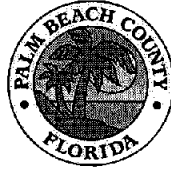


**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**



Application No.:	Z/CA-2007-200
Control No.:	1996-042
Applicant:	6620 Lakeside Road LLC
Owners:	API GCI
Agent:	Perry & Taylor PA
Telephone No.:	(561) 721-3300
Project Manager:	Donna Adelsperger, Site Plan Technician and Wandy Hernandez, Acting Principal Site Planner

Location: Approximately 451 feet south of Jog Road on the west side of Florida's Turnpike (**Palm Beach Transportation Communication Center**).

Title: An Official Zoning Map Amendment **Request:** Rezoning from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District. **Title:** A Class A Conditional Use **Request:** To allow for a dispatching office and to allow general repair and maintenance.

APPLICATION SUMMARY: Proposed is a rezoning of a 0.17-acre parcel of land from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District, and add this parcel to the existing 2.97-acre Palm Beach Transportation Communication Center for a total of 3.14 acres. The applicant will utilize the existing 24,242 square foot building to accommodate a dispatch office with 4 or more vehicles for the para-transit services, and a general repair and maintenance facility. The existing office building was constructed in 1966 through the building permit approval and subsequently a monopole communication tower was built in 1996 (Petition 1996-42) through the Development Review Officer approval. Access to the site will remain from the "unnamed" road on the east side of the property.

ISSUES SUMMARY:

- o Site situation and consistency with Comprehensive Plan

The 0.17-acre parcel of land is located in the northwest corner of the site. It currently accommodates an existing ingress/egress easement for the site. It appears that this portion of the site was inadvertently overlooked and should have been included in the CH/IND Land Use and zoning amendments during prior approvals.

This 0.17-acre portion of the site extends beyond the CH/IND FLUA line and has a residential (LR-2) FLU designation. The request for a rezoning is for this portion of the parcel as it also has a residential Zoning District. Table 2.2.2-1, A.1.A of the Future Land Use Element (FLUE), Additional Criteria for Determining the Depth, Width, and Use for Commercial and Industrial Designations", states if 1). "A lot extends beyond the commercial or industrial land use designation line on the FLUA; and 2). The land area beyond the line on the FLUA totals less than one acre" then the County may rezone the area beyond the line to commercial with cross-hatching or industrial, provided:

1. the entire lot is developed as a unified site plan; and

2. the amended lot area on the FLUA is only be used for water retention, landscaping, and/or at-grade parking".

This 0.17-acre parcel meets the criteria above. Therefore the Planning Division has determined the request is consistent with this parcel's CH FLU designation.

o Compatibility with Surrounding Land Uses

The property to the north is the BellSouth facility with a General Commercial Zoning District. The property to the south is currently vacant land, but has an approval for a Multiple Use Planned Development for a warehouse, office and self-storage use (Jog Commerce Park/Application No. DRO-2006-01902). The Florida Turnpike abuts the property to the east. Although there are single-family residential units to the west of the site, they are currently being screened by an existing 10-foot wide buffer, which includes a 6-foot chain link fence and a 6-foot high hedge. Additional landscape conditions are proposed within Landscape 6, in order to provide additional screening for the adjacent residential uses. Since this commercial building is in existence since the 1960s, and subject to conditions of approval, staff does not anticipate any negative impact generating from this request.

o Traffic

The Engineering Department indicates that the total traffic generated from the existing office use was 426 trips per day. The trips associated with the proposed dispatch office will be 94 trips per day, a decrease of 332 trips.

o Landscape/Buffering

The site has existing landscaping along its perimeter, a 10-foot wide buffer is provided along the north and west property lines, and a 15-foot wide buffer is found on the south and east property lines, these buffers include a 6-foot high fence/hedge, but no canopy trees or shrubs, which is considered non-conforming to the current code requirements. Pursuant to Article 1.E.1.C.5, Landscaping, landscaping plans approved shall remain valid unless the development is amended or modified, based on this section of the ULDC, staff recommends a condition (Landscaping Conditions 5 and 6) to require the upgrading of all buffers to bring the perimeter buffer closely in compliance with the current code. In addition, since there is a use limitation variance requested by the applicant, to further mitigate any potential noise and visual impact from this facility; staff recommends that the buffer along the residential property line to the west be upgraded to 15 feet to include an 8 foot high panel wall with shrubs on both sides of the wall and 75% of the trees on the exterior side of the wall. The buffer currently has an existing 6-foot high hedge and fence along the west property line.

o Signs

On the Site Plan dated April 19, 2007, the applicant has erroneously shown an existing sign on this plan, staff has determined that there is no existing sign on the site, and recommends a condition of approval (Sign Condition 1) limiting the height of the new sign to a maximum of six feet and a maximum sign face area of 60 square feet. This sign dimension is consistent with the recent approval granted to the property (storage facility) south of the site.

o General repair and maintenance facility

The applicant indicated that the proposed general repair use is only limited to service the vehicles utilized for the dispatch use and will not serve outside customers. All the repairs, other than paint and bodywork, will occur inside the building, which is located at the southeast end of the building. In light of the fact that there are residential uses along the west property line, staff recommends a condition of approval limited the hours for the repair and maintenance use (Use Limitation Condition 1). The applicant has indicated that the hours for the repair and maintenance need to be extended to 11:00 PM Monday through Friday and from 7:00 AM to 5:00PM on Saturday. Staff could

support the 11:00 PM provided the vehicles are repaired indoors. As to the Saturday hours staff has no objection. The agent did indicate that the neighbors, were in agreement with their request.

VARIANCE SUMMARY:

o Type II Variances

In addition to the rezoning application, the applicant submitted a concurrent Type II Variance Application for deviation for the following section of the Unified Land Development Code (ULDC). This application was reviewed and approved by the Zoning Commission on June 7, 2007.

- **Article 3.D.3.A.2.a** – To allow deviation in hours of operation for commercial use adjacent to a residential district. The ULDC restricts commercial uses adjacent to a residential zoning district from 6 a.m. to 11 p.m. In the justification statement, the applicant indicated that the code does not contemplate this type of use, which would require a 24-7 operation schedule, the applicant further explained that these activities will frequently occur between the hours of 11:00 p.m. and 6:00 a.m. and will be limited to drivers arriving at the site with their personal vehicles and immediately exiting the site with the vehicle assigned to them by the facility. There are very few routes that will require this prior to 4:30 a.m. Although the vehicle pick up will increase between 4:30 and 6:00 a.m., the applicant will arrange to stage the vehicles at the northeast corner of the site away from the existing residential neighborhood. With regard to the dispatch operations, there will only be two or three dispatchers on site during these hours. These dispatchers will arrive prior to 11:00 p.m. and will not leave the building until after 6:00 a.m. Staff recommends approval of this variance request based on the findings of the seven criteria. (See Findings summary).
-

o Zoning Commission – June 7, 2007

Discussion at the hearing was related to an adjacent property owner who had concerns with access to the northwestern portion of the site; the lighting, traffic and noise from a 24-hour business. They requested a wall along the west property line with additional buffering and a condition of approval that the ingress/egress for the site be from the east side of the property. The applicant was in agreement with their request and indicated they would work with staff on the landscaping along the west property line to include an 8 foot panel wall. The Zoning Commission approved the Type II Zoning Variance to allow the site to operate 24-hour adjacent to residential with a unanimous vote with the understanding that the applicant, staff and concerned residents would resolve issues through conditions of approval. The Zoning Commission recommended approval of the rezoning request for the northwest corner of the site and the Class A Conditional Use to allow the dispatching and general repair and maintenance subject to amended conditions of approval for the landscaping (See Landscape 7) and site design for the ingress/egress to the site (see Site Design 1 and 2).

o Board of County Commissioners - June 28, 2007

The agent has indicated the number of vehicles leaving the site after 11:00 PM and returning prior to 5:00 AM will be very limited, approximately 20 going out and returning. The repair and maintenance hours were discussed, staff was directed to further restrict the hours so as not to be further intrusive to the residential neighborhood to the west. The repair and maintenance on site would be related to minor repairs and staff has included a condition of approval prohibiting paint and bodywork on site (Use Limitation – 3).

TABULAR DATA

	EXISTING	PROPOSED
Property Control Number(s)	00-42-43-27-19-000-0062	Same
Land Use Designation:	Commercial High, with an underlying IND (CH/IND)	Commercial High, with an underlying IND (CH/IND) [Subject to County-initiated land use amendment].
Zoning District:	General Commercial (CG) District and Single-Family Residential (RS) District	General Commercial (CG) District
Tier:	Urban/Suburban	Same
Use:	Office with accessory storage	Dispatching Office Repair and Maintenance, General
Acreage:	3.14 acres	Same
Floor Area:	0.18	Same
Building Coverage:	18%	Same
Parking:	165 spaces	Same
Access:	via an unnamed access road approximately 451 feet south of Jog Road	Same
Property Control Number(s)	00-42-43-27-19-000-0062	Same
Land Use Designation:	Commercial High, with an underlying IND (CH/IND)	Commercial High, with an underlying IND (CH/IND) [Subject to County-initiated land use amendment].

CODE ENFORCEMENT: N/A

PUBLIC COMMENT SUMMARY: At the time of publication, staff had received 3 letters from the public in objection to the project. Their concerns were the 24 hour operation of the site, repair and maintenance activity, noise and light intrusion into the neighborhood.

RECOMMENDATION: To recommend approval of the request for an Official Zoning Map Amendment rezoning from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District.

RECOMMENDATION: To recommend approval of the request for a Class A Conditional Use subject to 19 conditions of approval as contained in Exhibit B.

ACTION BY THE ZONING COMMISSION June 7, 2007: Adopted Resolution for the Type II Zoning Variance by a vote of 7-0.

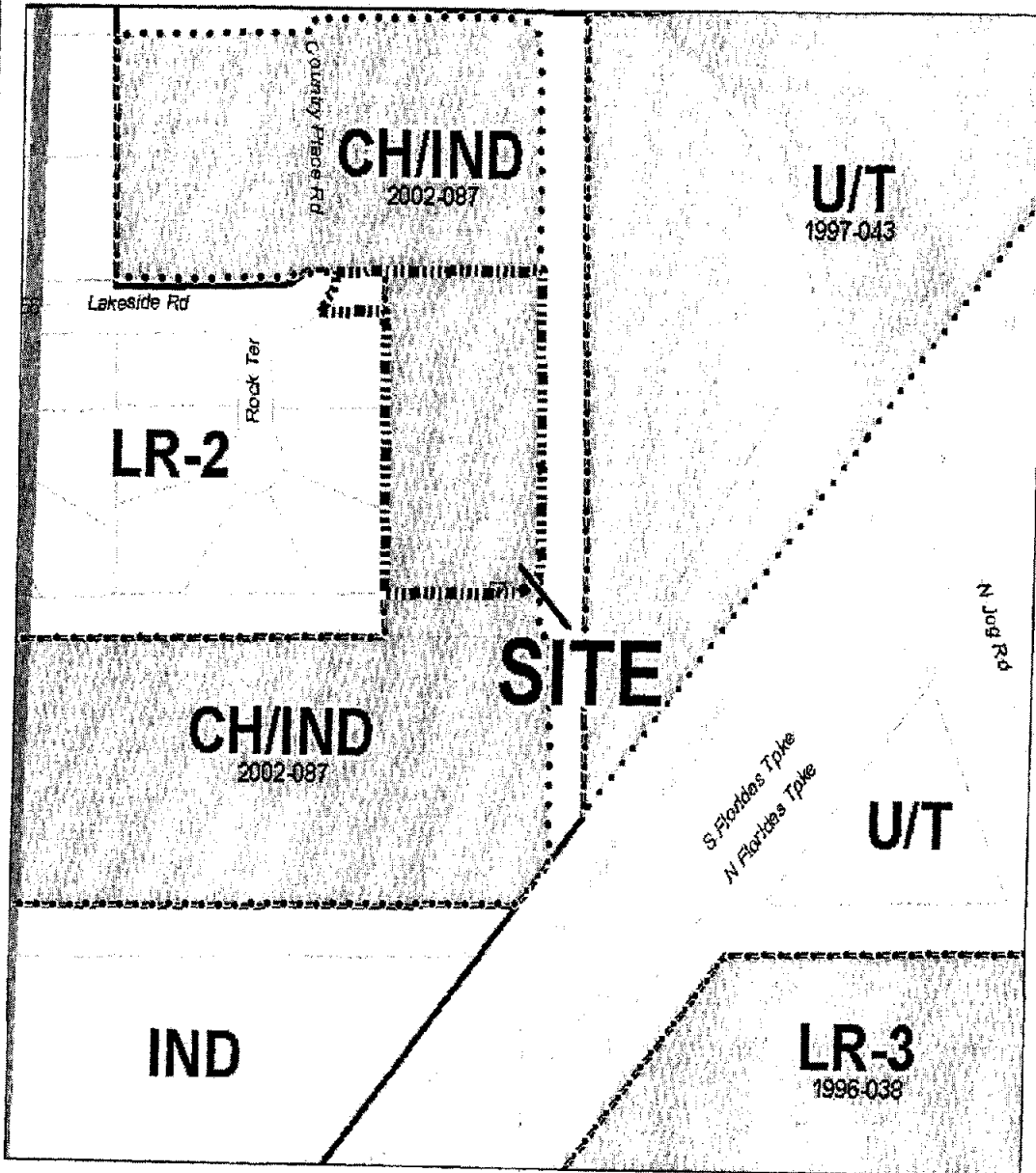
ACTION BY THE ZONING COMMISSION: June 7, 2007: Motion to recommend approval of the Rezoning, carried by a vote of 7-0.

ACTION BY THE ZONING COMMISSION: June 7, 2007: Motion to recommend approval of the Class A Conditional Uses subject to amended conditions, carried 7-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment rezoning from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow for a dispatching office and to allow general repair and maintenance.

PALM BEACH COUNTY PLANNING DIVISION SITE LOCATION AND LAND USE

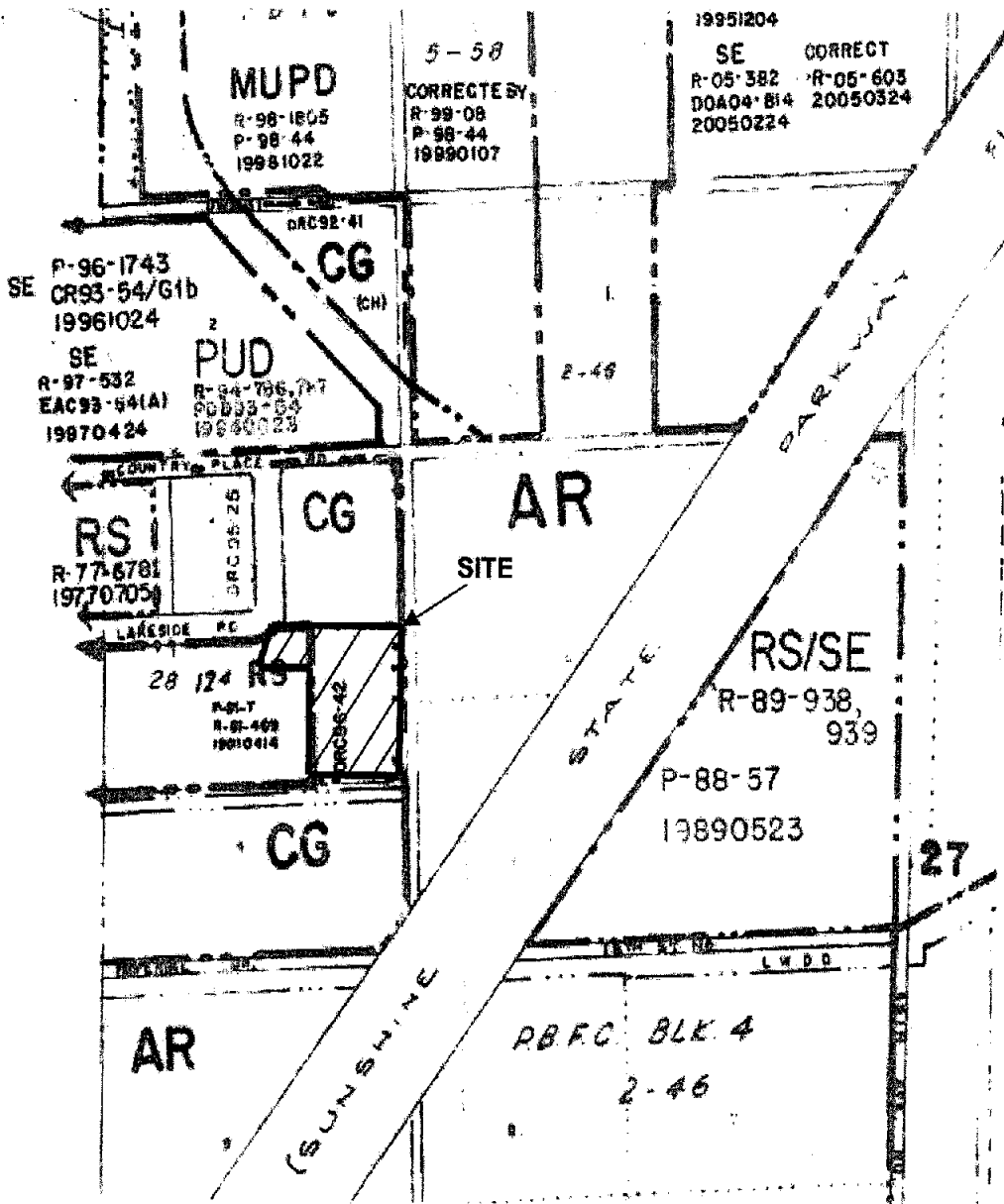


Application Number:	<u>Z/CA/ZV2007-200</u>
Control Number:	<u>1996-042</u>
Land Use Atlas Page:	<u>57</u>
Date:	<u>5/21/2007</u>



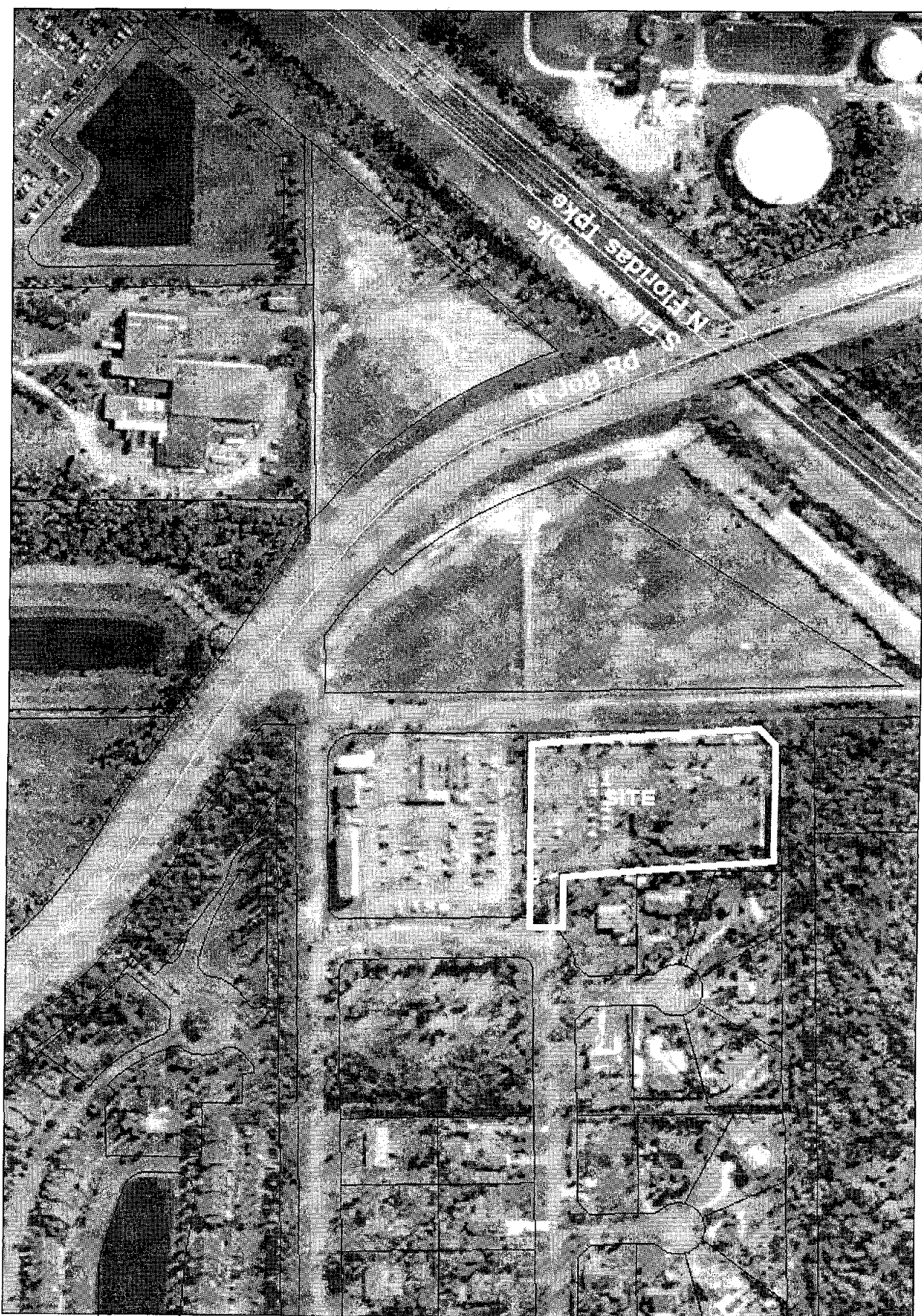
PALM BEACH COUNTY ZONING QUAD/VICINITY SKETCH

ECTED BY:
1-1846
40722



Application No. 2007-200
Zoning Quad 31
Date June 7, 2007






ZONING APPLICATION
 Control 1996-042 (ZV/Z/CA 2007-200)
 Size: 3.14 acres
 Existing Use: government
 Proposed Use: dispatching office
 with general repair and maintenance

PROJECT NAME
 Palm Beach Transport
 Existing Zoning -
 CG/RS
 Proposed Zoning -
 CG

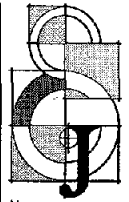
ZONING DESIGNATIONS
 CG - General Commercial
 RS - Single-family Residential

Zoning Quad -
 Future Land Use Map -

Planning, Zoning and Building Department - G175
 256 N. Flag Road
 West Palm Beach, FL 33411
 561.231.6666
http://www.palmbeach.fl.gov/planning_zoning_building
www.pbcgov.com/pzb



DATE: 07/10/07 BY: [unreadable]



Jon E. Schmidt and Associates
Landscape Architecture & Site Planning
2347 Palm Beach Lakes Blvd., Suite 101
West Palm Beach, Florida 33407
Tel. (561) 684-6141 • Fax. (561) 684-4142
E-mail: jschmidt@jesa.net
License No.: LC20000032

P. B. Transportation Communications Center

Palm Beach County, Florida

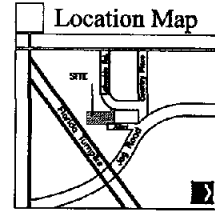
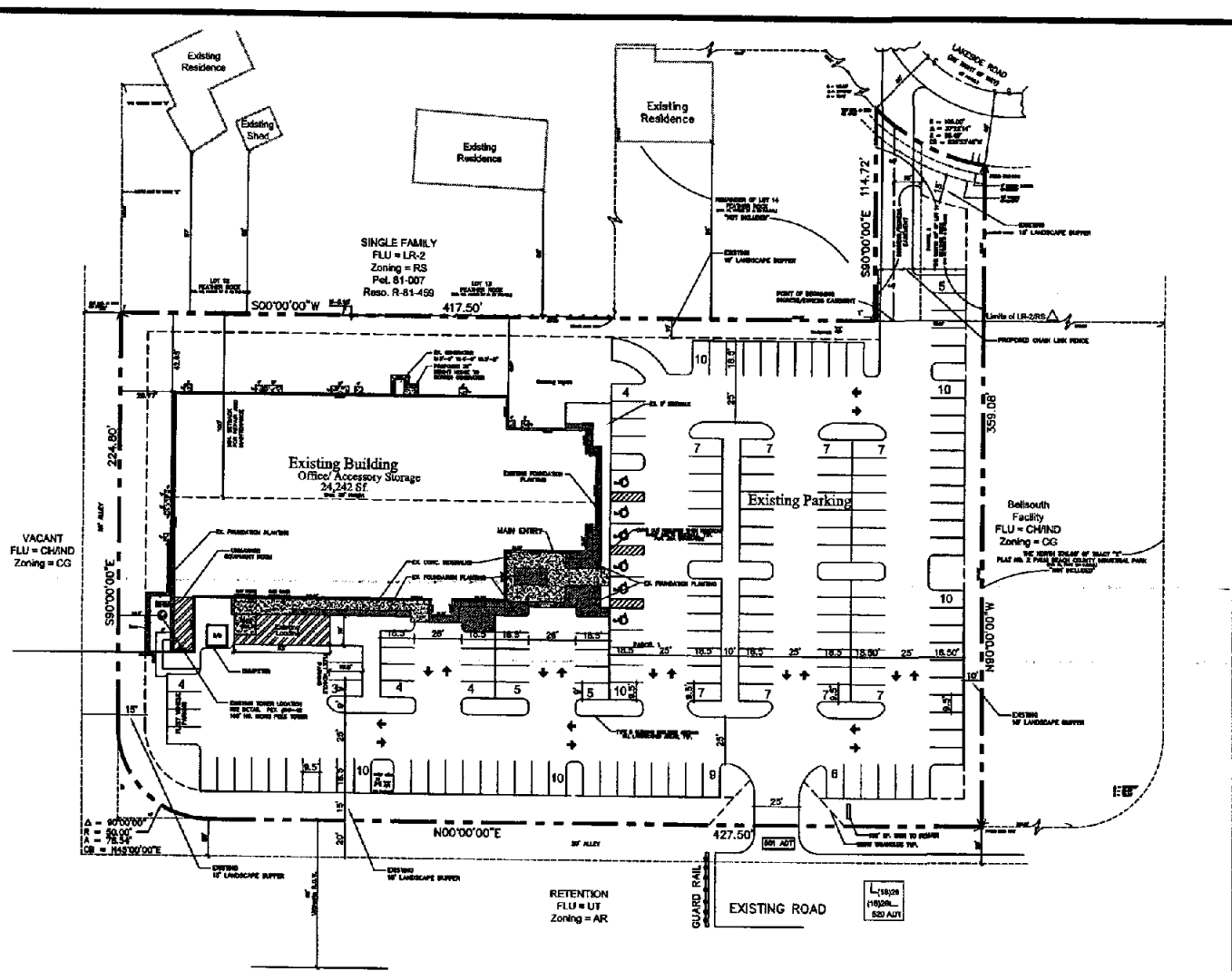
SITE PLAN
DATED APRIL 19, 2007

Date: 2/21/07
Scale: 1" = 30'-0"
Design By: JES
Drawn By: JES
Checked By: JES
File No.: 488.01
Job No.: 07-12

REVISIONS / SUBMISSIONS
4/12/07 PBC Comments
4/15/07 Comments / Foundation Piling

Site
Plan

SP-1 of 2



Site Data

Application Number	2007-200
Control Number	86-042
Project Number	1000-231
Name of Project	P. B. Transportation Communications Center
Proposed Use	Dispatch Center
Existing Future Land Use Designation	CU/RS/JL-2
Proposed Future Land Use Designation	CU/RS
Existing Zoning District	Urban/Suburban
Proposed Zoning District	CU
Section, Township, Range	37/44/43
Property Control Numbers	00-92-43-27-18-000-0062

Consistency Approved?	
Dispatch Office	7,242 s.f.
Vehicle Storage/Warehouse	5,000 s.f.
Maintenance	12,000 s.f.

Traffic Analysis Zone	733
Last ZC/BCD Approval Date	N/A
SOA Section Number, Approval Date	N/A
Applicable Overlay(s)	N/A

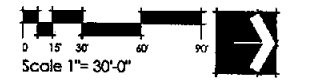
Total Site Area	3.14
Total Gross Floor Area	24,242 s.f.
Dispatch Office	7,242 s.f.
Vehicle Storage/Warehouse	5,000 s.f.
Maintenance	12,000 s.f.
Total Floor Area Ratio	.18
Total Building Coverage (including canopy)	18%
Impervious Area	77%
Buildings	24,242 s.f. = 18%
Pavement/Walks	112,938 s.f. = 86%
Pervious Area	23%
Green Space	
Building Height	max. 35'
Number of Stories	2
Parking Required	82 SPACES
Dispatch Office - 1 Space/250 s.f. @ 7,242 s.f. = 28 Spaces	
Warehouse/Storage - 1 Space/250 s.f. @ 5,000 s.f. = 20 Spaces	
Maintenance - 1 Space/250 s.f. @ 12,000 s.f. = 48 Spaces	
Proposed Parking	185 SPACES
Handicap Spaces Required	6
Handicap Spaces Proposed	6
Loading Required (10' x 30' Min.)	1
Loading Provided	1

Development Regulations

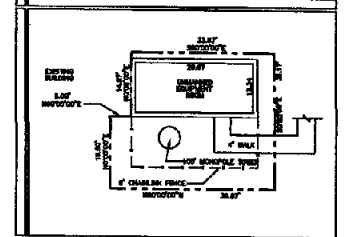
Section	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Min. Front Setback	Min. Side Setback	Min. Rear Setback
CU	12	100'	30'	30'	30'	30'	30'	15'	30'
CU	12	100'	30'	30'	30'	30'	30'	15'	30'

Development Team

DEVELOPER:	ST. GEORGE'S INC. 51 PALM BEACH BLVD. WEST PALM BEACH, FLORIDA 33411 (561) 837-8222
SURVEYOR:	AGRIAN LAND SURVEYORS, INC. 1800 FOREST HILL BLVD., SUITE 100 WEST PALM BEACH, FLORIDA 33411 (561) 837-8222
PLANNER:	BASCHART CONSULTING INC. 333 WESTBROOK BOULEVARD SUITE 300 WEST PALM BEACH, FLORIDA 33409
ATTORNEY:	FRANK A. SELLER 3307 PALM BLVD., SUITE 110 WEST PALM BEACH, FLORIDA 33411 (561) 791-3300



Tower Detail



Con1996-042
App2007-200
REVISED
19-Apr-2007



Jon E. Schmidt and Associates
 Landscape Architecture & Site Planning
 2247 Palm Beach Lakes Blvd., Suite 101
 West Palm Beach, Florida 33409
 Tel: (561) 984-4141 • Fax: (561) 684-4142
 E-mail: jschmidt@the.net
 License No.: LC20000292

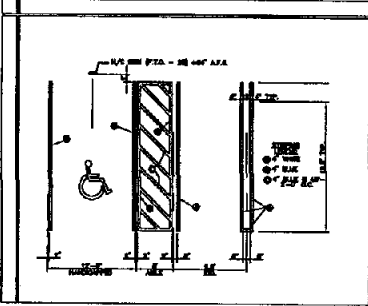
**P. B. Transportation
 Communications
 Center**
 Palm Beach County, Florida

Date: 2/20/07
 Scale: N.T.S.
 Design By: JES
 Drawn By: JES
 Checked By: JES
 File No. 488.01
 Job No. 07-12

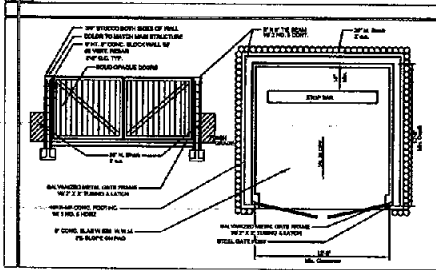
REVISIONS / SUBMISSIONS
 4/12/07 PBC Comments
 4/18/07 Geology / Foundation Planning

**Regulating
 Plan**

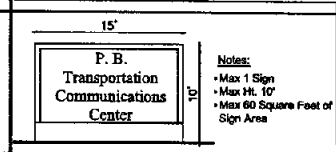
Parking and Striping



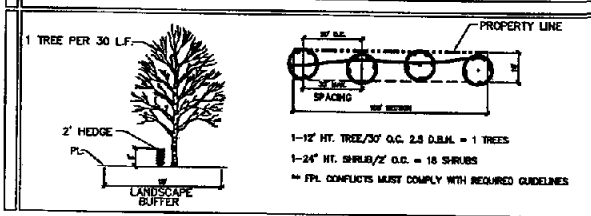
Dumpster Detail



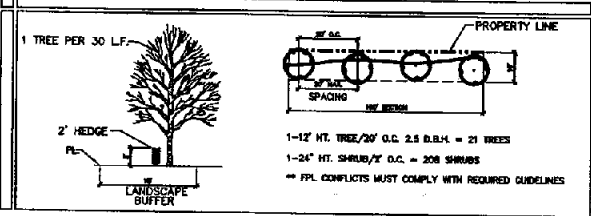
Existing Sign Detail



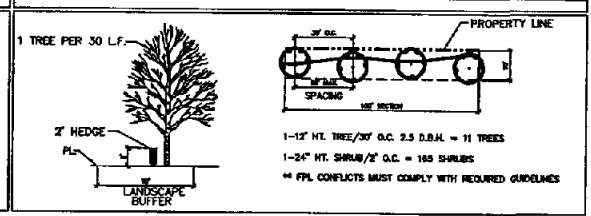
15' - Existing Landscape Buffer (NorthWest)



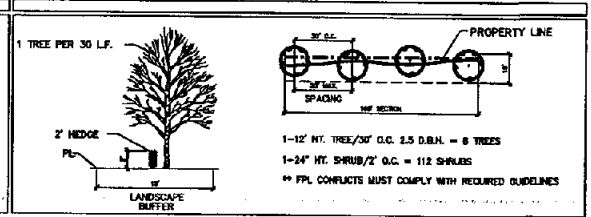
10' - Existing Landscape Buffer (West)



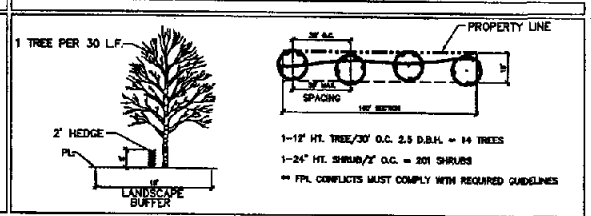
10' - Existing Landscape Buffer (North)



15' - Existing Landscape Buffer (South)



15' - Existing Landscape Buffer (East)



Commercial Landscape Requirements

CATEGORY	REQUIREMENT	REQUIRED	PROVIDED
OVERALL VEGETATION			
TREES(MINISOX NATIVE)	1 PER 2,500 SF.	65	
SHRUBS 24" HT.	3 PER 2,500 SF.	185	
PERIMETER VEGETATION			
SOUTH BUFFER TREES R.O.W.	1/30' O.C.	8	
SOUTH BUFFER SHRUBS	24" HT. 24" O.C.	112	
EAST BUFFER TREES R.O.W.	1/30' O.C.	14	
EAST BUFFER SHRUBS	24" HT. 24" O.C.	201	
LAKESIDE BUFFER TREES R.O.W.	1/30' O.C.	1	
LAKESIDE BUFFER SHRUBS	24" HT. 24" O.C.	18	
NORTH BUFFER TREES	1/30' O.C.	11	
NORTH BUFFER SHRUBS	24" HT. 24" O.C.	185	
WEST BUFFER TREES	1/30' O.C.	21	
WEST BUFFER SHRUBS	24" HT. 24" O.C.	208	
TOTAL VEGETATION			
TREE OR PALM /20 LF. 50' FOUNDATION PLANTING		10	
TOTAL REQUIRED TREES 1/2500 SF. + R.O.W. BUFFERS		76	
TOTAL SHRUBS		496	
* REQUIRED NUMBER OF SPECIES PER TABLE 7.3-3, ULDC. = 5			

Legal Description

PARCEL IDENTIFICATION NUMBER: 00-42-43-27-18-000-0002

PARCEL 1:
 THE EAST 27.00 FEET OF TRACT 27 OF PLAT #2 OF PALM BEACH COUNTY INDUSTRIAL PARK, RECORDED IN PLAT BOOK 26, PAGE 124 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE NORTH 3/8 FEET THEREOF.

TOGETHER WITH AN EASEMENT FOR HIGHWAY AND EGRESS TO AND FROM LAKESIDE ROAD, WHICH EASEMENT WAS GRANTED IN WYNNERTY DEED RECORDED IN OFFICIAL RECORDS BOOK 288, PAGE 1964, OVER, ACROSS AND FROM THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 27 OF PLAT #2 OF PALM BEACH COUNTY INDUSTRIAL PARK, RECORDED IN PLAT BOOK 26, PAGE 124 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE RUN S89°15'00"W ALONG THE SOUTH LINE OF SAID TRACT 27, A DISTANCE OF 123.30 FEET; THENCE RUN N07°00'00"W ALONG A LINE PARALLEL TO AND 27.00 FEET WESTERLY FROM THE EAST LINE OF SAID TRACT 27, A DISTANCE OF 427.85 FEET TO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED 15 FOOT WIDE HIGHWAY, EGRESS EASEMENT, LYING 15 FEET NORTH AND 1.0 FEET SOUTH OF THE FOLLOWING DESCRIBED LINE; FROM THE POINT OF BEGINNING RUN WESTERLY ALONG THE CENTER LINE OF LAKESIDE ROAD, EXTENDING A DISTANCE OF 108.74 FEET TO THE EASTERN RIGHT-OF-WAY LINE OF SAID LAKESIDE DRIVE.

PARCEL 2:
 THE NORTH 90 FEET OF LOT 14, AS MEASURED ALONG THE EASTERLY LINE THEREOF, PLAT OF FEATHER ROCK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 44, PAGE 57 AND 28.

Con1906-042
 App2007-200
 REVISED
 19-Apr-2007

STAFF REVIEW AND ANALYSIS

PLANNING DIVISION COMMENTS:

FUTURE LAND USE (FLU) PLAN DESIGNATION: Commercial High with an alternative Industrial designation (CH/IND) and Low Residential 2 units per acre (LR-2), a portion.

Underlying Land Use: None

CONSISTENCY WITH FUTURE LAND USE (FLU) PLAN DESIGNATION: The Planning Division has reviewed the request for a rezoning from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District (a portion) and a Class A Conditional Use to allow a dispatching office (more than three service vehicles) and to allow general repair and maintenance. A small portion of this parcel extends beyond the CH/IND FLUA line and has a residential (LR-2) FLU designation. The request for a rezoning is for this portion of the parcel as it also has a residential Zoning District. Table 2.2.2-1, A.1.A of the Future Land Use Element (FLUE), "Additional Criteria for Determining the Depth, Width, and Use for Commercial and Industrial Designations", states if "1. A lot extends beyond the commercial or industrial land use designation line on the FLUA; and 2. The land area beyond the line on the FLUA totals less than one acre" then "The County may rezone the area beyond the line to commercial with cross-hatching or industrial, provided:

1. the entire lot is developed as a unified site plan; and
2. the amended lot area on the FLUA is only be used for water retention, landscaping, and/or at-grade parking"

This site meets the criteria above. Therefore the Planning Division has determined the request is consistent with this parcel's CH FLU designation. The existing FAR of approximately .18 or 24,242 square feet for this site is also consistent with the maximum Floor Area Ratio (FAR) of .35 for a site with a CH (without PDD) FLU designation. No additional square footage is proposed. For this 3.14-acre site, the site could develop with a maximum of 47,872 square feet at the .35 FAR.

TIER: The subject property is in the Urban/Suburban Tier.

FUTURE ANNEXATION AREAS: The subject site is within the future annexation area of the Town of Haverhill and the City of West Palm Beach. As part of the public hearing notice process, Zoning Staff has notified these municipalities of the request.

INTERGOVERNMENTAL COORDINATION: The subject property is within one mile of the City of West Palm Beach. As part of the public hearing notice process, Zoning Staff has notified this municipality of the request.

SPECIAL OVERLAY DISTRICT/NEIGHBORHOOD PLAN/PLANNING STUDY AREA: None.

FINDINGS: The request is consistent with the land use designation of the Palm Beach County Comprehensive Plan. Criteria in Table 2.2.2-1, A.1.A (FLUE) allows for a FLU Corrective Amendment to be initiated subsequent to this application to change the land use form LR-2 to CH/IND on that portion of the site that is the subject of the rezoning.

ENGINEERING COMMENTS:

Total traffic expected from this project:
- 24,242 square feet transit dispatch facility is 94 trips/day.

Previously approved project traffic:
- 24,242 square feet office was 426 trips per day.

Therefore there should be no net increase in Traffic.

TRAFFIC:	Jog Road
SEGMENT:	Project entrance to Belvedere Road
PRESENT:	21,407
HISTORICAL	
GROWTH TRAFFIC: -	
OTHER DEVELOPMENT	
TRAFFIC: -	
FROM PETITION:	no net increase in Traffic
TOTAL:	21,407
PRESENT CAPACITY AT	
LEVEL OF SERVICE "D":	49,200
PRESENT LANEAGE:	6 lane

PALM BEACH COUNTY HEALTH DEPARTMENT:

Prior to issuance of a building permit, the property owner shall submit to the Palm Beach County Health Department a written Hazardous Material plan that addresses the procedure to prevent any Hazardous Waste from entering into the onsite sewage treatment and disposal system.

Prior to the issuance of a building permit the property owner shall apply and obtain a permit for an onsite sewage treatment and disposal system (OSTDS) in accordance with Chapter 64EE-6, FAC, and Palm Beach County ECR-I

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

VEGETATION PROTECTION: The site is currently been cleared and no longer supports significant amounts of native vegetation.

WELLFIELD PROTECTION ZONE: The property is located within a Wellfield Protection Zone #4.

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.

OTHER:

FIRE PROTECTION: The Palm Beach County Department of Fire Rescue will provide fire protection.

SCHOOL IMPACTS: No educational impact created by this project.

PARKS AND RECREATION: No recreational impacted created by this project.

CONCURRENCY: Concurrency is approved for a 7,242 square foot dispatch office, 5,000 vehicles storage/warehouse and 12,000 square feet of repair and maintenance.

WATER/SEWER PROVIDER: Water provider is Palm Beach County Water Utilities and sanitary sewer is by septic system.

FINDING: The proposed Zoning Map Amendment and Class A Conditional Uses comply with Article 2.F of the ULDC, Concurrency (Adequate Public Facility Standards).

DEVELOPMENT REVIEW EVALUATION:

SITE FACTORS: A 3.14 acre site, with an average width of 427.50 feet and an average depth of 224.80 feet accessed via a road on the east side of the site. The site currently is home to the Department of Agricultural and the applicant proposes to use the site as a dispatching office for a Para-transit service, which provides services around the clock on most days of the week.

ADJACENT LAND USE AND ZONING:

NORTH:

FLU Designation: Commercial High (CH)
Zoning District: General Commercial District (CG)
Supporting: Bellsouth (Control No N/A)

NORTH:

FLU Designation: Industrial (IND)
Zoning District: General Commercial District (CG)
Supporting: Bellsouth (Control No N/A)

SOUTH:

FLU Designation: Commercial High/Industrial (CH/IND)
Zoning District: Multiple Use Planned Development (MUPD)
Supporting: proposed self-service storage facility (Control No 2005-460)

EAST:

FLU Designation: Utilities and Transportation (U/T)
Zoning District: Agricultural Residential District (AR)
Supporting: Retention (Control No N/A)

WEST:

FLU Designation: Low Residential (LR-2)
Zoning District: Single-Family Residential District (RS)
Supporting: Single Family (Control No 81-007)

ZONING REQUIREMENTS: A final site plan shall be approved by the Development Review Officer (DRO) in accordance with the Unified Land Development Code (ULDC). The DRO review will ensure compliance with Board of County Commission conditions of approval, and all applicable sections of the ULDC.

FINDINGS:

Rezoning Standards for the 0.17-acre parcel:

1. **Consistent with Comprehensive Plan.** The proposed rezoning for the northwest portion of this site will be consistent with the site's CH/IND future land use designation, subject to the County-initiated corrective land use amendment in Round 08-01 at the earliest.
2. **Consistent with Code.** The rezoning from RS to CG will allow the 0.17-acre parcel shares the same zoning district with the parent tract, and the redevelopment of the entire 3.14-acre parcel will need to comply with the code.
3. **Compatible with surrounding uses.** The site is surrounded by non-residential uses to its north, south and east, since the site has an existing office/storage

building for many years, and the 0.17-acre subject property has an existing ingress/egress easement that services the project, the rezoning of this parcel would not bring the site more in compliance with the code, and any potential compatibility issues have been addressed and will be further addressed by new conditions of approval under the Class A Conditional Request.

4. **Changed conditions.** The site is currently being utilized by the State of Florida Department of Agriculture, which will soon be vacating the property. The building and parking layout for this site is suitable for the applicant's purposes as constructed; however, the applicant intends to utilize the site as a dispatching office with more than three service vehicles, and the current approval does not allow repair and maintenance on site. This change in circumstances will not result in any changes to the layout of the site; however, the change in use requires a Class A Conditional Use approval. As noted above, the rezoning of a portion of the site to CG has been requested by staff to correct a previous oversight and to provide greater consistency with the remainder of the site and surrounding uses.
5. **Effect on Natural Environment.** The site is currently developed. The approved site plan, including the parking layout, meets the needs of the applicant, and, therefore, there will be no change in the above environmental factors. The rezoning to CG for a portion of the site will simply correct a previous oversight and will provide greater consistency with the remainder of the parcel.
6. **Development Patterns.** The property is developed and is suitable for the applicant's proposed use; therefore, there will be no change in the existing development pattern. The rezoning to CG for a portion of the site will simply correct a previous oversight and will provide greater consistency with the remainder of the parcel.
7. **Consistency with Neighborhood Plan.** N/A.
8. **Adequate Public Facilities.** The Traffic Equivalency Analysis submitted with this application concludes that the proposed dispatch and repair facility will not generate traffic in excess of the existing use located on the site. Water is currently provided by Palm Beach County Water Utilities District and will not be affected by the proposed change in use. There is an on-site disposal and treatment system, which will be evaluated for consistency with code requirements prior to occupancy by the applicant. The applicant understands that it may be required to bring the site into compliance with current code with regard to this system, and with regard to the treatment and handling of hazardous waste associated with the repair and maintenance component, prior to commencing operations on the site.

Conditional Use Standards for the 3.14-acre parcel

1. **Consistent with Comprehensive Plan.** See Findings #1 of the Rezoning Standards.
2. **Supplementary Use Standards.** Article 4.B.42. of the ULDC requires a Class A Conditional Use for a Dispatching Office with more than three service or delivery vehicles. A Class A Conditional Use is also required for general repair and maintenance. Approval of this request will result in compliance with Article 4.B. All repair work will take place inside the existing building at the southeast end of the building, at least 100 feet from any property line adjacent to a residential district in accordance with Article 4.B.1.A.107.e.
3. **Compatibility.** See Findings #3 of the Rezoning Standards.
4. **Design Minimizes Adverse Impact.** The site is currently developed with a one story 24,242 square foot commercial building, which is being utilized by the State of Florida Department of Agriculture. The approved site plan, including the

parking layout, meets the needs of this applicant, and, therefore, the existing building and structural intensities will not be impacted by the applicant. The applicant provides para-transit services to Palm Beach County and intends to relocate its dispatching office to the site. Many, if not most, of the vehicles depart in the early hours of the morning and do not return until the end of the day; therefore, the dispatching aspect will have a minimal impact on the site and surrounding uses and is comparable to the existing use as well as Bellsouth's use of the property to the north. All repairs to the service vehicles, other than paint and body work, will occur on site, inside the building, and will be adequately shielded in terms of noise and visual impact. All repairs will occur at the southeast end of the building, which is at least 100 feet from adjacent residential properties in accordance with Article 4.B.1.A.107.e.

5. **Adequate Public Facilities.** The site complies with Adequate Public Facilities requirement.
 6. **Design Minimizes Environmental Impact.** The site is currently developed. The approved site plan, including the parking layout, meets the needs of the applicant, and, therefore, there will be no change in the above environmental factors.
 7. **Development Patterns.** The property is developed and is suitable for the applicant's proposed use with the proposed site plan modifications and recommended conditions of approval this proposal will be consistent with the development patterns; therefore, there will be no change in the existing development pattern.
 8. **Other Standards.** The site, as approved and developed, complies with all of the above standards See Findings #4 of the Conditional Use Standards.
 9. **Consistency with Neighborhood Plans.** N/A.
 10. **Changed Circumstances.** See Findings #4 of the Rezoning Standards.
-

EXHIBITS

- Exhibit A: Legal Description (NA - attached to resolution)
- Exhibit B: Conditions of Approval
- Exhibit C: Disclosure Forms 9 and 8

EXHIBIT B

CONDITIONS OF APPROVALS

ALL PETITIONS

1. Development of the site is limited to the uses approved by the Board of County Commissioners. The approved site plan is dated April 19, 2007. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (DRO: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for final DRO approval of the site plan, the architectural elevations for all buildings shall be submitted simultaneously with the site plan for final architectural review and approval. The elevations and the site plan shall be designed to be consistent with Article 5.C. of the ULDC. Development shall be consistent with the approved architectural elevations and the approved DRO site plan. (DRO: ZONING - Architecture Review)

ENGINEERING

1. No Engineering Conditions.

HEALTH

1. Prior to the issuance of a building permit, the property owner shall submit to the Palm Beach County Health Department a written Hazardous Material plan that addresses the procedure to prevent any Hazardous Waste from entering into the onsite sewage treatment and disposal system (OSTDS). (BLDG PERMIT: MONITORING-Health)
2. Prior to the issuance of a building permit, the property owner shall apply for and obtain a permit for an onsite sewage treatment and disposal system (OSTDS) in accordance with Chapter 64E-6, FAC, and Palm Beach County ECR-I. (BLDG. PERMIT: MONITORING-Health)

LANDSCAPE - STANDARD

1. Prior to the final approval by the Development Review Officer (DRO), the property owner shall submit a Landscape Plan and/or an Alternative Landscape Plan to the Landscape Section for review and approval for the foundation planting and the right-of-way buffer along the east property line. The Plan(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein. (DRO: LANDSCAPE - Zoning)
2. All palms required to be planted on the property by this approval shall meet the following minimum standards at installation:
 - a. palm heights: twelve (12) feet clear trunk;
 - b. clusters: staggered heights twelve (12) to eighteen (18) feet; and,
 - c. credit may be given for existing or relocated palms provided they meet current ULDC requirements. (BLDG PERMIT: LANDSCAPE - Zoning)
3. Prior to December 31, 2007, the property owner shall replace all dead and missing plant materials on the entire subject property. (DATE: LANDSCAPE - Zoning)

4. Prior to December 31, 2007, the property owner shall complete the installation of landscape materials around the generator area. (DATE: LANDSCAPE - Zoning)

LANDSCAPING ALONG THE NORTH, SOUTH AND EAST PROPERTY LINES
(ABUTTING NON RESIDENTIAL USES)

5. Landscaping along the north, south and east property lines shall be upgraded to include:
 - a. one (1) native canopy tree for each twenty-five (25) linear feet of the property line;
the size and quantity of plant materials shall be finalized prior to final approval by the Development Review Officer (DRO), subject to review and approval by the Landscape Section. (DRO: LANDSCAPE-Zoning)

LANDSCAPING ALONG THE WEST PROPERTY LINE (ABUTTING RESIDENTIAL)

6. In addition to the code requirements, landscaping along the west property line shall be upgraded to include:
 - a. the existing ten-foot wide buffer shall be expanded to a minimum width of fifteen (15) feet except in areas where the parking and terminal islands are located;
 - b. shall include an eight (8) foot panel wall with shrubs and trees on both sides;
 - c. one (1) native canopy tree for each twenty-five (25) linear feet of the property line;
 - 1) Tree height: Fourteen (14) feet;
 - 2) Trunk diameter: three and one-half (3.5) inches measured at four and one-half (4.5) feet above grade;
 - 3) Canopy diameter: Seven (7) feet – diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of three and one-half (3.5) feet in length;
 - d. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters.
 - e. one (1) medium shrub for each two (2) linear feet of the property line. Shrub shall be a minimum of twenty-four (24) inches at installation and to be planted on both sides of the panel wall. Credit may be given for existing or relocated shrubs provided they meet current ULDC requirements; and,
 - f. the size and quantity of plant materials shall be finalized prior to final approval by the Development Review Officer (DRO), subject to review and approval by the Landscape Section. (DRO: LANDSCAPE-Zoning)

SIGNS

1. Freestanding signs fronting on road on east side of property shall be limited as follows:
 - a. maximum sign height, measured from finished grade to highest point - six (6) feet;
 - b. maximum sign face area per side - sixty (60) square feet;
 - c. maximum number of signs - one (1);
 - d. style - monument style only;
 - e. location - east side of property; and,
 - f. sign shall be limited to identification of tenant only. (BLDG PERMIT: BLDG - Zoning)

SITE DESIGN

1. Prior to final site plan approval the site plan shall be revised to eliminate the ingress/egress from Lakeside Drive. The wall shall be located to maintain the 2 parking spaces. The remaining pavement shall be removed and sodded. (DRO: ZONING)
2. Prior to final site plan approval the site plan shall be amended to reflect the staging area along the eastern property line of the site for all vehicles leaving the site after 11:00 PM and returning to the site prior to 6:00 AM. Vehicles leaving the site prior to 4:00 A.M. will be staged in the southeast corner of the site with vehicles leaving after that time progressing north and the west into the site. All vehicles parked along the southern and eastern property lines shall be backed in. (DRO: ZONING)
3. The applicant may apply for a Business Tax Receipt concurrent with the application for final site plan approval. The Business Tax Receipt may be issued prior to final site plan approval provided signoffs are obtained from the Zoning Division, Fire Marshall and Code Compliance. The applicant shall comply with all site improvements and conditions associated with this approval by December 31, 2007. (DATE: Zoning-Zoning)

USE LIMITATIONS

1. Vehicular repair and maintenance activities shall only be allowed indoors and in the area of the building indicated on the site plan, including deliveries, nor start prior to 7:00 a.m. or continue later than 11:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday. Air guns shall be prohibited between the hours of 9:00 P.M. and 7:00 A.M. No repair and maintenance is allowed on Sunday. (ONGOING: CODE ENF - Zoning)
2. All air compressors shall be located indoors and the doors of the maintenance area shall remained closed except when a vehicle is being moved into or out of the maintenance area. (ONGOING: CODE ENF - Zoning)
3. No paint and bodywork shall be permitted on site. Use is limited to general repair (ie preventive maintenance, tire repair/replacement, oil changes, brake repair, A/C, radiator repair, etc). (ONGOING: CODE ENF - Zoning)

COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner 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; 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 ULDC 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;
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 a 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 Article 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Departmental administrative actions made pursuant to this condition may be appealed as provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Circuit Court, Appellate Division, 15th Judicial Circuit of Florida. (ONGOING: MONITORING - Zoning)

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

EXHIBIT C
DISCLOSURE FORM

DISCLOSURE OF OWNERSHIP INTERESTS - 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
Bruce D. Gittlin, 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 President [position—
e.g., president, partner, trustee] of GCI-API, 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: c/o Gittlin Companies, Inc.,
360 W. 31st St. #1000, New York, NY 10001

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.


Disclosure of Beneficial Interest Ownership form

Created 01/22/2007
Updated 01/31/2007

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.

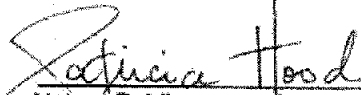
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.



Bruce D. Gittlin, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 20 day of February, 20 07, by Bruce D. Gittlin, who is personally known to me or who has produced _____ as identification and who did take an oath.



Notary Public
Patricia Hood
(Print Notary Name)

NOTARY PUBLIC New York
State of Florida at Large
My Commission Expires: March 23, 2010
County of Nassau

Patricia Hood
Notary Public, State of New York
No. 01HO4993887
Qualified in Nassau County
Commission Expires March 23, 2010

EXHIBIT "A"

PROPERTY

Parcel Identification Number: 00-42-43-27-19-000-0062

Parcel 1:

The East 274.80 feet of Tract "Z" of Plat #2 of PALM BEACH COUNTY INDUSTRIAL PARK, recorded in Plat Book 28, Page 124 of the Public Records of Palm Beach County, Florida, less the North 375 feet thereof; TOGETHER WITH an easement for ingress and egress to and from Lakeside Road over, across and upon the following described property: Commencing at the Southwest corner of Tract "Z" of Plat #2 of Palm Beach County Industrial Park, recorded in Plat Book 28, Page 124 of the Public Records of Palm Beach County, Florida, thence run, Easterly along the South line of said Tract "Z", a distance of 123.20 feet; thence run Northerly along a line parallel to and 274.80 feet Westerly from the East line of said Tract "Z", a distance of 427.50 feet to the Point of Beginning for the herein described 25-foot wide Ingress, egress easement, lying 15 feet North and 10 feet South of the following described line; from the Point of Beginning run Westerly along the center line of Lakeside Road, extended, a distance of 105.74 feet to the easterly right-of-way line of said Lakeside Drive, which easement was granted in Warranty Deed recorded in O.R. Book 2839, Page 1604 of the Public Records of Palm Beach County, Florida.

Parcel 2:

The North 60 feet of Lot 14, as measured along the Easterly line thereof, Plat of Feather Rock, according to the Plat thereof, recorded in Plat Book 44, Pages 37 and 38 of the Public Records of Palm Beach County, Florida.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

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	Percentage of Interest

Form 8 –
Applicant

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

DISCLOSURE OF OWNERSHIP INTERESTS - APPLICANT

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
Collan F. Meatha 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] President
[position—e.g., president, partner, trustee] of 6620 Lakeside Road, LLC *[name and*
type of entity—e.g., ABC Corporation, XYZ Limited Partnership]. (hereinafter,
"Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order
approval for real property legally described on the attached Exhibit "A" (the "Property").

2. Affiant's address is: 2519 Aqua Vista Blvd.
Ft. Lauderdale, Fl 33301

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.

Disclosure of Beneficial Interest –Applicant form

Created 01/30/2007

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.

Cullian P. Meathe Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this day of February,
20 07, by Cullian P. Meathe, who is personally
known to me or who has produced _____
as identification and who did take an oath.

Notary Public

Bobbie Jo Moore
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: _____

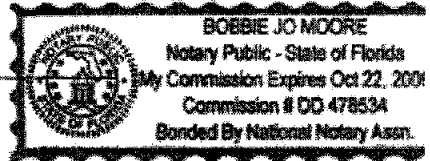


EXHIBIT "A"

PROPERTY

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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

Cullan F. Meatha 2519 Acqua Vista Blvd., Ft. Lauderdale, FL 33301

Multiple horizontal lines for additional entries.