

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



Application No.: PDD/DOA-2010-00412
Control No.: 1992-00044
Applicant: Sunshine Wireless of Maryland
Owners: Glades Road Self Storage LLC
Trinity Investments LLC
Wireless Sunshine
Agent: Marda L. Zimring Inc - Marda Zimring
Telephone No.: (561) 715-5889
Project Manager: Joyce Lawrence, Site Planner II

Location: 0.25 miles north of Glades Road, adjacent to west side of Florida Turnpike (Glades Road Self Storage)

TITLE: an Official Zoning Map Amendment to a Planned Development District **REQUEST:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District **TITLE:** a Development Order Amendment **REQUEST:** to add land area, add square footage and modify/delete conditions of approval (Signs and Use Limitations)

APPLICATION SUMMARY: Proposed is the rezoning of 4.31-acres of land from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District for the Glades Road Self Storage MUPD. Also proposed is a Development Order Amendment (DOA) to add 4.31 acres of land to the approved 8.85 acre parcel for a total of 13.16 acres. The preliminary site plan for the added parcel indicates parking spaces for the outdoor storage of 69 vehicles and a 18,972 square foot covered parking structure to accommodate 25 recreational vehicles (RVs) or trailers. The applicant is also requesting to modify and delete conditions of approval (Signs and Use Limitations). The overall preliminary site plan indicates 6 existing multi-access buildings with 1,030 storage bays totaling 128,620 square feet; a-2,100 square foot accessory office and security quarters; 5 covered parking structures totaling 54,612 square feet to accommodate 77 parking spaces; and 54 outdoor storage spaces for RVs and boats. A total of 81 parking spaces will be provided and one access point to the site will remain from Glades Road (1).

ISSUES SUMMARY:

o Project History

On April 1, 1965 the Board of County Commissioners (BCC) approved a Conditional Use approval to allow a 330-foot high radio tower on the subject site. The tower was constructed and replaced with an existing 499-foot high guyed communication tower approved by the BCC on January 28, 1993 via Resolution R-93-0168. On January 5, 2006, the BCC approved via Resolution No. R-2006-002 an Official Zoning Map amendment approving a rezoning from the Agricultural Residential (AR) Zoning District in part and the General Commercial (CG) Zoning District in part to the MUPD Zoning District with a Requested Use approval to allow a self-service storage facility.

o Off-site parking

On October 24, 1996 via R-96-1741, the BCC approved an official Zoning Map Amendment to rezone (0.53-acre) from the Agricultural Residential (AR) Zoning District to the General Commercial (CG) Zoning District to allow for off-site parking to accommodate the adjacent commercial development to the south, West Boca Place (Control No 78-253). The approved off-site parking area that supports 58 parking spaces is shown at the southwest corner of the preliminary site plan.

o Access/Frontage

The existing portion of the site has access from Glades Road via an existing ingress/egress easement through the West Boca Place MUPD to the south, but has no frontage on an arterial or collector roadway. On February 11, 2005, the subject site received an approval for a Zoning Variance (BA 2004-994) to deviate from Code requirement, Planned Development Performance Standards, which would require a minimum of 200 feet of frontage along an arterial or collector roadway. The proposal to add land area will utilize the same access point to the development, additionally to get to the subject addition, an ingress egress easement is proposed over the LWDD Canal L-45.

o Consistency with Comprehensive Plan

The Planning Division has reviewed the application and determined that the request is consistent with the proposed Industrial (IND) Future Land Use (FLU) designation of the Comprehensive Plan.

The added 4.31-acre parcel of land to the north the existing MUPD is the subject of a concurrent Small Scale Land Use Amendment, SCA 2010-021, Glades Road Self Storage Additional Industrial, to change the Future Land Use (FLU) designation from Medium Residential 5 units per acre (MR-5) to Industrial (IND) FLU designation. At the May 14, 2010 Planning Commission Public Hearing, there was a motion carried at a vote of 13-0 in favor of staff recommendation for approval without the condition that the industrial development of the subject site shall be limited to a recreational vehicle self storage facility. See Staff Review and Analysis for additional information from the Planning Division.

o Compatibility with Surrounding Land Uses

NORTH:

Zoning District: Historical (SE)

Supporting: Boca Raton Public Golf course/Radio Tower (Control No 81-19)

SOUTH:

FLU Designation: Commercial High-Office, with an underlying MR-5 (CH-O/5)

Zoning District: General Commercial/Special Exception (CG/SE)

Supporting: Shopping Center (Control No 78-253)

EAST:

FLU Designation: Utilities and Transportation (U/T)

Zoning District: Agricultural Reserve District (AGR)

Supporting: Utilities/Transportation; LWDD Canal

WEST:

FLU Designation: Park and Recreation (PARK); Commercial High, with an underlying MR-5 (CH/5)

Zoning District: Historical (SE); Multiple Use Planned Development District (MUPD)

Supporting: Boca Raton Public Golf course/Radio Tower (Control No 81-19); Commercial (Control No 04-201)

The proposed additional 4.3-acre parcel of land is triangular in shape and is landlocked by a golf course to the north and west, Turnpike to the east and existing MUPD to the south. Access will be gained through a 25-foot wide drive aisle that connects across the 73.9-foot LWDD L-45 canal right of way that separates the existing MUPD parent tract from the proposed north 4.3 acre addition. The existing MUPD parent track consists primarily of multi and limited access self service storage and outdoor vehicle storage area, and the 499 foot radio tower. This site is surrounded on the south and

west by the Office Depot commercial center which has a mix of commercial uses (West Boca Place MUPD, Control No. 1978-253) such as general retail, a fast food restaurant, and an auto service station. The golf course to the north is within the municipal boundary of Boca Raton. The overall site will be enclosed with 8 to 12 feet high concrete walls for security purposes, compatibility, and screening from adjacent properties. As proposed and conditioned herein, staff does not anticipate any adverse impact to these surrounding properties from the requests.

o Modification of Conditions

Applicant Request: The applicant is requesting to delete the following Signs and Use Limitations Conditions of Approval of R-2006-002:

Signs

1. *No freestanding point of purchase sign shall be permitted on the property. (BLDG PERMIT: BLDG – Zoning)*
3. *Wall signs shall be limited as follows:*
 - a. *location - south facade of building 2 only;*
 - b. *minimum vertical separation from roof line - twelve (12) feet;*
 - c. *maximum lettering size - thirty-six (36) inches, subject to compliance with ULDC regulations; and,*
 - d. *content - identification of tenant only. (BLDG PERMIT: BLDG - Zoning)*
4. *Building mounted signs shall be prohibited on the east facade of building 2, unless required by law. (BLDG PERMIT: BLDG - Zoning)*

Staff Response: Staff is not in support of the deletion of the Sign Condition 1 as a maximum of one off site sign is allowed for the site since it does not have frontage on an arterial or collector. The off-site sign is provided along the frontage of Glades Road on the adjacent site of West Boca Place MUPD also known (aka) as the Office Depot Plaza. The off-site directional sign along Glades Road identifies the Self Storage facility and that is the maximum the ULDC allows. Staff would not support a variance or other deviation from this requirement. However, staff is in support of the deletion of the Signs Conditions 3 and 4 as wall signage is addressed in the ULDC and any new signage must be in compliance with the current Code provisions.

Use Limitations

2. *Overnight storage or parking of delivery vehicles/trucks or outside vendors shall not be permitted on the property. (ONGOING: CODE ENF - Zoning)*

Staff Response: Staff is not in support of the applicant's request to delete the proposed condition. The Code limits the types of vehicles for open storage to recreational vehicles and dry storage of pleasure boats of the type customarily maintained for personal use. The condition specifically does not allow other types of vehicles such as semis and tractor trailers from parking overnight.

o Traffic

See Staff Review and Analysis for additional information from the Traffic Division.

o Landscape/Buffering

There will be no change to the previously approved existing landscape buffer to the southernmost portion (parent Tract) of the site. There is a 73.9-foot wide Lake Worth Drainage District (LWDD), L-45 right of way canal that separates the existing southern portion of the site from the proposed 4.31 acres. The proposed addition is landlocked and can only be accessed by a 25-foot wide drive aisle. Along the north property line of the parent tract is an existing 20-foot wide incompatibility buffer which abuts the 73.9-foot wide LWDD, L-45 right of way canal that separates the proposed northern property. To the south, east, and west property lines of the parent tract are existing 5-foot compatibility buffers. The proposed 4.31 acre added land area is triangular in shape. Along the proposed southernmost portion of the site the applicant is proposing a 20-foot wide incompatibility buffer. A 10-foot wide incompatibility buffer is proposed along the east property line. The east property line also abuts a 112-foot wide LWDD canal. A 5-foot wide compatibility buffer is proposed along the west property line that abuts the golf course.

o Signs

The site has access from Glades Road but no frontage on an arterial or collector roadway. The site is located north or behind a commercial center that is directly adjacent to Glades Road. Pursuant to Article 8.H, Off-Site Directional signs are permitted only for parcels that have access to, but no frontage on an arterial or collector streets. A maximum of one sign is permitted. The site was conditioned to allow an outparcel identification sign, monument style with a maximum height of 6 feet and a maximum of 20 square feet of sign face area per side. However, this sign was amended to read Off-Site Directional Sign. See Sign Condition 2.

In addition, the site currently supports 2 billboards signs that were part of the prior approvals. These signs are located within the vicinity of the northeast and the southeast property lines facing the Florida's Turnpike.

o Architectural Review

The Justification Statement indicates that the proposal is to expand the current self storage facility onto an adjacent parcel with an additional 25 covered parking spaces and 69 outdoor parking spaces. No additional buildings are being proposed at this time, only a covered parking structure. The perimeter wall and covered parking details, submitted on February 17, 2011 by National Constructors, Inc., indicate that the entire site is to be surrounded with a 12-foot high precast concrete wall with piers or columns every 20 feet on center except an area along the western property line designated as covered parking and an opening for vehicular access. The details indicate a 19-foot 4 inch high wall along the covered parking area (west property line) excluding cap and a roof section that slopes down to an opening of approximately 14 feet. Article 5.C. of the ULDC is not applicable to these structures. See Figures 9 and 10 for covered parking structure, wall, and gate details.

o Development Order Amendment – Changed Circumstances

The applicant states that the owner purchased the 4.3 acres landlocked parcel of land with the intention of expanding the adjacent existing MUPD to the south as there is a continuing demand for boats and RVs storage facilities. Many of the communities in proximity to this site are Planned Unit Developments (PUDs) that do not permit parking of boats or RVs on the property and do not have sufficient space on the PUD storage areas if any storage area is provided or is available. The applicant states there is a continuing demand for boats and RVs storage facilities as the population increases and the aging baby boomer purchase boats and RVs to utilize for their retirement years. The townhouse and condominium developments also do not have adequate storage space for these vehicles. Seasonal residents also create a need for these facilities.

The added land area is also subject to a SCA Land Use Amendment, (SCA 2010-021, Glades Road Self Storage Additional Industrial) from MR-5 to IND. The requested Land Use for the added north 4.31 acre portion of the MUPD is to the IND Land Use and on the existing south 8.85 acre portion of the site has a Commercial FLU designation causing a split land use for the overall MUPD. However, the overall approval would be reviewed as one 13.16-acre MUPD with essentially the same type of storage uses provided.

TABULAR DATA

| | EXISTING | PROPOSED |
|-----------------------------------|---|----------|
| Property Control Number(s) | 00-42-43-27-05-076-0394 00-42-43-27-05-076-0360 00-42-47-17-12-000-0000 | Same |
| Land Use | Commercial High, with an | Same |

| | | |
|---------------------------|--|--|
| Designation: | underlying MR-5 (CH/5) Medium Residential (MR-5) | |
| Zoning District: | Agricultural Residential District (AR) General Commercial District (CG) Multiple Use Planned Development District (MUPD) | Multiple Use Planned Development District (MUPD) |
| Tier: | Urban/Suburban | Same |
| Use: | Office, Business or Professional Self-Service Storage Communication Tower Off site parking | Same |
| Acreage: | 8.85 acres | 13.16 acres (+ 4.31) |
| Square Footage: | 166,360 square feet | 185,332 s.f. (+18,972 s.f.) |
| FAR: | 0.28 | 0.34 (+0.06) |
| Building Coverage: | 27.5% | 33.8% (+6.3%) |
| Parking: | 81 Regular spaces 52 Covered parking spaces 29 Outdoor storage spaces | Same 77 Covered parking spaces (+25) 98 Outdoor storage spaces (+69) |

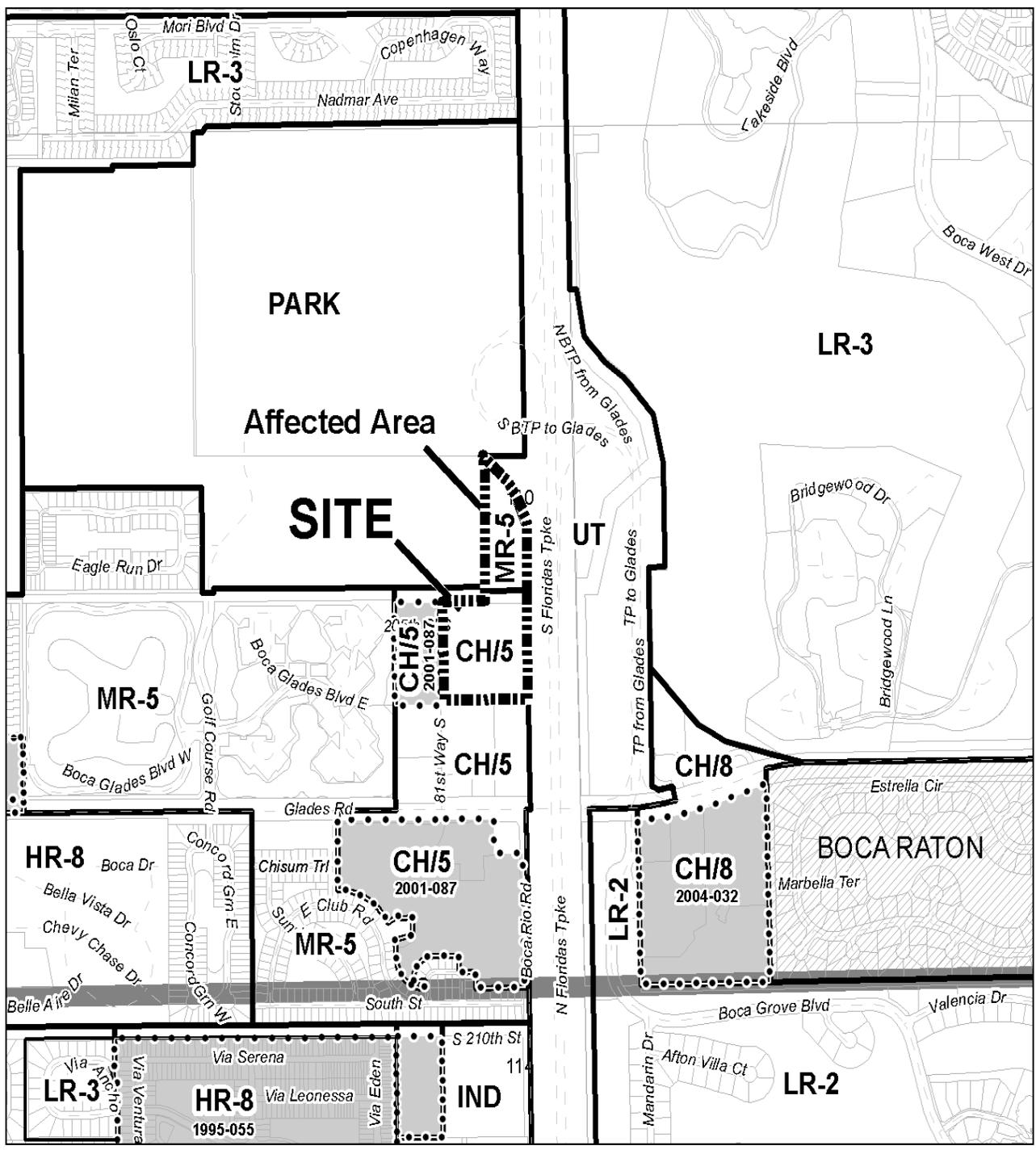
PUBLIC COMMENT SUMMARY: At the time of publication, staff had received no response from the public regarding this project.

RECOMMENDATION: Staff recommends approval of the request subject to 4 Conditions of Approval as indicated in Exhibit C-1 and 29 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment (DOA) to modify the site plan to add land area and square footage and to modify Conditions of Approval (Sign and Use Limitations) subject to Conditions of Approval as indicated in Exhibit C-2.

PALM BEACH COUNTY PLANNING DIVISION SITE LOCATION AND LAND USE



Application Number: PDD/DOA-2010-412
 Control Number: 1992-044
 Land Use Atlas Page: 110
 Date: 01/24/2011



Figure 1 Land Use Atlas Map

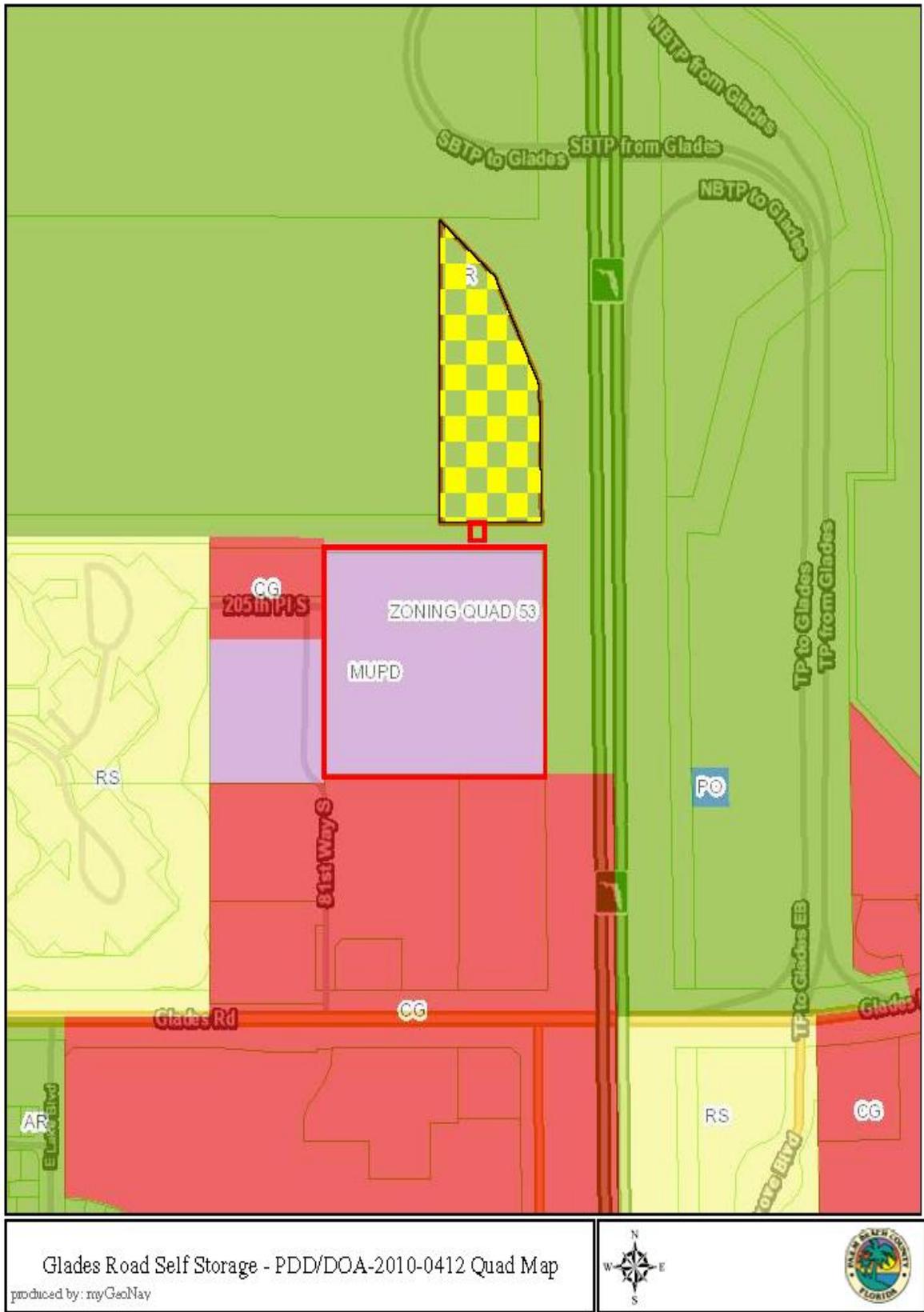


Figure 2 Zoning Quad Map

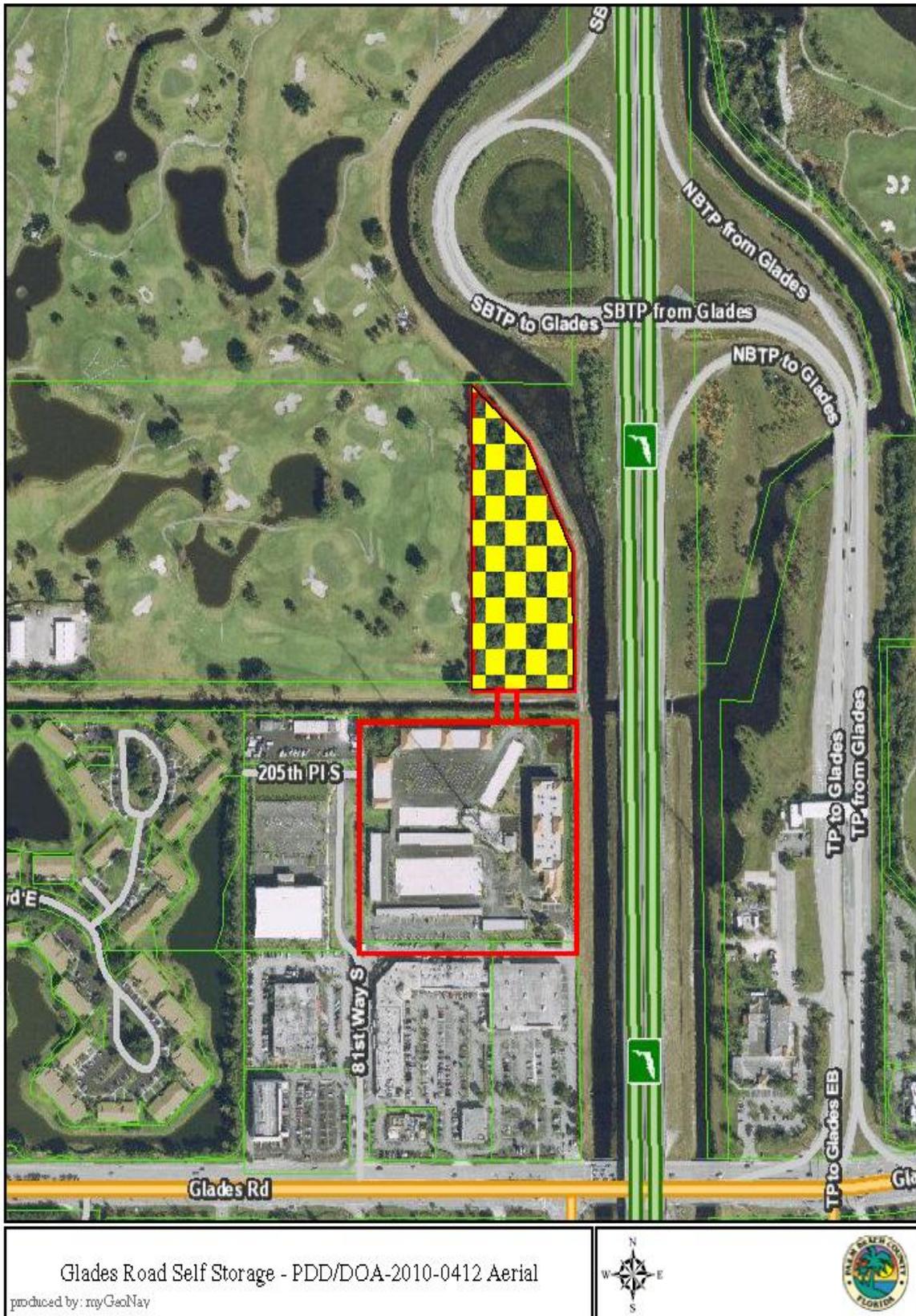


Figure 3 Aerial

| REVISIONS | | |
|-----------|------|-------------|
| NO. | DATE | DESCRIPTION |
| | | |
| | | |
| | | |

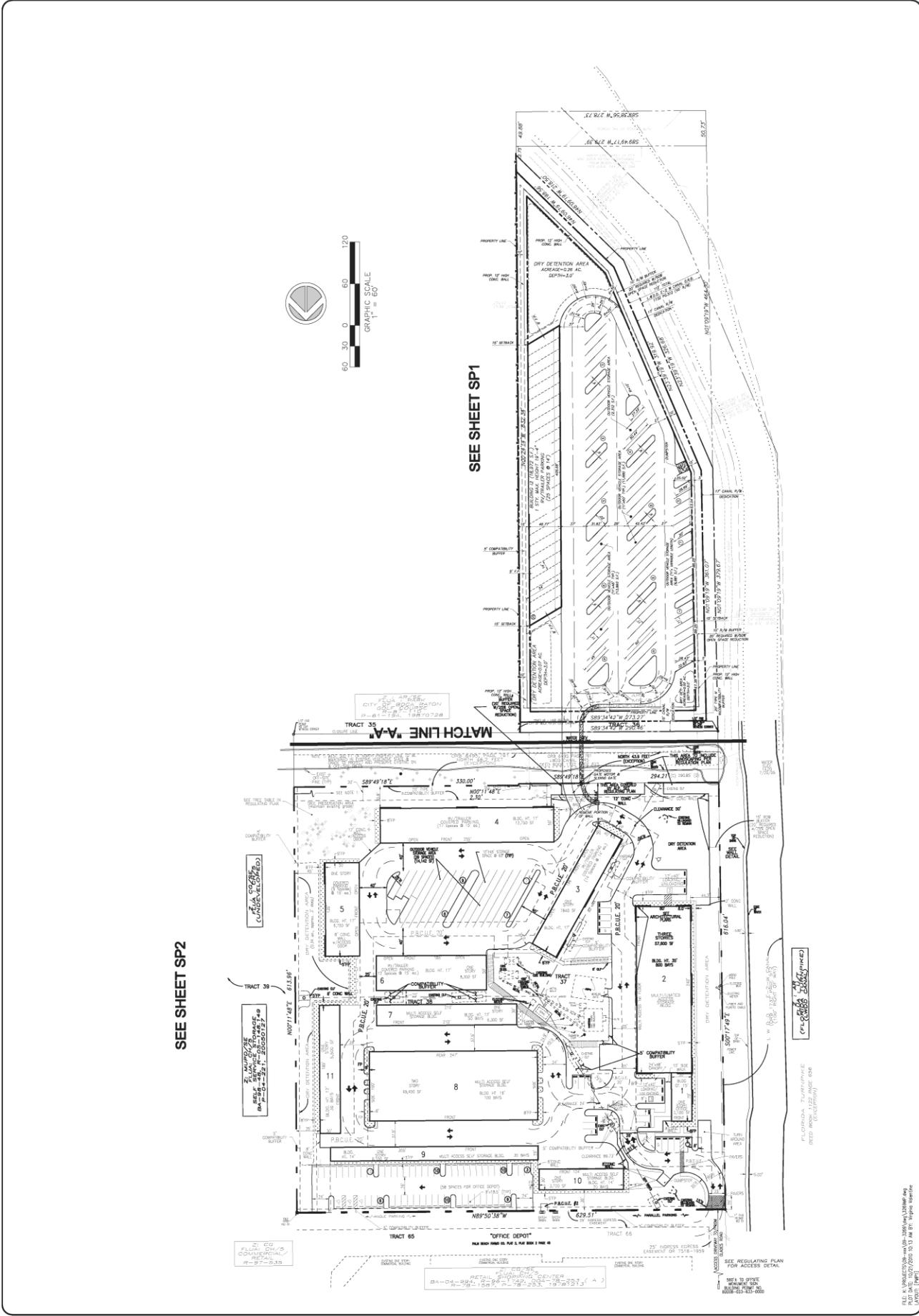


Figure 5 Preliminary Master Plan dated October 25, 2010

| | | | | |
|--------------------------|--|--|---|-----------------------------|
| REVISIONS NO. DATE BY | HENRY O. TRIMM, NCARS ARCHITECT 20555 BOCA RIO ROAD BOCA RATON, FL 33434 TEL: 561-993-4255 FAX: 561-993-4255 | NATIONAL CONSTRUCTORS INC. 1000 N. W. 10th Street Fort Lauderdale, FL 33304 TEL: 754-561-1000 FAX: 754-561-1000 | 4.41 ACRE PARCEL ADDITION BOCA RATON, FLORIDA 33434 GLADES ROAD SELF STORAGE | SHEET A-1 OF 2 |
|--------------------------|--|--|---|-----------------------------|

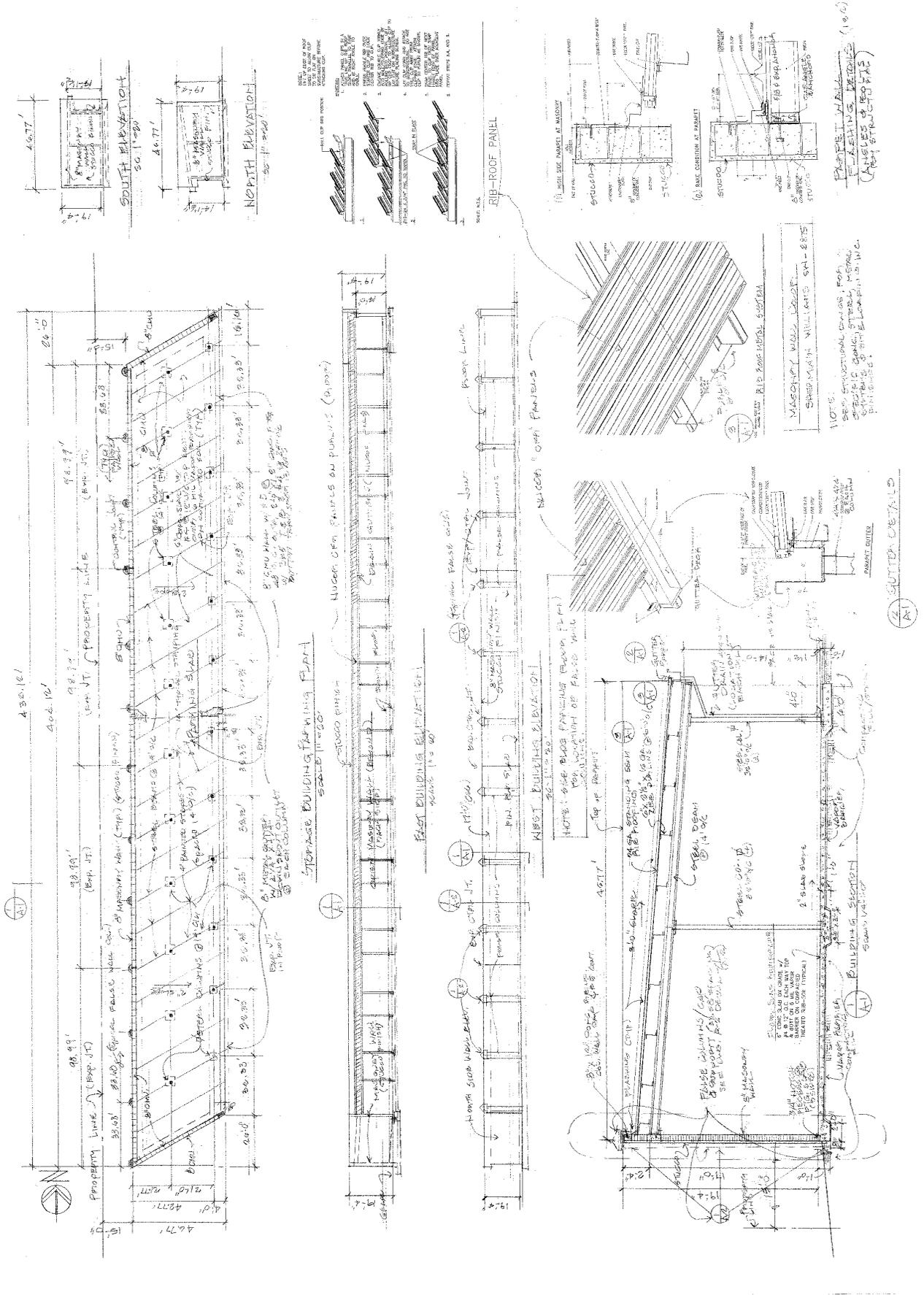
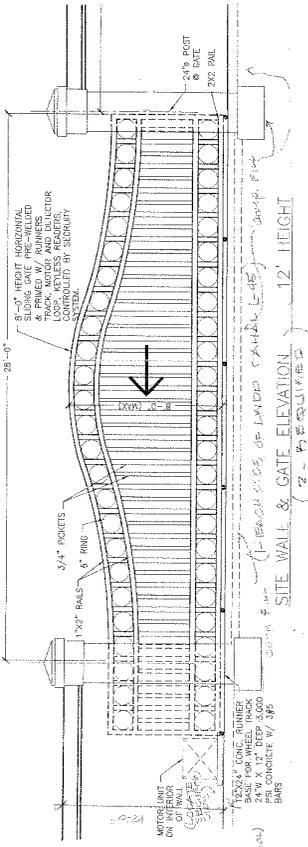
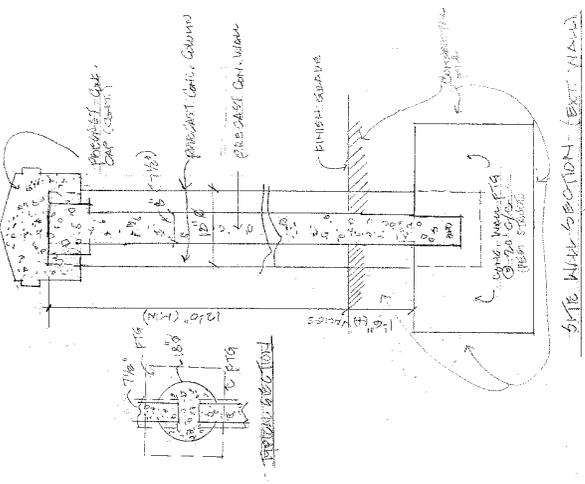
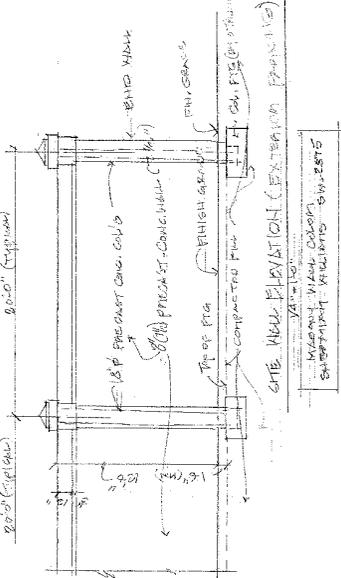
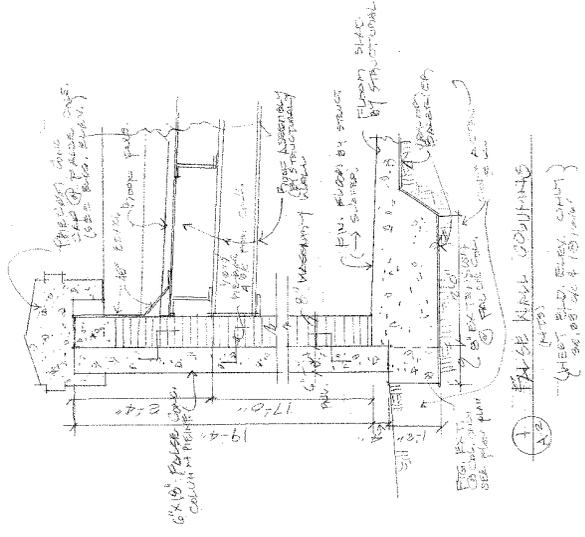


Figure 9 Preliminary Elevations of Covered Parking Structure Detail dated February 17, 2010



NOTE: -
 DURING LIFTING
 STAYS MUST BE
 POSITIONED AS SHOWN



DESIGN & PERMIT APPROVAL REQUIREMENTS
 PRE-CAST CONCRETE WALL COLUMNS SHALL BE PRE-ENGINEERED & SUBMITTED TO THE PALM BEACH COUNTY BUILDING DEPARTMENT FOR APPROVAL & PERMIT.
 PANEL WALL CONTRACTOR SHALL COORDINATE WITH GENERAL CONTRACTOR FOR FOUNDATION INTERSPACE BETWEEN THE BUILDING & COLUMN FOUNDATION AT THE WALL.
 REBAR, END PROP. TO POURING FOUNDATIONS.
 WALL FINISH SHALL BE WITH PAINTING REQUIREMENTS: SOIL & BEARING PER PRODUCT NO. 397-6538.
 WALL FOUNDATIONS ARE TO BE INTEGRATED WITH BUILDING FOUNDATIONS AT CORNERS.

SITE WALLS PAINT COLORS
 SW-SHERIDAN WILLIAMS (INTERIOR & EXTERIOR) (SEE MANUFACTURER'S SPECIFICATIONS)
 COLLARS & CAPS
 WALL PANELS
 SW-2843
 SW-2577
 SW-2578
 SLIDING DATE

Figure 10 Preliminary Wall and Gate Detail dated February 17, 2010

STAFF REVIEW AND ANALYSIS

PLANNING DIVISION COMMENTS:

FUTURE LAND USE (FLU) PLAN DESIGNATION: Current FLU is Medium Residential (MR-5).

PROPOSED FLU DESIGNATION: Industrial (IND).

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

FUTURE ANNEXATION AREAS: The subject site is not within a future annexation area of any municipality.

INTERGOVERNMENTAL COORDINATION: The subject site is within 1 mile of the City of Boca Raton.

CONSISTENCY WITH FUTURE LAND USE (FLU) PLAN DESIGNATION: The Planning Division has reviewed the request for a Planned Development District (PDD) and a Development Order Amendment (DOA) to change the Zoning District from Agricultural Residential (AR) to a Mixed Use Planned Development (MUPD), add square footage and reconfigure the overall site plan and has found the request to be consistent with the site's proposed Industrial (IND) FLU designation.

A Small Scale Amendment (SCA-2010-021), known as Glades Road Self Storage Addition Industrial, is running concurrent with the Zoning application for the land locked 4.31 acre site, to change the Future Land Use (FLU) from a Medium Residential, 5 units per acre (MR-5), to an Industrial (IND) Future land use designation. One Condition of Approval is to be carried forward with the Zoning petition which states, The subject site shall be restricted to storage use only. The Planning Commission, on May 14, 2010 recommend approval in a unanimous vote (13-0).

The proposed request of 18,972 square feet for a covered storage building on the 4.31 acre property, and would be consistent with the maximum Floor Area Ratio (FAR) of .45 allowed for a project with a IND FLU designation $4.31 \times 43,560 \times .45 = 84,484$ square feet. The request for 18,972 square feet equates to an FAR of approximately 0.1 ($4.31 \times 43,560 \times .101 = 18,962$).

SPECIAL OVERLAY DISTRICT/NEIGHBORHOOD PLAN/PLANNING STUDY AREA: The request is not located within an Overlay or Neighborhood Planning Area that is identified within the Comprehensive Plan.

FINDINGS: The request is consistent with the proposed IND future land use designation of the Palm Beach County Comprehensive Plan.

ENGINEERING COMMENTS:

REQUIRED ENGINEERING RELATED PERMITS

The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department, Permit Section, prior to the application of a Building Permit.

TRAFFIC IMPACTS

Petitioner has estimated the build-out of the project to be December 31, 2011. Total additional traffic expected from this proposed expansion is 140 trips per day, 18 trips in the PM peak hour. Additional traffic is subject to review for compliance with the Traffic Performance Standard.

There are no improvements to the roadway system required for compliance with the Traffic Performance Standards because this project has an insignificant impact on the surrounding roadway network.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)

Segment: Glades Road from Boca Rio Road to Florida's Turnpike

Existing count: 5,061

Background growth: 0

Project Trips: 40
Total Traffic: 5,101
Present laneage: 6LD
LOS "D" capacity: 4,680
Projected level of service: E

PALM BEACH COUNTY HEALTH DEPARTMENT:

No Comment.

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

VEGETATION PROTECTION: The proposed addition not developed and supports a mixture of native and prohibited exotic vegetation. Native species that cannot be incorporated into the site plan shall be mitigated on the site.

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

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

OTHER:

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

SCHOOL IMPACTS: No Comment.

PARKS AND RECREATION: No Comment.

CONCURRENCY: Concurrency has been approved for a-18,972 square foot covered parking structure, 6 existing multi-access buildings with 1,030 storage bays totaling 128,620 square feet; a-2,100 square foot accessory office and security quarters; 5 covered parking structures totaling 54,612 square feet to accommodate 77 parking spaces. The proposed development complies with ULDC Article 2.F., Concurrency (Adequate Public Facility Standards).

WATER/SEWER PROVIDER: Palm Beach County Water Utilities Department (PBCWUD).

FINDING: The proposed Zoning Map Amendment complies with Article 2.F of the ULDC, Concurrency (Adequate Public Facility Standards).

FINDINGS:

Rezoning Standards:

When considering a development order application for rezoning to a standard zoning district, the BCC and ZC shall consider standards 1-8 indicated below. In addition the standards indicated in section 2.B shall also be considered for rezoning to a standard zoning district with a conditional use, and rezoning to a PDD or TDD with or without a requested use or waiver. An amendment, which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved. Staff has reviewed the request for compliance with the standards that are expressly established by Article 2.B.1.B and provides the following assessment:

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

The rezoning request is for the added land area, 4.31 acres to the north of the site, is being submitted concurrently with a small scale land use amendment application (SCA 2010-021) proposing a FLU change from MR-3 to Industrial (IND).

Commercial High Versus Industrial FLU designation

The added land area is subject to a SCA land use amendment from MR-5 to IND. The requested land use could be CH, consistent with the parent's tract CH FLU designation; however, Planning Division indicated that based on Policy 2.2.2-a of the Comprehensive Plan, a request for Commercial High must meet the *Contiguous Locations* which states: "All new commercial future land use designations shall be contiguous to a lot(s) with a commercial future land use designation. Contiguous is defined as lot(s) that share a common border. Lots that touch point-to-point, and lots which are separated by waterways, streets, or major easements are not considered contiguous".

Planning Division determined that since the site is separated from its parent tract with a 74 foot wide canal concluded that it is not considered to be contiguous to the parent tract; and would not be able to support the request for a CH FLU designation. Planning Division recommends an Industrial FLU designation instead since IND does not have the same location criteria. Although having one land use designation is preferred and easier to monitor.

The north and south portion of the MUPD are divided by the 75 foot LWDD L-45 Canal right-of-way. The north portion should have a CH designation, to be consistent with the approved parent tract however, the Planning Division had determined that since the site is separated from the parent tract to the south by a 74 foot wide LWDD canal it could not be considered contiguous. Planning staff would not be able to support the request for a CH FLU designation and the Industrial FLU designation does not have the same location criteria.

The requested rezoning of the added land from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District is consistent with the parent tract to the south and would be reviewed as one 13.16 acre MUPD with a split Land Use of Commercial on the south existing 8.85 acre portion of the site and Industrial Land use on the north added 4.31 acre portion of the MUPD.

2. **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 added land area (4.31 acres) is zoned Agricultural Residential (AR), which is inconsistent with the approved MUPD FLU designation. The proposed MUPD Zoning District would be a compatible District with the site's IND FLU designation pending the approval of the concurrent SCA 2010-021. Therefore, the proposed zoning change from AR to MUPD would bring the site into conformance with the Comprehensive Plan and as well as in conformance with the approval of the southern portion of the site. The proposed rezoning from AR to MUPD is consistent with the stated purpose and intent of the ULDC.

Zoning Division has determined that the added area is not subject to the 5-acre requirement by referencing the following sections of the ULDC:

i) Per Art.3.E.3.C, projects that meet or exceed the square footage threshold indicated in Table 3.E.3.C, MUPD Thresholds..., may be submitted and reviewed as an MUPD, the added 4.31-acre land area may not have to come in as an MUPD, it is considered as an added portion of an existing conforming MUPD; therefore the new acreage far exceeds the MUPD acreage threshold.

ii) Under the purpose and intent of Art.3.E.3, the purpose/intent of an MUPD is to provide for the efficient use of land by the integration of multiple uses, or large single uses within a unified development. Therefore, MUPD allows some flexibility from standard PDRs, and should apply PDRs to the entire project rather than individual lots, such as access, dimensions, lot frontage and should also encourage the creation of unified image between buildings and establish linkages between land uses.

Contingent upon the approval of the land use amendment to (IND), this rezoning application from AR to

MUPD will be consistent with the Comprehensive Plan and the site's IND and CH-5 FLU designations. In addition, Planning staff has determined that the proposed request is consistent with the proposed IND FLU designation of the Comprehensive Plan. The proposed amendment is consistent with the ULDC, specifically Article 3.E, Planned Development and intent of the Code for MUPD.

3. **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 rezoning request is compatible as defined in the Code and generally consistent with the non-residential uses (shopping center, golf course, Utilities/Transportation) and character of the land surrounding and in the vicinity of the land proposed for development. Any potential impacts along the west residential Zoned parcel have been addressed by proposed landscape buffer which includes a 12-foot high wall and dry detention areas, which will provide additional separation between the proposal and the existing golf course.

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

The site is undeveloped and contains a mixture of native and prohibited exotic vegetation. The applicant states that any native trees that cannot be preserved and incorporated into the site plan shall be mitigated. There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

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

As indicated in the applicant's justification statement, the proposed amendment will result in logical, timely and orderly development patterns. The proposed rezoning will enable integration of the properties and to facilitate an amendment to the development that was previously approved for a self storage facility.

6. **Consistency with Neighborhood Plan** – *The proposed zoning district is consistent with applicable neighborhood plans in accordance with BCC policy.*

The proposal is not located within a neighborhood plan area.

7. **Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency.*

The proposed rezoning and development complies with Article 2.F, CONCURRENCY (Adequate Public Facilities).

8. **Changed Conditions or Circumstances** – *There are demonstrated changed conditions or circumstances that necessitate the amendment.*

The subject site was originally approved via R-2006-0003 for a Requested Use to allow a self storage facility. The applicant is proposing to modify the Preliminary Development Plan to add land area, add square footage and to modify conditions of approval (Signs and Use Limitations). The proposed 4.31 acres added land to the north of the existing site would allow an expansion of the existing use. The Official Zoning Map Amendment to a Planned Development District would allow the rezoning from the proposed AR Zoning District to the MUPD Zoning District for consistency with the existing parent tract.

FINDINGS:

Development Order Amendment:

When considering a development order application for a conditional or requested use, or a development order amendment, the BCC and ZC shall consider standards 1 – 9 indicated below. A

conditional or requested use or development order amendment which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved. Staff has reviewed the request for compliance with the standards that are expressly established by Article 2.B.-2.B and provides the following assessment:

1. **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.*

The proposed amendment is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.

2. **Consistency with the Code** - *The proposed use or amendment complies with all applicable standards and provisions of this Code for use, layout, function, and general development characteristics. The proposed use also complies with all applicable portions of Article 4.B, SUPPLEMENTARY USE STANDARDS.*

The proposed amendment complies with the applicable standards and provision of the Code for use, layout, function, and general development characteristics. The proposed use also complies with the applicable portions of Article 3, MUPD and Article 4.B, SUPPLEMENTARY USE STANDARDS and other section as well as other portion of the ULDC.

On February 11, 2005, the subject site received approval for a Zoning Variance (BA 2004-994) as the site has access but no frontage on an arterial or collector road. The ULDC Article 3.D.1.C., Planned Development District (PDD) Performance Standards requires minimum 200 feet of frontage along an arterial or collector roadway.

3. **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 subject site is surrounded by a golf course to the north and west, non-residential uses to the south, and a LWDD Canal which abuts the Ultimate Right of way for Florida's Turnpike overpass. The southern portion (8.85 acres) of the site has been the subject of previous approvals that were determined to be generally consistent with the uses and character of the land surrounding and in the vicinity of the site. The proposed northern added land (4.31 acres) is compatible as defined in the Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development. Any incompatibility issues beyond ULDC considerations have been addressed by Conditions of Approval.

4. **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 design of the proposed development minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands, by exceeding minimum setback requirements, and through compliance with ULDC regulations and the conditions of approval as contained herein.

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

The southern portion of the site supports an existing self storage facility, while the proposed northern portion is currently vacant and supports vegetation. The applicant stated in the Justification Statement that where possible the native trees will be incorporated into the site plan or removal of trees shall be mitigated. There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements. The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, storm water management, wildlife, vegetation, wetlands and the natural functioning of the environment.

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

The proposed amendment will result in a logical, timely and orderly development pattern. The proposed 4.31 acre added land would promote the efficient use of an isolated landlocked parcel, otherwise inaccessible and would gain access to the site through a 25-foot wide drive aisle that connects across the 73.9-foot LWDD L-45 Canal to the existing MUPD parent tract facility.

7. **Consistency with Neighborhood Plans** – *The proposed development or amendment is consistent with applicable neighborhood plans in accordance with BCC policy.*

The proposal is not located within a neighborhood plan area.

8. **Adequate Public Facilities** – *The extent to which the proposed use complies with Art. 2. F, Concurrency.*

Concurrency has been approved for 73,584 square feet of coverage vehicle storage structures and 7 multi access buildings including office for a total of 130,720 square feet for the existing and proposed facility. The proposed development complies with ULDC Article 2.F., Concurrency (Adequate Public Facility Standards).

9. **Changed Conditions or Circumstances** – *There are demonstrated changed conditions or circumstances that necessitate a modification.*

The site was originally approved on January 28, 1993 via R-1993-0168 to allow a Class A Conditional Use approval to allow a communication tower. The applicant states in the Justification Statement that the owner purchased the proposed 4.3 acres parcel of land which is landlocked, due to an abandonment of a road by the County and the acquisition of land to the east of the proposed property by the Florida Turnpike Authority which was later deeded to LWDD in anticipation of expanding the MUPD on the south the L-45 LWDD Canal. The added land area is subject to a SCA Land Use Amendment, (SCA 2010-021, known as Glades Road Self Storage Additional Industrial) to change the FLU designation from MR-5 to IND.

The proposal is to utilize the 4.3 acres landlocked parcel of land by expanding the adjacent existing MUPD to the south. The applicant states there is a continuing demand for boats and RVs storage facilities as the population increase and the aging baby boomer purchase boats and RVs to utilize for their retirement years, Many of the communities in proximity to this site are PUDs that do not permit parking of boats or RVs on the property and do not have sufficient space on the PUD storage areas if any storage area is provide or is available. The townhouse and condominium developments also do not have adequate storage space for these vehicles. Seasonal residents also create a need for these facilities.

CONDITIONS OF APPROVAL

EXHIBIT C-1

Non Residential Planned Development District

LAKE WORTH DRAINAGE DISTRICT

1. Prior to platting, approval from LWDD for Technical Compliance, or the issuance of any LWDD permits, the owner shall convey to LWDD either by warranty deed or exclusive easement deed the east 17 feet of the subjects property, lying west of and adjacent to the existing E-2W Canal Right-of-Way. PLAT: ENG-LWDD

2. Prior to platting, approval from LWDD for Technical Compliance, or the issuance of any LWDD permits, the owner shall convey to LWDD either by warranty deed or exclusive easement deed the south 15 feet of Tract 36, Block 76, for the L-45 Canal. PLAT: ENG-LWDD

COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the property owner/applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy (CO); 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 Unified Land Development Code (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 the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. (ONGOING: MONITORING - Zoning)

EXHIBIT C-2
Development Order Amendment

ALL PETITIONS

1. Previous All Petitions Condition 1 of Resolution R-2006-0002, Control No. 1992-044 which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-96-168, Petition CA92-44; R-96-1741, Petition Z92-44A; and R-97-527, Petition CR92-44/A4, have been repealed unless contained herein. (ONGOING: ZONING - Zoning)

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-93-168, Control No. 1992-044; and R-2006-0002, Control No. 1992-044, have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Previous All Petitions Condition 2 of Resolution R-2006-0002, Control No. 1992-044 which currently states:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan and regulating plan are dated September 12, 2005. 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. (ONGOING: ZONING - Zoning)

Is hereby amended to read:

The approved preliminary site plan is dated January 18, 2010. Modifications to the development order inconsistent with the conditions of approval, or changes to the uses or site design beyond the authority of the DRO as established in the ULDC, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

3. All Voluntary Commitments Conditions of Approval of Resolution Nos. R-96-1741 and R-97-527 (Control No. 92-44) for Sunshine Wireless Company shall remain in full force and effect. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for final Development Review Officer (DRO) approval, the architectural elevations for all buildings shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C. of the ULDC, and shall be generally consistent with the elevations prepared by Henry O. Trimm NCARB Architect LLC dated September 12, 2005. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW - Zoning) (Previous Architectural Review Condition No. 1 of Resolution R-2006-0002, Control No. 1992-044)

2. Design of gutters and downspouts shall be integrated into the architectural design of all storage buildings. Painting of the gutters and downspouts shall not constitute architectural integration. (DRO: ARCH REVIEW - Zoning) (Previous Architectural Review Condition No. 2 of Resolution R-2006-0002, Control No. 1992-044)

3. The minimum height of building 2 shall be thirty-five (35) feet measured from finished grade to the highest point of the building. This height shall not be inclusive of structures exempt from ULDC height restrictions including, but not limited to, ornamental towers, spires, and parapets. (DRO: ARCH

REVIEW - Zoning) (Previous Architectural Review Condition No. 3 of Resolution R-2006-0002, Control No. 1992-044)

ENGINEERING

1. Previous Condition E1 of Resolution R-2006-002, Control No. 1992-044, which currently states:

In order to comply with the mandatory Traffic Performance Standards, the property owner shall be restricted to the following phasing schedule:

No building permits for the site may be issued after January 2, 2007. 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 Article 2 Section E of the Unified Land Development Code. (DATE: MONITORING - ENG)

Is hereby amended to read:

In order to comply with the mandatory Traffic Performance Standards, the property owner shall be restricted to the following phasing schedule:

No building permits for the site may be issued after December 31, 2011. 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 Article 2 Section E of the Unified Land Development Code. (DATE: MONITORING - ENG)

2. Prior to issuance of the first building permit for the northern parcel or April 28, 2012, whichever shall occur first, the parcel must be legally created and added to the existing MUPD parcel in accordance with Article 11. (BLDG PERMIT: MONITORING - Eng)

3. Prior to final site plan approval by the DRO, the property owner shall:

- i. Provide a recorded ingress and egress easement confirming the northern parcel's ability to gain access to Glades Road for the use shown; and
- ii. Provide written approval from LWDD for a crossing over the canal to the northern parcel. (DRO: ENGINEERING - Eng)

ENVIRONMENTAL

1. All existing native vegetation, including understory, depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation have been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. No grade changes, or the toe of proposed grade changes, shall occur within the dripline of existing native vegetation depicted to remain. (ONGOING: ERM - Erm) (Previous Condition No ERM-1 of Resolution No. 2006-0002, Control No. 1992-044)

HEALTH

1. Previous Condition Health No. 1 of Resolution R-2006-002; Control No. 1992-044 which currently states:

Property owners and operators of facilities generating industrial, hazardous, or toxic waste shall not deposit or cause to be deposited any such waste into the sanitary sewer system unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection (FDEP), the Palm Beach County Health Department and the agency responsible for sewage works are provided and used. (ONGOING: CODE ENF -Health)

Is hereby deleted: [Reason: No Longer Applicable]

LANDSCAPE - GENERAL-STANDARD

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with the

conditions of approval as contained herein. (BLDG PERMIT: LANDSCAPE - Zoning) (Previous Landscape - Standard Condition No. 1 of Resolution R-2006-0002, Control No. 1992-044)

2. A minimum of sixty (60) percent of all trees to be planted in the landscape buffers shall meet the following minimum standards at installation:

- a. tree height: Fourteen (14) feet;
- b. trunk diameter: 3.5 inches measured at 4.5 feet above grade;
- c. 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 3.5 feet in length; and,
- d. credit may be given for existing or relocated trees provided they meet ULDC requirements. (BLDG PERMIT: LANDSCAPE - Zoning) (Previous Landscape - Standard Condition No. 2 of Resolution R-2006-0002, Control No. 1992-044)

3. 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) (Previous Landscape - Standard Condition No. 3 of Resolution R-2006-0002, Control No. 1992-044)

4. A group of three (3) or more palms may not supersede the requirement for a canopy tree in that location, unless specified herein. (BLDG PERMIT: LANDSCAPE - Zoning) (Previous Landscape - Standard Condition No. 4 of Resolution R-2006-0002, Control No. 1992-044)

5. Field adjustment of berm, wall, and plant material locations may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings and existing vegetation. (BLDG PERMIT: LANDSCAPE - Zoning) (Previous Landscape - Standard Condition No. 5 of Resolution R-2006-0002, Control No. 1992-044)

LANDSCAPE - GENERAL-LANDSCAPING-SOUTH, EAST AND WEST PROPERTY LINES (ABUTTING FLORIDA'S TURNPIKE AND COMMERCIAL PROPERTIES)

6. In addition to code requirements, the landscape buffers along the south, east and west property lines shall be upgraded to include a minimum of one (1) palm or pine tree for each thirty (30) linear feet of the property line. (BLDG PERMIT: LANDSCAPE - Zoning) (Previous Landscape Condition No. 1 of Resolution R-2006-0002, Control No. 1992-044)

LIGHTING

1. All outdoor, freestanding lighting fixtures shall not exceed twenty (20) feet in height measured from finished grade to highest point. (BLDG PERMIT: BLDG - Zoning) (Previous Lighting Condition No. 1 of Resolution R-2006-0002, Control No. 1992-044)

2. All outdoor lighting shall be extinguished no later than one half (1/2) hour after operating hours, excluding security lighting only. (ONGOING: CODE ENF - Zoning) (Previous Lighting Condition No. 2 of Resolution R-2006-0002, Control No. 1992-044)

3. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF - Zoning) (Previous Lighting Condition No. 3 of Resolution R-2006-0002, Control No. 1992-044)

PLANNING

1. The subject site shall be restricted to storage use only. (ONGOING-PLANNING-Planning)

PROPERTY & REAL ESTATE MANAGEMENT

1. Palm Beach County or the State of Florida shall have the right to co-locate communication equipment on the tower subject to an acceptable lease agreement provided that the placement of the

equipment does not interfere with the petitioner's equipment or operations. (Previous PREM Condition 1 of Resolution R-2006-002, Petition 92-44A) (ONGOING: PREM - PREM)

SIGNS

1. No freestanding point of purchase sign shall be permitted on the property. (BLDG PERMIT: BLDG – Zoning (Previous Sign Condition No. 1 of Resolution R-2006-0002, Control No. 1992-044)

2. Previous Sign Condition No. 2 of Resolution R-2006-0002, Control No. 1992-044 which currently states:

Outparcel identification signage 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 - twenty (20) square feet;
- c. maximum number of signs - one (1) for the entire site, unless off-site signage is provided, in which case no outparcel identification sign shall be permitted;
- d. style - monument style only;
- e. location - within twenty (20) feet of the west boundary of the access drive measured from edge of pavement, and within twenty-five (25) feet of the south property line; and,
- f. content - identification of tenant and logo only. (BLDG PERMIT: BLDG - Zoning)

Is hereby amended to read:

Off-Site Directional Sign 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 - twenty (20) square feet;
- c. maximum number of signs - one (1) for the entire site, unless off-site signage is provided, in which case no outparcel identification sign shall be permitted;
- d. style - monument style only;
- e. location - within twenty (20) feet of the west boundary of the access drive measured from edge of pavement, and within twenty-five (25) feet of the south property line; and,
- f. content - identification of tenant and logo only. (BLDG PERMIT: BLDG - Zoning)

3. Sign Condition No. 3 of Resolution R-2006-0002, Control No. 1992-044 which currently states:

Wall signs shall be limited as follows:

- a. location - south facade of building 2 only;
- b. minimum vertical separation from roof line - twelve (12) feet;
- c. maximum lettering size - thirty-six (36) inches, subject to compliance with ULDC regulations; and,
- d. content - identification of tenant only. (BLDG PERMIT: BLDG - Zoning)

Is hereby deleted: [Reason: Code Requirements]

4. Sign Condition No. 4 of Resolution R-2006-0002, Control No. 1992-044 which currently states:

Building mounted signs shall be prohibited on the east facade of building 2, unless required by law. (BLDG PERMIT: BLDG - Zoning)

Is hereby deleted: [Reason: Code Requirements]

USE LIMITATIONS

1. Hours of business operation, including deliveries and loading, shall be limited to 7:00 a.m. to 9:00 p.m. Monday through Saturday, and 8:00 a.m. to 6:00 p.m. Sunday. (ONGOING: CODE ENF - Zoning) (Previous Use Limitations Condition No. 1 of Resolution R-2006-0002, Control No. 1992-044)

2. Overnight storage or parking of delivery vehicles/trucks or outside vendors shall not be permitted on the property. (ONGOING: CODE ENF - Zoning) (Previous Use Limitations Condition No. 2 of Resolution R-2006-0002, Control No. 1992-044)

3. Outdoor retail business activities shall not be allowed on the property, excluding deliveries only. (ONGOING: CODE ENF - Zoning) (Previous Use Limitations Condition No. 3 of Resolution R-2006-0002, Control No. 1992-044)

UTILITIES

1. If any relocations/modifications to the County's existing facilities are required that are a direct or indirect result of the development, the developer/property owner shall pay for the complete design and construction costs associated with these relocations/modifications. (ONGOING : PBCWUD - PBCWUD) (Previous Utilities Condition 1 of Resolution R-2006-0002, Control 1992-044)

COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the property owner/applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy (CO); 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 Unified Land Development Code (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 the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. (ONGOING: MONITORING - Zoning)

Print Form

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
John P. Hill, Jr., hereinafter referred to as "Affiant,"
who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [] Manager
*[position—e.g., president, partner, trustee] of Sunshine Wireless Co. of Maryland [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: 777 S. Wadsworth Blvd., Suite 4-280
Lakewood, CO 80226

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.

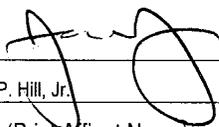
4. Affiant acknowledges that this Affidavit is given to comply with Palm
Beach County policy, and will be relied upon by Palm Beach County in its review of
Applicant's application for Comprehensive Plan amendment or Development Order
approval. Affiant further acknowledges that he or she is authorized 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.

FURTHER AFFIANT SAYETH NAUGHT.

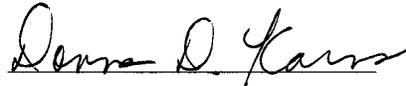


John P. Hill, Jr., Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 22nd day of January 2011, by John P. Hill, Jr. _____, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Notary Public



(Print Notary Name)

NOTARY PUBLIC

State of ~~Florida~~ Colorado at Large

My Commission Expires: 6/20/2012

EXHIBIT "A"
PROPERTY

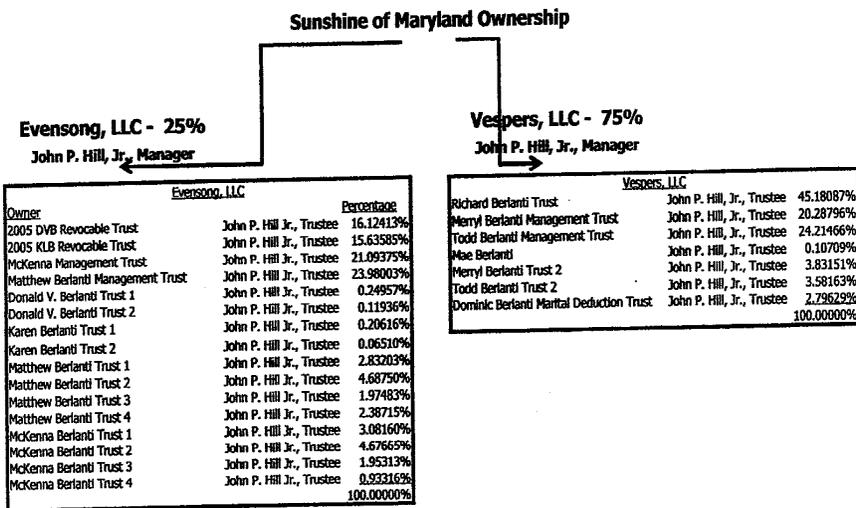
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Glades Road Storage Plat MUPD all of Plat

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.



The address for both LLCs and all the trusts is:

777 S Wadsworth Blvd.
 Suite 4-280
 Lakewood, CO 80226

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 David Howell, 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 Managing Partner Glades Road Self Storage LLC [position—e.g., president, partner, trustee] of Glades Road Self Storage 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: 12002 Miramar Parkway - Miramar, FL 33025

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.

FURTHER AFFIANT SAYETH NAUGHT.



David Howell _____, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 23 day of November, 2009, by David Howell, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Notary Public

Evelyn Sason

(Print Notary Name)
NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 11/27/09

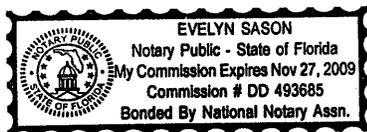


EXHIBIT "A"
PROPERTY

That portion of Tract 36 Block 76, the Palm Beach Farms Co. Plat No. 3, according to the Plat thereof, as recorded in Plat Book 2, Pages 45 through 54, inclusive, of the Public Records of Palm Beach County, Florida, lying West of that portion of Tract 36 conveyed to the Florida State Turnpike Authority by Order of Taking recorded in the Minutes Circuit Court Book 68, at page 209 and by the results of the Eminent Domain Proceedings reference in that Notice of Lis Pendens recorded in Official Records Book 544, at page 293 all of the Public Records of Palm Beach County, Florida.

