

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

**Application No.:** PDD-2015-00746  
**Application Name:** Orchid Bend  
**Control No.:** 2014-00194  
**Applicant:** Verzaal Family Ltd Partnership  
 Preferred Realty and Development  
**Owners:** Verzaal Family Ltd Partnership  
**Agent:** Cotleur & Hearing, Inc. - Kate Dewitt  
 Cotleur & Hearing, Inc. - Don Hearing  
**Telephone No.:** (561) 747-6336 , (561) 747-1377  
**Project Manager:** Osniel Leon, Site Planner II

**TITLE:** an Official Zoning Map Amendment for a Planned Development District. **REQUEST:** to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

**APPLICATION SUMMARY:** Proposed is an Official Zoning Map Amendment from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District for the Orchid Bend Development. The 5.18-acre development is bisected by Lake Ida Road and is located between Sims Road and South Military Trail. The subject property was used as a nursery which is no longer in operation.

The Preliminary Master Plan indicates two Residential Pods, one on each side of Lake Ida Road. Pod A includes 14 Multi-Family dwelling units, a Neighborhood Park (.03-acre) and a dry retention area (.14-acre). Pod B includes 10 Multi-Family dwelling units, a Recreation Pod (.17-acre) and two dry retention areas (.17-acre). Three (3) access points to the site will be provided from Lake Ida Road.

**SITE DATA:**

Location:	North and south sides of Lake Ida Road, east of Sims Road.
Property Control Number(s)	00-42-46-11-00-000-5010
Existing Land Use Designation:	Medium Residential 5 units per acre (MR-5)
Proposed Land Use Designation:	No proposed change
Existing Zoning District:	Agricultural Residential District (AR)
Proposed Zoning District:	Planned Unit Development (PUD)
Acreage:	5.18 acres
Tier:	Urban/Suburban Tier
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile	City of Delray Beach
Future Annexation Area	City of Boynton Beach

**RECOMMENDATION:** Staff recommends approval of the request subject to 16 Conditions of Approval as indicated in Exhibit C.

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

**PROJECT HISTORY:** The subject property was historically vacant and undeveloped land prior to 1953. Between 1953 and 1964, a farm with several structures was constructed on the subject site. The existing warehouse building with cold storage was reportedly constructed on the North and South parcels in the 1980's. Lake Ida Road was constructed between the North and South Parcels in the 1990's and several structures associated with the farm/nursery were demolished. The subject site reportedly operated as a potted plant nursery from the late 1990's until the early 2010's.

## SURROUNDING LAND USES:

### NORTH:

FLU Designation: Medium Residential, 5 units per acre (MR-5)  
Zoning District: Single-Family Residential (RS)  
Supporting: Residential (Bridgeview Condominium, Control No. N/A)

### SOUTH:

FLU Designation: High Residential, 8 units per acre (HR-8)  
Zoning District: Multi-Family Residential (RM)  
Supporting: Residential (High Point of Delray West, Control No. 1974-00066)

### EAST:

FLU Designation: Medium Residential, 5 units per acre (MR-5)  
Zoning District: Agricultural Residential (AR)  
Supporting: Residential (Control No. N/A)

### WEST:

FLU Designation: Medium Residential, 5 units per acre (MR-5)  
Zoning District: Agricultural Residential (AR)  
Supporting: PBC drainage pond

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## FINDINGS:

### Rezoning Standards:

When considering a Development Order application for an Official Zoning Map Amendment to a Standard Zoning District or a rezoning to a PDD or TDD, the BCC and ZC shall consider Standards 1-7 listed under Article 2.B.1.B of the ULDC. The Standards and Staff Analyses are indicated below. An 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 amendment is consistent with the Plan.*

○ Consistency with the Comprehensive Plan: The proposed use and amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including densities and intensities of use.

○ Density & Workforce Housing: The Applicant is requesting a total of 24 units, which is consistent with the MR-5 land use designation. The 5.18-acre site could develop with a maximum of 25 units with the MR-5 land use designation ( $5.18 \times 5 = 25.9$  rounded down to 25). However, the Applicant is only choosing to request 24 units.

Since the request is greater than 10 units, participation in the program is mandatory. The Workforce Housing Program provides housing for qualified buyers with an income that is 60 -140% of the Area Median Income (AMI). Currently, per HUD, Palm Beach County has an AMI of \$64,900. Additionally, the Applicant has chosen WHP Option 2, Limited Incentive, is requesting no additional density bonus and has stated in the justification and on the plans that the obligation will be built onsite.

Therefore, the request for a total of 24 units, and the required Workforce Housing on the subject 5.18 acres, with the MR-5 land use designations was achieved as follows:

○ Standard & PUD Density: Workforce Housing (WHP):

20 Standard units    0.50 WHP units (2.5%)  
4 PUD units        0.32 WHP units (8%)  
24 units total     0.82 or 1 required WHP (rounded up)

The mandatory WHP program requires that a percentage of units be deed restricted for a specified term to be sold or rented. The following are the current sales and rental prices, per income category,

for 2015 in Palm Beach County. These homes cannot be sold or rented at a higher price and any Utility Allowances are to be applied against gross maximum rent and the rental prices. Based on the Median Family Income of \$64,900, the following are the WHP sales and rental Prices:

**WHP Sales Prices:**

WHP Income Category 2015 Sales Prices

Low (60-80%) \$136,290  
Moderate-1 (>80-100%) \$175,230  
Moderate-2 (>100-120%) \$214,170  
Middle (>120-140%) \$253,110

**WHP 2015 Rental Prices:**

Income % 1 BR 2 BR 3 BR 4 BR

60%	\$ 738	\$ 886	\$1,023	\$1,141
80%	\$ 985	\$1,182	\$1,365	\$1,522
100%	\$1,231	\$1,478	\$1,706	\$1,903
120%	\$1,477	\$1,773	\$2,047	\$2,283
140%	\$1,723	\$2,068	\$2,388	\$2,663

- Special Overlay District/ Neighborhood Plan/Planning Study Area: The request is not located within an Overlay or Neighborhood planning area that is identified within the Comprehensive Plan.
- 2. **Consistency with the Code** - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The proposed development is unique in that it has an arterial road running the middle of it and the remaining portions are triangular in shape. Development of Single-family homes with the proposed configuration and its lot layout poses some difficulties. The zoning and use of the development as a PUD and Multi-family are consistent with the purpose and intent of the Code.

- Exemplary Design - The proposed development will contain 24 Multi-Family dwelling units in a mix of 3, 4 and 5 units clustered in 6 buildings. Three dry retention areas totaling .31-acres, for drainage are provided in the interior of the development. A .17-acre Recreational Pod is provided on Pod B and a .03-acre Neighborhood Park is provided in Pod A. The project provides sidewalks throughout, which provide pedestrian access to amenities.
- Workforce Housing (WFH) - The proposed development requires the provision of one Workforce Housing unit. The Applicant has chosen WHP Option 2, Limited Incentive, is requesting no additional density bonus and has stated in the justification and on the plans that the obligation will be built onsite.
- Parking - The proposed parking is in compliance with the minimum requirements for the Multi-Family development of 2 spaces per dwelling unit plus one guest parking space for every four dwelling unit. A total of 54 parking spaces are required and 107 spaces are provided for the site.
- Landscape/Buffering - The PUD provides landscape buffers between the project and the adjacent properties. The Preliminary Master Site Plan indicates a 15 foot compatibility landscape buffer along the north and west property boundaries. A 20 foot ROW landscape buffer along Lake Ida Road and 15 foot ROW landscape buffer on the east property boundary. The south property boundary indicates a 15 foot compatibility buffer and a 20 foot ROW buffer along the unimproved Lake Ida Road 108 foot wide ROW.
- Architectural Review - Architectural Review in compliance with Art. 5.C is not required as the proposed townhouse development does not propose more than 16 units per building.
- Signage - The Preliminary Master Plan indicates the location of two signs at the project's Pod A westernmost entrance and two signs at the entrance of Pod B. Each will comply with the ULDC by providing a maximum sign area of 60 square feet with a maximum height of eight feet.

3. **Compatibility with Surrounding Uses** - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

The proposed amendment for a PUD is compatible with the surrounding area. Adjacent property uses consist on Single family and Multi-family developments. The proposed Multi-family development is an appropriate use of the property. The proposed development is buffered from the surrounding community by compatible landscape buffers.

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

VEGETATION PROTECTION: The site has been cleared.

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

CONTAMINATION ISSUES: The submitted Phase I Environmental Audit did not identify a history of on-site contamination, nor were any obvious signs of contamination observed on site inspections. However, the Audit recommended further assessment of the site. Therefore, a Phase II Environmental Audit will be required prior to DRO Site Plan approval.

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

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

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

The proposed amendment will result in a logical development pattern. The proposed project is surrounded on all sides by residential uses. The use of the site as Multi-family is logical due to the lots configuration and location with Lake Ida Road.

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

ENGINEERING COMMENTS:

**TRAFFIC IMPACTS**

Total net new traffic expected from this project is 160 daily trips, 16 AM and 19 PM peak hour trips. This traffic is subject to review for compliance with the Unified Land Development Code Article 12 - Traffic Performance Standards (TPS). There are no improvements to the roadway system required for compliance with TPS because this project has an insignificant impact on the surrounding roadway network; it contributes less than one percent of the adopted level of service on all links within the radius of development influence.

The Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code.

The Property Owner shall dedicate additional right of way for Lake Ida Road.

The Property Owner shall provide temporary construction easements along both sides of Lake Ida Road.

The Property Owner shall provide line of sight easements where required by the County Engineer.

The Property Owner shall provide disclosure of Lake Ida Road as a Thoroughfare Plan Roadway with its ultimate number of lanes.

The Property Owner shall obtain a Right of Way Permit from the Palm Beach County Engineering Department, Permit Section, for access onto, or work within Lake Ida Road.

PALM BEACH COUNTY HEALTH DEPARTMENT: The proposed request has been reviewed by the Health Department and there are no issues at this time.

FIRE PROTECTION: The proposed request has been reviewed by the Fire Department and there are no issues at this time.

SCHOOL IMPACTS: In accordance with adopted school concurrency, a Concurrency Determination for 24 Multi-family units had been approved on May 12, 2015 (Concurrency Case #15051101C). The subject property is located within Concurrency Service Area 20 (SAC 285).

This project is estimated to generate approximately four (4) public school students. The schools currently serving this project area are: Banyan Creek Elementary School, Carver Community Middle School and Atlantic Community High School.

PARKS AND RECREATION: Based on a proposed 24 dwelling units, a minimum of 0.17 acres of onsite recreation is required. The plan submitted indicates 0.17 acres of recreation will be provided, therefore Parks and Recreation Dept. standards have been addressed.

This project is bisected by Lake Ida Road, with 14 units located on the north side of Lake Ida Road and 10 units located on the south side of the road. Because of Lake Ida's speed limit and the road's curve, Staff is recommending one of the four guest parking spaces located in proximity to the recreation pod be reserved residents using the recreation facilities.

Due to the close proximity of vehicular traffic Staff is recommending a fence be installed around the recreation pod.

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

The Agent has stated that the proposed rezoning request allows the Applicant the opportunity to provide for a well planned, suitable and functional development. The subject site represents an opportunity for enhancement and redevelopment of an existing property.

CONCLUSION: Staff has evaluated the standards listed under Article 2.B. 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 Official Zoning Map Amendment to a Planned Development District. 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

#### PDD- Residential Planned Development District

##### ALL PETITIONS

1. The approved Preliminary Master Plan is dated July 27, 2015. 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)

##### ENGINEERING

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

a. No Building Permits for the site may be issued after December 31, 2020. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. Prior to issuance of the first building permit, the Property Owner shall combine the property into legal lot(s) of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPM: MONITORING - Engineering)

3. Prior to issuance of the first building permit, the Property Owner shall provide temporary construction easements along both sides of lake Ida Road along the property frontage as required by the County Engineer. (BLDGPM: MONITORING - Engineering)

4. Prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first, the Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for Lake Ida Road, fifty-five (55) feet, measured from centerline of the proposed right of way on an alignment approved by the County Engineer.

All right of way deed(s) and associated documents shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM/ONGOING: MONITORING - Engineering)

5. Prior to DRO approval, the Property Owner shall provide Line of Sight Easements where the line of sight is outside of the ultimate right of way. The line of sight shall be determined in accordance with Chapter 3.C.9.b.1 and Figures 3-7 and 3-8 of the Florida Department of Transportation's Manual of Uniform Minimum Standards For Design, Construction and Maintenance For Streets and Highways,

2013 Edition or as updated, commonly known as the "Florida Greenbook". The line of sight shall be based on the ultimate 6 lane design of Lake Ida Road. (DRO: ENGINEERING - Engineering)

#### 6. Major Thoroughfare Road Disclosure

a. Prior to the recordation of the first plat, the Property Owner shall include in the homeowners documents and all sales contracts, as well as all sales brochures, Master Plans and related Site Plans a disclosure statement identifying Lake Ida Road as a planned thoroughfare roadway adjacent to or through this property. This shall also include the ultimate number of lanes for the road(s). Information which appears in written form shall appear in bold print. (PLAT: MONITORING - Engineering)

b. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and the Building Department. The next report shall be submitted on or before December 31, 2016, and shall continue on an annual basis until all units within the development have been sold or the Property Owner relinquishes control to the homeowners association. (DATE/ONGOING: MONITORING - Engineering)

### **ENVIRONMENTAL**

1. A Phase II Environmental Audit shall be submitted to ERM prior to DRO Site Plan approval. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

### **LANDSCAPE - PERIMETER**

#### 1. LANDSCAPING ALONG LAKE IDA ROAD

In addition to the Code requirements, landscaping along Lake Ida Road shall be upgraded to include:

a. one (1) palm or pine for each for each thirty (30) linear feet of the property line. (BLDGPMPT: ZONING - Zoning)

### **LAKE WORTH DRAINAGE DISTRICT**

1. This petition is located east of the E-3 Canal and is adjacent along a small portion, approximately 20 feet. This 20 foot area will need to be conveyed to LWDD, either by easement or warranty deed, prior to Final DRO Approval. DRO APPROVAL: ENG: LWDD (DRO: ENGINEERING - Lake Worth Drainage District)

### **PLANNING**

1. Prior to the issuance of the first Building Permit, the Property Owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants, in a form acceptable to the Palm Beach County Attorney, which includes but is not limited to the following:

Guarantees the attainability of all required workforce units required per ULDC Article 5.G. These units are to be distributed among the categories (low, moderate 1, moderate 2, and middle) consistent with the requirements in ULDC Article 5.G. The site plan shall also be modified to include the OR Book and Page of the recorded document and provide a copy of the revised site plan to Planning. (BLDGPMPT: MONITORING - Planning)

2. On an annual basis, beginning November 1, 2018, or as otherwise stipulated in the Declaration of Restrictive Covenants, the owner of the WHP unit shall submit to the Planning Director, or designee, on a form provided by the County, an annual report containing information and documentation to demonstrate continued compliance with the WHP and a copy of any monitoring information provided to and received from the appropriate funding agency/source. (DATE/ONGOING: MONITORING - Planning)

### **SCHOOL BOARD**

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

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not 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: 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 Map

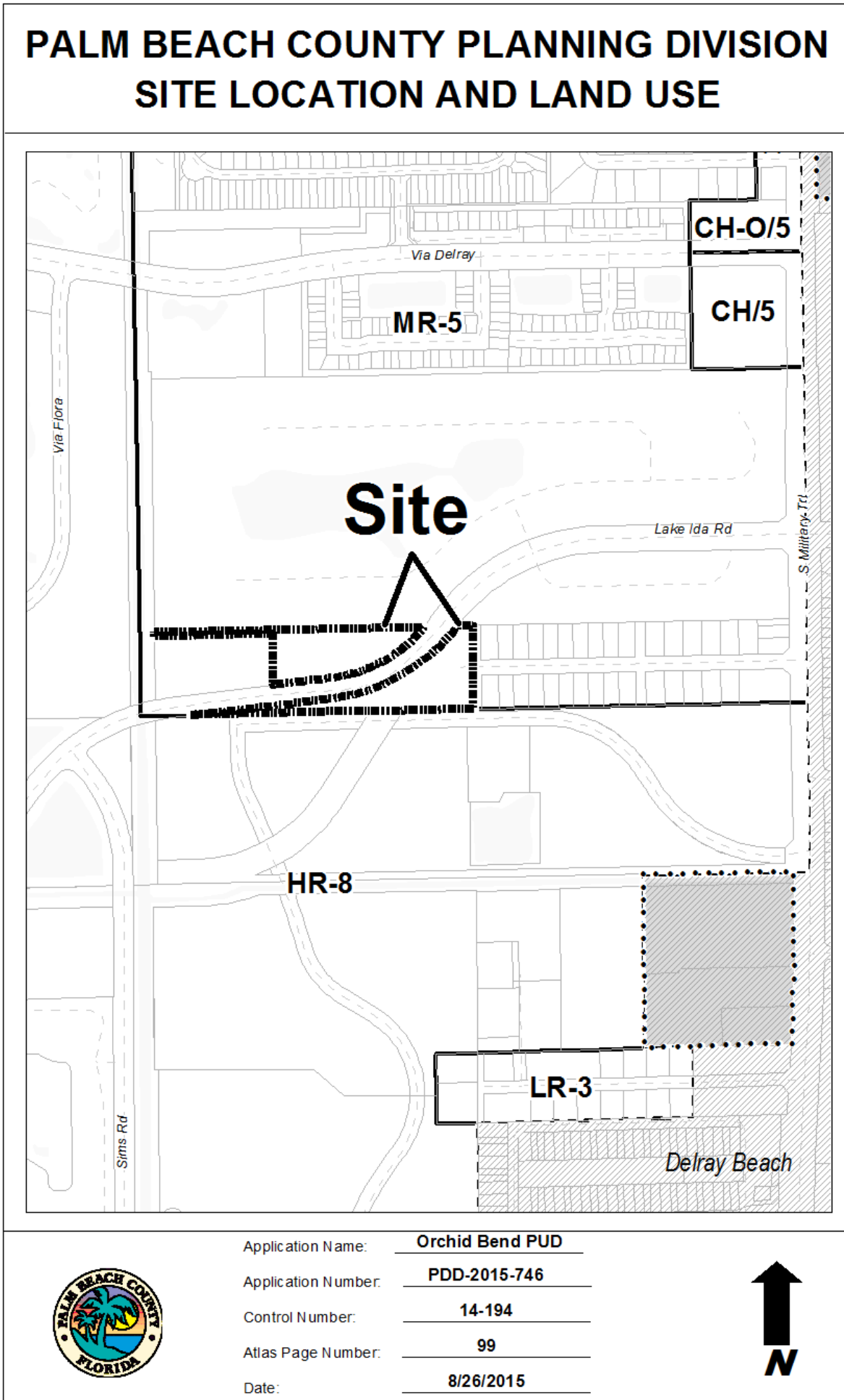


Figure 2 - Zoning Map

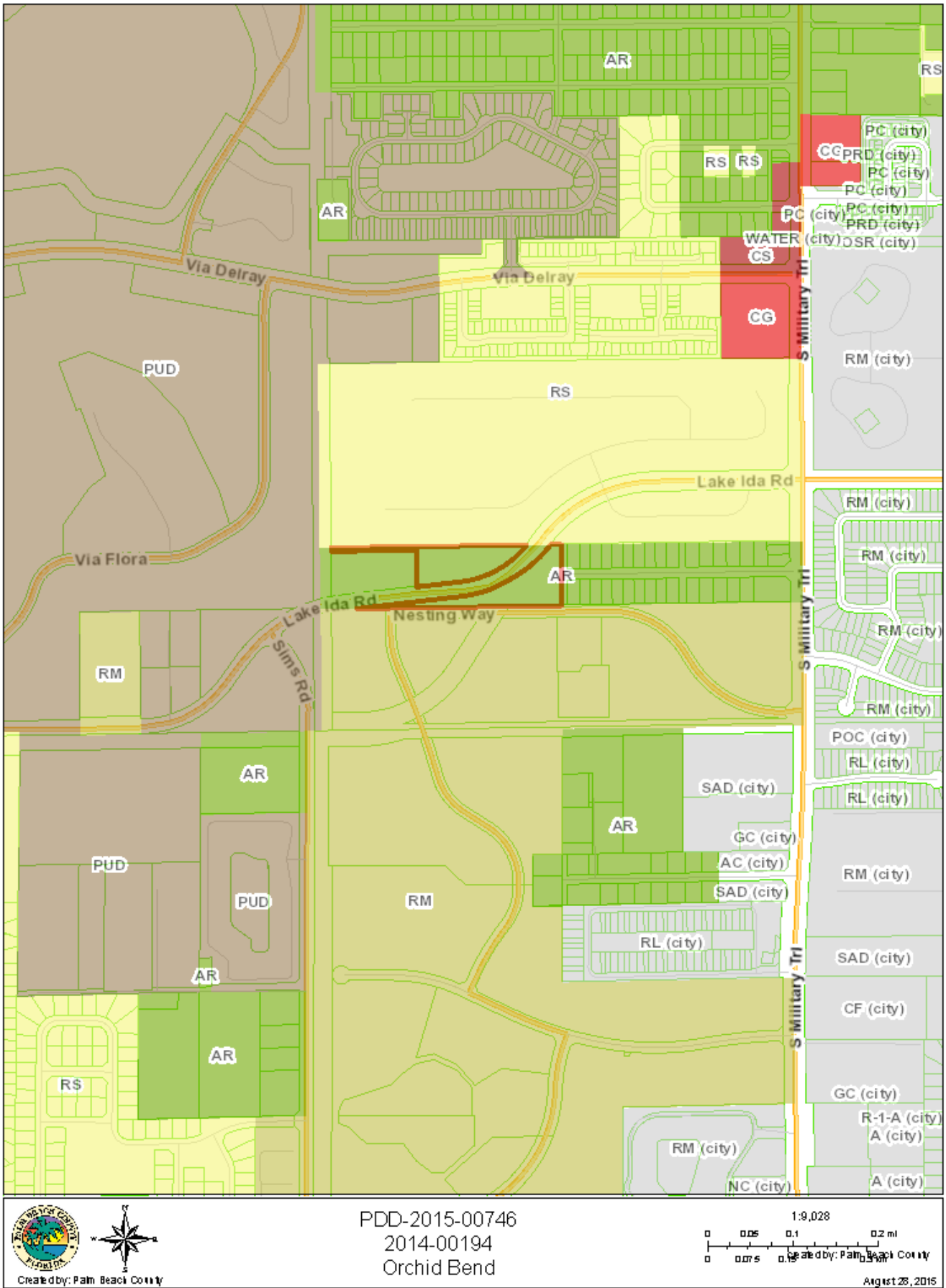


Figure 3 – Aerial

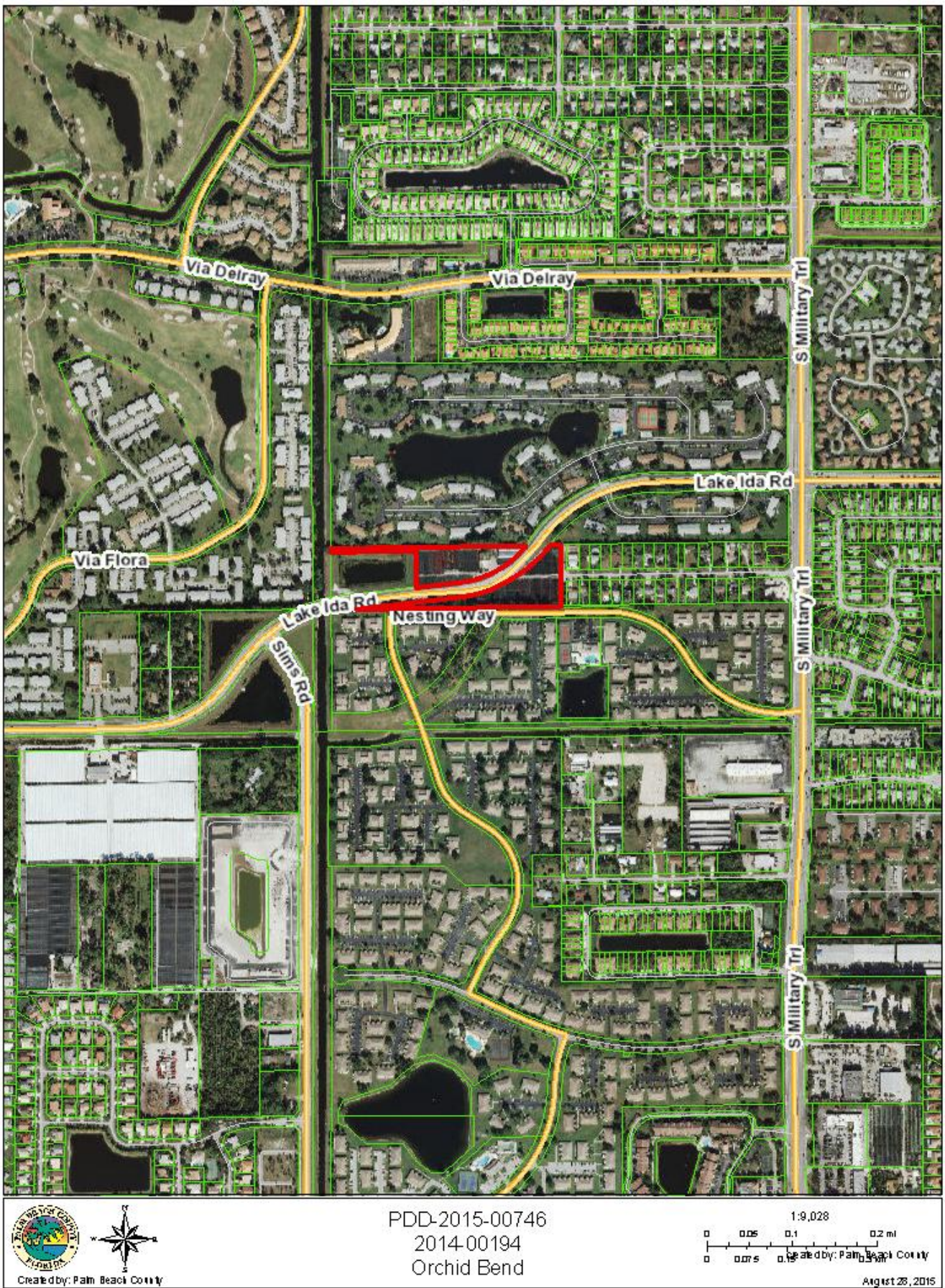
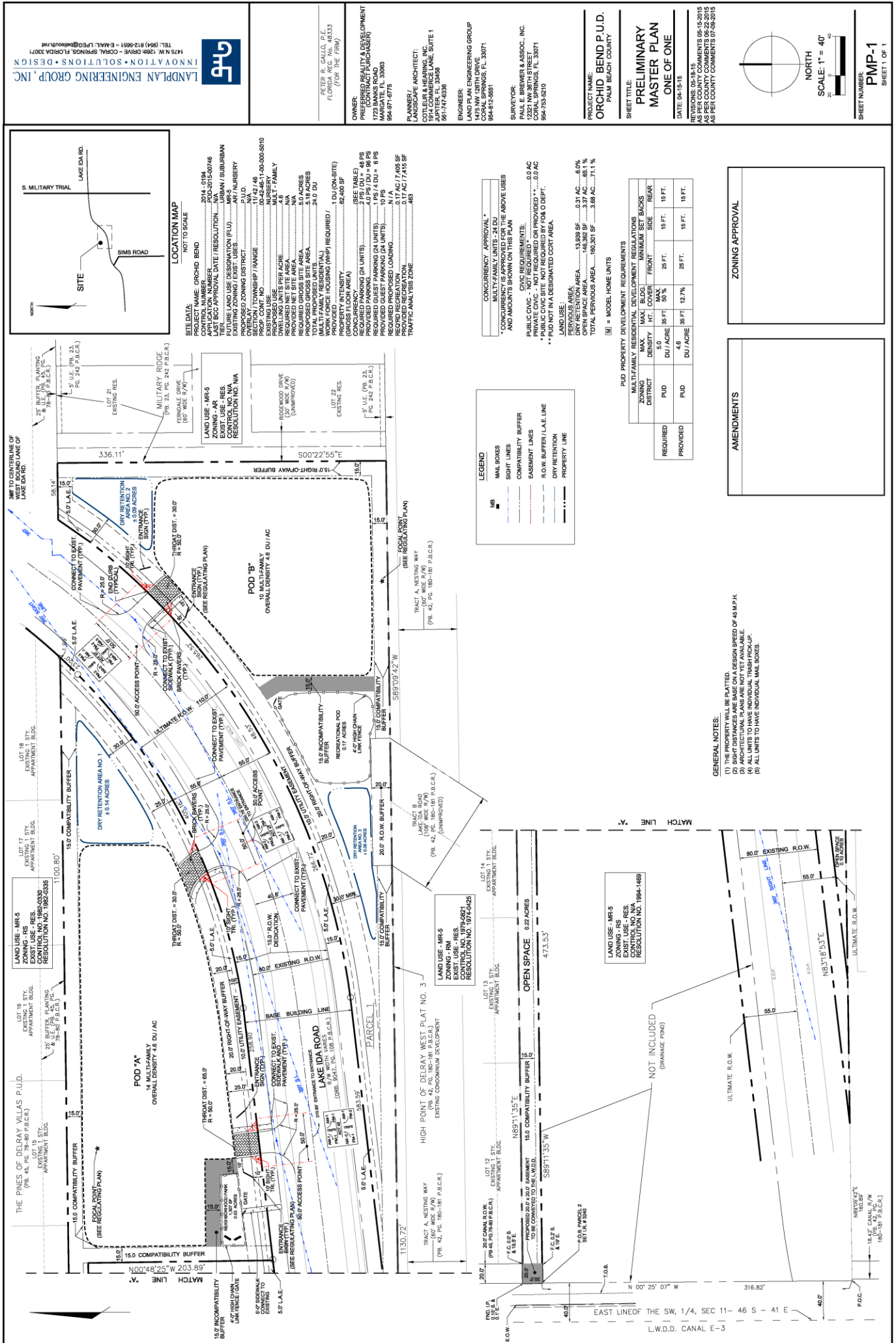


Figure 4 – Preliminary Master Plan - dated July 27, 2015





**DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT**

*[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]*

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Richard Speno, 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  vice president \_\_\_\_\_ [position—e.g., president, partner, trustee] of Preferred Realty & Development [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: Preferred Realty & Development  
1723 Banks Road  
Margate, FL 33063
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

*Richard Speno*

Richard Speno, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of APRIL, 2015, by Richard Speno, [ ] who is personally known to me or [] who has produced Drivers License as identification and who did take an oath.

*Gem Honeyghon*

Notary Public



GEM HONEYGHON  
MY COMMISSION # FF 074826  
EXPIRES: January 28, 2018  
Bonded Thru Budget Notary Services

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: \_\_\_\_\_







**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 Adrian Verzaal, 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 [ ] Trustee/Partner [position - e.g., president, partner, trustee] of Verzaal Farms Ltd. Partnership [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: 3150 JASMINE DR.  
DELRAY BEACH, FL 33483
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.

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.

Adrian Verzaal  
Adrian Verzaal, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this \_\_\_ day of MAY, 2015, by Adrian Verzaal, [ ] who is personally known to me or [ ] who has produced FL DL as identification and who did take an oath.

Brenda Manzo  
BREND A MANZO  
Notary Public  
STATE OF FLORIDA  
Comm# FF080298  
Expires 1/1/2018

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 1/1/18

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

Legal Description

DESCRIPTION: PARCEL 1

A PORTION OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 42 EAST. LESS THE WEST 40.00 FEET THEREOF. PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF "HIGH POINT OF DELRAY WEST", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 42, AT PAGE 180 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITH A LINE 40.00 FEET EAST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 11, SAID LINE BEING THE EAST LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL E-3; THENCE RUN NORTH 80°09'42" EAST ALONG SAID NORTH LINE OF "HIGH POINT OF DELRAY WEST" FOR A DISTANCE OF 160.89 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 83°18'53" EAST FOR A DISTANCE OF 583.59 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 640.00 FEET, THROUGH A CENTRAL ANGLE OF 23°52'42", FOR AN ARC DISTANCE OF 266.72 FEET TO POINT TANGENCY; THENCE RUN NORTH 59°26'11" EAST FOR DISTANCE OF 48.53 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 700.00 FEET, THROUGH A CENTRAL ANGLE OF 21°43'59", FOR AN ARC DISTANCE OF 265.52 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 11; THENCE RUN NORTH 89°11'35" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 58.14 FEET TO A POINT; THENCE RUN SOUTH 00°22'55" EAST ALONG THE EAST LINE OF THE SOUTH HALF OF THE NORTH HALF ALONG THE SOUTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 11 FOR A DISTANCE OF 1130.72 FEET TO THE POINT OF BEGINNING, CONTAINING 113,454 SQAURE FEET OR 2.6054 ACRES MORE OR LESS.

TOGETHER WITH: DESCRIPTION: PARCEL 2

A PORTION OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 42 EAST, LESS THE WEST 40.00 FEET THEREOF. PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF "HIGH POINT OF DELRAY WEST" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 42, AT PAGE 180 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITH A LINE 40.00 FEET EAST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 11, SAID LINE BEING THE EAST LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL E-3; THENCE RUN NORTH 00°25'07" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 316.82 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°25'07" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE RUN NORTH 89°11'35" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 11 FOR A DISTANCE OF 1100.80 FEET TO A POINT; THENCE RUN SOUTH 33°00'02" WEST FOR A DISTANCE OF 1.99 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 08°51'37" FOR AN ARC DISTANCE OF 23.20 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID COMPOUND CURVE, HAVING A RADIUS OF 560.00 FEET, THROUGH A CENTRAL ANGLE OF 41°27'14" FOR AN ARC DISTANCE OF 405.16 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 83°11'53" WEST FOR A DISTANCE OF 258.90 FEET TO A POINT; THENCE RUN NORTH 00°48'25" WEST FOR A DISTANCE OF 203.89 FEET TO A POINT; THENCE RUN SOUTH 89°11'35" WEST FOR A DISTANCE OF 473.53 FEET TO THE POINT OF BEGINNING, CONTAINING 112,013 SQAURE FEET, OR 2.5715 ACRES MORE OR LESS.

