

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

**Application No.:** ZV/ABN/DOA-2013-02593  
**Application Name:** Jupiter-Palm Beach Motorcoach Resort RVPD  
**Control No.:** 2006-00185  
**Applicant:** LeRoy Vander Putten  
**Owners:** LeRoy Vander Putten  
**Agent:** Urban Design Kilday Studios - Joni Brinkman  
**Telephone No.:** (561) 689-5522  
**Project Manager:** Roger Ramdeen, Site Planner II

**TITLE:** a Type II Variance **REQUEST:** to eliminate plant material within an Incompatibility Landscape Buffer (north, east and west) and to increase the number of Palms and decrease the number of Canopy trees. **TITLE:** a Development Order Abandonment **REQUEST:** to abandon Resolution Number R-2008-0704, which allowed a Water Treatment Plant in the Recreational Vehicle Planned Development (RVPD) Zoning District. **TITLE:** a Development Order Amendment **REQUEST:** to modify the Site Plan, delete a Condition of Approval (Use Limitation and Landscaping); and decrease the number of RV sites from 140 to 100.

**APPLICATION SUMMARY:** Proposed is a Development Order Amendment for Jupiter/Palm Beach Motorcoach Resort. The development was originally approved by the Board of County Commissioners (BCC) on April 24, 2008 for an Official Zoning Amendment to the Recreational Vehicle Planned Development, a Requested use for a Water Treatment Plant and Type II Variances to the requirements for recreation area, setbacks and landscaping.

The applicant is requesting to abandon Resolution Number R-2008-0704 that allowed the Water Treatment Plant. The applicant is also requesting to modify the Site Plan, decrease the number of RV sites from 140 to 100, and delete two Conditions of Approval (Use Limitation and Landscaping). One access to the site will remain off Indiantown Road. In addition, the applicant is requesting two Type II Variances to eliminate plant material within the Incompatibility Landscape Buffers on the north, east and west property lines and to increase the number of allowed palm trees and decrease the number of required canopy trees.

**SITE DATA:**

Location:	Approximately one mile west of Jupiter Farms Road on the north side of Indiantown Road. (Jupiter-Palm Beach Motorcoach Resort RVPD)
Property Control Number(s)	00-41-40-35-01-024-0010
Existing Land Use Designation:	Rural Residential (RR-10)
Proposed Land Use Designation:	No proposed change
Existing Zoning District:	Recreational Vehicle Park Planned Development District (RVPD)
Proposed Zoning District:	No proposed change
Acreage:	17.21 acres
Tier:	Rural
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile	Martin County
Future Annexation Area	N/A

**RECOMMENDATION:** Staff recommends approval of the Development Order Amendment subject to 28 Conditions of Approval as indicated in Exhibit C-2.

**ACTION BY THE ZONING COMMISSION (ZC):** February 6, 2014: Both staff and the applicant presented the project. During the applicant's presentation they informed the Board and Staff they were withdrawing the Type II Variance request for the increase in percentage of palms (V1). Discussion by the Board, Staff and the Applicant included the proposed condition requiring a BCC

peninsula area to be included in the design, preservation of existing plant material, relocation of the oak tree within the affected area, and drainage of the site. A member of the public (Lois Taylor), spoke during the public comment section of the item. Her concerns were related to any shed lights, the architectural design of any sheds, pole lighting and she wanted to see a reduction in the impact to the natural area.

The ZC approved the request for the Type II Variance (V2) to eliminate plant material within an Incompatibility Landscape Buffer (north, east and west) carried by a vote of 8-0; recommended approval of the Development Order Amendment, and recommended approval to abandon Resolution Number R-2008-0704, for the Water Treatment Plant carried by a vote of 8-0.

**PUBLIC COMMENT SUMMARY:** At the time of publication, staff had received 0 contacts from the public regarding this project.

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**PROJECT HISTORY:**

On August 15, 1985 the Board of Adjustment (BOA) approved a Variance to allow an 11.8 foot setback from the rear property line for a single family residence. The residence is currently occupied by the owners of the property, and is shown on the current approved Site Plan as a 2,584 square foot caretaker quarters. The caretaker quarters building have been removed on the new Site Plan with the redesign.

On August 17, 2004.the BCC approved a Development Order contained in Resolution R-2004-1785 to designate a certain section of Old Indiantown Road as a Historic Site. The old road bed transverses the subject property in the northeastern area of the site. However, this section of the road bed was specifically lessed out of the legal description at the Board of County Commissioners' direction. As part of the prior approval, the applicant was required to dedicate the roadbed and the land area to the northeast to Palm Beach County. The dedication will again be required by Environmental Resource Condition 4, and has been indicated on the Preliminary Site Plan.

On April 3, 2008, the Zoning Commission approved a Type II Variance to allow a reduction in the rear setback for a single-family residence, to allow the relocation of landscaping required for the perimeter buffers, and to allow the reduction of required recreation area via Resolution No. ZR-2008-024. They also denied the request to allow a reduction of the rear setback for 3 Recreational Vehicle (RV) spaces contained in Resolution No. ZR-2008-025. These Variances will be superseded with the proposed modification to the Site Plan and will no longer be in effect.

On April 24, 2008 the Board of County Commissioners (BCC) approved application ZV/PDD/R-2007-01592 for an Official Zoning Amendment to the Recreational Vehicle Planned Development, a Requested Use for a Water Treatment Plant and Type II Variances to the requirements for recreation area, setbacks and landscaping (Resolution No. R-2008-703 and R-2008-704). Again, the approved variances will be superseded with the proposed request and modifications to the site plan.

**SURROUNDING LAND USES:**

**NORTH:**

FLU Designation: Conservation (CON)  
Zoning District: Agricultural Residential District (AR)  
Supporting: Conservation (Cypress Creek Natural Area)

**SOUTH:**

FLU Designation: Rural Residential (RR-10)  
Zoning District: Agricultural Residential District (AR)  
Supporting: Residential

**EAST:**

FLU Designation: Conservation (CON)  
Zoning District: Agricultural Residential District (AR)  
Supporting: Conservation (Cypress Creek Natural Area)

WEST:  
 FLU Designation: Conservation (CON)  
 Zoning District: Agricultural Residential District (AR)  
 Supporting: Conservation (Cypress Creek Natural Area)

**TYPE II VARIANCE SUMMARY**

	<b>ULDC Article</b>	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
<b>V1</b>	7.D.2.B Palms interior trees	Palms maximum of 25 percent of the total trees for interior trees	Palms maximum of 50 percent of the total trees	Withdrawn by applicant at the Zoning Commission hearing.
<b>V2</b>	7.F.1.C Landscape - Incompatible Buffers, along the north, east and west property lines	1 canopy tree per 20 feet on center and 3 tiers of shrubs	No canopy trees and no shrubs	Elimination of canopy trees and shrubs, along the north, east and west property lines

**FINDINGS:**

Conditional Uses, Requested Uses and 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.

- 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 changes to the site plan are consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including special planning areas and intensities of use.

Intensity: The request is to modify an existing RVPD approval to reduce the number of RV spaces. The calculation for RV spaces in an RVPD is in the Code and does not require the use of residential density.

The proposed FAR for the current site plan, NOT including the proposed coach houses, is .01 (6,864 sq feet/ 17.21 or 749,668) . The maximum FAR for a non-residential use in residential FLU in the Rural Tier is .20, or 149,933 sq feet for this site (17.21 acres or 749,668 square feet X .20 = 149,933 sq ft). The proposed FAR is less than the maximum FAR allowed for the site.

However, the applicant is also processing a concurrent ULDC code amendment to permit 200 square foot accessory structures for each of the 100 RV spaces (coach houses). The 0.1 FAR for the current site plan does not include the proposed coach houses. If the proposed code amendment is approved to allow these structures, then the site plan and supporting documentation will need to be revised and consistency with the FAR provision in the Comprehensive Plan demonstrated.

Special Overlay District/ Neighborhood Plan/Planning Study Area: The site is not located within any neighborhood plans, overlays or plan study areas. However, the site is located adjacent to the Old Indian Town Road Grade which is identified as a Historic Resource. The applicant has been in contact with the County Archaeologist, Christian Davenport, and no impacts were identified per the Development Plan that accompanies the subject application.

- 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 use complies with the Standards as Described in Article 4.B. The amendment to modify the Site Plan is subject to the decision of the Type II Variance.

On March 22, 2013, a privately initiated text amendment request was submitted on behalf of the applicant. This request is to add language to Article 3.E.7.G.1, Permanent Structures or Additions, for the RVPD Zoning District. Permanent structures or additions attached to an RV, such as screen rooms, carports, or utility sheds are prohibited. The applicant's proposal is to allow detached accessory structures, a maximum of 200 square feet in size, as a permitted structure on individual RV sites with a minimum RV site size of 3,000 square feet.

The proposed text amendment was approved by the Land Development Regulation Advisory Board (LRAB) on April 24, 2013 and is scheduled for adoption in January of 2014. Since a coach house component is not a permitted site design at time of Site Plan certification the applicant has requested a Condition of Approval to allow the coach houses to be accommodated on the Final Site Plan through the DRO approval process after the proposed Code Amendment adoption (Use Limitation Condition 6).

Art. 3.E.7.F.1., R-O-W Buffer, requires a six foot high opaque landscape barrier in the form of a berm, wall, fence, hedge or combination. The prior conditions of approval for the R-O-W landscape buffer met this requirement and no changes are proposed to that condition. The condition also required a split rail fence to be consistent with the type of fencing typically associated with PBC natural areas and parks. Art 3.E.7.F.2 requires a Type 3 Incompatibility buffer around the perimeter of the RVPD or be modified subject to an Alternative Landscape Plan (ALP).

Due to ERM's request to provide for a clear area for fire access around the property, variances are being requested to the required plantings in the Type 3 buffer on the east, west and north sides of the property to allow for the access. The applicant is requesting, due to the provision of the panel wall of natural materials rather than a vinyl-coated chain link fence, that shrubs be permitted to be installed on the inside of the wall and that interior plantings be permitted in the rear 25 feet of the RV lots/spaces

2. **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 amendment will not create any compatibility issues with the surrounding properties and uses. It is important to note that the applicant is proposing to decrease the number of approved RV sites on the property from 140 to 100. In addition, RV sites are not uncommon in the rural land and tend to be a preferred location for such uses. The request will not impact the appearance of the site. Any existing or proposed issues with regard to compatibility have been addressed previously through Conditions of Approval.

3. **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 request does not visually impact the surrounding uses as the modifications will not impact the external appearance of the site. Any existing or proposed issues with regard to compatibility have been addressed through Conditions of Approval. In addition, the applicant is providing a 20 foot fire access lane at the north, east and west property lines to address any concerns of fires that may affect the conservation areas while to the south is the required 20 foot right-of-way buffer. These provide safety and visual screening to address compatibility issues.

4. **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 Preliminary Site Plan as proposed does have environmental impacts to the existing vegetation. The lake area requires the removal of existing canopy trees, pines and palms on the site that can be preserved through alternate site design and layout. Staff has brought this issue to the attention of the applicant and the applicant has decided to adhere to the current design which removes the existing canopy trees. Staff notes that the existing canopy trees can be preserved by incorporating an island

or a peninsula into the lake area that encompasses these trees. In addition, the size of each RV site can be reduced, currently; the site plan indicates 3,000 sq. ft. RV sites and the minimum size is 1,000 sq. ft. This issue with regard to the proposed use and design has been addressed through a proposed Condition of Approval.

**ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:**

**VEGETATION PROTECTION:** The property has been previously developed.

**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.

**ENVIRONMENTAL IMPACTS:** The site has no outstanding contamination issues. There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

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

The proposed project is consistent with the development pattern for the area. It is important to note that the applicant is proposing to decrease the intensity on the site by decreasing the number of approved RV sites from 140 to 100. Abandonment or the prior resolution and modification to the previous Conditions of Approval will have no effect on a logical, orderly and timely development pattern.

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

**ENGINEERING COMMENTS:**

**TRAFFIC IMPACTS**

The Property Owner has estimated the build-out of the project to be December 31, 2017. Existing traffic from this project is 10 trips per day, 2 trips in the PM peak hour. Additional traffic expected from the proposed project is 318 trips per day, 25 trips in the PM peak hour, for grand total impact of 328 daily and 27 PM peak hour trips. 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.

As part of site related improvements, the Property Owner will do the following:

- a. Widen the pavement on Indiantown Rd on the south side at Rocky Pines Rd median opening and on the north side on Indiantown Rd at Bridle Ct median opening to facilitate u-turns for the motor coaches.
- b. Install a right turn lane on the east approach on Indiantown Rd at the project entrance.

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

Segment: Indiantown Rd from Alexander Run Rd to Jupiter Farms Rd

Existing count: Eastbound=731, Westbound=1130

Background growth: Eastbound=608, Westbound=276

Project Trips: Eastbound=7, Westbound=15

Total Traffic: Eastbound=1346, Westbound=1421

Present laneage: 4 Lanes

Assured laneage: 4 lanes

LOS "D" capacity: 1960 vehicles per hour (directional)

Projected level of service: LOS D or better (directional)

The Property Owner shall combine the property into a legal lot of record in accordance with Article 11 of the Unified Land Development Code prior to issuance of a Building Permit.

The Property Owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department, Permit Section, prior to the issuance of a Building Permit.

The Property Owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section, for access onto Indiantown Road.

The Property Owner shall obtain a Right of Way Permit from the Palm Beach County Engineering Department, Permit Section, for proposed work within Indiantown Road.

The Property Owner shall obtain a Landscaping Permit from the Palm Beach County Engineering Department, Permit Section, for proposed median landscaping within Indiantown Road.

PALM BEACH COUNTY HEALTH DEPARTMENT: No staff review analysis

FIRE PROTECTION: No staff review analysis

SCHOOL IMPACTS: No staff review analysis

PARKS AND RECREATION: Based on the proposed 100 spaces, 0.60 acres of on site recreation is required. The plan submitted indicates there will be 1.50 acres of recreation provided, therefore, the Parks and Recreation Department standards have been addressed.

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

The subject site is a previously approved for a RVPD and the applicant is requesting to modify the site plan to reconfigure the site to allow for a different market of users. The applicant's justification states that the industry has evolved to show a need for a park that incorporates larger RV sites for larger motor-coaches. This change in the type of RV sites, requires the redesign to have larger RV sites and additional amenities.

The applicant is also processing a concurrent ULDC code amendment to permit 200 square foot accessory structures for each of the 100 RV spaces (coach houses). The 0.1 FAR for the current site plan does not include the proposed coach houses. If the proposed code amendment is approved to allow these structures, then the site plan and supporting documentation will need to be revised and consistency with the FAR provision in the Comprehensive Plan demonstrated.

**CONCLUSION:**

Staff has evaluated the standards listed under Article 2.B.2.B 1-7 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 proposed DOA. 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-1 and C-2.

## CONDITIONS OF APPROVAL

### EXHIBIT C- 1

#### **Type II Variance - Concurrent**

#### VARIANCE

1.The Development Order for this Variance shall be tied to the Time Limitations of the Development Order for ZV/ABN/DOA 2013-02593. (ONGOING: MONITORING - Zoning)

2.At time of application for a Building Permit, the Property Owner shall provide a copy of this Variance approval along with copies of the approved Plan to the Building Division. (BLDG PERMIT: BLDG - Zoning)

3.This Variance is approved for the Recreation Vehicle Planned Development. Any change to the site design for the perimeter buffers shall require reconsideration of the Variance by the Zoning Commission. (ONGOING: CODE ENF - Zoning)

4.In Granting this Approval, the Zoning Commission 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)

5.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; 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.

**ALL PETITIONS**

1. Previous ALL PETITIONS condition 1 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Development of the site is limited to the uses approved by the Board of County Commissioners. The approved preliminary site plan is dated December 17, 2007. All modifications must be approved by the Board of County Commissioners or Zoning Commission unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC.

**Is hereby amended to read:**

The approved Preliminary Site Plan is dated December 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 Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

2. Previous ALL PETITIONS condition 2 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Prior to final approval by the Development Review Officer (DRO), the property owner shall revise the site plan to be consistent with the final Alternative Landscape Plan (ALP) pursuant to Landscape Condition 1 and all approved variances dated April 3, 2008. (DRO: LANDSCAPE - Zoning)

**Is hereby deleted.** [REASON: No longer applicable.]

3. The twenty-five (25) foot setback for the recreational vehicles shall be permitted to be measured from the interior edge of the ULDC required landscape buffers. (Previous ALL PETITIONS condition 3 of Resolution R-2008-703, Control No.2006-00185) (DRO: ZONING - Zoning)

4. Commencement of the Development Order shall start by February 27, 2017, modifications may be permitted administratively as allowed by Article 2.E of the Unified Land Development Code. (DATE: MONITORING - Zoning)

**ARCHITECTURAL REVIEW**

1. Previous ARCHITECTURAL REVIEW condition 1 of Resolution R-2008-703, Control No.2006-00185, which currently states:

At time of submittal for final approval by the Development Review Officer (DRO), the architectural elevations for the recreation building 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. Development shall be consistent with the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCHITECTURAL REVIEW - Zoning)

**ENGINEERING**

1. Previous Condition E.1 of Resolution R-2008-0703, Control No. 2006-00185, which currently states: In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after January 1, 2013. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING-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:

a. No Building Permits for the site may be issued after December 31, 2017. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING-Eng)

2. The Property Owner shall construct a right turn lane, east approach on Indiantown Road at project entrance. This right turn lane shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet or as approved by the County Engineer.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDGPM: MONITORING - Engineering)

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

3. The Property Owner shall widen the pavement of Indiantown Road to provide for U-turn movements for recreation vehicle/travel trailers at the following median openings subject to approval by the County Engineer:

- i) Bridle Court, west approach U turn
- ii) Rocky Pines Road, east approach U turn.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and guardrail relocation.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDG PERMIT: MONITORING-Eng) (Previous Condition E.6.a of Resolution R-2008-0703, Control No. 2006-00185)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng) (Previous Condition E.6.b of Resolution R-2008-0703, Control No. 2006-00185)

4. Previous Condition 2 of Resolution R-2008-0703, Control No. 2006-00185, which currently states:

The Property Owner shall lengthen the existing left turn lane, east approach on Indiantown Road at Rocky Pines Road. This turn lane shall be lengthened to a minimum of 460 feet in length.

a. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

b. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDG PERMIT: MONITORING-Eng)

c. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

**Is hereby deleted [REASON: no longer required]**

5. Previous Condition E.3 of Resolution R-2008-0703, Control No. 2006-00185, which currently states:

Prior to the issuance of the last Certificate of Occupancy, the Property Owner shall fund the pro rata cost of an exfiltration drainage system required for the 6 lane widening of Indiantown Road. Funding shall be based on the construction of a required exfiltration drainage system required to meet the storm water discharge and treatment requirements of Palm Beach County for Indiantown Road along the property frontage. Payment cost shall be based upon a Certified Cost Estimate provided by the Property Owner's Engineer and approved by the County Engineer. All funding shall be completed prior to the issuance of the last Certificate of Occupancy. (CO: MONITORING-Eng)

**Is hereby amended to read:**

Prior to the issuance of the first Certificate of Occupancy, the Property Owner shall fund the pro rata cost of an exfiltration drainage system required for the 6 lane widening of Indiantown Road. Funding shall be based on the construction of a required exfiltration drainage system required to meet the storm water discharge and treatment requirements of Palm Beach County for Indiantown Road along the property frontage. Payment cost shall be based upon a Certified Cost Estimate provided by the Property Owner's Engineer and approved by the County Engineer. (CO: MONITORING-Eng)

**6. Landscaping within the median of Indiantown Road**

a. The Property Owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Indiantown Road. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioners approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph D below. (ONGOING: ENGINEERING-Eng) (Previous Condition E.4.a of Resolution R-2008-0703, Control No. 2006-00185)

b. Prior to the issuance of the first Building Permit, the necessary permit(s) for this landscaping and irrigation shall be applied for. (BLDG PERMIT:MONITORING-Eng) (Previous Condition E.4.b of Resolution R-2008-0703, Control No. 2006-00185)

c. Prior to the issuance of the first Certificate of Occupancy, all installation of the landscaping and irrigation shall be completed. (CO:MONITORING-Eng) (Previous Condition E.4.c of Resolution R-2008-0703, Control No. 2006-00185)

d. At the Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner. (ONGOING:ENG-Eng) (Previous Condition E.4.d of Resolution R-2008-0703, Control No. 2006-00185)

e. Alternately, at the option of the Property Owner, and prior to the issuance of a Building Permit, the Property Owner may make a contribution to the County's Only, Trees, Irrigation, and Sod, Otis program, unincorporated thoroughfare beautification program. This payment, for the County's installation of landscaping and irrigation on qualifying thoroughfares shall be based on the project's frontage along Indiantown Road. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (ONGOING:ENG-Eng) (Previous Condition E.4.e of Resolution R-2008-0703, Control No. 2006-00185)

**7. Previous Condition E.5 of Resolution R-2008-0703, Control No. 2006-00185, which currently states:**

Prior to the issuance of a Building Permit, the Property Owner shall plat the subject property into one legal lot of record in accordance with the provisions of Article 11 of the Unified Land Development Code. A recorded plat waiver is also acceptable, providing this property is eligible for a plat waiver in accordance with the provisions of the ULDC as determined by the County Engineer. (BLDG PERMIT:MONITORING-Eng)

**Is hereby amended to read:**

Prior to issuance of the first Building Permit, the Property Owner shall legally create a single lot of record in accordance with the provisions of Article 11 of the Unified Land Development Code. The property shall not be subdivided into more than one lot unless the subdivision provides the required improvements. (BLDG PERMIT:MONITORING-Eng)

**ENVIRONMENTAL**

1. Prior to final plat approval, the property owner shall provide a copy of the SFWMD Environmental Resource Permit to the Department of Environmental Resources Management. This permit shall demonstrate that stormwater discharges onto the Natural Area shall be at a rate not to exceed 1.1 cfs in a 25 year, 3-day design storm and that the discharge meets standards for Outstanding Florida Waterbody receiving waters. (PLAT:MONITORING/ENG-ERM) (Previous Condition No. Env. 1 of Resolution No. R-2008-0703, Control No. 2007-1592)

**Is hereby deleted.** [REASON: No longer required.]

2. A notice shall be provided by the property owner to all users of the site explaining that due to the differences in the wet season water table between the site and the Natural Area, there will be times during the year when the site may not drain. A draft of this notice shall be submitted and approved by ERM prior to final approval by the Development Review Officer (DRO). (Previous Condition No. Env. 2 of Resolution No. R-2008-0703, Control No. 2007-1592) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

**Is hereby deleted.** [REASON: No longer required.]

3. A fire-break strip with a minimum width of forty-five (45) feet shall be provided along the north, east and west property lines. This fire-break strip shall be free and clear of landscape materials and permanent structures. The area in the vicinity of the existing house shall meet this condition to the maximum extent possible, taking into account the existing setback from the north property line. A drivable berm with a maximum slope of 3:1 shall be installed within the strip to protect the site from high water levels with the exception of the area in the vicinity of the existing house, west to where the berm will connect to the existing Old Indiantown Road roadbed, where the berm (wall, if utilized in lieu of a berm) will not be of sufficient width to maintain a drivable surface. (Previous Condition No. Env. 3 of Resolution No. R-2008-0703, Control No. 2007-1592) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

**Is hereby amended to read:**

3. A fire-break strip with a minimum width of twenty (20) feet shall be provided adjacent to the north, east and west property lines. This fire-break strip shall be free and clear of landscape materials and permanent structures. A drivable berm with a maximum slope of 3:1 shall be installed within the strip to protect the site from high water levels, west to where the berm will connect to the existing Old Indiantown Road roadbed, where the berm (wall, if utilized in lieu of a berm) will not be of sufficient width to maintain a drivable surface. (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

4. The portion of the facility that includes the Old Indiantown roadbed shall be fenced off from the rest of the RV Park and a gate that would provide access to pedestrians and bicycles, shall be installed. This roadbed area shall be conveyed to Palm Beach County prior to Plat approval. (Previous Condition No. Env. 4 of Resolution No. R-2008-0703, Control No. 2007-1592) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

5. The RV Park shall be presented to the Loxahatchee River Coordinating Council prior to final approval by the Development Review Officer (DRO). (Previous Condition No. Env. 5 of Resolution No. R-2008-0703, Control No. 2007-1592) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

6. In the event of a wildfire, an Evacuation Plan designed to clear the facility within a 90 minute period shall be submitted and approved prior to final approval by the Development review Officer (DRO). (Previous Condition No. Env. 6 of Resolution No. R-2008-0703, Control No. 2007-1592) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

7. A copy of the SFWMD Consumptive Use Permit, or an indication that such a permit is not necessary, shall be provided prior to final approval by the Development Review Officer (DRO). In no case shall waste water be used as irrigation water or otherwise applied to the ground surface. (Previous Condition No. Env. 7 of Resolution No. R-2008-0703, Control No. 2007-1592) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

#### **LANDSCAPE - GENERAL-VARIANCE**

1. Previous ZONING - LANDSCAPING condition 1 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Prior to final approval by the Development Review Officer (DRO), the property owner shall submit a final Alternative Landscape Plan to the Landscape Section for review and approval. All ULDC required plant materials from the north, east and west perimeter buffers shall be relocated to the interior of the site. The ALP(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein and shall be consistent with the Type II Variance approvals dated April 3, 2008. (DRO: LANDSCAPE - Zoning)

**Is hereby deleted.** [REASON: No longer required.]

#### **LANDSCAPE - GENERAL**

2. Prior to final Development Review Officer (DRO) approval, the Preliminary Site Plan dated December 12, 2013 shall be amended to incorporate additional areas for the preservation of existing plant materials, including but not limited to: Pines, Saw Palmettos, and Oak.

a. A landscape peninsula or similar design feature shall be incorporated into the site design in the area east of camping sites 91-94. The existing plant material is generally located east of camping sites 91-94 in the Preliminary Site Plan and on Lots E and O surrounding the mobile building and wood shed as indicated on the Survey, prepared by Dailey and Associates dated May 9, 2013, amended December 12, 2013.

b. The area of the design feature shall be approximately 6,000 square feet (65 foot length and 90 foot depth);

c. All existing pines that are infested by Pine Bore Beetles shall be removed prior to February 28<sup>th</sup>, 2014. The intent is to prevent the further infestation of the beetle to other trees.

d. Existing pines, that are removed shall be replaced pursuant to ULDC Table 7.D.2.D. entitled, "Tree Credit and Replacement", and indicated on the Final Site Plan.

e. The replacement pines shall be planted in the original location or in close proximity of the original location. (DRO:ZONING-Zoning)

#### **LANDSCAPE - GENERAL-ALONG THE NORTH PROPERTY LINE**

3. Previous ZONING - LANDSCAPING condition 3 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Prior to final Development Review Officer (DRO) approval, the site plan shall be amended to reflect a reduction of 15 Recreational Vehicle (RV) sites. The Alternative Landscape Plan (ALP) shall reflect additional material along the north property line to mitigate views of the RVs from the adjacent property. (DRO: ZONING - Landscape)

**Is hereby deleted.** [Reason- No longer required]

#### **LANDSCAPE - GENERAL-ALONG THE SOUTH PROPERTY LINE (FRONTAGE OF INDIANTOWN ROAD)**

4. Previous ZONING - LANDSCAPING condition 2 of Resolution R-2008-703, Control No.2006-00185, which currently states:

In addition to the code requirements, landscaping along the south property line shall be upgraded to include:

- a. a buffer strip with an average width of twenty-five (25) feet. The buffer width shall range from twenty (20) to forty-five (45) feet and shall be exempt from the firebreak areas. There shall be a minimum of three locations where the buffer width expands to forty-five (45) feet;
- b. one (1) pine for each twenty (20) linear feet of the property line; and shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation and have a maximum spacing of forty (40) feet between clusters;
- c. a six (6)-foot high continuous hedge consisting of Wax Myrtles or a similar species approved by the Landscape Section. The hedge material shall be allowed to count toward the ULDC required quantity for large shrubs;
- d. Saw Palmetto shall replace the ULDC requirement for medium shrubs;
- e. all ULDC small shrub materials shall be of native species;
- f. in areas where buffer width expands to forty-five (45) feet, a minimum of three (3) Dahoon Hollies with a minimum height of twelve (12) feet shall be provided at each of the expanded buffer areas; and,
- g. a three (3) foot high (two railed) split rail fence to be installed meandering between proposed vegetation within this buffer. (BLDG PERMIT: LANDSCAPE - Zoning)

**Is hereby amended to read:**

In addition to the code requirements, landscaping along the south property line shall be upgraded to include:

- a. a buffer strip with an average width of twenty-five (25) feet. The buffer width shall range from twenty (20) to forty-five (45) feet and shall be exempt from the firebreak areas. There shall be a minimum of three locations where the buffer width expands to forty-five (45) feet;
- b. one (1) pine for each twenty (20) linear feet of the property line; and shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation and have a maximum spacing of forty (40) feet between clusters;
- c. a six (6)-foot high continuous hedge consisting of Wax Myrtles or a similar species approved by the Landscape Section. The hedge material shall be allowed to count toward the ULDC required quantity for large shrubs;
- d. Saw Palmetto shall replace the ULDC requirement for medium shrubs;
- e. all ULDC small shrub materials shall be of native species;
- f. in areas where buffer width expands to forty-five (45) feet, a minimum of three (3) Dahoon Hollies with a minimum height of twelve (12) feet shall be provided at each of the expanded buffer areas. (BLDGPMT: LANDSCAPE - Zoning)

**LANDSCAPE - GENERAL**

5. Prior to final Development Review Officer (DRO) approval, the Preliminary Site Plan dated December 12, 2013 shall be amended to incorporate additional areas for the preservation of existing plant materials, including but not limited to: Pines, Saw Palmettos, and Oak.

- a. A landscape peninsula or similar design feature shall be incorporated into the site design in the area east of camping sites 91-94. The existing plant material is generally located east of camping sites 91-94 in the Preliminary Site Plan and on Lots E and O surrounding the mobile building and wood shed as indicated on the Survey, prepared by Dailey and Associates dated May 9, 2013, amended December 12, 2013.
- b. The area of the design feature shall be approximately 6,000 square feet (65 foot length and 90 foot depth);
- c. All existing pines that are infested by Pine Bore Beetles shall be removed prior to February 28<sup>th</sup>, 2014. The intent is to prevent the further infestation of the beetle to other trees.
- d. Existing pines, that are removed shall be replaced pursuant to ULDC Table 7.D.2.D. entitled, "Tree Credit and Replacement", and indicated on the Final Site Plan.
- e. The replacement pines shall be planted in the original location or in close proximity of the original location. (DRO: ZONING-Zoning)

## **SIGNS**

1. Freestanding signs fronting on Indiantown Road shall be limited as follows:
  - a. maximum sign height, measured from finished grade to highest point six (6) feet;
  - b. maximum sign face area per side - sixty (60) square feet;
  - c. maximum number of signs one (1); and,
  - d. style - monument style only. (Previous SIGNS condition 1 of Resolution R-2008-703, Control No.2006-00185) (BLDGPMT: BUILDING DIVISION - Zoning)

## **SITE DESIGN**

1. Prior to final approval by the Development Review Officer (DRO), the property owner shall revise the site plan to provide a minimum of 1.7 acres of recreation area on the subject property. (DRO: ZONING - Zoning)

## **USE LIMITATIONS**

1. Previous USE LIMITATIONS Condition 1 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Prior to final approval by the Development Review Officer (DRO), the property owner shall revise the site plan to indicate and define the boundary of a vehicle wash area. Washing of vehicles shall be restricted to this area on site. (DRO/ONGOING: CODE ENF - Zoning)

**Is hereby deleted.** [Reason- washing area not proposed with the modification]

2. Previous USE LIMITATIONS Condition 2 of Resolution R-2008-703, Control No. 2006-00185, which currently states:

Business operations for the RVPD shall not commence until the issuance of the Certificate of Occupancy (CO) for the Recreation Building. (CO: BUILDING DIVISION - Zoning)

**Is hereby amended to read:**

No Recreation Vehicles shall park/stay on site until the issuance of the Certificate of Occupancy (CO) for the Recreation Building. (CO: BUILDING DIVISION - Zoning)

3. The 25 foot setback required for the recreational vehicles shall be measured from the interior line of the required 20 foot Right of Way Buffer and the 20 foot required Perimeter Buffers. (Previous USE LIMITATIONS condition 3 of Resolution R-2008-703, Control No.2006-00185) (BLDGPMT: ZONING - Zoning)

4. On January 1 of each year an Annual Time Limitation Report shall be submitted to Executive Director of Planning, Zoning and Building (PZB), pursuant to Article 3.E.7.D, Time Limitations. (Previous USE LIMITATIONS condition 4 of Resolution ZR-2011-1, Control No.2006-00185) (DATE: MONITORING - Zoning)

5. Previous USE LIMITATIONS condition 5 of Resolution R-2008-703, Control No.2006-00185, which currently states:

The park shall be limited to 140 Recreational Vehicle (RV) sites.

**Is hereby amended to read:**

The park shall be limited to a maximum of one hundred (100) Recreational Vehicle (RV) sites. (ONGOING: CODE ENF - Zoning)

6. Detached accessory structures used for storage, utilities or entertainment may be permitted to be approved administratively, contingent on approval of the Code Amendment to add language allowing these structures to ULDC Article 3.E.7.G.1 entitled, "Permanent Structures or Additions." (ONGOING: MONITORING - Zoning)

## **COMPLIANCE**

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

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

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

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

## **DISCLOSURE**

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

Figure 1 - Land Use

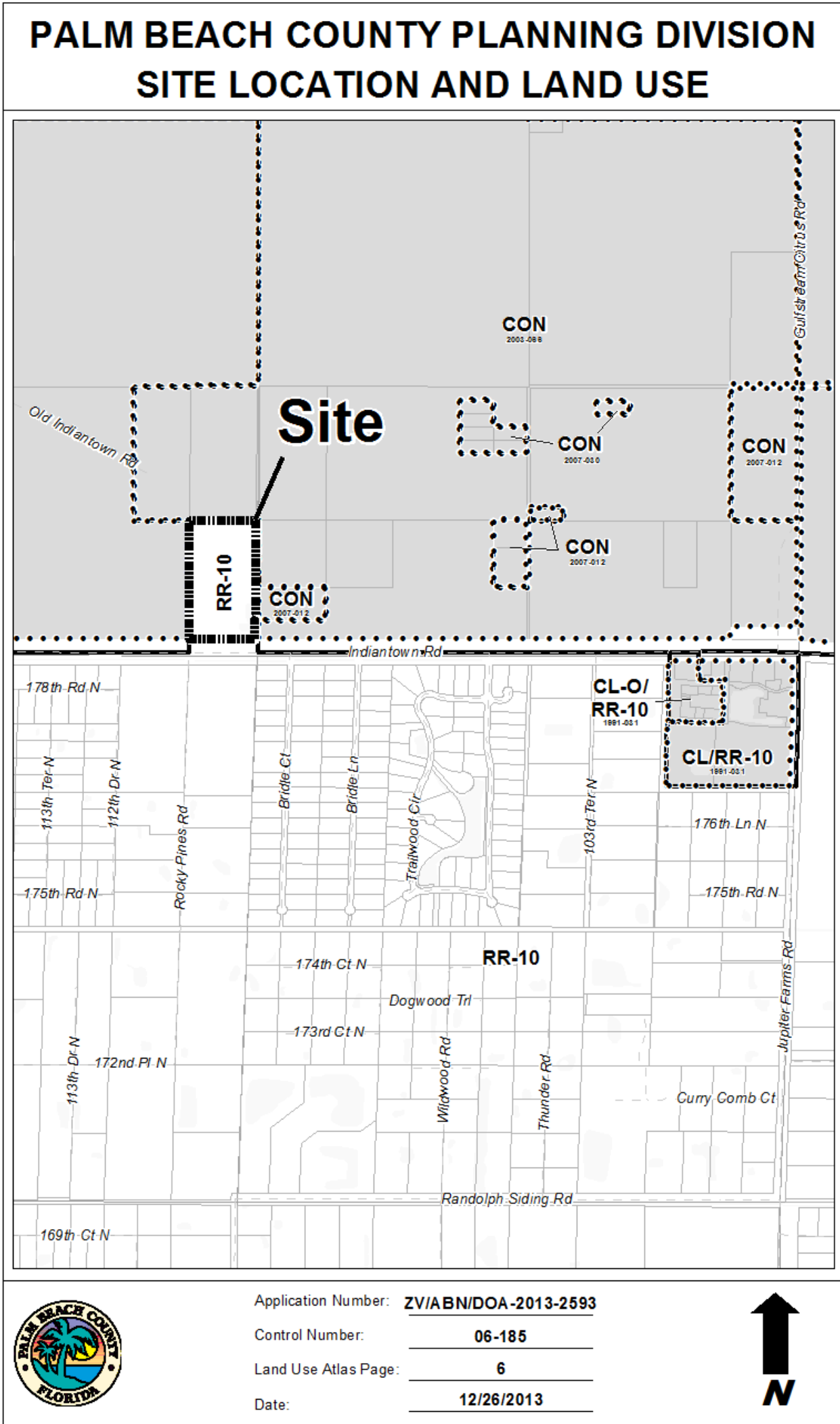




Figure 2 - Zoning Map

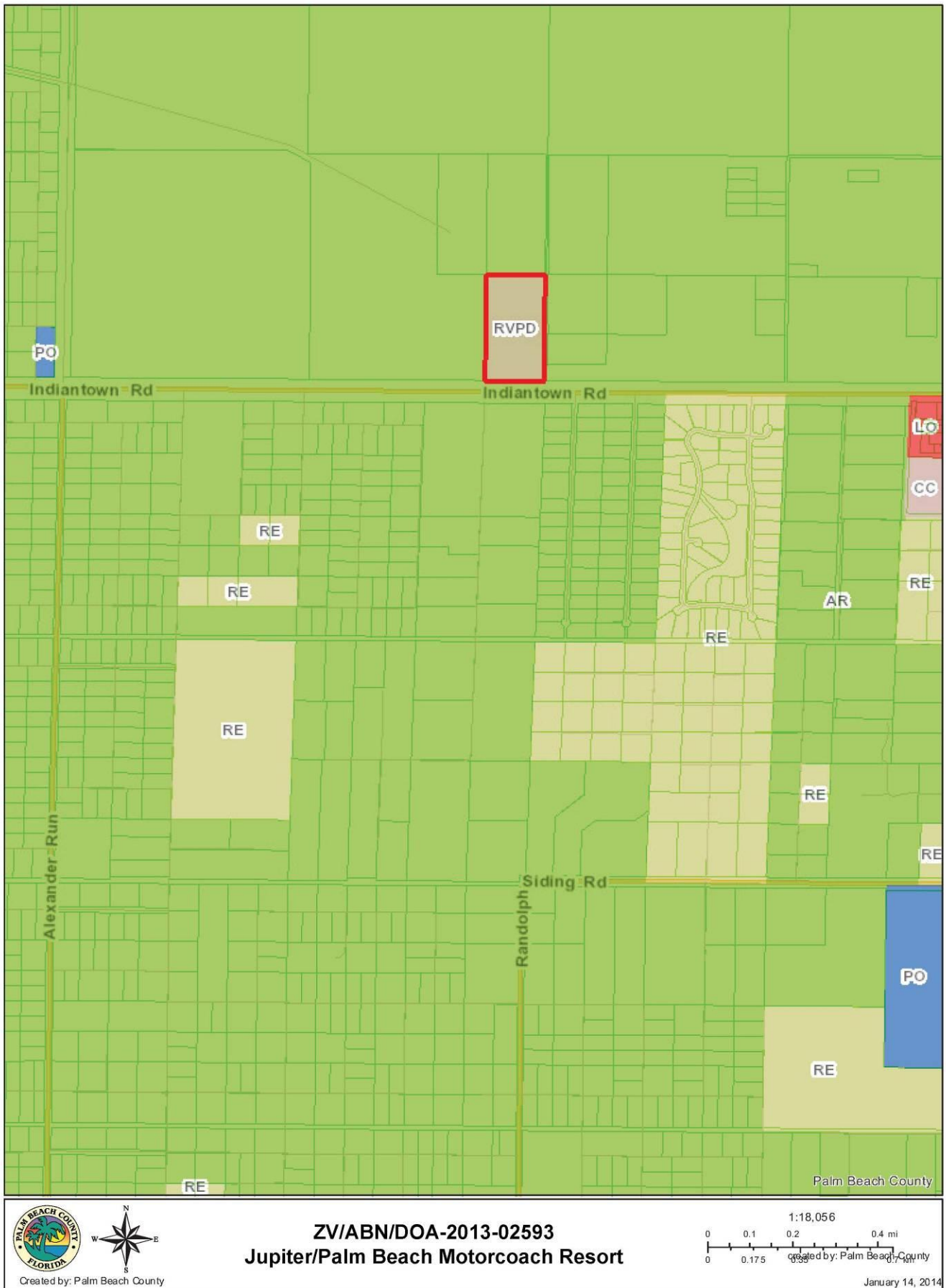


Figure 3 - Aerial

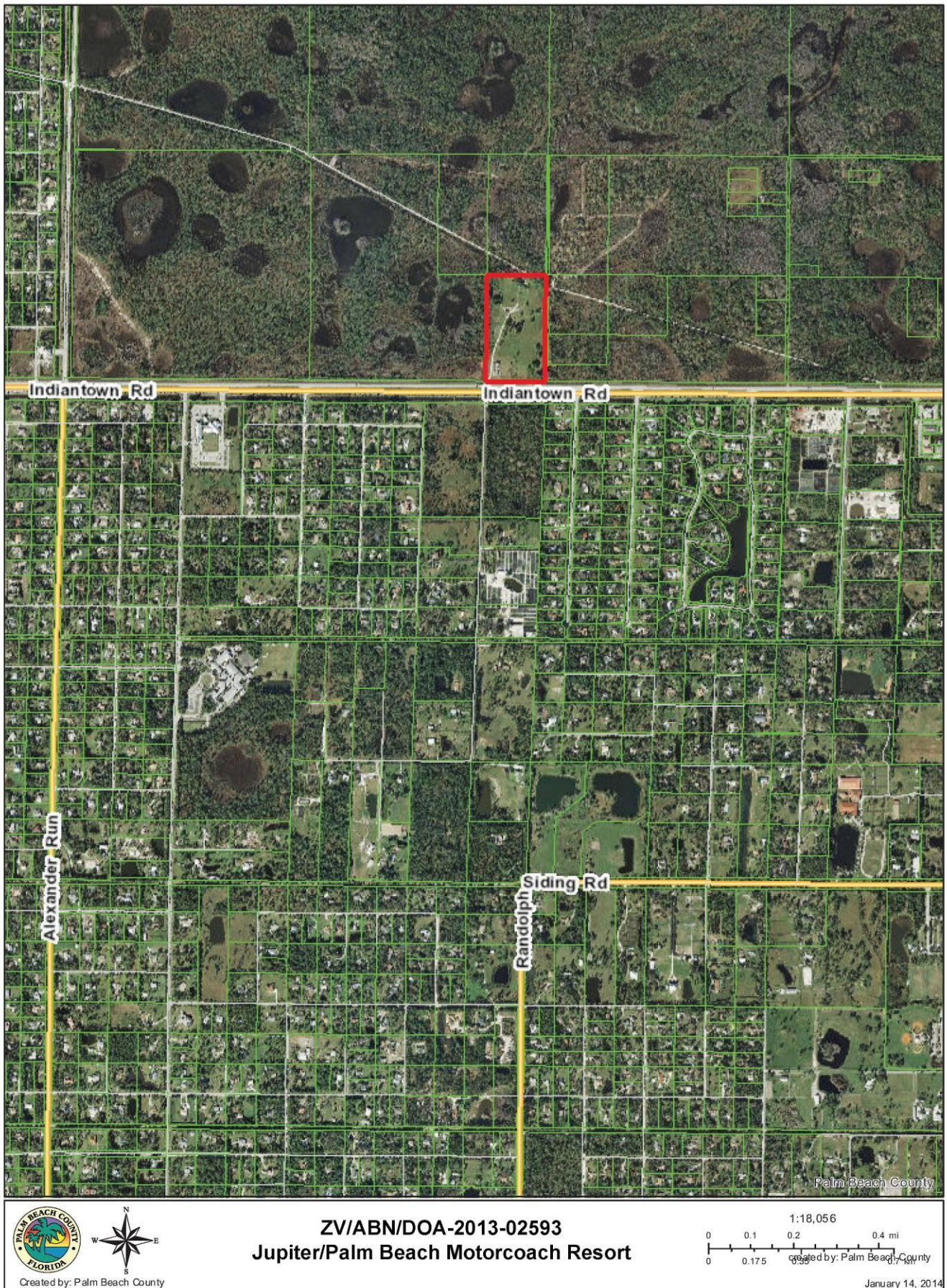
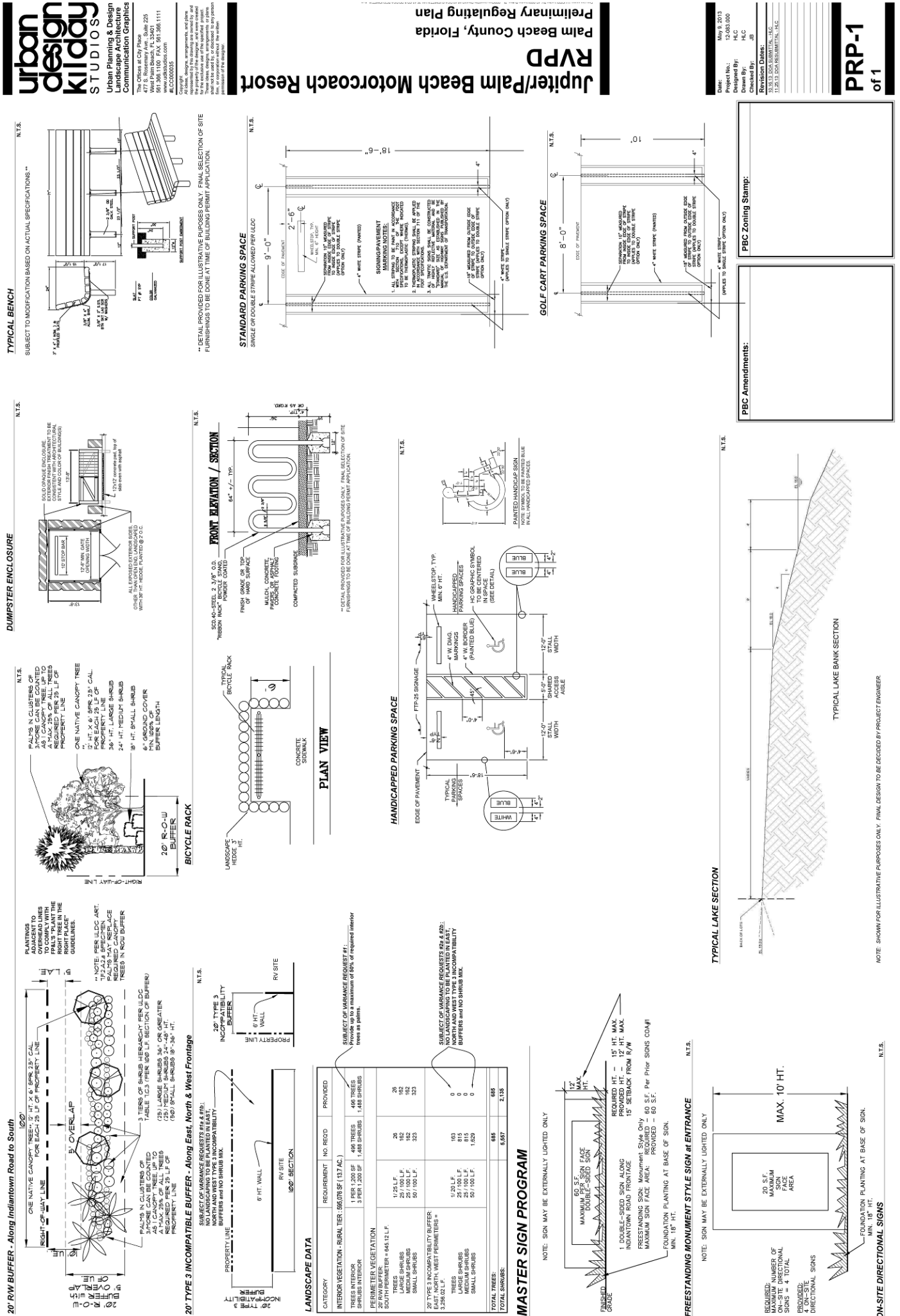




Figure 5 – Preliminary Regulating Plan dated 11/25/2013





**DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY**

***[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]***

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared LeRoy Vander Putten, 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  LeRoy Vander Putten *[position - e.g., president, partner, trustee]* of \_\_\_\_\_ *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
  
2. Affiant's address is: 171 Commodore Drive Jupiter, FL 33477  
\_\_\_\_\_  
\_\_\_\_\_
  
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
  
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
  
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
  
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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

FURTHER AFFIANT SAYETH NAUGHT.

[Signature]  
Celso A. VanderPutter Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 19 day of November 2013, by Celso VanderPutter, [ ] who is personally known to me or [ ] who has produced Drivers License as identification and who did take an oath.

[Signature]  
Notary Public

Caroline Amenita  
(Print Notary Name)

NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: 1/22/16



CAROLINE AMENITA  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# EE161873  
Expires 1/22/2016

EXHIBIT "A"  
PROPERTY

ALL OF BLOCK 24, ACCORDING TO THE PLAT OF PHILO FARMS, AS RECORDED IN PLAT BOOK 3, PAGE 11 OF THE PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS. LESS RIGHTS-OF-WAY FOR STATE ROAD #706, (INDIANTOWN ROAD).

CONTAINING 17.21 ACRES, MORE OR LESS.





**DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY**

*[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]*

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Jan M. Thomas, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

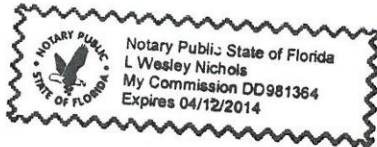
1. Affiant is the  individual or  Jan M. Thomas *[position - e.g., president, partner, trustee]* of \_\_\_\_\_ *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 11061 W Indiantown Road Jupiter FL 33478  
\_\_\_\_\_  
\_\_\_\_\_
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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

FURTHER AFFIANT SAYETH NAUGHT.

Jan M. Thomas  
Jan M. Thomas, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 8 day of October, 2013, by Jan M. Thomas,  who is personally known to me or [ ] who has produced \_\_\_\_\_ as identification and who did take an oath.



L. Wesley Nichols  
Notary Public

L. Wesley Nichols  
(Print Notary Name)

NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: 4/12/14

**EXHIBIT "A"**

**PROPERTY**

ALL OF BLOCK 24, ACCORDING TO THE PLAT OF PHILO FARMS, AS RECORDED IN PLAT BOOK 3, PAGE 11 OF THE PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS. LESS RIGHTS-OF-WAY FOR STATE ROAD #706, (INDIANTOWN ROAD).

CONTAINING 17.21 ACRES, MORE OR LESS.



**DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY**

*[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]*

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Paul A. Thomas, 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 [] Paul A. Thomas *[position - e.g., president, partner, trustee]* of \_\_\_\_\_ *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 11061 W Indiantown Road Jupiter FL 33478  
\_\_\_\_\_  
\_\_\_\_\_
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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

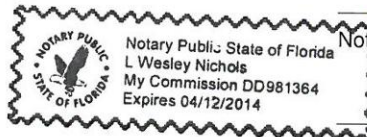
FURTHER AFFIANT SAYETH NAUGHT.

*Paul A. Thomas*

Paul A. Thomas \_\_\_\_\_, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 8 day of October, 2013, by Paul A. Thomas, [X] who is personally known to me or [ ] who has produced \_\_\_\_\_ as identification and who did take an oath.



*L. Wesley Nichols*

Notary Public

*L. Wesley Nichols*

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 4/12/14

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

ALL OF BLOCK 24, ACCORDING TO THE PLAT OF PHILO FARMS, AS RECORDED IN PLAT BOOK 3, PAGE 11 OF THE PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS. LESS RIGHTS-OF-WAY FOR STATE ROAD #706, (INDIANTOWN ROAD).

CONTAINING 17.21 ACRES, MORE OR LESS.





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