

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



Application No.:	Z/CA-2011-00404
Control No.:	1999-00033
Applicant:	AS Hagen Ranch LLC
Owners:	As Hagen Ranch Llc
Agent:	Cotleur & Hearing, Inc. - Brian Cheguis
Telephone No.:	(561) 747-6336
Project Manager:	Carrie Rechenmacher, Senior Site Planner

Location: Southwest corner of Lantana Road and Hagen Ranch Road. (Stunkel Medical Office)

TITLE: an Official Zoning Map Amendment **REQUEST:** to rezone from the Residential Transitional Suburban (RTS) District to the Commercial Low-Office (CL-O) Zoning District. **TITLE:** a Class A Conditional Use **REQUEST:** to allow Medical or Dental Office

APPLICATION SUMMARY: Proposed is the rezoning of a 2.09-acre parcel of land from the Residential Transitional Suburban (RTS) Zoning District to the Commercial Low Office (CL-O) Zoning District to allow for the development for medical office uses. Also proposed is a concurrent Small Scale Land Use Atlas Amendment (SCA 2011-001) to change the Land Use designation from Low Residential 3 Units (LR-3) per acre to Commercial Low Office (CL-O). The Preliminary Site Plan (PSP) indicates two 1-story structures with 7,505 square feet for Building A and 6,275 square feet for Building B providing a total of 13,780 square feet. The 2.09-acre site was previously approved by the Board of County Commissioners (BCC) on October 2008 (R-99-76) to allow a day care center. The approval was revoked in January 2003 (R-2000-096) by the BCC through the Monitoring Review Process. A total of 69 parking spaces is indicated on the PSP, and access will be from Hagen Ranch Road (1) and Lantana Road (1).

ISSUES SUMMARY:

o Project History

In 1998, the site was subject of a small scale future land use amendment (Hagen Ranch/Lantana Road Commercial, 98-SCA 81 COM 1), to change the FLU from LR-3 to Commercial Low with an underlying LR-3 (CL/3). The applicant withdrew the amendment application prior to a Board of County Commissioners (BCC) public hearing.

In 1999, subsequent property owners were granted zoning approval using the existing LR-3 FLU designation for a 9,300 square foot day care with up to 194 children. The BCC approved the rezoning request from the Agricultural Residential (AR) Zoning District to the Residential Transitional Suburban (RTS) Zoning District through resolution R-99-2075 and granted a Class A Conditional Use approval for a day care, general, use through resolution R-99-2076. The approved day care was approval was never implemented and in 2003 the BCC revoked the approval via resolution R-2000-96. Although the approval for the day care was revoked the RTS zoning designation was retained since the Zoning District was in compliance with the LR-3 FLU designation. In 2008 Article 3 of the Unified Land Development Code (ULDC) was amended to eliminate and combine the Residential

Transitional Suburban Zoning District (RTS) to correspond with the Residential Transitional Zoning District (RT). Therefore the subject site would be currently reviewed under the RT Zoning District.

FINDINGS:

Rezoning Standards:

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

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

Applicant’s Statement:

“No residential development has occurred on this parcel due to the fact that was always contemplated and is currently bounded on two sides by significant arterial and collector roadways. This type of corner parcel is prime for development of commercial uses that can effectively buffer the impacts of busy roadways from adjacent residential developments.”

Staff’s Response: Staff has determined that the request is **not in compliance** with Standard 1 based on the following analysis.

The Planning Division has reviewed the request to allow a rezoning from the Residential Transitional Suburban (RTS) Zoning District to the Commercial Low Office (CLO) Zoning District, and for a Class A Conditional use to allow medical and dental offices. Although staff has found the request to not be inconsistent with the site’s proposed zoning district, Planning staff is recommending denial of the proposed FLUA amendment.

The site is currently the subject of a proposed Small Scale Future Land Use Atlas (FLUA) amendment (SCA 2011-001) to change the FLU designation from Low Residential, 3 units per acre (LR-3) to Commercial Low-Office (CL-O). Planning staff is recommending denial of the proposed FLUA amendment based on the conclusion that *“the applicant has not provided an adequate justification for the proposed amendment and is therefore inconsistent with Policy 2.1-f.”*

- o July 8, 2011 Land Planning Advisory Board (LPA) Hearing

The proposed FLUA amendment was heard by the Planning Commission at the July 8, 2011 Local Planning Agency (LPA) public hearing. The Planning Commission supported staff recommendation to deny the petition by a 11-0 vote.

- 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.*

Applicant’s Statement:

The applicant’s Justification Statement indicated that “The proposed zoning map amendment is not in conflict with any portion of the ULDC, and is consistent with the stated purpose and intent of the ULDC. The conceptual site plan indicates how the site can be developed pursuant to the criteria of the ULDC.”

Staff’s Response: Staff has determined that the request is **not in compliance** with Standard 2 based on the following analysis.

The request to allow a rezoning from the Residential Transitional Suburban (RTS) Zoning District to the Commercial Low Office (CLO) Zoning District is contingent upon BCC adoption of the proposed FLUA amendment. The applicant has not demonstrated how the request complies with Section 2.B.1.A Official Zoning Map Amendment: Purpose *where necessary adjustment in light of the*

changed conditions require the rezoning without conferring special privileges or rights on any person and determine the consistency of the proposed amendment with the intent of the Plan.

The applicant has not demonstrated where this is a “necessary adjustment in light of the changed conditions.” The ULDC has eliminated and combined the Residential Transitional Suburban Zoning District (RTS) to correspond with the Residential Transitional Zoning District (RT). Article 3.C.1.F. defines the RT district “*to provide a transition between a suburban and single family atmosphere and estate development, which promotes active recreational facilities within the privacy of an individual lot*”. Changing this site to a commercial parcel is not only not necessary but is not interrelated to the residential uses and in fact is disruptive to the current residential lifestyle of the adjacent large lot subdivision.

However, contingent upon BCC adoption of the proposed FLUA amendment, the request would be consistent with the minimum property development regulations of the CL-O Zoning District.

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.*

Applicant’s Statement:

“The property is one of 6 similarly sized lots located at the southwest corner of the intersection. Each of the remaining 5 lots contains a single-family home. Three of the homes were constructed in the 1970’s and one each was constructed 1986 and 1995, respectively. None of the homes were constructed during the past 15 years, and 4 of the 5 were constructed a minimum of 24 years ago.” Further the applicant concludes the proposed development would meet FAR and “*To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can compliment and support each other.*”

Staff’s Analysis: Staff has determined that the request is **not in compliance** with Standard 3 based on the following analysis.

EAST:
FLU Designation: Medium Residential (MR-5)
Zoning District: Single-Family Residential District (RS)
Supporting: Mobile Home Park (Control No 1986-027)

NORTH:
FLU Designation: Low Residential (LR-1)
Zoning District: Residential Transitional District (RT)
Supporting: Place of Worship (Control No 2005-508)

WEST:
FLU Designation: Low Residential (LR-3)
Zoning District: Agricultural Residential District (AR)
Supporting: Single Family Dwelling (Control No n/a)

SOUTH:
FLU Designation: Low Residential (LR-3)
Zoning District: Agricultural Residential District (AR)
Supporting: Single Family Dwelling (Control No n/a)

The proposed amendment is not compatible, or generally consistent with existing uses and surrounding zoning districts. Furthermore, the applicant has not demonstrated that this is the appropriate zoning district for this parcel of land. This introduction of commercial zoning is out of character with the immediate vicinity and the land use pattern in the area. As stated in the concurrent

FLU amendment report “*The subject site is located in a low density suburban area for which the Comprehensive Plan has designated commercial development at medium to large commercial centers and nodes (as shown on the Existing Land Use Map).*”

The proposed amendment would introduce a new commercial uses in an area that is designated for and largely built as, residential.” In addition there are vacant commercial buildings and shopping centers in close proximity to this site that could be utilized without disruption to a parcel that is surrounded primarily by residential or institutional uses.

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.*

Applicant’s Justification: The applicant’s justification describes the site that is covered with dense mature Pine Trees: There are native Pine trees on the subject property which will be preserved in the site design to the greatest extent possible and included in the project’s landscape plan. All exotic species will be removed from the subject property.

Staff’s Analysis: Environmental Resource Department (ERM) staff of PBC has determined that the request is **in compliance** with Standard 4. There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements. The applicant has provided a tree survey with the proposal and will incorporate a small portion of the trees into the site design. However, the Zoning Division recommends a Landscape condition 1 requiring the existing native vegetation be preserved subject to the revised site plan and additional setback requirements. (See Landscape Condition 1)

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

Applicant’s Justification: The applicant’s Justification statement claims that “*The development provides for an interesting commercial/office center that engages the roadway with interesting architecture and provides for safe and convenient pedestrian routes through the site. The development shall be programmed to the design standards provided in the ULDC and will effectively integrate into the existing built fabric of the surrounding community*”

Staff’s Analysis: Staff has determined that the request is **not in compliance** with Standard 5 based on the following analysis.

The applicant fails to describe how the proposal results in a logical, orderly and timely development pattern or interacts with the adjacent residential uses. As stated in the concurrent FLUA amendment staff report:

“The proposed amendment would introduce a new commercial office use in an area that is designated for and largely built as residential. This introduction can be considered out of character with the immediate vicinity and the land use pattern in the area. The applicant has provided broad statements with regards to need, but has not provided an adequate justification for CL-O on this specific site considering the surrounding suburban development pattern and residential land uses.” The applicant’s justification statement provided statements of integration into the existing built fabric but fails to demonstrate how this is achieved through this rezoning request.

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

The subject site is not within a special overlay, neighborhood plan, or study area.

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

The site is approved for 13,780 square feet of medical office uses.

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

Applicant's Justification: The applicants' justification states, "... there are no properties with a CL-O FLUA designation within the primary service area.... Applying the above determined "CL-O balance rate" to the primary service area population results in the need for 6.47 acres of CL-O designated land in order to attain the unincorporated area norm. Until recently; the subject site has not been particularly accessible from residential areas within the service area. However, that condition changed with the completion of Hagen Ranch Road, from Boynton Beach Boulevard to Lantana Road. The changed conditions that exist in the immediate area are the proliferation of higher density residential development in close proximity to the subject site that are now directly accessible to due to the recent extension of Hagen Ranch Road and its tributary road network"

Staff's Analysis: Staff has determined that the request is **not in compliance** with Standard 8 based on the following analysis:

Although the completion of Hagen Ranch road has changed the character of this area this does not automatically trigger a change to a commercial parcel for the subject site.

The Planning Staff report continues their analysis by stating the applicant has not provided adequate justification that the ideal balance rate of commercial to residential is "appropriate to apply within a much smaller defined area where the character of development is predominantly a suburban residential development pattern with commercial uses located in nodes. The lack of CL-O FLU could be indicative that commercial in general has concentrated at larger nodes in this suburban area or that CL-O is already adequately balanced in the area."

Further..."There are other CL-O properties just beyond the boundary that the applicant selected. In fact, there are vacant or partially vacant properties with CL-O FLU within 2 ½ miles of most areas of the communities the applicant identifies as the primary and secondary service areas."

The proposed rezoning would introduce a new commercial designation in an area that is designated for and largely built as, residential. Other than the completion of Hagen Ranch Road, from Boynton Beach Boulevard to Lantana Road, and attempting to save a fraction of the mature slash pines on site the applicant has done little to defend or justify the changed circumstances to support the rezoning request. The introduction of commercial in this location would be disjointed and out of character with the immediate vicinity and the residential land use pattern in the area. The haphazard introduction of commercial in this location would disrupt the surrounding suburban development pattern and residential land uses.

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

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

See Rezoning Standard 1. Consistency with the Plan

2. **Consistency with the Code** - *The proposed use or amendment complies with all applicable standards and provisions of this Code for use, layout, function, and general development*

characteristics. The proposed use also complies with all applicable portions of Article 4.B, SUPPLEMENTARY USE STANDARDS.

Also See Rezoning Standard 2. Consistency with the Code

Applicant's Statement:

The applicant's Justification Statement indicated that "The proposed zoning map amendment is not in conflict with any portion of the ULDC, and is consistent with the stated purpose and intent of the ULDC. The conceptual site plan indicates how the site can be developed pursuant to the criteria of the ULDC."

Staff's Response: Staff has determined that the request is **not in compliance** with Standard 2 based on the following analysis.

Contingent upon BCC adoption of the proposed FLUA amendment, the request would be consistent with the minimum property development regulations of the district. The applicant concludes that since the proposed development would meet minimum property development regulations for FAR, landscape, setbacks, and maximum height would therefore be compatible. The applicant does volunteer for a height limitation of a single story. However the proposed site plan configuration can not support any additional square footage since the site plan already maximizes the use in terms of setbacks, access, parking and retention areas.

- o Conditional Uses Purpose

In addressing whether the proposed use is in compliance with Standard 2, Consistency with the Code, the applicant failed to address how the proposed design, configuration and intensity are appropriate and compatible at the proposed location. The responsibility lies with the applicant to demonstrate how the proposed development will minimize the impacts on surrounding residential development. This should be typically done through the analysis of the design and configuration for the proposed use.

Staff is recommending denial of the requests. However, if the Commissioners vote for approval of the request staff would recommend conditions of approval as further discussed below.

- o Landscape/Buffering

The applicant has provided buffers in accordance with Article 7 of the ULDC. Staff recommends additional Pine Trees along the right of way (ROW) frontages of Hagen Ranch Road and Lantana Road and a condition of approval to assure the ROW buffer for Hagen is a minimum of 20 feet in width with a 5 foot easement overlap permitted.

- o Signs

Staff is recommending signage be limited to a maximum of 8 feet in height and 50 square feet of sign face area with 1 sign per ROW frontage. Wall signage shall be in accordance with ULDC requirements of Article 7.

- o Access

During the DRO pre-certification process of the zoning application, there were discussions as to whether the access to the site would be a shared access via Pine Tree Lane (an easement) or directly on Lantana Road. The site plan was revised to provide a separate access from Pine Tree Lane directly to Lantana Road. This particular ingress and egress arrangement places the two access point in close proximity to each other. A waiver to the access standards was required and was granted by the Engineering Department. In addition Land Development granted a base building line waiver to establish side setbacks for Medical Building B.

- o Hours of Operation

Article 3.D.3.A.2.a., Hours of Operation states– *Commercial uses located within 250 feet of a residential district shall not commence business activities, including deliveries and stocking, prior to 6:00 a.m. nor continue business activities later than 11:00 p.m. daily.* Staff recommends a condition limiting hours of operation from 7:00 a.m. to 9:00 p.m. and allowing business activities Monday through Friday only.

3. **Compatibility with Surrounding Uses** – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

See Rezoning Standard 3. Compatibility with Surrounding Uses

4. **Design Minimizes Adverse Impact** – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

Also See Rezoning Standard 5: Development Patterns

Applicant’s Justification: the applicant’s Justification statement states” “The elements of the site design have been carefully reviewed to minimize any adverse impacts. Two (2) points of access are proposed to the subject site from Hagen Ranch Road and Lantana Road via a private road easement. Additionally buffers are provided adjacent to all property lines and all buildings are designed as to minimize any impact on the surrounding properties. A visual impact analysis has been provided with this request which demonstrates that the proposed building does not have any negative visual impact on the adjacent lands.”

Staff’s Analysis: Staff has determined that the request is **not in compliance** with Standard 4 based on the following analysis.

The applicant fails to describe how the proposal minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands or compliments the development pattern or interacts with the adjacent residential uses. The proposal maximizes the potential square footage since no additional parking could be provided. The proposed buffers are the minimum required with the exception of the ROW buffer adjacent to Hagen Ranch Road which is 20 foot with a 5 foot easement overlap instead of a 15 foot wide with a 5 foot easement overlap that is permitted if the ROW is less than 100 feet in width. Except for this one factor the applicant is not providing anything beyond minimum Code requirements.

This introduction of a commercial use is out of character, destroys numerous slash pines which serve as a buffer from the expanded Hagen Ranch Road and is not consistent with the immediate vicinity and the land use pattern in the area. The applicant has not provided an adequate justification to use this area for a commercial use when there is a large amount of vacant commercial that could be utilized for the proposed use of medical offices within a few miles of the subject site.

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

See Rezoning Standard 4: Effect on Natural Environment

Applicant’s Justification: There are native Pine trees on the subject property which will be preserved in the site design to the greatest extent possible and included in the project’s landscape plan. All exotic species will be removed from the subject property.

Staff’s Analysis: Staff has determined that the request is **in compliance** with Standard 5 based on the following analysis. Trees indicated on the survey will be incorporated to the greatest extent possible in the overall site design or mitigated. However the applicant has mitigated the minimum amount of trees in order to maximize the site for the proposed development.

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

Also See Rezoning Standard 5: Development Patterns

The proposed use is a commercial use which is allowed, subject to a Conditional Use approval process and procedures. The applicant; however, fails to describe in the justification statement how the proposed use complies or will result in a logical, orderly and timely development pattern.

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

The subject site is not within a special overlay, neighborhood plan, or study area.

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

The site is approved for 13,780 square feet of medical office uses.

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

Also See Rezoning Standard 8: Changed Conditions or Circumstances

Applicant’s Justification: The applicant’s justification summarizes that, “Until recently, the subject site has not been particularly accessible from residential areas within the service area. However, that condition changed with the completion of Hagen Ranch Road, from Boynton Beach Boulevard to Lantana Road.

The changed conditions that exist in the immediate area are the proliferation of higher density residential development in close proximity to the subject site that are now directly accessible to due to the recent extension of Hagen Ranch Road and its tributary road network.

Staff’s Analysis:

The justification does not discuss or suggest that there is a shortage or need for a medical offices uses in this location especially in light of much vacant commercial within a mile or 2 of the site. The applicant also does not justify why the change in use is better suited for this property. The justification statement presents little substantive testimony to address the supply, demand, and alleged importance of a new a new use, versus other alternatives for this location of a commercial development. The applicant must provide more facts and documentation in order to support the request.

o **Staff Recommendation for Denial**

Staff recommends **DENIAL** of the request for Official Zoning Map amendment to the CL-O Zoning District for failure to comply with the following Standards of Article 2.B.1.B:

- Art.2.B.1.B.1.Consistency with the Plan
- Art.2.B.1.B.2 Consistency with the Code
- Art.2.B.1.B.3 Compatibility with Surrounding Uses
- Art.2.B.1.B.5 Development Patterns
- Art.2.B.1.B.8 Changed Conditions or Circumstances

Staff recommends **DENIAL** of the request for a Class A Conditional Use for a Medical or Dental Office for failure to comply with the following Standards of Article 2.B.2.B.:

- Art.2.B.2.B.1. Consistency with the Plan
- Art.2.B.2.B.2 - Consistency with the Code
- Art.2.B.2.B.3 Compatibility with Surrounding Uses
- Art.2.B.2.B.4 Design Minimizes Adverse Impact
- Art.2.B.2.B.6 Development Patterns
- Art.2.B.2.B.9 Changed Conditions or Circumstances

If the Zoning Commission recommends approval of the Official Zoning Map Amendment and the Class A Conditional Use, staff recommends the Official Zoning Map Amendment be subject to a Conditional Overlay Zone (COZ) and the 13 Conditions of Approval as indicated in Exhibit C-1 and the Class A Conditional Use subject to the 4 Conditions of Approval as indicated in Exhibit C-2.

TABULAR DATA

	EXISTING	PROPOSED
Property Control Number(s)	00-42-44-40-00-040-0012	Same
Land Use Designation:	Low Residential 3 (LR-3)	Commercial Low Office (CLO)
Zoning District:	Residential Transitional Suburban (RTS)	Commercial Low Office (CLO)
Tier:	Urban/Suburban Tier	Same
Use:	Vacant	Medical or Dental Office
Building Coverage	n/a	13,780 square feet
FAR	n/a	15.3%
Acreage:	2.09 acres	Same
Parking:	n/a	70 spaces
Access:	n/a	Lantana Road (1) Hagen Ranch Road (1)

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

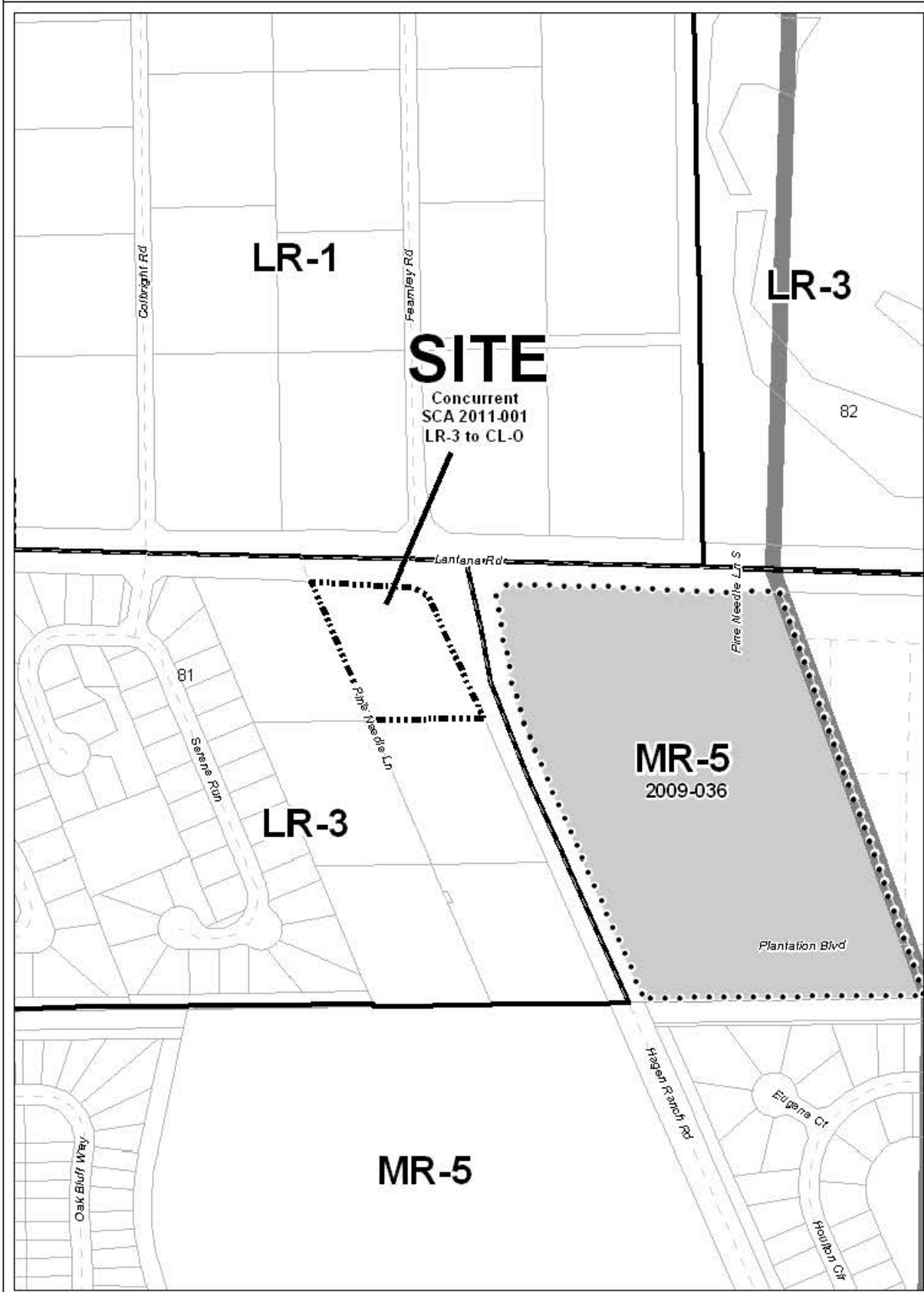
RECOMMENDATION: Staff recommends denial of the requests.

MOTION: To recommend denial of an Official Zoning Map request to rezone from the Residential Transitional Suburban (RTS) District to the Commercial Low-Office (CL-O) Zoning District.

MOTION: To recommend denial of a Class A Conditional Use to allow Medical or Dental Offices in the Commercial Low Office District.

PALM BEACH COUNTY PLANNING DIVISION

SITE LOCATION AND LAND USE



Application Number:	Z/CA-2001-404
Control Number:	1986-027
Land Use Atlas Page:	81
Date:	06/20/2011



Figure 1 Land Use Atlas Map

ZC
 Application No. Z/CA-2011-00404
 Control No. 1999-00033
 Project No. 05837-000

August 4, 2011
 BCC District 03

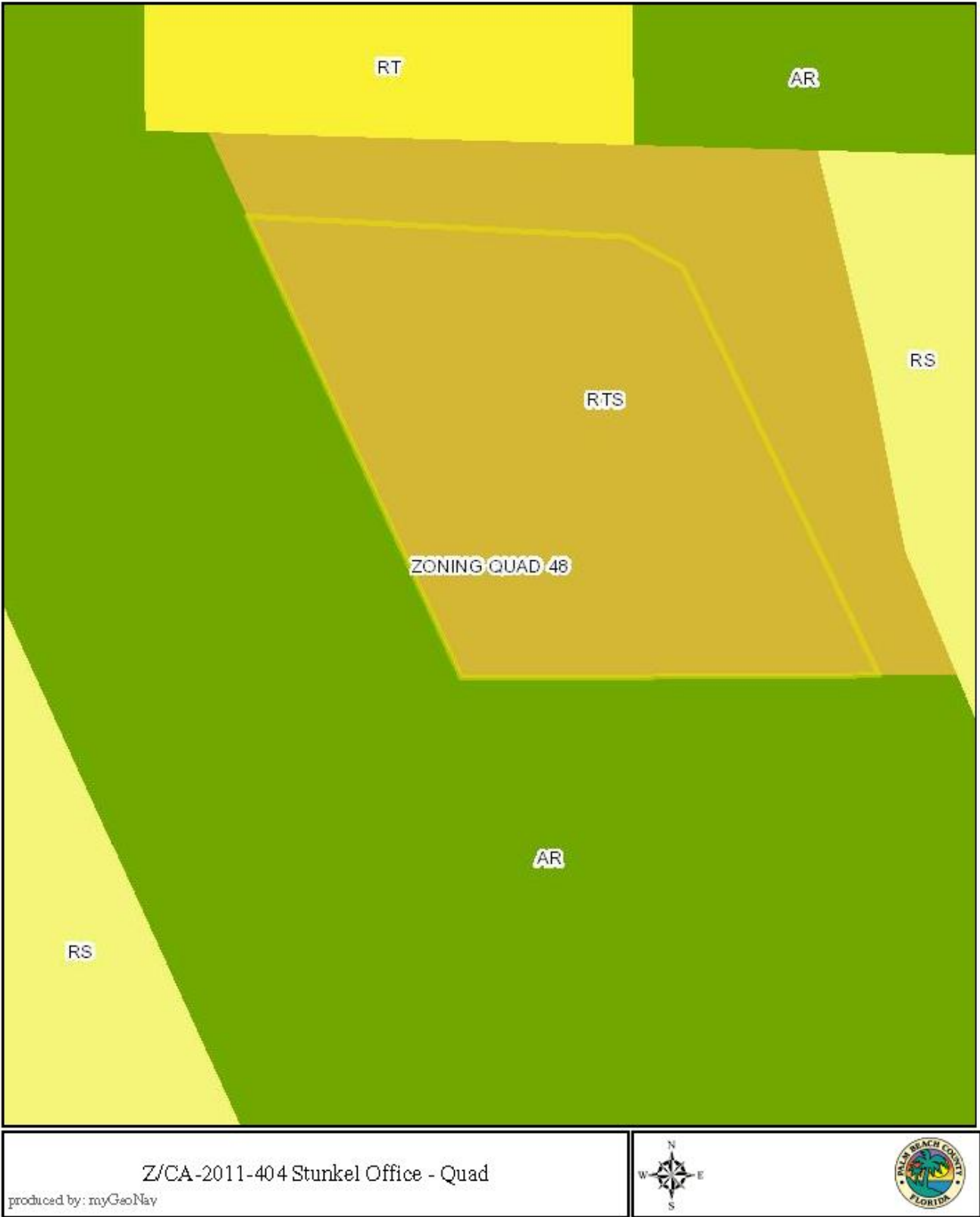


Figure 2 Zoning Quad Map

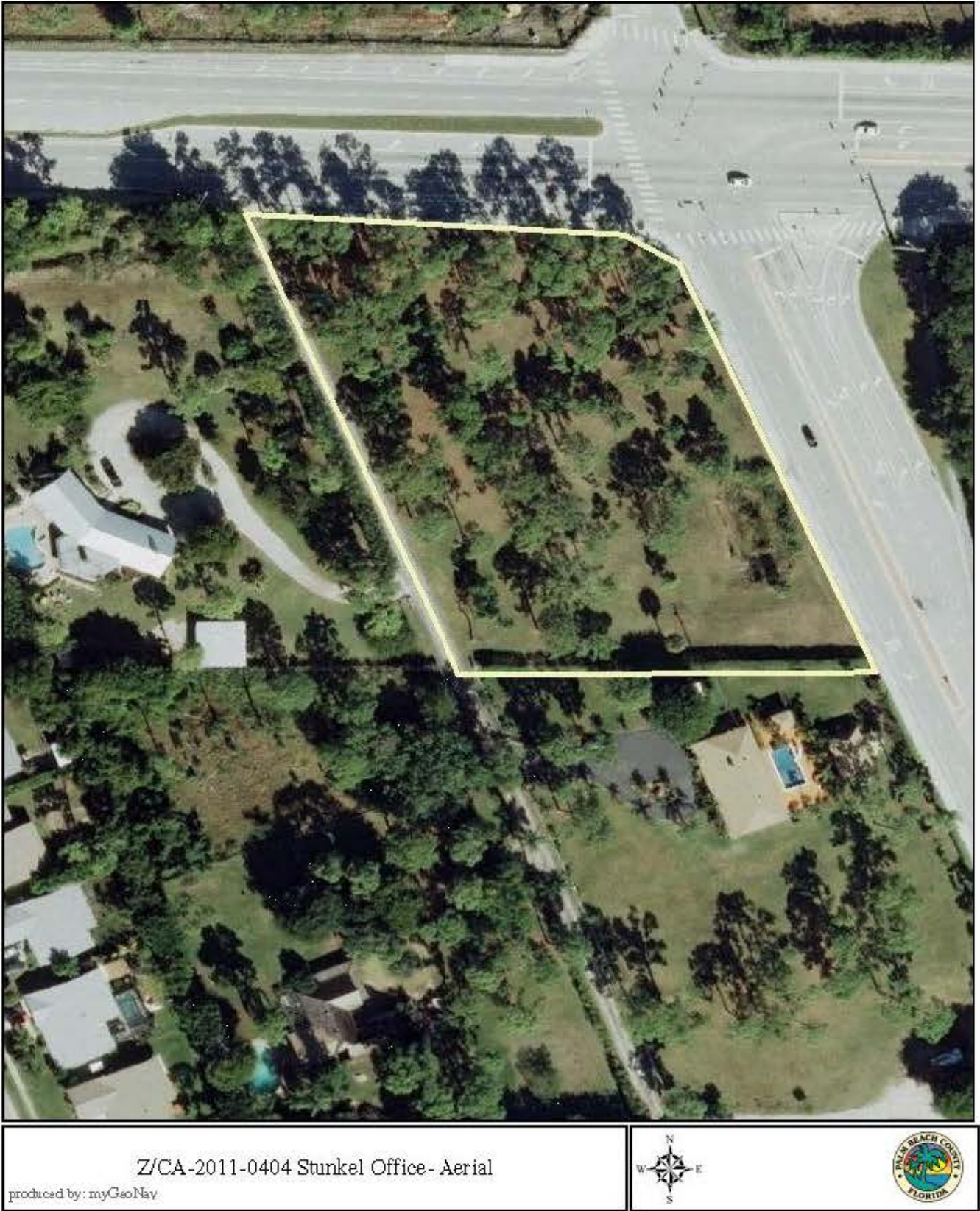
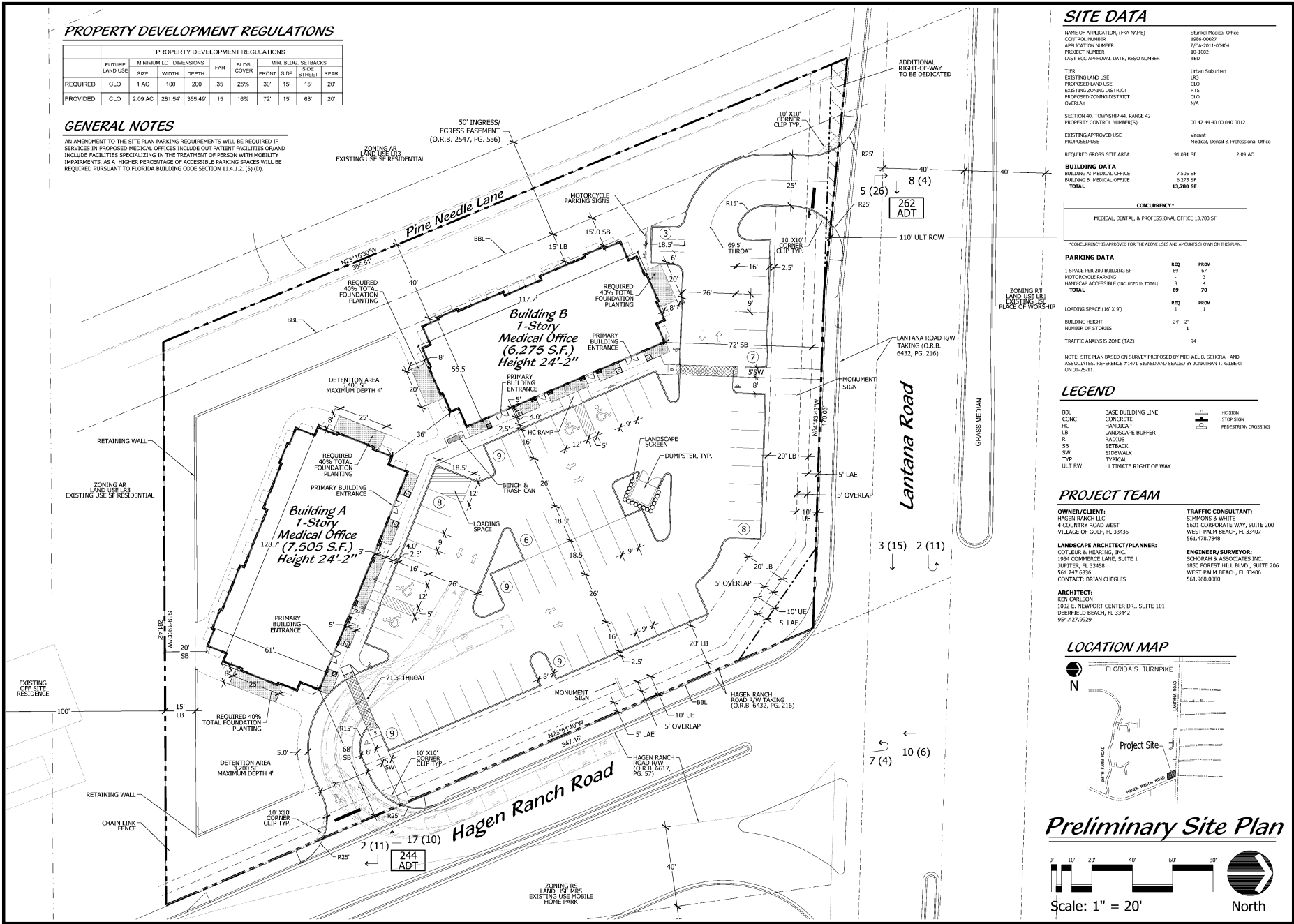


Figure 3 Aerial

Figure 4 Preliminary Site Plan dated May 16, 2011



**Cotleur
Hearing**

Landscape Architecture
Planning
Environmental Consulting
Graphic Design
1934 Commerce Lane
Suite 1
Jupiter, Florida 33458
561-747-6336; Fax: 747-1377

Stunkel Medical Office
Preliminary Site Plan
Palm Beach County, Florida

Preliminary
Site Plan

DESIGNED: JCH
DRAWN: JCH/MS
APPROVED: JCH
JOB NUMBER: 10-1002
DATE: CASH User/Res: 02-16-11
REVISIONS: 03-24-11
04-26-11
06-13-11

May 13, 2011 2:47:20 p.m.
Drawing: 10-1002 SP.DWG

SHEET 1 of 2

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Figure 5 Preliminary Regulating Plan dated May 16, 2011

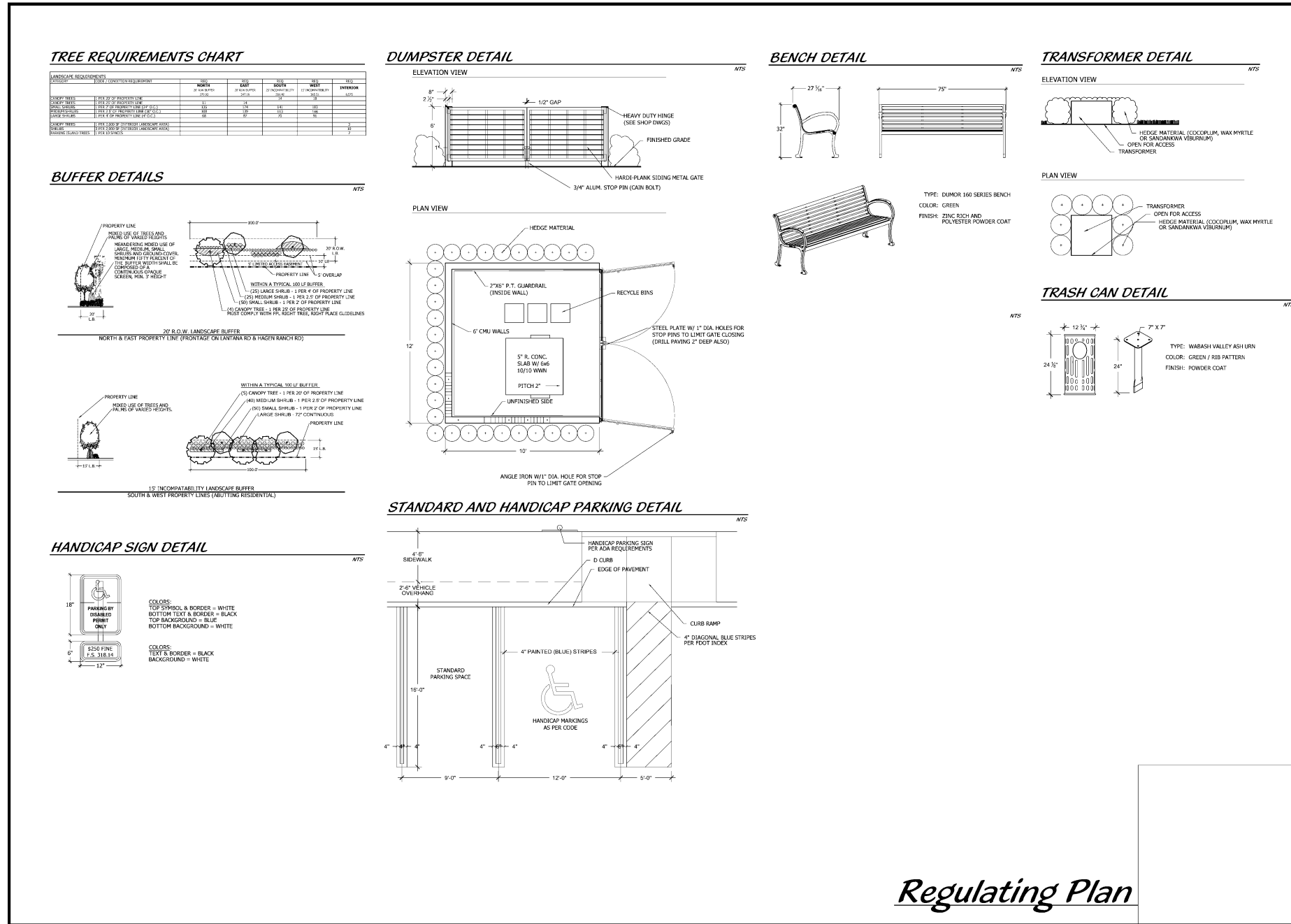
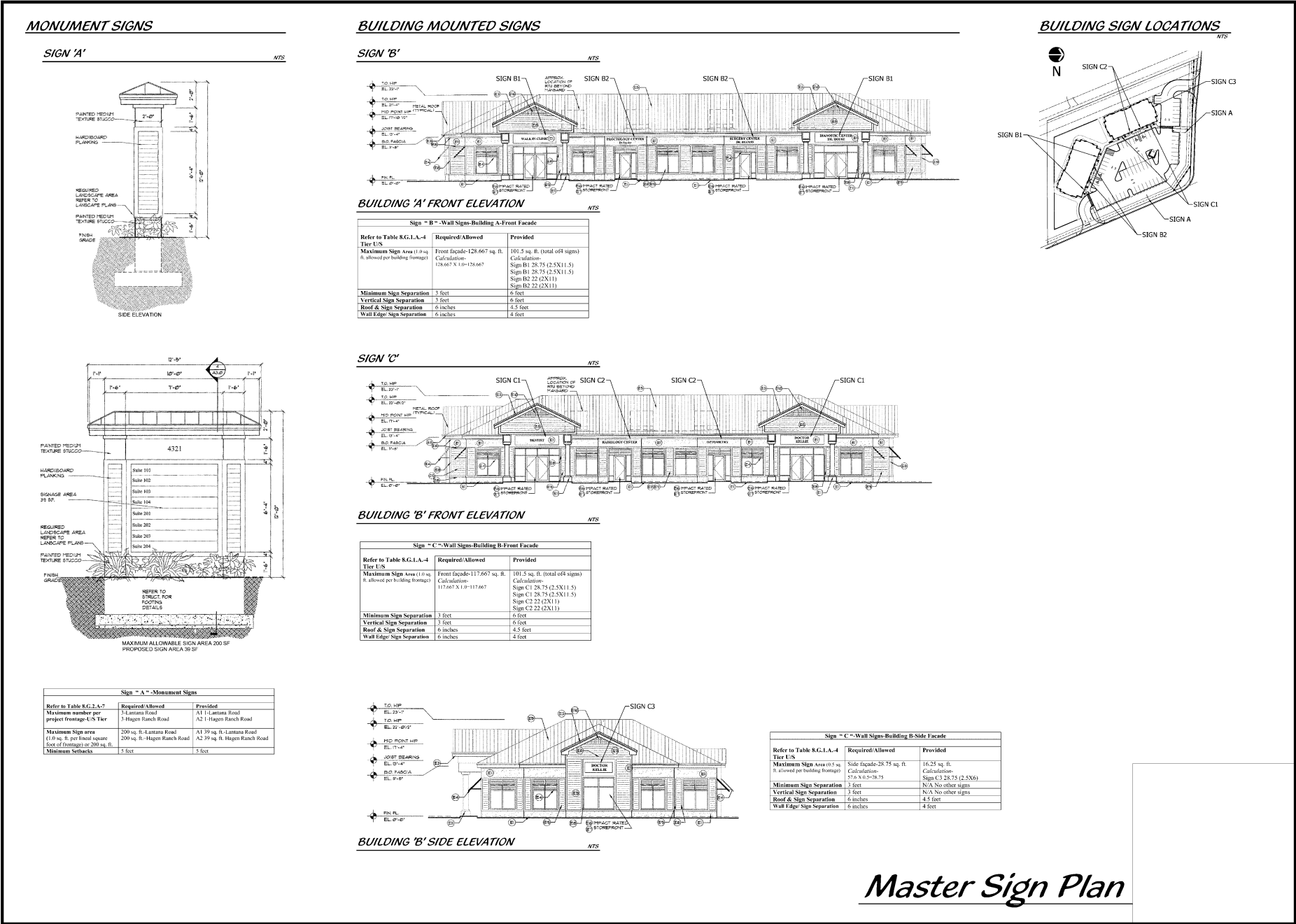


Figure 6 Preliminary Master Sign Plan



Master Sign Plan

Cotleur
Hearing
Landscape Architecture
Planning
Environmental Consulting
Graphic Design

561-747-6336 Fax-747-1377

Stunkel Medical Office
Master Sign Plan
Palm Beach County, Florida

Master
Sign Plan

DESIGNED	JGH
DRAWN	JGH/DB
APPROVED	DEH
JOB NUMBER	10-1002
DATE	04-26-11
REVISIONS	05-13-11

May 13, 2011 2:47:20 p.m.
Drawing 10-1002 SP.DWG

SHEET 1 OF 1
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Figure 7 Preliminary Architectural Elevations dated May 16, 2011



STUNKEL MEDICAL OFFICE BUILDING "A"
LANTANA RD. & HAGEN RANCH RD.
PALM BEACH COUNTY, FLORIDA

KENNETH R. CARLSON - ARCHITECT, P.A.
1002 E. NEWPORT CENTER DR. SUITE 101
DEERFIELD BEACH, FLORIDA 33442
PH: (954) 421 - 8848
FAX: (954) 421 - 9933
E-MAIL: ken@kenrccarlson.com

DESIGN BY: JC
CHECKED BY: JC
DATE: 2/28/11
SCALE: AS NOTED
PROJECT # 10005
CADD FILE: A5.0

MAY 09 2011
AUG25-11

A5.0
BUILDING "A"

STAFF REVIEW AND ANALYSIS

PLANNING DIVISION COMMENTS:

PLANNING COMMENTS

FUTURE LAND USE (FLU) PLAN DESIGNATION: Low Residential 3 units per acre (LR-3).

PROPOSED FUTURE LAND USE (FLU) PLAN DESIGNATION: Commercial Low-Office (CL-O)

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

FUTURE ANNEXATION AREAS: The site is located within the future annexation area of the Town of Lantana.

INTERGOVERNMENTAL COORDINATION: The site is not within one mile of a municipality.

CONSISTENCY WITH FUTURE LAND USE (FLU) PLAN DESIGNATION: The Planning Division has reviewed the request to allow a rezoning from the Residential Transitional Suburban (RTS) Zoning District to the Commercial Low Office (CLO) Zoning District, and for a Class A Conditional use request to allow Medical and Dental offices.

This 2.09 acre site is currently the subject of a proposed Small Scale Future Land Use Atlas amendment known Stunkel Medical Office (SCA 2011-001) to change the FLU designation from Low Residential, 3 unit per acre (LR-3) to Commercial Low-Office (CL-O). Staff is recommending denial of the proposed FLUA amendment based on the following conclusion in the FLUA amendment staff report:

“ the proposed amendment from Low Residential 3 to Commercial Low-Office does not violate any facility or service standards and the future land use designation proposed is compatible with the surrounding future land use designations. However, the applicant has not provided an adequate justification for the proposed amendment and is therefore inconsistent with Policy 2.1-f.”

The proposed FLUA amendment is scheduled to be heard by the Planning Commission at the July 8, 2011 Local Planning Agency (LPA) public hearing.

Contingent upon BCC adoption of the proposed FLUA amendment, the requested rezoning from the RTS Zoning District to the CLO Zoning District for the development of medical and dental, and professional offices would be consistent with the proposed CL-O FLU designation.

Contingent upon BCC adoption of the proposed FLUA amendment, the request would also be consistent with the maximum Floor Area Ratio (FAR) of .35 for a site with a CL-O FLU designation. For this 2.09 acre site, the site could develop with a maximum of 31,864 square feet at the .35 FAR. The applicant has requested a FAR of approximately .15 or 13,780 square feet for this site.

SPECIAL OVERLAY DISTRICT/NEIGHBORHOOD PLAN/PLANNING STUDY AREA: The subject site is not within a special overlay, neighborhood plan, or study area.

FINDINGS: Contingent upon BCC adoption of the proposed Small Scale FLUA amendment, the requested rezoning from RTS to CLO for the development of medical and dental, and professional office would be consistent with the CL-O FLU designation of the Palm Beach County Comprehensive Plan.

ENGINEERING COMMENTS:

REQUIRED ENGINEERING RELATED PERMITS

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

The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section, for access onto Hagen Ranch Road and Lantana Road.

PALM BEACH COUNTY HEALTH DEPARTMENT:

No Staff Review Analysis

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

VEGETATION PROTECTION: The property supports scattered slash pine trees which will be incorporated into the site plan or mitigated on the site.

WELLFIELD PROTECTION ZONE: The property is not located within 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: There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

OTHER:

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

SCHOOL IMPACTS: No comment required.

PARKS AND RECREATION: No comment required.

CONCURRENCY: Concurrency is approved for 13,780 square feet of medical office uses.

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

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

CONDITIONS OF APPROVAL

EXHIBIT C-1

Official Zoning Map Amendment

ARCHITECTURAL REVIEW

2. The maximum height for all structures including air conditioning, mechanical equipment and satellite dishes shall not exceed twenty-five (25) feet. Heights shall be measured from finished grade to highest point. (DRO: ARCH REVIEW - Zoning)

ENGINEERING

2. 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 right of way for the expanded intersection at Lantana Road and Hagen Ranch Road, including the corner clip.

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 Grantor 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 Grantor, the Grantor 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, as determined by the County Engineer. 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. (BLDG PERMIT/ONGOING: MONITORING-Eng)

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

4. The property owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The property owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING-Eng)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (PLAT/BLDG PERMIT: MONITORING-Eng)

LANDSCAPE – GENERAL

1. At time of submittal for final approval Building Permit, the Property Owner shall submit Landscape Plan(s) to the Landscape Section for review and approval. The revised Preliminary Site Plan and/or supporting documents shall demonstrate the maximum amount of native plant preservation to meet or exceed the Unified Land Development Code requirements. Additional

vegetation may be relocated or added to preserve areas to meet the intent of this condition. (BLDG PERMIT: LANDSCAPE - Zoning)

LANDSCAPE - PERIMETER

2. LANDSCAPING ALONG THE NORTH AND EAST PROPERTY LINE (FRONTAGE OF LANTANA ROAD and HAGEN RANCH ROAD)

In addition to the code requirements, landscaping and buffer width along the north and east property lines shall be upgraded to include:

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

3. LANDSCAPING ALONG THE EAST PROPERTY LINE (FRONTAGE OF HAGEN RANCH ROAD)

In addition to the code requirements, landscaping and buffer width along the east property line shall be upgraded to include:

- a. a minimum twenty(20) foot wide landscape buffer strip. A maximum five (5) foot easement encroachment may be permitted. (DRO: LANDSCAPE - Zoning)

LIGHTING

1. All outdoor, freestanding lighting fixtures shall not exceed twenty (20) feet in height measured from finished grade to highest point. (BLDG PERMIT: BLDG - Zoning)

2. All outdoor lighting shall be extinguished no later than 9:00 p.m. excluding security lighting only. (ONGOING: CODE ENF - Zoning)

SIGNS

1. Ground mounted freestanding signs fronting on Lantana Road and Hagen Ranch Road shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point - eight (8) feet;
- b. maximum sign face area per side - fifty (50) square feet;
- c. maximum number of signs - one (1) per right-of-way frontage;
- d. style - monument style only. (BLDG PERMIT: BLDG - Zoning)

SITE DESIGN

1. The minimum setback for all principal buildings and/or accessory structures shall be fifty (50) feet from the south and west property lines. (DRO: ZONING - Zoning)

USE LIMITATIONS

1. Business activities, including deliveries and stocking, shall not commence prior to 7:00 a.m. nor continue business activities later than 9:00 p.m. daily, and shall be limited to Monday through Friday only. (ONGOING: CODE ENF - 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)

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

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy (CO); the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

- c. A requirement of the development to conform with the standards of the Unified Land Development Code (ULDC) at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

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

EXHIBIT C-2
Conditional Use Class A

ALL PETITIONS

1. The approved Preliminary Site Plan is dated May 16, 2011. 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)

ARCHITECTURAL REVIEW

1. At time of submittal for final Development Review Officer (DRO) approval, the architectural elevations for all buildings shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW - Zoning)

COMPLIANCE

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

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

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy (CO); the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code (ULDC) at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

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

Exhibit D Disclosure Forms

PALM BEACH COUNTY - ZONING DIVISION

FORM # 09

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the [] individual or [] MANAGING MEMBER [position—
e.g., president, partner, trustee] of AS HAGEN PRODUCE [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: 4 County Rd W.
Village of golf, FL 33436

3. Attached hereto as Exhibit "B" is a complete listing of the names and
addresses of every person or entity having a five percent or greater interest in the
Property. Disclosure does not apply to an individual's or entity's interest in any entity
registered with the Federal Securities Exchange Commission or registered pursuant to
Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm
Beach County policy, and will be relied upon by Palm Beach County in its review of
application for Comprehensive Plan amendment or Development Order approval
affecting the Property. Affiant further acknowledges that he or she is authorized to
execute this Disclosure of Ownership Interests on behalf of any and all individuals or
entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this
disclosure to reflect any changes to ownership interests in the Property that may occur
before the date of final public hearing on the application for Comprehensive Plan
amendment or Development Order approval.

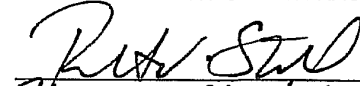
Disclosure of Beneficial Interest Ownership form

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

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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

FURTHER AFFIANT SAYETH NAUGHT.


Robert V. Stunkel, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 27 day of JANUARY, 2011, by Robert V Stunkel, [] who is personally known to me or [☒] who has produced FL DL as identification and who did take an oath.



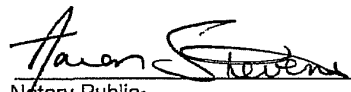

Notary Public
AARON STEVENS
(Print Notary Name)
NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 7/2/2011

EXHIBIT "A"

A PARCEL OF LAND LYING IN TRACT 40 OF SUBDIVISION OF THE HIATUS BETWEEN TOWNSHIP 44 SOUTH AND TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF (E1/2) OF LOT 2 OF SAID TRACT 40; THENCE SOUTH 88°08'56" EAST ALONG THE NORTH LINE OF SAID TRACT 40, BEING ALSO THE CENTERLINE OF STATE ROAD S-812, A DISTANCE OF 1135.0 FEET; THENCE SOUTH 23°18'35" EAST, A DISTANCE OF 44.19 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID STATE ROAD S-812 AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 23°18'35" EAST, A DISTANCE OF 376.43 FEET; THENCE SOUTH 89°43'11" WEST, PARALLEL WITH THE SOUTH LINE OF SAID TRACT 40, A DISTANCE OF 283.86 FEET; THENCE NORTH 22°52'52" WEST, A DISTANCE OF 386.75 FEET TO AN INTERSECTION WITH THE SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD S-812; THENCE SOUTH 88°08'56" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 285.36 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT FOR ROAD AND UTILITIES PURPOSES OVER THE WEST 25 FEET THEREOF, AS MEASURED AT RIGHT ANGLES.

LESS AND EXCEPT THE FOLLOWING:

BEING A PORTION OF LAND FOR ADDITIONAL RIGHT-OF-WAY PURPOSES FOR HAGEN RANCH ROAD (OFFICIAL RECORDS BOOK 5298, PAGE 738) IN THE HIATUS OF TOWNSHIP 44-1/2 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA; SAID PORTION BEING PART OF LOT 1, TRACT 40 OF THE PALM BEACH FARMS COMPANY, PLAT NO. 13, AMENDMENT TO SHEET NO. 4 OF PLAT 3, PALM BEACH COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 6, PAGES 98 AND 99, INCLUSIVE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 44, RANGE 42 EAST; THENCE NORTH 88°32'15" WEST (BEARINGS USED FOR THIS PROJECT AND HEREIN ARE BASED ON PALM BEACH COUNTY SECTIONAL DATA, NORTH-SOUTH MID-SECTION LINE, SECTION 3-45-42, BEARING NORTH 00°47'13" WEST) ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 852.45 FEET; THENCE SOUTH 01°27'45" WEST, A DISTANCE OF 67.00 FEET TO A POINT ON THE SOUTH LINE OF LANTANA ROAD AND THE POINT OF BEGINNING; THENCE SOUTH 23°41'35" EAST, A DISTANCE OF 731.37 FEET TO A POINT WHICH IS 380.31 FEET NORTHERLY OF THE SOUTH LINE OF SAID TRACT 40; THENCE SOUTH 89°19'28" WEST ALONG A LINE WHICH IS PARALLEL WITH THE SOUTH LINE OF SAID TRACT 40, A DISTANCE OF 1.17 FEET; THENCE NORTH 23°51'21" WEST, A DISTANCE OF 732.39 FEET TO A POINT ON THE SOUTH LINE OF LANTANA ROAD; THENCE SOUTH 88°32'15" EAST ALONG SAID LINE, A DISTANCE OF 3.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,545 SQUARE FEET, MORE OR LESS.

SUBJECT TO EXISTING EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

AND LESS AND EXCEPT THE FOLLOWING:

BEING A PORTION OF LAND FOR ADDITIONAL RIGHT-OF-WAY PURPOSES FOR LANTANA ROAD (C.R.812) IN THE HIATUS PARCEL IN TOWNSHIP 44-1/2 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; SAID PORTION BEING PART OF LOT 1, TRACT 40 OF THE PALM BEACH FARMS COMPANY, PLAT NO. 13, AMENDMENT TO SHEET NO. 4 OF PLAT 3, PALM BEACH COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 6, PAGES 98 AND 99, INCLUSIVE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 44, RANGE 42 EAST; THENCE NORTH 88°32'15" WEST (BEARINGS USED FOR THIS PROJECT AND HEREIN ARE BASED ON PALM BEACH COUNTY SECTIONAL DATA, NORTH-SOUTH MID-SECTION LINE, SECTION 3-45-42, BEARING NORTH 00°47'13" WEST) ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 865.12 FEET; THENCE SOUTH LINE OF 01°27'45" WEST, A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH LINE OF LANTANA ROAD AND THE POINT OF BEGINNING; THENCE SOUTH 23°41'35" EAST, A DISTANCE OF 29.83 FEET; THENCE NORTH 88°32'15" WEST, A DISTANCE OF 173.49 FEET; THENCE NORTH 84°43'24" WEST, A DISTANCE OF 115.92 FEET; THENCE NORTH 23°15'49" WEST, A DISTANCE OF 21.24 FEET TO THE SOUTH LINE OF LANTANA ROAD; THENCE SOUTH 88°32'15" EAST ALONG SAID LINE 285.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 7,276 SQUARE FEET, MORE OR LESS.

Disclosure of Beneficial Interest Ownership form

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

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

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

Name	Address	Percentage of Interest
Robert V. + Elizabeth A Stunkel	4 Country Rd W. Village of Golf, FL	50%
Anderson IRA, LLC		50%

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L10000126434
FILED 8:00 AM
December 09, 2010
Sec. Of State
Isellers

Article I

The name of the Limited Liability Company is:
AS HAGEN RANCH, LLC

Article II

The street address of the principal office of the Limited Liability Company is:
4 COUNTRY ROAD WEST
VILLAGE OF GOLF, FL. US 33436

The mailing address of the Limited Liability Company is:
PO BOX 893427
TEMECULA, CA. US 92589

Article III

The purpose for which this Limited Liability Company is organized is:
ANY AND ALL LAWFUL BUSINESS.

Article IV

The name and Florida street address of the registered agent is:
ROBERT V STUNKEL
4 COUNTRY ROAD WEST
VILLAGE OF GOLF, FL. 33436

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: ROBERT V. STUNKEL

Article V

The name and address of managing members/managers are:

Title: MGRM
ROBERT V STUNKEL
PO BOX 893427
TEMECULA, CA. 92589 US

L10000126434
FILED 8:00 AM
December 09, 2010
Sec. Of State
Isellers

Article VI

The effective date for this Limited Liability Company shall be:

12/09/2010

Signature of member or an authorized representative of a member

Signature: ROBERT V. STUNKEL