning Map Amendment (Rezoning) Standard District, f. Adequate Public Facilities, the use does not create any additional impact on the provision of public facilities, beyond the analysis above, and thus complies with concurrency.

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

Refer to the analysis under the Official Zoning Map Amendment (Rezoning) to a Standard District, g. Changed Conditions or Circumstances. Also, the requested Conditional Uses for the proposed ZLL and Townhouse units provide infill development in an area that is already developed with residential and commercial uses.

#### **CONCLUSION:**

Staff has evaluated the standards listed under Article 2.B. and determined that there is a balance between the need for change and the potential impacts that is generated by this change. Therefore, Staff is recommending approval of the requests. Staff has also determined that any potential impact and incompatibility issues will be adequately addressed subject to the recommended Conditions of Approval as indicated in Exhibits C-1, C-2, and C-3.

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## CONDITIONS OF APPROVAL

### EXHIBIT C-1

Official Zoning Map Amendment acreage – 36.9 acres

#### **LANDSCAPE - PERIMETER**

1. LANDSCAPING ALONG THE SOUTH PROPERTY LINE (ABUTTING THE NORTH 345.37 FEET OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) WETLAND PRESERVE)

a. Prior to approval of the Final Subdivision Plan by the Development Review Officer (DRO), the Applicant shall revise the plan to provide the required Compatibility Buffer (8 feet width) around the perimeter of the property that indicates the South Florida Water Management District (SFWMD) Wetland Preserve area. (ONGOING: ZONING - Zoning)

2. LANDSCAPING ALONG THE SOUTHWEST PROPERTY LINE ADJACENT TO FOX VIEW PLACE

a. Prior to approval of the Final Subdivision Plan by the Development Review Officer (DRO), the Applicant shall revise the Plan to indicate a Right of Way Buffer (20 feet width) that includes a six feet high wall along the southwest property line, adjacent to Fox View Place. The buffer shall be in compliance with Code requirements. (ONGOING: ZONING - Zoning)

#### **PLANNING**

1. Per LGA-2023-08 Condition 1: Residential dwelling units shall be limited to a maximum of 117 units with no further density increases through density bonus programs. (ONGOING: PLANNING - Planning)

2. Per LGA-2023-08 Condition 2: The Zoning Development Order shall require a minimum of 12% of the total dwelling units to be built as workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of the ULDC. (ONGOING: PLANNING - Planning)

3. Per LGA-2023-08 Condition 3: A minimum of 18% of the total units shall be purchased as Transfer of Developments Rights (TDR) units. The 34% workforce housing obligation of the TDR units, pursuant to the ULDC, shall apply to the minimum number of workforce housing units required by this ordinance. TDRs may be purchased at the WHP rate for the WHP units provided onsite. (ONGOING: PLANNING - Planning)

#### **SCHOOL BOARD**

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board, and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board)

2. Prior to the issuance of the first Certificate of Occupancy (CO), the 10' by 15' school bus shelter shall be constructed by the Property Owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use to the shelter. Maintenance of the bus shelter shall be the responsibility of the residential Property Owner. (CO: MONITORING - School Board)

#### **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: ZONING - 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: ZONING - Zoning)

## **DISCLOSURE**

- 1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

## CONDITIONS OF APPROVAL

### EXHIBIT C-2

Class A Conditional Use (Zero Lot Line) acreage – 36.9 acres

#### **ALL PETITIONS**

1. The approved Subdivision Plan is dated February 2, 2023. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

#### **ENGINEERING**

1. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2027, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. The Property Owner shall fund the cost of the required signal modification to create access for the development (south leg) at Lake Worth Rd and Woods Walk Blvd. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition and modification of any other legs of the intersection to accommodate the project entrance.

a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPM: MONITORING - Engineering)

b. Construction of the signal modification shall be completed and accepted by the County/FDOT before issuance of any Certificate of Occupancy (BLDGPM/CO: MONITORING - Engineering)

c. In order to request release of the surety for the traffic signal modification at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final inspection of the signal has been completed and the modifications have been accepted by the County/FDOT. The County shall return the surety to the Property Owner within 30 days of receiving the notice and verification of the acceptance. (ONGOING: ENGINEERING - Engineering)

3. The Property Owner shall satisfy the conditions of the FDOT Pre-application driveway approval issued in a letter dated October 5, 2022. (ONGOING: ENGINEERING - Engineering)

4. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (ONGOING: ENGINEERING - Engineering)

5. Prior to the recordation of the first plat, the Property Owner shall abandon the right-of-way in conflict with the proposed structures. (PLAT: ENGINEERING - Engineering)

6. The Property Owner shall lengthen the existing left turn lane east approach on Lake Worth Road at the Project entrance road. This turn lane shall be lengthened to a minimum 280 feet in length plus 50 foot paved taper or as approved by the County Engineer and FDOT. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required for improvements identified above shall be obtained from the Florida Department of Transportation prior to the issuance of the first Building Permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

7. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

- a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)
- b. Any required drainage easements shall be dedicated in conjunction with any required plat or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMT/PLAT: MONITORING - Engineering)

### **ENVIRONMENTAL**

1. Prior to final approval by the Development Review Officer, a Tree Preservation Area Management Plan shall be provided to ERM for review and approval. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)
2. Prior to the final approval by the Development Review Officer, the plans shall be revised to identify the general relocation area of any specimen tree that is to be relocated, as shown on the Vegetation Disposition Chart. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

### **PARKS**

1. No more than 47 residential building permits shall be issued until the recreational improvements have been completed in their entirety and are open for use and accessible to the residents, unless a phasing plan for completion of the required recreation area is agreed upon and approved by the Parks and Recreation Department. (BLDGPMT: MONITORING - Parks and Recreation)

### **PLANNING**

1. The subject request for 117 units with a 14-unit Workforce Housing Program (WHP) obligation was calculated based on LGA 2023-008 condition 2 requiring 12% of the total units to be deed restricted for WHP. The WHP units will be provided as for sale units and will be distributed as 9 onsite and 5 off-site as follows: 3 WHP at Carver Square, Delray Beach; and 2 WHP at We are Home Program, Delray Beach. A 30% WHP density bonus or 22 units and 21 TDR units were utilized. Should any change, to increase the calculation occur, the site shall require resubmittal and recalculation in whatever process it originated. (ONGOING: PLANNING - Planning)
2. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants, in a form acceptable to the Palm Beach County Attorney. The site plan shall also be modified to include the OR Book and Page of the recorded document and provide a copy of the revised site plan to the Planning Division. (BLDGPMT: MONITORING - Planning)
3. Prior to the release of the 59th Building Permit, Fifty percent of WHP units (eight (8) units total: five (5) on-site and three (3) off-site) shall receive certificates of occupancy. (BLDGPMT: MONITORING - Planning)
4. Prior to the release of the 99th Building Permit, All WHP units (fourteen (14) unit obligation total: nine (9) on-site and five (5) off-site) shall receive Certificates of Occupancy. (BLDGPMT: MONITORING - Planning)
5. Prior to the release of the first Certificate of Occupancy (CO), the Property Owner shall provide documentation demonstrating compliance with the required design standards, such as but not limited to: compatible exteriors, size and number of bedrooms per WHP unit installation of required appliances, provision of a dry model, etc. (BLDGPMT: MONITORING - Planning)
6. The Property Owner shall provide notice of commencement of sales to the Planning Division, DHES, and a list of interested parties provided by DHES. (ONGOING: PLANNING - Planning)
7. Prior to Final site plan approval, the Property Owner shall update and submit all applicable documents and plans to match the BCC approval. (DRO: PLANNING - Planning)

### **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: ZONING - 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
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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: ZONING - Zoning)

## **DISCLOSURE**

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

## CONDITIONS OF APPROVAL

### EXHIBIT C-3

Class A Conditional Use (Townhouse) acreage – 36.9 acres

#### **ALL PETITIONS**

1. The approved Subdivision Plan is dated February 2, 2023. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

#### **ENGINEERING**

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- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
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**DISCLOSURE**

- 1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.



Figure 1 – Future Land Use Map



Figure 2 - Zoning Map

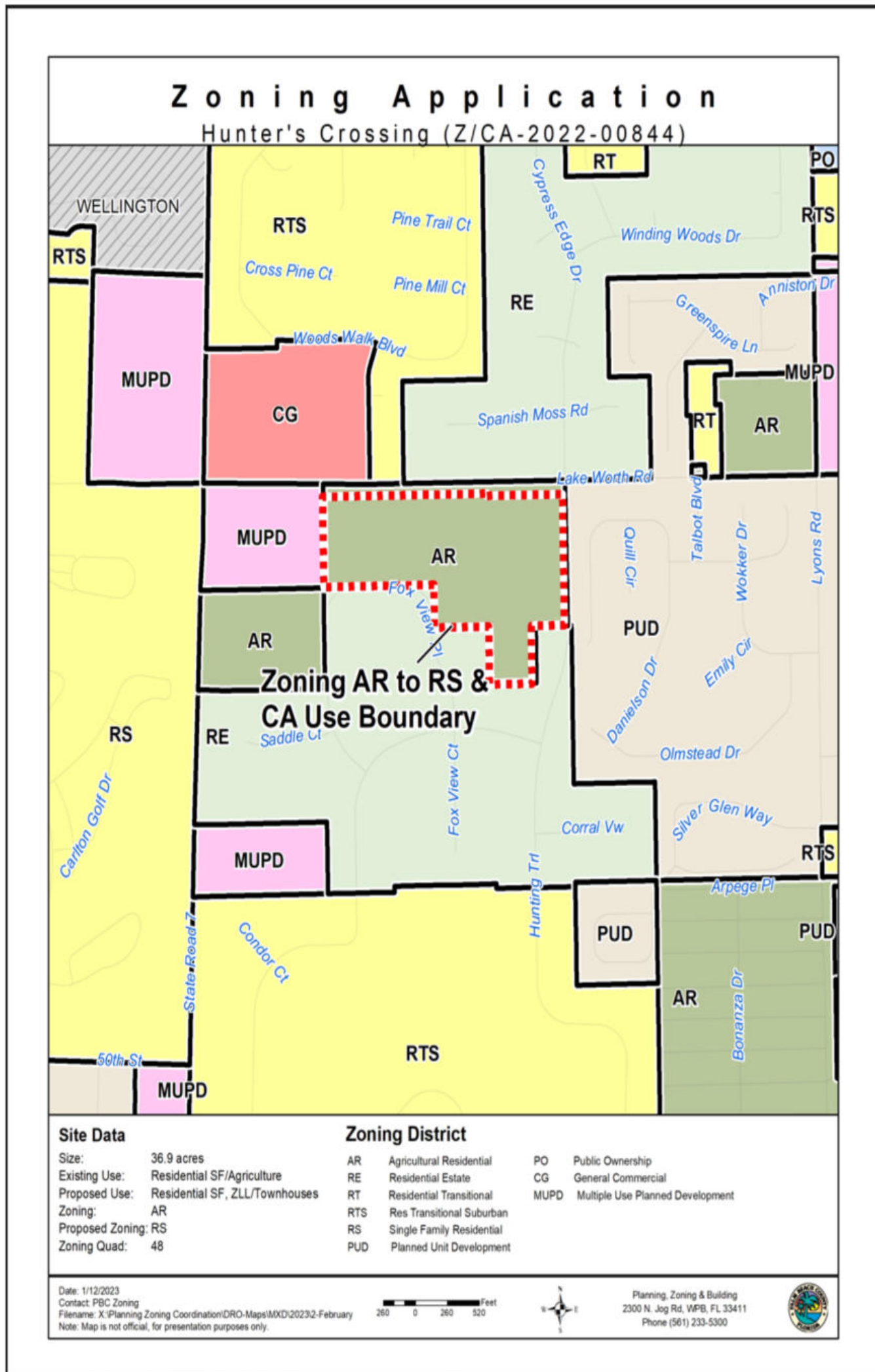


Figure 3 - Preliminary Subdivision Plan (P. 1/3) dated December 15, 2022



Urban Design  
Land Planning  
Landscape Architecture

6700 Grand Street, Suite C-302  
West Palm Beach, FL 33411  
954.388.1111  
www.urbandesignstudio.com

**Hunter's Crossing**  
Palm Beach County, Florida  
Preliminary Subdivision Plan

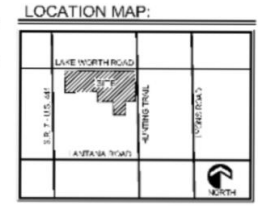


Scale: 1" = 100'-0"

Revision Dates:

01-10-2023	01/10/23
02-01-2023	02/01/23
02-15-2023	02/15/23
02-22-2023	02/22/23
03-01-2023	03/01/23
03-08-2023	03/08/23
03-15-2023	03/15/23
03-22-2023	03/22/23
04-05-2023	04/05/23
04-12-2023	04/12/23

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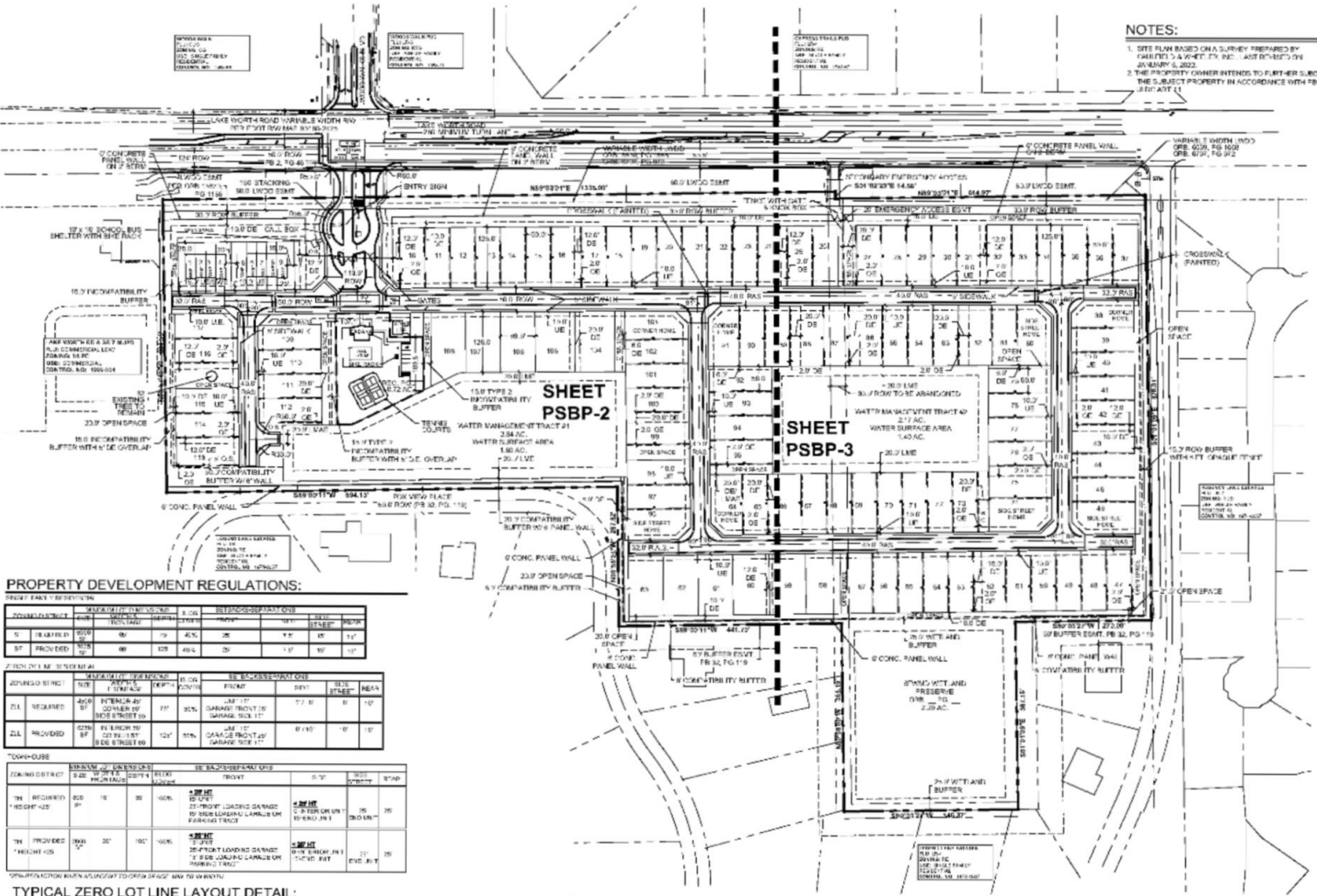


**SITE DATA:**

APPLICATION/PROJECT NAME:	HUNTER'S CROSSING
APPLICATION NO.:	ZCA 2302 0004
ZONING DISTRICT:	URB
NEIGHBORHOOD PLAN:	WEST LAKE WORTH ROAD
OWNER:	URBANSUBURBAN/ITER
DESIGNER:	URBAN DESIGN STUDIO
DATE:	12/15/22
PROJECT ADDRESS:	6700 GRAND STREET, SUITE C-302, WEST PALM BEACH, FL 33411
PROJECT AREA:	38.9 AC
TOTAL UNITS PROPOSED (COND. 1, GRD. TICS):	117 DU
COND. 1 UNITS:	117 DU
COND. 2 UNITS:	0 DU
COND. 3 UNITS:	0 DU
COND. 4 UNITS:	0 DU
COND. 5 UNITS:	0 DU
COND. 6 UNITS:	0 DU
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COND. 100 UNITS:	0 DU

**DEVELOPMENT TEAM:**

APPLICANT:	PLATE GROUP 4330 PINE BLVD SUITE 200 PALM BEACH GARDENS, FLORIDA 33410
TRAFFIC ENGINEER:	JR GROUP INC. 201 N. HUNTER'S CROSSING ROAD, SUITE 304 WEST PALM BEACH, FL 33411
ENVIRONMENTAL ENGINEER:	SCHWAB ENGINEERING 801 CLINE HUNTER ROAD SUITE 100, WEST PALM BEACH, FL 33411 PHONE: 561-966-1000
SURVEYOR:	DAVID FIELD & WHEELER, INC. 7915 OLIVERS ROAD SUITE 100 WEST PALM BEACH, FL 33411 PHONE: 561-832-1091
PLANNING:	URBAN DESIGN STUDIO 6700 GRAND STREET SUITE C-302 WEST PALM BEACH, FL 33411 PHONE: 954-388-1111

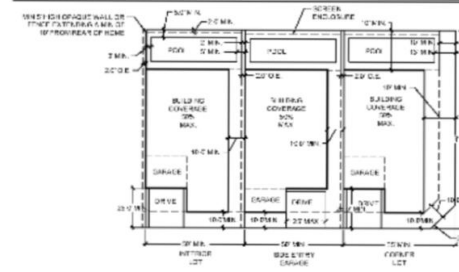


- NOTES:**
1. SITE PLAN BASED ON A SURVEY PREPARED BY DAVID FIELD & WHEELER, INC. LAST DATED 08/15/2022.
  2. THE PROPERTY OWNER INTENDS TO FURTHER SUBDIVIDE THE SUBJECT PROPERTY IN ACCORDANCE WITH PBC 23-04.01(1).

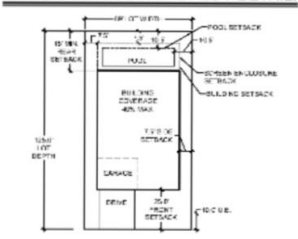
**PROPERTY DEVELOPMENT REGULATIONS:**

PROPERTY CLASSIFICATION	MINIMUM LOT AREA	MINIMUM LOT WIDTH	MINIMUM LOT DEPTH	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK
RESIDENTIAL SINGLE-FAMILY	5,000	30	100	10	5	5	10	5	10
RESIDENTIAL TOWNHOUSE	2,000	20	60	5	3	3	5	3	5
RESIDENTIAL MULTIFAMILY	1,000	15	30	3	2	2	3	2	3

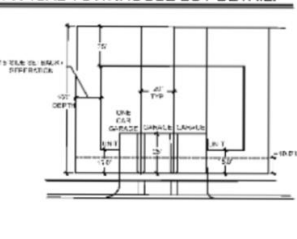
**TYPICAL ZERO LOT LINE LAYOUT DETAIL:**



**TYPICAL SINGLE FAMILY LOT DETAIL:**

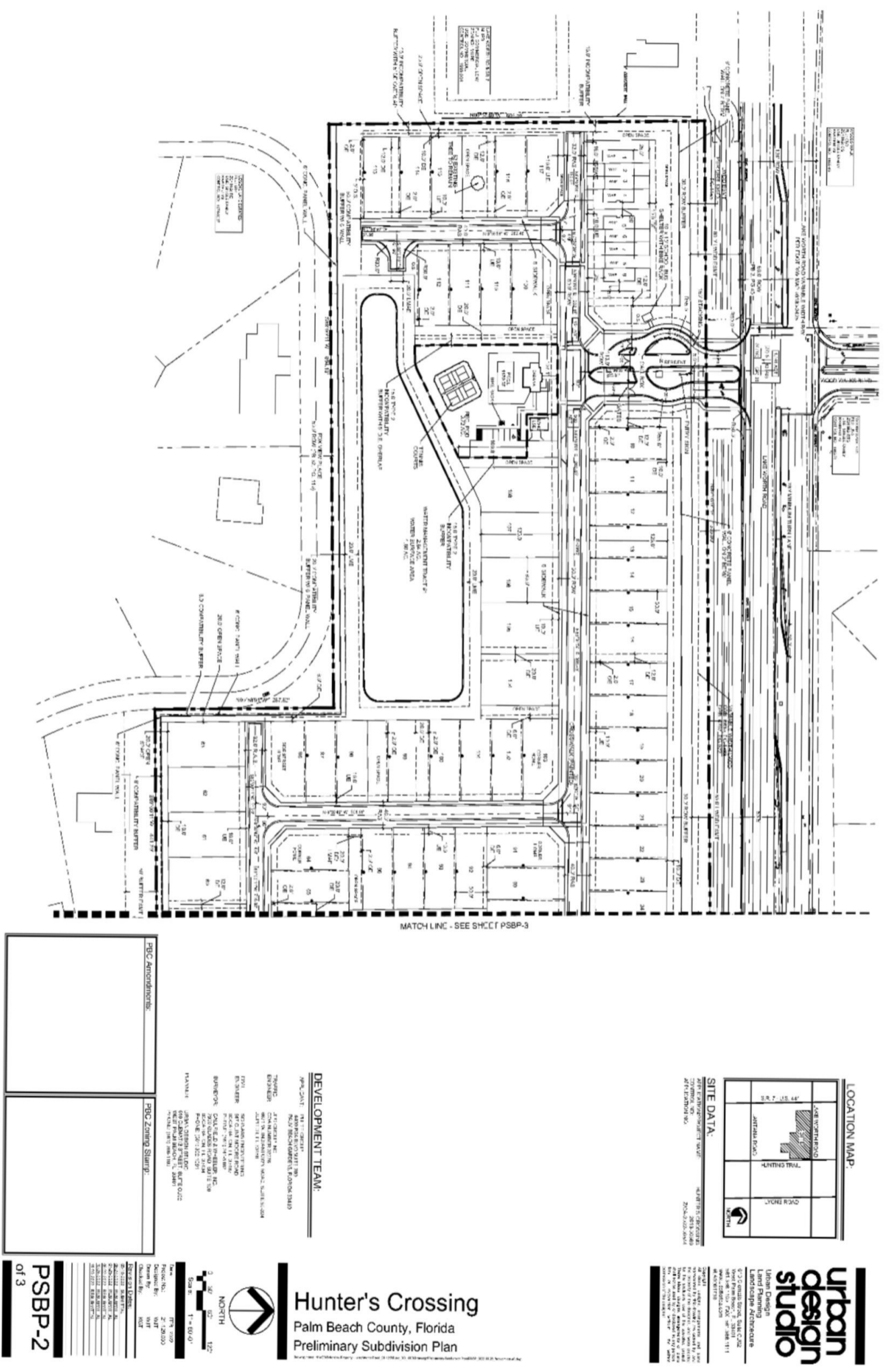


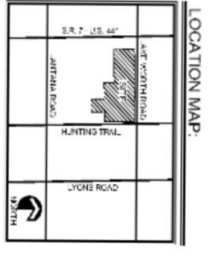
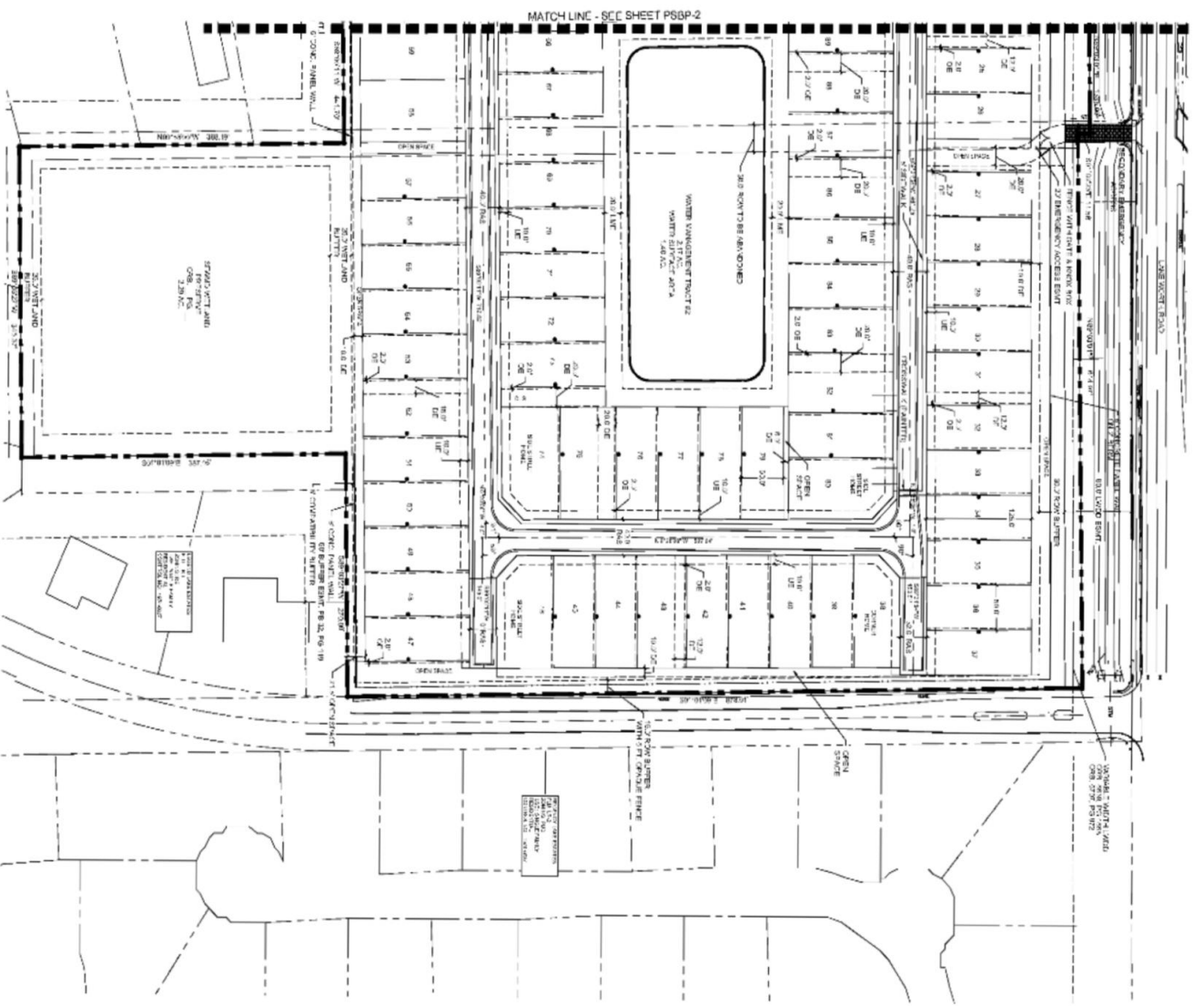
**TYPICAL TOWNHOUSE LOT DETAIL:**



<b>PBC Amendments:</b>	<b>PBC Zoning Stamp:</b>

Figure 4 - Preliminary Subdivision Plan (P. 2/3) dated November 28, 2022





**SITE DATA**

PERMIT/PROPOSED NUMBER	2022-0023-0000
APPLICANT	UNIVERSITY CROSSING
APPROVED DATE	2022-02-03

**DEVELOPMENT TEAM:**

ARCHITECT: **UNIVERSITY CROSSING**  
 100 UNIVERSITY CROSSING BLVD  
 SUITE 100  
 PALM BEACH, FL 33480  
 PHONE: 561-961-1100

PLANNER: **JANAY CHERRY**  
 100 UNIVERSITY CROSSING BLVD  
 SUITE 100  
 PALM BEACH, FL 33480  
 PHONE: 561-961-1100

**PRC Architect:**

**PRC Zoning Stamp:**

**urban design studio**  
 Urban Design  
 Land Planning  
 Landscape Architecture

972 Central Street, Suite 100  
 West Palm Beach, FL 33411  
 Phone: 561-883-1111  
 www.urbandesignstudio.com

**Hunter's Crossing**  
 Palm Beach County, Florida  
 Preliminary Subdivision Plan

**PSBP-3**  
 of 3

Scale: 1" = 40'-0"

North Arrow

Project No.: 27-12033  
 Date: 1/11/2023  
 Drawn By: [Name]  
 Checked By: [Name]

Figure 5 - Preliminary Subdivision Plan (P. 3/3) dated November 28, 2022

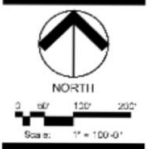
Figure 6 - Preliminary Master Sign Plan dated November 28, 2022



Urban Design  
Land Planning  
Landscape Architecture  
9100 Grand Street, Suite C302  
West Palm Beach, FL 33411  
Tel: 561.988.1100 Fax: 561.988.1111  
www.urbandesignstudio.com  
info@urbandesignstudio.com

Design:  
All signs, markers, enclosures and signs  
fabricated by the designer to meet the  
requirements of the local jurisdiction.  
The designer shall be responsible for  
the timely use of the services, unless  
there is a change in scope of work  
approved and in writing by the client.  
The client shall be responsible for the  
approval of the design.

**Hunter's Crossing**  
Palm Beach County, Florida  
Preliminary Master Sign Plan

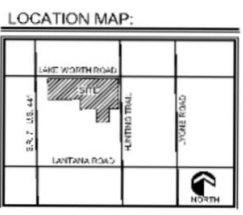


Scale: 1" = 100'-0"

Doc: PMS-2022  
Project No: 21-1-08-003  
Designed By: WJT  
Drawn By: WJT  
Checked By: HGT

Revision Dates:  
02/02/2023: HGT  
02/02/2023: HGT  
02/02/2023: HGT

**PMSP-1**  
of 1



SITE DATA:  
APP. PREPARED PROJECT NAME: HUNTER'S CROSSING  
CONTROL NO: 2022-2008  
APPLICATION NO: 20CA-2022-00844

DEVELOPMENT TEAM:

ARCHITECT: FULTON GROUP  
4800 N.W. 50th Street, Suite 100  
Palm Beach Gardens, Florida 33418

TRAFFIC PROVIDER: JFO GROUP INC.  
COA NUMBER 2226  
10111 BUCKLEUP BLVD, SUITE 200  
LANTANA, FL 33463

CIVIL ENGINEER: SCHWAB ENGINEERING  
3411 N.W. BOCA RD.  
JACKSONVILLE, FL 32217  
PHONE: 321-944-8899

SURVEYOR: CAUF F.L.C. & WHEELER, INC.  
7907 GARDNER ROAD, SUITE 100  
BOCA RATON, FL 33498  
PHONE: (561) 992-1122

PLANNER: URBAN DESIGN STUDIO  
4800 N.W. 50th Street, Suite 100  
Palm Beach Gardens, FL 33418  
PHONE: 561-988-1100

PBC Amendments:	PBC Zoning Stamp:

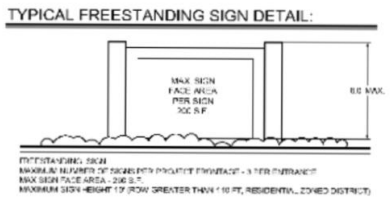
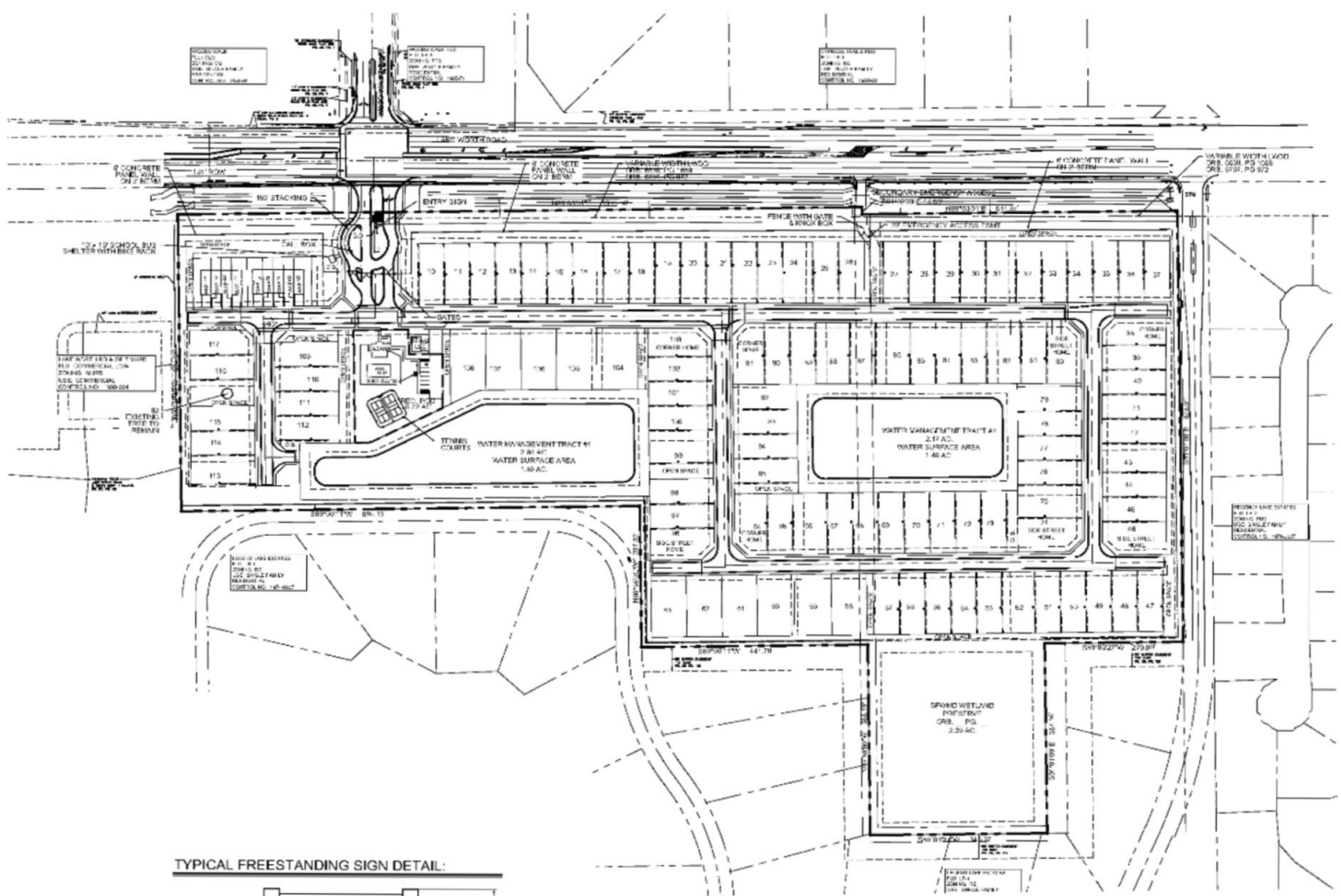


Exhibit D – Disclosure of Ownership

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

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 Charles W. Hendrix, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [X] individual or [ ] [position - e.g., president, partner, trustee] of [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: 9584 Lake Worth Road
Lake Worth Beach, FL 33467

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.

Charles W. Hendrix  
Charles W. Hendrix, 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 18 day of April, 2023 by Charles W. Hendrix (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).

Jennifer M Mooney  
(Name - type, stamp or print clearly)

Jennifer M Mooney  
(Signature)

My Commission Expires on: 4/1/23





**EXHIBIT "A"**

**PROPERTY**

**LEGAL DESCRIPTION**

**PARCEL 1:**

TRACTS 5 AND 6, BLOCK 27, THE PALM BEACH FARMS CO. PLAT NO. 3. ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS PORTIONS TAKEN IN STIPULATED FINAL JUDGMENTS RECORDED IN OFFICIAL RECORD BOOK 6672, PAGE 610 AND OFFICIAL RECORD BOOK 6680, PAGE 1310, AND DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEASTERLY CORNER OF SAID TRACT 5, BLOCK 27; THENCE RUN SOUTH 00°56'59" EAST, ALONG THE EAST LINE OF SAID TRACT 5, BLOCK 27, A DISTANCE OF 5.63 FEET; THENCE RUN SOUTH 89°31'54" WEST, A DISTANCE OF 660.02 FEET TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 5, BLOCK 27; THENCE RUN NORTH 00°56'59" WEST ALONG THE WEST LINE OF SAID TRACT 5, BLOCK 27, A DISTANCE OF 0.08 FEET, TO THE NORTHWEST CORNER OF SAID TRACT 5, BLOCK 27; THENCE RUN NORTH 89°03'01" EAST ALONG THE NORTH LINE OF SAID TRACT 5, BLOCK 27, A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING;

AND

BEGIN AT THE NORTHEASTERLY CORNER OF SAID TRACT 6, BLOCK 27; THENCE RUN SOUTH 00°56'59" EAST, ALONG THE EAST LINE OF SAID TRACT 6, BLOCK 27. A DISTANCE OF 0.08 FEET; THENCE SOUTH 89°31'54" WEST, A DISTANCE OF 9.83 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 6; THENCE NORTH 89°03'01" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 9.83 FEET TO THE POINT OF BEGINNING.

**PARCEL 2:**

TRACT 4 (LESS THE EAST 60 FEET) AND TRACT 11 (LESS THE EAST 60 FEET) AND (LESS THE WEST 270 FEET OF THE EAST 330 FEET OF THE SOUTH 372.16 FEET) AND THE. NORTH 287.82 FEET OF THE EAST 426.70 FEET OF TRACT 10, ALL BEING IN BLOCK 27 OF THE PALM BEACH FARMS COMPANY PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGE 45, PALM BEACH COUNTY RECORDS.

**TOGETHER WITH:**

THAT PORTION OF THE 30 FOOT RIGHT-OF-WAY LYING BETWEEN TRACTS 4 AND 5 AND THE NORTH 287.82 FEET OF TRACTS 10 AND 11, LESS LAKE WORTH ROAD RIGHT-OF-WAY;

THE EAST HALF OF THE 30 FOOT RIGHT-OF-WAY LYING BETWEEN TRACTS 10 AND 11, LESS THE NORTH 287.82 FEET THEREOF;

THE NORTH HALF OF THE 30 FOOT RIGHT-OF-WAY LYING, BETWEEN TRACTS 11 AND 18, LESS THE EAST 330 FEET THEREOF;

ALL IN BLOCK 27, PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID PARCEL BEING 1607446.656± SQUARE FEET OR 36.902± 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.

<b>Name</b>	<b>Address</b>
Charles W. Hendrix	9584 Lake Worth Road, Lake Worth Beach, FL 33467

**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 Charlotte Y. Hendrix, 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  \_\_\_\_\_ *[position - e.g., president, partner, trustee] of \_\_\_\_\_ [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: 9584 Lake Worth Road  
Lake Worth Beach, FL 33467

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.

Charlotte Y. Hendrix  
Charlotte Y. Hendrix, 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 18 day of April, 2023 by Charlotte Y. Hendrix (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).

Jennifer M. Mooney  
(Name - type, stamp or print clearly)

Jennifer M. Mooney  
(Signature)

My Commission Expires on: 4/1/23



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

## LEGAL DESCRIPTION

## PARCEL 1:

TRACTS 5 AND 6, BLOCK 27, THE PALM BEACH FARMS CO. PLAT NO. 3. ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS PORTIONS TAKEN IN STIPULATED FINAL JUDGMENTS RECORDED IN OFFICIAL RECORD BOOK 6672, PAGE 610 AND OFFICIAL RECORD BOOK 6680, PAGE 1310, AND DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEASTERLY CORNER OF SAID TRACT 5, BLOCK 27; THENCE RUN SOUTH 00°56'59" EAST, ALONG THE EAST LINE OF SAID TRACT 5, BLOCK 27, A DISTANCE OF 5.63 FEET; THENCE RUN SOUTH 89°31'54" WEST, A DISTANCE OF 660.02 FEET TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 5, BLOCK 27; THENCE RUN NORTH 00°56'59" WEST ALONG THE WEST LINE OF SAID TRACT 5, BLOCK 27, A DISTANCE OF 0.08 FEET, TO THE NORTHWEST CORNER OF SAID TRACT 5, BLOCK 27; THENCE RUN NORTH 89°03'01" EAST ALONG THE NORTH LINE OF SAID TRACT 5, BLOCK 27, A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING;

AND

BEGIN AT THE NORTHEASTERLY CORNER OF SAID TRACT 6, BLOCK 27; THENCE RUN SOUTH 00°56'59" EAST, ALONG THE EAST LINE OF SAID TRACT 6, BLOCK 27. A DISTANCE OF 0.08 FEET; THENCE SOUTH 89°31'54" WEST, A DISTANCE OF 9.83 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 6; THENCE NORTH 89°03'01" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 9.83 FEET TO THE POINT OF BEGINNING.

## PARCEL 2:

TRACT 4 (LESS THE EAST 60 FEET) AND TRACT 11 (LESS THE EAST 60 FEET) AND (LESS THE WEST 270 FEET OF THE EAST 330 FEET OF THE SOUTH 372.16 FEET) AND THE NORTH 287.82 FEET OF THE EAST 426.70 FEET OF TRACT 10, ALL BEING IN BLOCK 27 OF THE PALM BEACH FARMS COMPANY PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGE 45, PALM BEACH COUNTY RECORDS.

## TOGETHER WITH:

THAT PORTION OF THE 30 FOOT RIGHT-OF-WAY LYING BETWEEN TRACTS 4 AND 5 AND THE NORTH 287.82 FEET OF TRACTS 10 AND 11, LESS LAKE WORTH ROAD RIGHT-OF-WAY;

THE EAST HALF OF THE 30 FOOT RIGHT-OF-WAY LYING BETWEEN TRACTS 10 AND 11, LESS THE NORTH 287.82 FEET THEREOF;

THE NORTH HALF OF THE 30 FOOT RIGHT-OF-WAY LYING, BETWEEN TRACTS 11 AND 18, LESS THE EAST 330 FEET THEREOF;

ALL IN BLOCK 27, PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID PARCEL BEING 1607446.656± SQUARE FEET OR 36.902± 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
Charlotte Y. Hendrix	9584 Lake Worth Road, Lake Worth Beach, FL 33467

**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 Andrew Maxey, 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] Vice President of Land Acquisition [position—e.g., president, partner, trustee] of DiVosta Homes, L.P. [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: 3350 Peachtree Road Northeast,  
Suite 150,  
Atlanta, GA 30326
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.

Andrew Maxey  
Andrew Maxey, 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 6 day of June, 2022 by  
Andrew Maxey, VP Land (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).

Mary E. Warren  
(Name - type, stamp or print clearly)

Mary Warren  
(Signature)

My Commission Expires on: 10-15-25

NOTARY'S SEAL OR STAMP



Mary E. Warren  
Comm.: HH 180353  
Expires: Oct. 15, 2025  
Notary Public - State of Florida



**EXHIBIT "A"**

**PROPERTY**

LEGAL DESCRIPTION

PARCEL 1:

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AND

BEGIN AT THE NORTHEASTERLY CORNER OF SAID TRACT 6, BLOCK 27; THENCE RUN SOUTH 00°56'59" EAST, ALONG THE EAST LINE OF SAID TRACT 6, BLOCK 27. A DISTANCE OF 0.08 FEET; THENCE SOUTH 89°31'54" WEST, A DISTANCE OF 9.83 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 6; THENCE NORTH 89°03'01" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 9.83 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

TRACT 4 (LESS THE EAST 60 FEET) AND TRACT 11 (LESS THE EAST 60 FEET) AND (LESS THE WEST 270 FEET OF THE EAST 330 FEET OF THE SOUTH 372.16 FEET) AND THE. NORTH 287.82 FEET OF THE EAST 426.70 FEET OF TRACT 10, ALL BEING IN BLOCK 27 OF THE PALM BEACH FARMS COMPANY PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGE 45, PALM BEACH COUNTY RECORDS.

TOGETHER WITH:

THAT PORTION OF THE 30 FOOT RIGHT-OF-WAY LYING BETWEEN TRACTS 4 AND 5 AND THE NORTH 287.82 FEET OF TRACTS 10 AND 11, LESS LAKE WORTH ROAD RIGHT-OF-WAY;

THE EAST HALF OF THE 30 FOOT RIGHT-OF-WAY LYING BETWEEN TRACTS 10 AND 11, LESS THE NORTH 287.82 FEET THEREOF;

THE NORTH HALF OF THE 30 FOOT RIGHT-OF-WAY LYING, BETWEEN TRACTS 11 AND 18, LESS THE EAST 330 FEET THEREOF;

ALL IN BLOCK 27, PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID PARCEL BEING 1607446.656± SQUARE FEET OR 36.902± ACRES MORE OR LESS.

**EXHIBIT "B"**

**DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT**

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the 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
<u>DiVosta Homes, L.P. is an entity of PulteGroup, Inc. which is a publicly traded company registered with the SEC</u>	