PALM BEACH COUNTY PLANNING, ZONING AND BUILDING DEPARTMENT ZONING DIVISION

Application No.: DOA-2013-01334	
Application Name: Boca Pointe Y-2	
Control No.: 1973-00085	
Applicant: Boca Pointe Country Club Inc	
Owners: Boca Pointe Country Club Inc	
Agent: Land Design South, Inc Lindsay S Li	bes
Telephone No.: (561) 537-4542	
Project Manager: Autumn Sorrow, Senior Site Planner	

TITLE: a Development Order Amendment Request REQUEST: to modify the Master Plan, redesignate land area, and add units.

APPLICATION SUMMARY: Proposed is a Development Order Amendment to reconfigure the Master Plan for the Boca Pointe Planned Unit Development (PUD). Boca Pointe PUD was originally approved by the Board of County Commissioners (BCC) on June 28, 1973 which rezoned the site from the Agricultural Zoning District to the Residential Single Family Zoning District with a Special Exception to a allow a PUD. The Boca Pointe Master Plan was last approved by the BCC on January 4,2007 to allow the re-designation of residential to civic land to create 2 pods (Pod D1 and Pod D2), add two access points to newly created Pod D2, and modify conditions of approval (Environmental and Health).

The applicant is requesting to modify the Master Plan to re-designate an existing Recreation Pod (Y2) to allow residential use for a total of 100 mulit-family dwelling units with 0.79-acre of recreation use and a 0.2-acre neighborhood park. One access point from Via De Sonrisa Del Norte will be provided.

Location:	On the east side of Powerline Road and SW 18th Street (Boca Pointe Y-2)	
Property Control Number(s)	00-42-47-27-35-025-0020	
Existing Land Use Designation:	Medium Residential (MR-5)	
Proposed Land Use Designation:	No change proposed	
Existing Zoning District:	Single-Family Residential District (RS) with a Special Exception for Planned Unit Development (PUD)	
Proposed Zoning District:	No change proposed	
Acreage:	Overall Acreage: 1,019.02 Affected Acreage:14.08 acres	
Tier:	Urban Suburban	
Overlay District:	N/A	
Neighborhood Plan:	N/A	
CCRT Area:	N/A	
Municipalities within 1 Mile	N/A	
Future Annexation Area	Boca Raton	

SITE DATA:

RECOMMENDATION: Staff recommends approval of the request subject to 11 Conditions of Approval as indicated in Exhibit C.

ACTION BY THE ZONING COMMISSION: September 16, 2013: The Zoning Commission recommended approval of the request carried by a vote of 7-0.

PUBLIC COMMENT SUMMARY: At the time of publication, staff had received 64 contacts from the public regarding this project; 25 in support and 39 in opposition. The main reasons listed for opposition were: preference of 35 Zero-lot-line homes, changed views, property values decreased, no

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privacy, noise, construction traffic, no advantages to existing residents, loss of recreation area, strained sewage system, removal of large mature trees, inconvenience to new location of fitness center, new homes are not needed, crime, construction debris, and a reduction in open space. In addition, the Boca Del Mar Improvement Association, an adjacent development association to Boca Pointe, indicated concerns about increased traffic and the County changing Master Plans to re-designate recreational space to residential and the long term overall impact this practice will have on the quality of life of the BDMIA members and the County.

PROJECT HISTORY:

Application No.	Resolution and Request	Approval Date
Petition 1973-085	Resolution R-73-380 approved a Rezoning from the Agricultural District to the Residential Single Family District and a Special Exception to allow a Planned Unit Development.	July 17, 1973
Petition 1973-085 (A)	Resolution R-83-1032 approved a Special Exception to amend the Master Plan, by relocation of open spaces, addition of dwelling units and deletion of dwelling units (overall reduction of 202 units) and addition of a guard gate at the north end of Via De Sonrisa Del Norte.	September 13, 1983
Petition 1973-085 (B)	Resolution R-89-1153 approved a Special Exception to amend the Master Plan to change the designation of Tract R from civic to residential, increase the density and permit 35 Category A dwelling units.	June 13, 1989
Petition 1973-085 (C)	Resolution R-89-1154 approved an amendment to the Master Plan to permit a Nursing Home (60 beds max) and a Type III CLF (616 beds max).	June 13, 1989
Petition 1973-085 (D)	Resolution R-90-516 approved a Modification of Commission requirements (aka Conditions of Approvals) for Condition 3 (Civic contribution).	March 27, 1990
Petition 1973-085 (E)	Resolution R-91-237 approved Modification of Commission requirements (aka Conditions of Approvals) for Condition 14 (walls and berms).	February 26, 1991
DOA2006-1371	Resolution R-2007-004 approved an amendment to the Master Plan to re-designate a portion of Pod D land use (residential to civic), add two access points to newly created Pod D2, and modify conditions of approval (Environmental and Health).	January 4, 2007

SURROUNDING LAND USES:

NORTH:

FLU Designation: Medium Residential (MR-5) Zoning District: Residential Single Family/Special Exception for a PUD (RS/SE) Supporting: Multi-family Residential (Tract A, Villa Sonesta at Boca Pointe Control No 1973-00085)

SOUTH:

FLU Designation: Medium Residential (MR-5) Zoning District: Residential Single Family/Special Exception for a PUD (RS/SE) Supporting: Multi-family Residential (The Plum at Boca Pointe Control No 1973-00085)

EAST:

FLU Designation: Medium Residential (MR-5) Zoning District: Residential Single Family/Special Exception for a PUD (RS/SE) Supporting: Single-family Residential (Villa Flora at Boca Pointe (Control No 1973-00085)

WEST:

FLU Designation: Medium Residential (MR-5) Zoning District: Residential Single Family/Special Exception for a PUD (RS/SE) Supporting: Water Management Tract (Boca Pointe Control No 1973-00085)

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FINDINGS:

Development Order Amendments:

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 – 8 listed in Article 2.B.2.B. of the ULDC. The Standards and Staff Analyses are 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.

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.

Density: Boca Pointe PUD was approved in 1973 as a Planned Unit Development for a total of 4,066 units. Currently, the request for 100 units is less than the available standard density for the entire Boca Pointe PUD (1,019 acres, 4,700 units) and is less than the maximum dwelling unit potential for the entire Boca Pointe PUD (6,031 units).

Maximum density for Boca Point PUD:

Standard Density: MR-5 (2,828) + HR-8 (1,872) = 4,700 units total With PUD Density: MR-5 (707) + HR-8 (624) = 1,331 units total Total Dwelling unit potential = 6,031 units total

Total previously approved and vested units = 4,066 units total Total unutilized dwelling unit potential = 1,965 units total remaining

FINDINGS: The request is consistent with the site's Land Use designations and the Palm Beach County Comprehensive Plan.

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 applicant is proposing to re-designate Pod Y2 of the Boca Pointe PUD from recreation to residential in order to redevelop the parcel with 100 multi-family residential units. The Pod is developed with a fitness center, pool and tennis courts. The proposed amendment complies with all applicable standards and provisions of the Unified Land Development Code (ULDC) for use, layout, function, and general development characteristics. The development is approved as a PUD and the request is in conformance with requirements for a PUD, as further outlined below:

• Conversion of Recreation to Residential:

When Boca Pointe PUD was first approved in 1973, the Code did not have specific recreational requirements; however,, there was an open space requirement to provide a minimum of 35% of the gross area of the PUD. Since the applicant is proposing a reduction in recreation, the entire PUD is affected and must comply with the current code in terms of recreation. The current ULDC recreational requirement is based on 0.006 acre per unit. Boca Pointe currently has 4,066 dwelling units and as such the recreational requirement is 24.39-acres. The applicant is proposing to add 100 multi-family units, bringing the total dwelling units to 4,166, which requires 24.99 (25) acres of recreation. The Parks Department has confirmed that the PUD is meeting the required recreation with the proposed conversion of Parcel Y-2 from recreation to residential. A total of 36.39 acres is proposed. The applicant is proposing 0.20-acre of Neighborhood Park; and 0.79-acre tract of recreation whereas the code requires 0.58-acre. The applicant has included a swimming pool and bath house, a park with benches and shade trees, and open fields for the future residents.

The existing fitness center will be relocated and rebuilt on the approximately 19.96 clubhouse parcel, at the west end of the PUD. The relocation and redevelopment of the fitness center on the clubhouse site will provide for a more convenient, easily accessible and compact recreation area for the residents of Boca Pointe. Pod Y2 is currently owned by Boca Pointe Country Club, Inc., a not-for-profit corporation.

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Although not a code requirement, the applicant states in their justification statement that "The Boca Pointe Community Association noticed all members within the PUD via mail on March 26, 2013. A meeting was held on May 10, 2013; at this meeting, approximately 85% of the members voted in favor of the conversion of Pod Y2 from recreation to residential and relocation of the fitness center to the clubhouse parcel."

• Property Development Regulations (PDRs):

The applicant is proposing multi-family units and is therefore subject to the PDRs of the Residential Medium (RM) Zoning District. The project has been designed to meet the required frontage, depth, building coverage, and the front, rear, and side setbacks.

• Exemplary Design:

Article 3.E.2.A.4 of the ULDC states the objective of a Planned Development District (PDD) is to encourage ingenuity, imagination and design efforts on the part of the builders, architects, site planners and developers, to produce development that is in keeping with overall land use intensity and open space objectives of the ULDC and the Comprehensive Plan, while departing from the strict application of the dimensional standard of the traditional districts. With this petition the applicant is requesting an amendment to the Boca Pointe Master Plan and exemplary design is required in the affected area. The proposed site plan and commitments made within the applicant's Justification Statement submitted during the review process provide the following features to achieve the following PUD exemplary design objectives:

- 1) The recreation area provided 0.79 acre which exceeds the minimum requirement of 0.58 acres.
- 2) The plan proposes 0.20 acres of neighborhood parks.
- 3) Decorative paving is provided not only at the project entrance but on all the garage/driveway aprons for each individual multi-family unit.
- 4) The neighborhood park includes interconnected sidewalk systems as well as benches and canopy trees.

• Workforce Housing (WFH):

The project is subject to the WHP as it is proposing 10 or more dwelling units. The project is using Limited Incentive Program which is available to projects requesting a bonus density below 50%; the applicant is requesting a 0% density bonus. The percentage of WHP units required is 2.5% of standard density, 8% of PUD density and 17% of WHP density bonus.

The PUD has 2 Future Land Use designations within the PUD, MR-5 and HR-8. The Planning Division has identified that there are 656 standard density units remaining in within the PUD. Pod Y2 is requesting 100 multi-family units. Based on this information, the development proposal would only be subject to the 2.5% standard density, which equates to 3 required workforce housing units. The applicant has not determined the final disposition of the workforce housing. As a Condition of Approval, the applicant will have to provide staff with the details of the disposition of the WFH, prior to Final approval by the Development Review Officer.

• Parking:

The applicant is proposing: 2-car garages for each individual multi-family unit to satisfy the required parking spaces (200 parking spaces); 31 guest parking spaces distributed throughout the development; and 2 handicap parking spaces.

• Landscape/Buffering:

The applicant is proposing the required 5-foot Compatibility buffers along the north, south, and west property lines; the required 15-foot Right-of-Way buffer along the east property line abutting Via De Sonrisa Del Norte; and the 15-foot Incompatibility buffer between the recreation area and the residential units.

o Signs:

The applicant is proposing to have one pair of entrance signs at both the north and south entrance points from Via De Sonrisa Del Norte. Proposed signage is consistent with ULDC Table 8.G.2.C, Entrance Sign Standards, with a maximum height of 8-feet and 60 square feet of sign face area. Staff has no objections to the requested signage.

The proposed modification to re-configure the Master Plan to re-designate land uses to allow 100 multi-family dwelling units within Pod Y2, a 14.08-acre parcel, is in compliance with the requirements for a PUD.

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 proposed request to modify the Master Plan to re-designate Pod Y2 from the current designation of recreation to residential and to add 100 multi-family dwelling units is compatible with the surrounding area. Pod Y2 is bordered by the Lake Worth Drainage District (LWDD) lateral canals along all property lines, and further bordered by Via De Sonrisa Del Norte (an 80-foot right-of-way) along the north and east. Beyond the LWDD canals and right-of-way, the site is surrounded by a combination of single-family and multi-family dwelling units within the PUD. Subject to Conditions of Approval as indicated in Exhibit C, staff anticipates no adverse impacts to the surrounding properties from the request.

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 proposed amendment to re-designate the Pod from recreation to residential and to add 100 multi-family dwelling units minimizes adverse effects, including visual impacts and intensity of the proposed use on adjacent lands through the existing and proposed conditions of approval and the Code. The applicant has designed the site to feature 100 multi-family dwelling units in 19 buildings. The site is surrounded by LWDD lateral canals along all property lines, and beyond by multi-family and single-family dwelling units. Staff does not anticipate any adverse impacts to the adjacent properties

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.

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

VEGETATION PROTECTION: The property is an existing Private Recreation facility and does not support significant amounts of native vegetation.

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.

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

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

The amendment is consistent with the existing development pattern already established as it is proposing multi-family units by converting the existing recreation to residential. The applicant states that the existing fitness center will be relocated and rebuilt on the +/- 19.96 clubhouse parcel, at the west end of the PUD. The relocation and redevelopment of the fitness center on the clubhouse site will provide for a more convenient, easily accessible and compact recreation area for the residents of Boca Pointe. The subject site is internal to the Boca Pointe PUD and is surrounded by a combination of single-family and multi-family residential units.

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

ENGINEERING COMMENTS:

The Property Owner shall combine the property into a single lot of record in accordance with provisions of Article 11 of the Unified Land Development Code.

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.

SCHOOL IMPACTS:

In accordance with adopted school concurrency, a Concurrency Determination for 100 multi-family units had been approved on June 19, 2013 (Concurrency Case #13052401C). The subject property is located within Concurrency Service Area 21 (SAC 341B).

This project is estimated to generate approximately eighteen (18) public school students. The schools currently serving this project area are: Verde Elementary School, Boca Raton Community Middle School, and Boca Raton Community High School.

The Preliminary Site Plan (dated 7/11/13) shows a 10' by 15' school bus shelter location. A bus shelter condition of approval has been applied to this request.

PARKS AND RECREATION:

Based on the proposed 100 dwelling units 0.60 acres of on site recreation is required. The Preliminary Site Plan submitted indicates there will be 0.79 acres of recreation provided, therefore, the Parks and Recreation Department standards have been addressed.

Boca Pointe was developed adhering to the 1972 code for PUDs. Boca Pointe's recreational acreage and amenities exceeded the 1972 code requirements, resulting in excess recreational capacity. The current ULDC recreational requirement is based on 0.006 acre per unit. Boca Pointe currently has 4,066 dwelling units and as such the recreational requirement is 24.39-acres. The applicant is proposing to add 100 multi-family units, bringing the total dwelling units to 4,166, which requires 24.99 (25) acres of recreation. The Parks Department has confirmed that the PUD is meeting the required recreation with the proposed conversion of Parcel Y-2 from recreation to residential. A total of 36.39 acres is proposed. The removal of Y-2's recreational amenities and acreage does not cause Boca Pointe to fall below the 1972 minimum or the current Code requirements.

FIRE/HEALTH/PALM TRAN:

No Staff Review Analysis

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

The applicant states that since the time of the previous approval, it has been determined that the PUD would benefit from the relocation of the fitness center, and subsequent redevelopment of the parcel as residential units. The fitness center will be relocated and rebuilt on the +/- 19.96 clubhouse parcel, at the west end of the PUD. The relocation and redevelopment of the fitness center on the clubhouse site will provide for a more convenient, easily accessible and compact recreation area for the residents of Boca Pointe. Pod Y2 is currently owned by Boca Pointe Country Club, Inc., a not-for-profit corporation and is an equity membership, where you have to be a member to use the facility. The clubhouse and fitness center facilities and golf course within Boca Pointe are available to members. Residents are not required to be members of the Club to reside in the development.

CONCLUSION:

Staff has evaluated the standards listed under Article 2.B.2.B 1-8 and determined that there is a balance between the need of change and the potential impacts generated by this change; therefore, staff is recommending approval of the DOA request. Staff has also determined that any of the potential impact and incompatibility issues will be adequately addressed subject to the recommended conditions of approval as indicated in Exhibit C.

CONDITIONS OF APPROVAL

EXHIBIT C Development Order Amendment

ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolutions R-73-380 (Control 1973-085), R-83-1032 (Control 1973-085A), R-89-1153(Control 1973-085B), R-89-1154(Control 1973-085C), R-90-516(Control 1973-085D), R-91-237(Control 1973-085E), and R-2007-0004 (Control 1973-085), shall remain in effect, unless expressly modified 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. The conditions of approval as contained herein shall apply to Pod Y-2 only (the Affected area of Application DOA2013-1334), unless expressly stated. The approved Preliminary Master Plan is dated July 25, 2013 and the Preliminary Site and Regulating Plans are dated July 12, 2013. Modifications to the Development Order inconsistent with the conditions of approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the ULDC, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ENGINEERING

1. Prior to issuance of the first building permit, the Property Owner shall combine the property into a single lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDG PERMIT: MONITORING-Eng)

LANDSCAPE - GENERAL

1. Prior to final approval by the Development Review Officer (DRO), the Property Owner shall submit a set of landscape plans, which include the tree mitigation and relocation plan for review and approval by the Landscape Section. (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: sixteen (16) feet clear trunk;

b. clusters: staggered heights ranging from sixteen (16) to twenty two (22) feet. Palm clusters to be planted in groups of five (5); and,

c. credit may be given for existing or relocated palms provided they meet current ULDC requirements. (DRO: LANDSCAPE - Zoning)

3. Field adjustment of wall, fence, 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. (DRO: LANDSCAPE - Zoning)

SCHOOL BOARD

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

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

School age children may not be assigned to the public school closest to their residences. School Board policies regarding levels of service or other boundary policy decisions affect school boundaries. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD- School Board)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

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

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or

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

c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or d. Referral to Code Enforcement; and/or

e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

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



Figure 2 Zoning Quad Map







Figure 5 Preliminary Master Plan page 2 dated July 22, 2013



ВОСА РОІИТЕ РUD РАЕLІМІИАRY MASTER PLAN РАЦИ ВЕАСН СОUNTY, FLORIDA











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Figure 9 Preliminary Site Plan Pod Y2 dated July 11, 2013



Figure 10 Preliminary Regulating Plan Pod Y2 dated July 11, 2013



	DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY
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[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

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

STATE OF FLORIDA COUNTY OF PALM BEACH

PALM BEACH COUNTY - ZONING DIVISION

BEFORE ME, the undersigned authority, this day personally appeared <u>Tom Fenilor</u>, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1	entity - e.g., ABC Con interest in real property The Property is the sub	ridual or [] Charman - Bood of stee] of Boca Pointe Country Club Inc. poration, XYZ Limited Partnership] that I legally described on the attached Exhibit oject of an application for Comprehensi proval with Palm Beach County.	_ [name and type of at holds an ownership bit "A" (the "Property").
2	Affiant's address is:	7144 Boca Pointe Crive	
		Boca Raton, FL 33433	
3	every person or entity Disclosure does not registered with the Fed	thibit "B" is a complete listing of the na y having a five percent or greater in apply to an individual's or entity's deral Securities Exchange Commission a Statutes, whose interest is for sale to t	terest in the Property. interest in any entity or registered pursuant
4	policy, and will be relie Comprehensive Plan Property. Affiant furthe Disclosure of Ownersh	that this Affidavit is given to comply wi ed upon by Palm Beach County in its re amendment or Development Order er acknowledges that he or she is aut hip Interests on behalf of any and all or greater interest in the Property.	eview of application for approval affecting the horized to execute this
5	reflect any changes to	edges that he or she shall by affidavit a ownership interests in the Property the aring on the application for Comprehe approval.	at may occur before the
6	the manufacture of the second s	hat Affiant is familiar with the nature c y the laws of the State of Florida f h.	
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PALM BEACH COUNTY - ZONING DIVISION

FORM # 09

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.

m Ton Feniger Affiant (Print Affiant Name)



Sa

(Print Notary Name) NOTARY PUBLIC State of Florida at Large My Commission Expires: Pellenber 6, 2015

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LAND DESCRIPTION:

Tract Y-2, BOCA POINTE NO. 3, according to the Plat thereof, as recorded in Plat Book 46, Pages 123 through 125, Public Records of Palm Beach County, Florida.

Said lands situate in Palm Beach County, Florida and containing 613, 415 square feet (14.08 acres) more or less.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address		
3oca Pointe Cou	ntry Club, Inc.	Not for profit corporation	
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