



CITY OF GREENACRES, FLORIDA

AGENDA

ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING

GREENACRES CITY HALL - COUNCIL CHAMBERS

Tuesday, April 4, 2017

7:00 P.M.

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT, THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST.

NOTICE: If any person decides to appeal any decision of the City of Greenacres Zoning Board of Adjustments and Appeals at this meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such record. **FOR HEARING ASSISTANCE:** If any person wishes to use a Listen Aid hearing device, please contact the Planning and Engineering Department prior to any meeting held in the Council Chambers.

1. Call to Order and Roll Call
2. Pledge of Allegiance to the Flag
3. Agenda Approval - Additions, Deletions, Substitutions to the entire Agenda
4. Approval of Minutes: None
5. Cases:

BA-17-02 (5450 10th Avenue N.)

A request by the owner for a variance from Article VIII, Section 16-1336 of the Zoning Code. Code Section 16-1336 which states that for non-residential uses, the minimum number of parking spaces shall be determined by the commercial use(s); and for mixed uses, each use shall provide its proportional share of the required parking. The applicant is requesting approval to utilize the existing highest and best permitted uses in the Mixed-Use – Original Section zoning district.

BA-17-03 (Bright Acres Shopping Center (f.k.a. Crossroads Shopping Center))

A request by the owner for a variance (BA-17-03) to increase the number of wall signs allowed for a shopping center outparcel to allow for a third sign on the west elevation of the building. The existing retail building will be re-modeled to accommodate a single tenant. The total site is approximately 6.27 acres in size located at the southwest corner of Lake Worth Road and South Jog Road within the Bright Acres Shopping Center. The project outparcel is located at 6548 Lake Worth Road.

6. Department Report
7. Z.B.A.A. Members' Comments
8. Adjournment



LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

I. Project Description:

Project: 5450 10th Avenue North

Petitioner: Howard Alan Welles
5659 Whirlaway Road
Palm Beach Gardens, Florida 33418
Agent for the owner:
Macaw Holdings VII, LLC

Request: A variance request from
Article VIII, Section 16-1336
of the Zoning Code

Location: On the south side of 10th Avenue
North at 5450 10th Avenue North



II. Site Data:

Existing Use: Warehouse

Parcel Control Number: 18-42-44-23-01-044-0130

Parcel Size: 0.5971 acres (26,009.7 square feet)

Existing Future Land Use Designation: Mixed Use (MU)

Existing Zoning District: Mixed Use Development-Original Section(MXD-OS)

Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:

Direction	Existing Land Use	Future Land Use	Zoning District
North	Kid's World Academy	Mixed Use (MU)	Mixed Use Development - Original Section (MXD-OS)
South	Multi-family building	Residential Low (RL)	Residential Low 3 (RL-3)
East	Sunrise Food Mart Retail building	Mixed Use (MU)	Mixed Use Development - Original Section (MXD-OS)
West	Greenacres Food Market	Mixed Use (MU)	Mixed Use Development - Original Section (MXD-OS)

III. Annexation/Zoning History:

The approximately 0.5971 acre site is located at 5450 10th Avenue North in the Original Section of the City which was platted in 1925 and incorporated as part of the original boundaries of Greenacres in 1926. A 10,800 square foot warehouse was built on the combination of four (4) platted lots that were originally platted in 1960. The previous land use designation for the subject site was Commercial (CM), dating back to the 1989 Comprehensive Plan with a compatible zoning designation of Commercial Neighborhood (CN), established in the City-wide rezoning of July 14, 1986.

On January 26, 2001, a charrette was held to plan a new vision for the 10th Avenue North Corridor located within the "Original Section." Resulting from the charrette, the comprehensive plan was amended on May 6, 2002 to allow for a new zoning district consistent with the Mixed Use (MU) land use and on October 7, 2003 the Mixed Use Development-Original Section (MXD-OS) zoning district was created. This district is targeted for the area along or within 300 feet north and south of 10th Avenue North, between Haverhill Road and the Lake Worth Drainage District (LWDD) E-3 Canal. On April 19, 2004 the City Council directed staff to begin implementing the new district by initially focusing on vacant parcels.

In 2010, the City initiated a land use amendment to continue the conversion process begun in 2004 by focusing on developed parcels that had not initiated a land use change on their own. On November 1, 2010, the City Council approved Comprehensive Plan Amendment CPA-10-04 (10th Avenue North Parcels) through the adoption of Ordinance 2010-24. The small-scale land use amendment changed the land use from Commercial (CM) to Mixed Use (MU) for twenty-six (26) parcels totaling 9.22 acres, including 5450 10th Avenue North. A companion item (ZC-10-04), changing the zoning of the parcels from Commercial Neighborhood (CN) to Mixed Use Development - Original Section (MXD-OS) was approved concurrently via Ordinance 2010-25.

The Mixed Use Development - Original Section (MXD-OS) zoning designation regulations made the warehouse use a non-conforming use for many reasons. First, the building is located within the Commercial Zone of the Mixed Use Development - Original Section (MXD-OS), which includes all properties within the first 200' both north and south of 10th Avenue North and light industrial or warehouse uses are not permitted within the list of permitted or special exceptions uses within the zoning district. Second, the structure does not meet the setbacks of the zoning district that specifically apply to commercial buildings or the minimum parking requirements for the uses permitted in the zoning district.

Regarding the expansion of non-conforming structures, Section 16-1358 Nonconforming Buildings and Structures, provides for the ability to only maintain the existing building, not expand.

IV. Applicable City Code Provisions:

Sec. 16-101 through 16-107 pertaining to the Zoning Board of Adjustments and Appeals

Sec. 16-1336 pertaining to Off-Street Parking Requirements

V. Staff Analysis:

Background:

According to the Palm Beach County Property Appraiser's website, the warehouse was originally constructed in 1975, but permits and approval indicate that it had been built earlier. The earliest permit on

file dates back to 1975 and was related to fencing. On October 16, 1974, the City granted a variance for the existing rear setback to be 10' for Star Roofing, a contractor utilizing the building as a warehouse and office.

A roofing contractor has utilized the building for many years in order to maintain the existing non-conforming use that the building was designed for originally. Those uses that could utilize a warehouse building within the Mixed Use Development – Original Section (MXD-OS) zoning district are prohibited making it problematic for the property owner to effectively market and lease out the property. The property owner has been sent many letters throughout the past years explain the limitations on the property at his request, but still needs interpretations from City staff for all potential tenants to determine if they use is similar in nature to the existing non-conforming use (roof contractor).

The petitioner is requesting a variance from the Zoning Code to decrease the parking requirements. The variance requested is from the following Code provision:

- 1) Article VIII, Off-Street Parking and Loading Requirements, Section 16-1336 which requires a minimum 200 spaces per 1000 square feet of development for a large majority of the permitted and special exception uses in the MXD-OS zoning district. The applicant is requesting a variance to reduce the minimum required parking spaces for the existing building on site.

On March 9, 2017, the Land Development Staff reviewed this petition and recommended approval subject to the conditions contained in this staff report.

Land Development Staff Comments:

Planning and Engineering Dept.:	Incorporated into the staff report.
Building Department:	Incorporated into the staff report.
Public Safety Department:	No objections.
Public Works Department:	No objections.

VI. Variance Findings of Fact:

The Zoning Board of Adjustments and Appeals shall have the power to authorize a variance from the terms of the Zoning Code. In order to be granted a variance from the Zoning Code, the petitioner must meet the six specific criteria findings and the general criteria listed in the Code. The following is a list of those criteria and an analysis of whether or not the subject variance request meets the criteria.

Specific Criteria Findings:

- (1) **That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.**

Finding: The existing building was built on the lot and met the development requirements when it was developed. The warehouse was built before 1974, prior to the establishment of the City's Zoning Code and prior to the creation of the existing Mixed Use Development - Original Section (MXD-OS) zoning district regulations. Once the zoning district regulations were enacted, the warehouse became a non-conforming structure, since it is designed and can only be utilized as a warehouse.

Overall, special circumstances of utilizing the existing 1975 building exist due to the supplemental development regulations required for the uses permitted for the building that have not been as limiting to other buildings along 10th Avenue North that existed prior to the establishment of the MXD-OS zoning district. The circumstances of an existing building specifically designed for warehouse use is not applicable to other lands, structures, or buildings in the same district. Only the demolition of a large portion of the building would bring the building into compliance with the existing zoning codes that are applicable.

- (2) **That special conditions and circumstances do not result from the actions of the applicant.**

Finding: The subject building was approved and constructed in compliance with the applicable code at the time of construction prior to 1975. Since that time, zoning regulations were put into place by the City. Therefore, the circumstances of the variance are not a result of the applicant's actions.

- (3) **That granting the variance request will not confer on the applicant any special privilege that is denied by this chapter to the other lands, buildings, or structures in the same zoning district.**

Finding: Any other development within the Mixed Use Development - Original Section (MXD-OS) zoning district that can provide justification for a similar variance request would be considered with the same scrutiny. The granting of the variance as requested by the applicant will not confer on the applicant any special privileges that are denied to other lands, buildings or structures in the same zoning district. A majority of the non-residential uses within the zoning district have been able to utilize the permitted and special exception uses provided for in the Mixed Use Development – Original Section (MXD-OS) zoning district without limitations.

- (4) **That the literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.**

Finding: As stated previously, the design of the building as a warehouse limits the ability to utilize the building for permitted and special exception uses in the applicable zoning district. These circumstances make utilization of the existing building in conformance with the current Code difficult and awkward, and also not in conformance with what other properties would be permitted in the same zoning district.

- (5) **That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

Finding: The variance requested will be limited by the approval to 200% of the parking provided on the site. This is the minimum variance that will make possible the utilization of the building.

- (6) **No nonconforming use of neighboring lands, structures or buildings in other districts and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.**

Finding: None of the above was used as a basis for review of the variance.

General Criteria Findings:

(1) A Variance:

a: shall not be contrary to the public interest

Granting the variance, with conditions as proposed by staff, will not be contrary to the public interest. The public interest is generally served by maintaining the code-required regulations, yet the utilization or optimal use of the building will be limited by the parking provided.

b: may be authorized if, where owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship

As detailed above, unnecessary and undue hardships will be created for the applicant by a literal interpretation of the provisions of Section 16-1336.

(2) Financial hardship is not to be considered alone as sufficient evidence of a hardship.

The petitioner has not expressed financial hardship as a justification for being granted the variance.

VII. Staff Recommendation:

Approval of variance request BA-17-02 with the following conditions:

1. The variance shall be limited to 200% increase in the utilization of the building that can be supported by the parking that is provided on the site. (Planning)
2. The current site has 21 parking space, any changes to increase the parking for the site shall require a site plan amendment. (Planning)

ZONING BOARD OF ADJUSTMENTS AND APPEALS ACTION – April 4, 2017

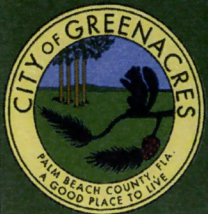
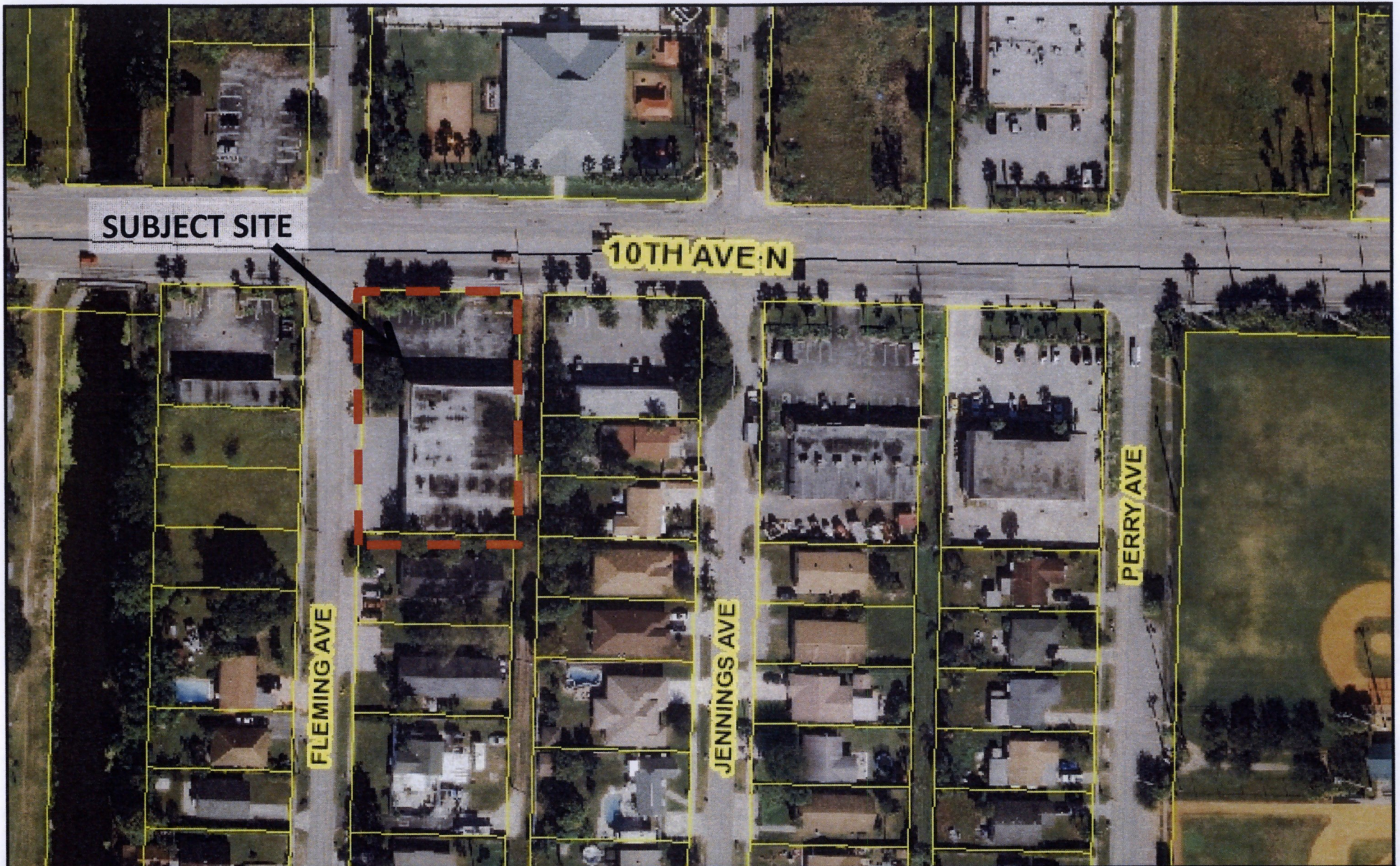
Dannette Fitzgerald, Chairperson

Attest:

Joanna Cunningham, City Clerk

Attachments:

1. Aerial Map
2. Survey



BA-17-02

5450 10th Avenue North

Prepared By:
Planning and Engineering Department
City of Greenacres
5800 Melaleuca Lane
Greenacres, FL 33463



North

BOUNDARY SURVEY

LEGAL DESCRIPTION:

LOTS 13,14,15 AND 16 BLOCK 44; all of Greenacres Plat No. 2, a subdivision according to the Plat thereof, as recorded in Plat Book 13, Pages 3 and 4 of the Public Records of Palm Beach County, Florida.

SURVEYORS NOTES:

1. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS OF WAY OF RECORD EXCEPT AS SHOWN ON THE RECORD PLAT IF ANY.
2. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
3. BEARINGS SHOWN HEREON REFER TO AN ASSUMED MERIDIAN OF N.00°00'0"E. ALONG Center line of Jennings Avenue as monumented and shown hereon.
4. LEGAL DESCRIPTION FURNISHED BY CLIENT.

LEGEND

EL. - ELEVATION
LB - LICENSED BUSINESS
F.F.E. - FINISHED FLOOR ELEVATION
P - Plat
M - Measured
UP - Utility Pole
OHE - Overhead Utility Line
R/W - Right-of-Way
F - Field Measured
S/W - Side Walk
Conc - Concrete
IR - Iron Road
Fd - Found
N/D - Nail and Disk

Property Address:

5450 10th Avenue North
Greenacres, Florida 33463

CERTIFIED TO:

H. Alan Welles
847 West 13th Court, LLC
Leslie Robert Evans & Associates P.A.
Regions Bank

SURVEYORS' CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA STATUTES AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOSEPH C. O'CONNOR
PROFESSIONAL LAND SURVEYOR
NO. 4562 STATE OF FLORIDA

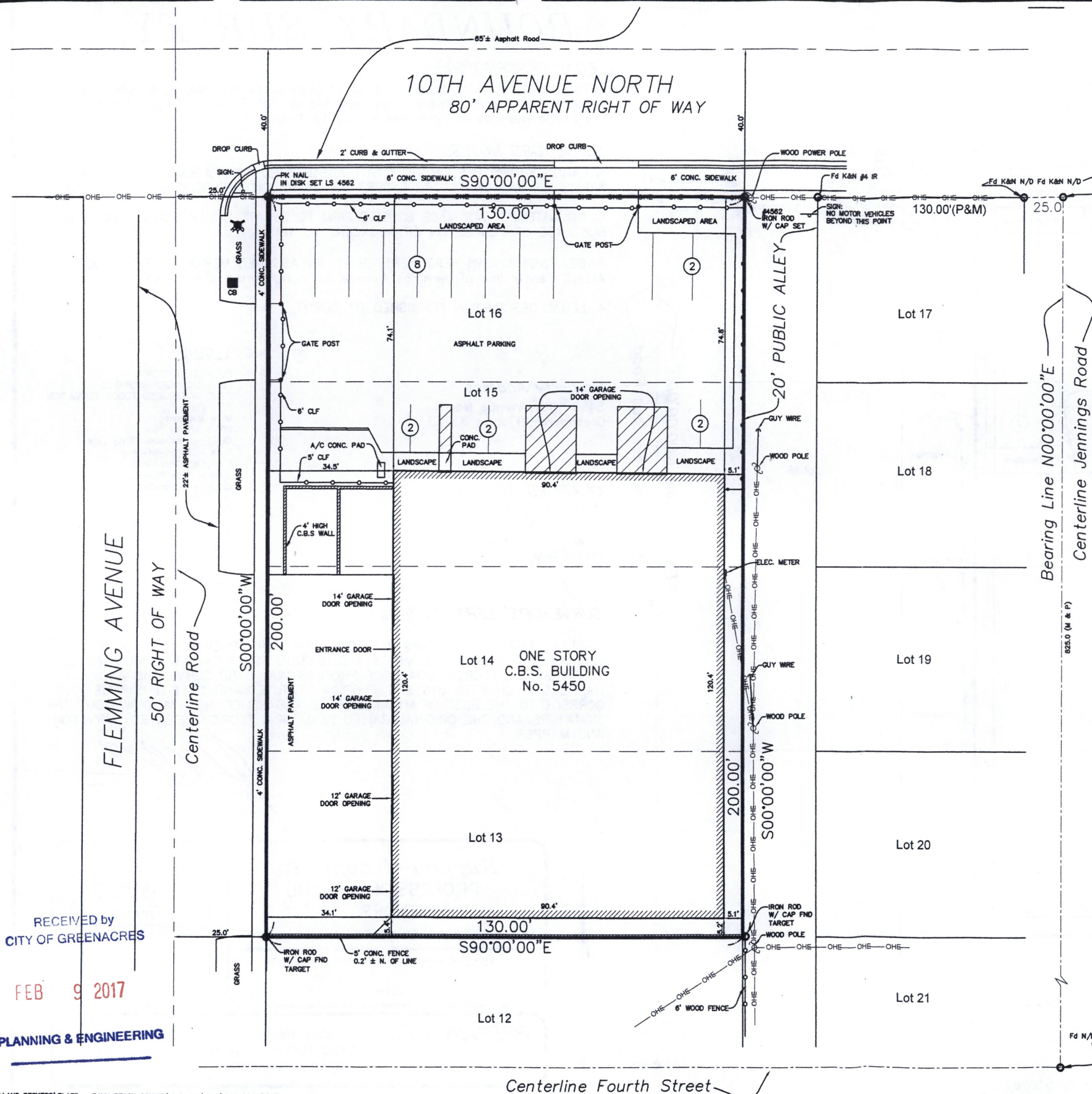
Survey-1.com, Inc.
PROFESSIONAL LAND
SURVEYORS

LB #7509

1555 South Federal Highway # 205
Delray Beach, Florida
PHONE 561-276-3748

PREPARED FOR: H. Alan Welles
5450 10th Avenue North
Greenacres, Florida 33463

SHEET 1 OF 1
DRAWN BY: RDR
SCALE: 1" = 20'
DATE: 3/07/07
F.B. No. 5
JOB NO. 07-02-001
REVISIONS



RECEIVED by
CITY OF GREENACRES

FEB 9 2017

PLANNING & ENGINEERING



LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

I. Project Description:

Project: Bright Acres Retail Building

Petitioner: Dwayne L. Dickerson, Esq.
Dunay, Miskel and Backman, LLP.
14 S.E. 4th Street, Suite 36
Boca Raton, Florida 33432
Agent for the owner:
BW Lake Worth Jog, LLC.

Request: A variance request from Article VI,
Division 4, Section 16-985(a)
of the Zoning Code

Location: 6548 Lake Worth Road



II. Site Data:

Existing Use: Retail Building

Parcel Control Numbers: 18-42-44-27-35-022-0000

Parcel Size: 0.321 acres (14,017 square feet)

Existing Future Land Use Designation: City Commercial (CM)

Existing Zoning District: City Commercial Intensive (CI)

Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:			
Direction	Existing Land Use	Future Land Use	Zoning District
North	Greenacres Plaza (PNC Bank)	City Commercial (CM)	City Commercial Intensive (CI)
South	Village of Turnberry Multi-family	PBC High Residential-12 (HR-12)	PBC RH (Residential High)
East	Lake Worth Plaza	PBC Commercial High/1 (CH/1)	PBC Commercial General (CG)
West	Red Lobster Restaurant	PBC Commercial High/8 (CH/8)	PBC Commercial General (CG)

III. Annexation/Zoning History:

The subject property is located on the southwest corner of Lake Worth Road and South Jog Road. The approximately 4.09-acre site was annexed into the City on February 22, 2016 as petition ANX-15-02 via Ordinance 2016-03. Concurrently, the City Council approved a change in the future land use designation from Commercial High with an underlying residential density of eight (8) dwelling units per acre (CH/8) to City Commercial (CM) as petition CPA-15-06 through Ordinance 2016-04. The City Council also approved a change in the zoning designation from Palm Beach County (PBC) zoning designation of Commercial General (CG) to Commercial Intensive (CI) as petition ZC-15-06 through Ordinance 2016-05.

These parcels are all part of one master planned commercial development known as Crossroads Shopping Center. The original Palm Beach County Master Plan approval for the 6.27 acre Crossroads Shopping Center was on May 24, 1979 under zoning petition No. 79-110. The development was later amended and granted a special exception for a financial institution with drive-up teller windows, an auto service station, and a drive-thru restaurant via Resolution 87-1202 on August 11, 1987. The Master Plan for the parcels was amended administratively various times throughout the years. The existing parcels are developed and the Palm Beach County Property Appraiser's Office indicates that the existing commercial development was built in stages between 1983 and 1996.

The original development had a total of 31,867 square feet of developed uses on seven (7) parcels, which is the total master site. The original developed master site included an 8,204 square foot restaurant (Red Lobster), a 7,547 square foot office building, a 4,096 square foot retail building (Metro PCS), a 3,155 square foot retail building (formerly a Mattress Firm that has been demolished), a 4,216 square foot retail building (various retail shops), a 5,106 square foot building [Boston Market (2,900 sq. ft.) with drive-thru and vacant retail building (2,206 sq. ft.)] and a gas station with eight (8) fueling positions and a 510 square foot convenience store (demolished in 2016). All but one parcel (Red Lobster) of the master site was annexed into the City's limits.

Concurrent with annexation (ANX-15-02), land use amendment (CPA-15-06), and a zoning change (ZC-15-06), the site plan was amended (SP-15-06) to permit the demolition of the existing 510 sq. ft. gas station convenience building (Marathon), attached approximately 3,150 sq. ft. canopy with four (4) pumps (8 fueling positions), a 1,050 sq. ft. drive-thru car wash, and a 3,155 sq. ft. retail building and the construction of a 5,943 sq. ft. convenience store building with 8 fuel pumps (16 fueling positions) under a 6,090 sq. ft. canopy. In accord with the City's past practice, the existing Palm Beach County approval that was not amended by SP-15-06 was accepted as a valid City approval and a case number was assigned for filing purposes.

The master site is currently under construction to develop the Wawa Convenience Store with fuel sales. Recently, the applicant requested approval to modify the elevations for the retail building on the southeast corner of the site, located on Parcel B of the Bright Acres Plat, which was approved by City Council on October 17, 2016. The applicant was granted a permit to modify the elevations. Due to the location on the site, the applicant is requesting a variance (BA-17-03) to provide an additional sign on the west elevation of the building.

IV. Applicable City Code Provisions:

Sec. 16-101 through 16-107 pertaining to the Zoning Board of Adjustments and Appeals
Table 16-985(a) pertaining to signage requirements

V. Staff Analysis:

Background:

The subject site is located on the south side of Lake Worth Road at the intersection of Lake Worth Road and Jog Road with ingress and egress to the property from Lake Worth Road and Jog Road. It is a 0.321-acre outparcel site and contains a 4,183 square foot retail building originally developed in 1983.

The existing 4,183 square foot retail building has multiple tenants and is in the process to modify the elevations to accommodate one tenant. The petitioner is requesting a variance from the Zoning Code to provide an additional wall sign on the west elevation of the building for the single tenant. The variance requested is from the following Code provisions:

- 1) Article VI, Division 4, Section 985(a) which allows 1 building wall sign for each building frontage facing a street. The applicant is proposing install a wall sign on the west elevation even though it does not directly face a street.

On March 9, 2017, the Land Development Staff reviewed this petition and recommended approval subject to the conditions contained in this staff report.

Land Development Staff Comments:

Planning and Engineering Dept.:	Incorporated into the staff report.
Building Department:	No objections.
Public Safety Department:	No objections.
Public Works Department:	No objections.

VI. Variance Findings of Fact:

The Zoning Board of Adjustments and Appeals shall have the power to authorize a variance from the terms of the Zoning Code. In order to be granted a variance from the Zoning Code, the petitioner must meet the six specific criteria findings and the general criteria listed in the Code. The following is a list of those criteria and an analysis of whether or not the subject variance request meets the criteria.

Specific Criteria Findings:

- (1) **That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.**

Finding: The subject property is an interior outparcel located within a commercial shopping center on a lot with frontage on two adjacent roadways (South Jog Road and Lake Worth Road). Due to the triangular shape of the master parcel, the north and west elevations of the site both face an adjacent right-of-way, Lake Worth Road. In addition, the buildings location directly behind two large retail buildings on the site limits the visibility of the permitted signs, and therefore an additional sign would provide exposure that is commonly granted to the other outparcels on the same site. Finally, the modification to have only one tenant in the retail center will provide for an overall reduction in the signage for the building even with the variance. Overall, the shape of the

lot and the location of the retail building directly behind two large outparcel buildings creates a special condition specific to this building which is not applicable to other properties in the same zoning district and on this parcel.

- (2) **That special conditions and circumstances do not result from the actions of the applicant.**

Finding: The shape of the lot and the location of the building behind two other larger buildings, which contributes to the special conditions or circumstances related to the subject site do not result from the action of the applicant.

- (3) **That granting the variance request will not confer on the applicant any special privilege that is denied by this chapter to the other lands, buildings, or structures in the same zoning district.**

Finding: The shape of the lot provides for three sides of the building to technically front on an adjacent right-of-way, with the exception that two of the elevations front onto the same roadway, so the applicant is not requesting a special privilege that is denied to other lands, buildings, or structures in the same zoning district.

- (4) **That the literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.**

Finding: All properties in the City are governed by the same sign code requirements. The applicant is being deprived of a rights enjoyed by any other property applying for a sign permit today that fronts directly on a right-of-way. Other outparcels in the Commercial Intensive (CI) zoning district have one wall sign per building facades facing a roadway, which the applicant is currently being denied because two elevations face the same right-of-way, which the code does not account for currently. In addition, both of the elevations directly facing a right-of-way have limited visibility due to existing buildings on the site located directly between the subject site and the right-of-way upon which it fronts.

- (5) **That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

Finding: The proposed additional wall sign is technically not permitted by the current sign code. Due to the locations of the buildings on the site, visibility of the allowable signs for the subject site is limited, so one additional sign on a similarly blocked elevation would provide the applicant the minimum exposure that outparcels are usually granted on a master site.

- (6) **No nonconforming use of neighboring lands, structures or buildings in other districts and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.**

Finding: Neighboring lands, structures, or buildings in other districts were not used as a basis for this request.

General Criteria Findings:

- (1) **A Variance:**

a: shall not be contrary to the public interest

The sign code is written to further the public interest by reducing the intensity and negative aesthetic impacts of and a proliferation of free-standing wall signs in the City's commercial areas. To provide for an additional wall sign for the outparcel building that has limited visibility will not be contrary to the public interest.

b: may be authorized if, where owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship

No undue hardship is created by the sign code standards, only by the special conditions specific to this building on the subject site.

(2) Financial hardship is not to be considered alone as sufficient evidence of a hardship.

The petitioner has not expressed financial hardship as a justification for being granted the variance.

Summary of Variance Criteria:

After reviewing the criteria listed above, the City staff believes that these variance requested meets the minimum variance criteria. The site is a commercial plaza on a lot developed in a relatively uncommon way and City staff believes that granting these variances would not set a precedent.

VII. Staff Recommendation:

Approval of variance request BA-17-03 with the following conditions:

1. The variance shall limited to a single user building. In the event that the building is divided into multiple tenants, the literal interpretation of the Code shall apply. (Planning)
2. Site and Development Plan approval for the proposed project shall be obtained within six (6) months of the date of approval of the variance. (Planning)

ZONING BOARD OF ADJUSTMENTS AND APPEALS ACTION – April 4, 2017

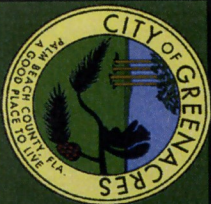
Dannette Fitzgerald, Chairperson

Attest:

Joanna Cunningham, City Clerk

Attachments:

1. Aerial Map
2. Survey
3. Approved Master Plan



Bright Acres Retail Building BA-17-03

Prepared By:
Planning and Engineering Department
City of Greenacres
5800 Melaleuca Lane
Greenacres, FL 33463



North

UNINCORPORATED
PBC



SURVEY REPORT:

1. THE SURVEY MAP AND/OR REPORT OR THE COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL PAPERED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ENDORSEMENTS OR ADDITIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

2. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF AN OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT FUND FILE NUMBER 08-2017-263389-1 DATED DECEMBER 10, 2015 AT 11:00 PM AS TO MATTERS CONTAINED SCHEDULE B-SECTION 2 THEREOF THE FOLLOWING SURVEY MATTERS APPLY:

ITEM 1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT (NOT AN APPLICABLE SURVEY MATTER).

ITEM 2. A. GENERAL OR SPECIAL TAXES AND ASSESSMENTS REQUIRED TO BE PAID IN THE YEAR 2014, AND SUBSEQUENT YEARS, (NOT AN APPLICABLE SURVEY MATTER).
B. RIGHTS OF CLAIMS OF PARTIES IN POSSESSION NOT REDUCED IN THE PUBLIC RECORDS, (NONE KNOWN OR PROVIDED).
C. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE THAT WOULD BE DISCLOSED BY AN INSPECTION OR AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND INSPECTION OF THE LAND, (DETERMINED BY THIS MAP OF SURVEY WITH REPORT).
D. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT REDUCED IN THE PUBLIC RECORDS, (NONE KNOWN OR PROVIDED).
E. ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR, OR MATERIAL FURNISHED, IMPOSED BY LAW AND NOT REDUCED IN THE PUBLIC RECORDS, (NOT AN APPLICABLE SURVEY MATTER).

ITEM 3. ANY OTHER PRIORITY INTEREST PURSUANT HERETO WILL CONTAIN UNDER SCHEDULE B THE FOLLOWING EXCEPTION: ANY ADVERSE OWNERSHIP CLAIM BY THE STATE OF FLORIDA BY RIGHT OF SOVEREIGNTY TO ANY PORTION OF THE LANDS INSURED HEREUNDER, INCLUDING SUBMERGED, TILED AND ARTIFICIALLY EXPOSED LANDS, AND LANDS ACCRUED TO SUCH LANDS (NO EVIDENCE WAS PROVIDED OR OBSERVED THAT THE SUBJECT PARCELS IS SUCH LANDS).

ITEM 4. ANY LIEN OR CLAIM OF LIEN FOR SERVICES, LABOR OR MATERIALS WHICH MAY TAKE PRIORITY OVER THE ESTATE OR INTEREST INSURED BY REASON OF THAT CERTAIN NOTICE OF CONDEMNATION RECORDED AUGUST 13, 2014 UNDER O.R. BOOK 28917, PAGE 398, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (NOT AN APPLICABLE SURVEY MATTER).

ITEM 5. ALL MATTERS CONTAINED ON THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, AS AFFECTED BY RESOLUTIONS RECORDED IN O.R. BOOK 2670, PAGE 131 AND O.R. BOOK 3461, PAGE 161, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (SAID PLAT AND RESOLUTIONS HAVE BEEN NOTED AND/OR DEPICTED HEREON).

ITEM 6. EASEMENT TO FLORIDA POWER AND LIGHT COMPANY RECORDED IN O.R. BOOK 3644, PAGE 144, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (SAID EASEMENT DEPICTED AND NOTED HEREON).

ITEM 7. DECLARATION OF CROSS EASEMENTS REGARDING USE OF PARKING AREAS, ENTRANCES, EXITS, DRIVEWAYS AND WALKS RECORDED IN O.R. BOOK 3462, PAGE 442 AND O.R. BOOK 3640, PAGE 442, CONSENT AGREEMENT RECORDED IN O.R. BOOK 3606, PAGE 1374, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (SAID EASEMENTS DEPICTED AND NOTED HEREON).

ITEM 8. EASEMENT TO FLORIDA POWER AND LIGHT COMPANY RECORDED IN O.R. BOOK 3637, PAGE 134, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (SAID EASEMENT DEPICTED AND NOTED HEREON).

ITEM 9. EASEMENT TO LAKE WORTH DRAINAGE DISTRICT REGARDING RIGHT OF WAY FOR UTILITIES AND BURIED PIPE CANAL UNDER O.R. BOOK 3644, PAGE 1423, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (SAID EASEMENT DEPICTED AND NOTED HEREON).

ITEM 10. PALM BEACH COUNTY REMOVAL AGREEMENT FOR FUTURE RIGHT-OF-WAY REGARDING POLE SIGN RECORDED IN O.R. BOOK 3670, PAGE 1045, AS AFFECTED BY PARTIAL RELEASE RECORDED IN O.R. BOOK 3485, PAGE 161, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (NOT AN APPLICABLE SURVEY MATTER).

ITEM 11. RESTRICTIVE COVENANT REGARDING USE RESTRICTIONS RECORDED IN O.R. BOOK 3663, PAGE 1144, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (NOT AN APPLICABLE SURVEY MATTER).

ITEM 12. PALM BEACH COUNTY REMOVAL AGREEMENT FOR FUTURE RIGHT-OF-WAY REGARDING LD. SIGN RECORDED IN O.R. BOOK 3666, PAGE 1365, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (NOT AN APPLICABLE SURVEY MATTER).

ITEM 13. EASEMENT TO FLORIDA POWER AND LIGHT COMPANY RECORDED IN O.R. BOOK 3728, PAGE 1344, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (EASEMENTS NOTED AND DEPICTED HEREON).

ITEM 14. CROSS-PARKING AGREEMENT REGARDING USE OF PARKING AREAS, ENTRANCES, EXITS, DRIVEWAYS AND WALKS RECORDED IN O.R. BOOK 3475, PAGE 491, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (PARCEL "A" IS NOTED AND DEPICTED HEREON).

ITEM 15. EASEMENT AGREEMENT REGARDING REDDING OF LAKE WORTH ROAD AND REDUCTION OF L-2 CANAL RECORDED IN O.R. BOOK 3188, PAGE 519, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (DOES NOT AFFECT THE SUBJECT PARCELS).

ITEM 16. RECIPROCAL EASEMENT, RESTRICTION AND OPERATING AGREEMENT REGARDING USE RESTRICTIONS AND EASEMENTS RECORDED IN O.R. BOOK 3623, PAGE 1285, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (SUBJECT PARCEL LIES WITHIN AREA DESCRIBED AS PARCEL NO. 1 IN EXHIBIT A THEREOF AND ADJUTING OUT-OF-AREA TO THE NORTHEAST LIES IN THE AREA DESCRIBED AS PARCEL NO. 2 IN EXHIBIT B THEREOF; UTILITY EASEMENT AREA (PARCEL NO. 1-A) DESCRIBED IN EXHIBIT "C" THEREOF IS SHOWN AND DEPICTED HEREON).

ITEM 17. EASEMENT TO PALM BEACH COUNTY REGARDING WATER TRANSMISSION AND DISTRIBUTION FACILITIES CONTAINED IN INSTRUMENT RECORDED UNDER O.R. BOOK 3203, PAGE 1412, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (EASEMENT AREA NOTED AND DEPICTED HEREON).

ITEM 18. EASEMENT TO FLORIDA POWER AND LIGHT COMPANY RECORDED IN O.R. BOOK 3703, PAGE 108, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (EASEMENT NOTED AND DEPICTED HEREON ADJUTING SOUTH RIGHT-OF-WAY LINE OF FORT WORTH ROAD).

ITEM 19. MEMORANDUM OF LEASE BETWEEN LAKE WORTH ROAD DEVELOPMENT ASSOCIATES AND SHELCO OIL COMPANY RECORDED IN O.R. BOOK 3698, PAGE 107, SUBORDINATION AND NON-DISTURBANCE AGREEMENT RECORDED IN O.R. BOOK 3686, PAGE 1036, AS ASSIGNED IN O.R. BOOK 10708, PAGE 1447, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (LEASE AREA NOTED AND DEPICTED HEREON).

ITEM 20. SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN LEASE BY AND BETWEEN LAKE WORTH ROAD DEVELOPMENT ASSOCIATES AND TOL OF LAKE WORTH, INC. AS EVIDENCED BY THAT SUBORDINATION AND NON-DISTURBANCE AGREEMENT RECORDED IN O.R. BOOK 3686, PAGE 1036, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (LEASE AREA NOTED AND DEPICTED HEREON).

ITEM 21. SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN LEASE BY AND BETWEEN LAKE WORTH ROAD DEVELOPMENT ASSOCIATES, LTD. AND CITIZEN'S FEDERAL SAVINGS AND LOAN ASSOCIATION AS EVIDENCED BY THAT SUBORDINATION AND NON-DISTURBANCE AGREEMENT RECORDED IN O.R. BOOK 3686, PAGE 1041, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, (LEASE AREA NOTED AND DEPICTED HEREON).

ITEM 22. REPAIR AND LITIGATION RIGHTS ARE NOT INSURED, (NO EVIDENCE WAS OBSERVED THAT THE SUBJECT PARCELS IS SUCH LANDS).

3. NO UNDERGROUND IMPROVEMENTS OR UTILITIES WERE LOCATED EXCEPT THOSE SHOWN HEREON.

4. UNLESS NOTED OTHERWISE, NO UNDERGROUND FOUNDATIONS LOCATED.

5. THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "B" ACCORDING TO THE FLOOD HAZARD RATE MAP, COMMUNITY NUMBER 12018, PANEL NUMBER 010, SUFFIX A, EFFECTIVE FEBRUARY 1, 1976, FOR PALM BEACH COUNTY, FLORIDA.

6. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE SURVEY PARCEL.

7. WE ARE UNAWARE OF PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES. THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIR.

8. THERE WAS NO OBSERVED EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.

9. WE HAVE NOT BEEN PROVIDED EVIDENCE OF WETLAND AREAS AS DELINEATED BY APPROPRIATE AGENCIES.

10. SUBJECT PARCEL CONTAINS 105 REGULAR PARKING SPACES AND 9 HANDICAP PARKING SPACES FOR A TOTAL OF 115 PARKING SPACES.

11. INSURANCE CERTIFICATES PROVIDED UPON REQUEST.

LEGAL DESCRIPTION:

PARCEL "B":

A PARCEL OF LAND LYING IN AND BEING A PORTION OF SECTION 27, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE S00°58'18"W (STATE PLANE GRID DATUM) ALONG THE QUARTER SECTION LINE, A DISTANCE OF 600.66 FEET TO THE CENTER LINE OF THE 50 FOOT RESERVATION BETWEEN BLOCKS 22 AND 30, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S88°58'18"W ALONG SAID CENTERLINE, A DISTANCE OF 40.02 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF JOG ROAD; THENCE N00°58'18"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF JOG ROAD, A DISTANCE OF 60.00 FEET FOR A POINT OF BEGINNING; THENCE, DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF JOG ROAD, N89°48'58"W, A DISTANCE OF 42.00 FEET; THENCE S00°58'18"W, A DISTANCE OF 30.90 FEET; THENCE S88°58'18"W, A DISTANCE OF 139.03 FEET; THENCE N01°01'42"W, A DISTANCE OF 85.00 FEET; THENCE N88°58'18"E, A DISTANCE OF 184.02 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF JOG ROAD; THENCE S00°58'18"W ALONG SAID WESTERLY RIGHT-OF-WAY OF JOG ROAD, A DISTANCE OF 55.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 14,237 SQUARE FEET OR 0.327 ACRES, MORE OR LESS.

TOGETHER WITH PARCEL "C":

A PARCEL OF LAND LYING IN AND BEING A PORTION OF SECTION 27, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE S00°58'18"W (STATE PLANE GRID DATUM) ALONG THE QUARTER SECTION LINE, A DISTANCE OF 600.66 FEET TO THE CENTER LINE OF THE 50 FOOT RESERVATION BETWEEN BLOCKS 22 AND 30, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S88°58'18"W ALONG SAID CENTERLINE, A DISTANCE OF 40.02 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF JOG ROAD AND THE POINT OF BEGINNING; THENCE CONTINUE, S88°58'18"W, A DISTANCE OF 587.63 FEET; THENCE N00°58'18"W, A DISTANCE OF 181.25 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LAKE WORTH ROAD (RIGHT-OF-WAY WIDTH VARIES); THENCE 140.83 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,924.93 FEET AND CENTRAL ANGLE OF 02°41'17" (CHORD BEARING N67°34'18"E, A DISTANCE OF 140.81 FEET); THENCE N80°34'09"E, A DISTANCE OF 41.03 FEET; THENCE N66°05'35"E, A DISTANCE OF 256.02 FEET; THENCE S01°01'42"E, A DISTANCE OF 278.07 FEET; THENCE N88°58'18"E, A DISTANCE OF 139.03 FEET; THENCE N00°58'18"E, A DISTANCE OF 30.90 FEET; THENCE S88°48'50"E, A DISTANCE OF 42.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF JOG ROAD; THENCE S00°58'18"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 98,059 SQUARE FEET OR 2.274 ACRES, MORE OR LESS.

TOGETHER WITH PARCEL "D":

A PARCEL OF LAND LYING IN AND BEING A PORTION OF SECTION 27, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE S00°58'18"W (STATE PLANE GRID DATUM) ALONG THE QUARTER SECTION LINE, A DISTANCE OF 600.66 FEET TO THE CENTER LINE OF THE 50 FOOT RESERVATION BETWEEN BLOCKS 22 AND 30, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S88°58'18"W ALONG SAID CENTERLINE, A DISTANCE OF 40.02 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF JOG ROAD; THENCE CONTINUE, S88°58'18"W, A DISTANCE OF 587.63 FEET FOR A POINT OF BEGINNING; THENCE S00°58'18"E, A DISTANCE OF 14.34 FEET FOR A POINT OF BEGINNING; THENCE S88°28'28"W, A DISTANCE OF 43.14 FEET; THENCE N00°58'18"W, A DISTANCE OF 115.08 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LAKE WORTH ROAD (RIGHT-OF-WAY WIDTH VARIES); THENCE 136.27 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF LAKE WORTH ROAD AND THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,924.93 FEET AND CENTRAL ANGLE OF 02°40'09" (CHORD BEARING N70°17'01"E, A DISTANCE OF 136.25 FEET); THENCE, DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE OF LAKE WORTH ROAD, S00°58'18"E, A DISTANCE OF 136.88 FEET TO THE POINT OF BEGINNING.

CONTAINING 16,527 SQUARE FEET OR 0.382 ACRES, MORE OR LESS.

TOGETHER WITH PARCEL "E":

A PARCEL OF LAND LYING IN AND BEING A PORTION OF SECTION 27, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE S00°58'18"W (STATE PLANE GRID DATUM) ALONG THE QUARTER SECTION LINE, A DISTANCE OF 600.66 FEET TO THE CENTER LINE OF THE 50 FOOT RESERVATION BETWEEN BLOCKS 22 AND 30, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S88°58'18"W ALONG SAID CENTERLINE, A DISTANCE OF 40.02 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF JOG ROAD; THENCE CONTINUE, S88°58'18"W, A DISTANCE OF 587.63 FEET FOR A POINT OF BEGINNING; THENCE S00°58'18"E, A DISTANCE OF 14.34 FEET FOR A POINT OF BEGINNING; THENCE S88°28'28"W, A DISTANCE OF 43.14 FEET; THENCE N88°28'28"E, A DISTANCE OF 43.14 FEET; THENCE N74°56'07"E, A DISTANCE OF 88.54 FEET; THENCE S00°58'18"E, A DISTANCE OF 14.34 FEET TO THE POINT OF BEGINNING.

CONTAINING 45,507 SQUARE FEET OR 1.045 ACRES, MORE OR LESS.

ALL BEING MORE PARTICULARLY DESCRIBED AS SURVEYED;

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 27, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 00° 58' 18" WEST (STATE PLANE GRID DATUM) ALONG THE QUARTER SECTION LINE 600.66 FEET TO THE CENTERLINE OF THE 50 FOOT RESERVATION BETWEEN BLOCKS 22 AND 30, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88° 58' 18" WEST ALONG SAID CENTERLINE, 40.02 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF JOG ROAD AND THE POINT OF BEGINNING; THENCE SOUTH 88° 58' 18" WEST ALONG SAID CENTERLINE 587.63 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF TRACT 2, BLOCK 30; THENCE SOUTH 00° 58' 18" EAST ALONG SAID EAST LINE, 352.82 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF TRACT 2; THENCE SOUTH 88° 58' 18" WEST PARALLEL WITH THE NORTH LINE OF BLOCK 30 AND ALONG THE SOUTH LINE OF THE NORTH HALF OF TRACT 2, A DISTANCE OF 129.00 FEET; THENCE NORTH 00° 58' 18" WEST, 480.39 FEET TO A POINT LING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LAKE WORTH ROAD BEING 80.00 FEET FROM THE CENTERLINE OF SAID ROAD; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE BEING AN ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 3924.93 FEET; A CENTRAL ANGLE OF 02° 58' 54"; AN ARC DISTANCE OF 305.36 FEET TO A POINT OF TANGENCY; THENCE NORTH 85° 38' 11" EAST ALONG SAID RIGHT-OF-WAY LINE, 228.99 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE BEING AN ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 2924.93 FEET; A CENTRAL ANGLE OF 02° 58' 40"; AN ARC DISTANCE OF 454.3 FEET TO THE WEST LINE OF A ONE (1) ACRE PARCEL; THENCE SOUTH 01° 01' 42" EAST PERPENDICULAR TO THE SOUTH LINE OF BLOCK 22 AND ALONG SAID WEST LINE, 206.25 FEET TO THE SOUTH LINE OF SAID ONE (1) ACRE PARCEL; THENCE NORTH 88° 58' 18" EAST ALONG SAID SOUTH LINE AND PARALLEL WITH THE SOUTH LINE OF BLOCK 22, A DISTANCE OF 184.02 FEET TO THE WEST RIGHT-OF-WAY LINE OF JOG ROAD BEING 40.00 FEET WEST OF AND PARALLEL WITH THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 27; THENCE SOUTH 00° 58' 18" WEST ALONG SAID RIGHT-OF-WAY LINE, 115.07 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION CONVEYED IN O.R. BOOK 17024, PAGE 326, PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT LOT, PIECE OR PARCEL OF LAND SITUATE LYING AND BEING IN SECTION 27, TOWNSHIP 44 SOUTH, RANGE 42 EAST, THE SAME BEING A PORTION OF TRACT 78 IN BLOCK 22 OF "THE PALM BEACH FARMS COMPANY PLAT NO. 3", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

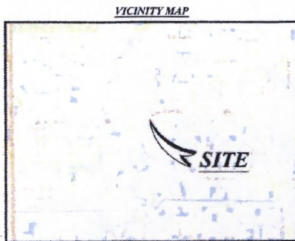
COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 27; THENCE S 00 DEGREES 58'18" W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 27 AND THE CENTERLINE OF JOG ROAD FOR 485.68 FEET; THENCE DEPARTING SAID EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 27 AND THE CENTERLINE OF JOG ROAD, S 88 DEGREES 58'18" W FOR 224.04 FEET; THENCE N 01 DEGREES 01'42" W FOR 183.07 FEET TO THE POINT OF BEGINNING OF THE HERETOFORE DESCRIBED PARCEL OF LAND; FROM SAID POINT OF BEGINNING, THENCE S 66 DEGREES 05'35" W FOR 256.03 FEET; THENCE S 80 DEGREES 34'00" W FOR 41.03 FEET TO A POINT OF NON-TANGENT INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; WITH SAID POINT OF NON-TANGENT INTERSECTION BEARING S 23 DEGREES 48'21" E FROM THE CENTER OF SAID CURVE, WITH SAID CURVE ALSO BEING THE SOUTHEASTERLY RIGHT OF WAY LINE OF LAKE WORTH ROAD (FLORIDA STATE ROAD NO. 802); FROM SAID POINT OF NON-TANGENT INTERSECTION, THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF LAKE WORTH ROAD (FLORIDA STATE ROAD NO. 802) AND THE ARC OF SAID CURVE, HAVING A RADIUS OF 2924.93 FEET AND A CENTRAL ANGLE OF 00 DEGREES 33'28" FOR 28.47 FEET TO THE POINT OF TANGENCY; THENCE N 65 DEGREES 38'11" E ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF LAKE WORTH ROAD (FLORIDA STATE ROAD NO. 802) FOR 228.99 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF LAKE WORTH ROAD (FLORIDA STATE ROAD NO. 802) AND THE ARC OF SAID CURVE, HAVING A RADIUS OF 2924.93 FEET AND A CENTRAL ANGLE OF 02 DEGREES 58'40" FOR 45.32 FEET TO A POINT OF TERMINATION ALONG THE ARC OF SAID CURVE; FROM SAID POINT OF TERMINATION, THENCE S 01 DEGREES 01'42" E FOR 13.18 FEET TO THE POINT OF BEGINNING.



RECEIVED by
CITY OF GREENACRES

FEB 28 2017

PLANNING & ENGINEERING



TO BRIGHTWORK ACQUISITIONS, LLC, A FLORIDA LIMITED LIABILITY COMPANY; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; LAKE WORTH ROAD DEVELOPMENT ASSOCIATES, LTD., A FLORIDA LIMITED PARTNERSHIP.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 NATIONAL STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(a), 8, 9, 11(c), 13, 14, 16, 17, 18, 19, AND 21 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON 10/29/2014.

AND

I HEREBY CERTIFY THAT JEFFREY L. KOHLER, UNDER MY DIRECTION AND SUPERVISION, HAS COMPLETED THE REQUIRED EDUCATION AND EXPERIENCE REQUIREMENTS FOR THE FLORIDA ADMINISTRATIVE CODE, NO. 6201.

JEFFREY L. KOHLER
SURVEYOR AND MAPPER (NUMBER: 125-001)

EBI Surveying
8415 Sunside Street
Tampa, Florida 33634
Phone: (813) 886-0080 / Fax: (813) 886-0081
Certificate of Authorization Number: LB-7852

ALTA/ACSM LAND TITLE BOUNDARY AND TOPOGRAPHIC SURVEY
6566 LAKE WORTH ROAD
PART OF SECTION 27
TOWNSHIP 44 SOUTH RANGE 42 EAST
PALM BEACH COUNTY, FLORIDA

REVISIONS: APPD.
ADDITIONAL TOPOGRAPHY 12/27/18 JAW
REVISED LEGAL: 05/13/18 JAW
REVISED SURVEY BODY: 02/5/18 JAW

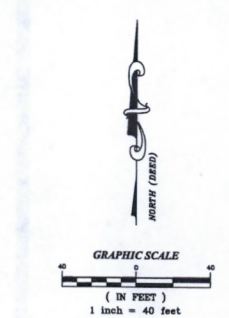
DATE OF SURVEY: 10/29/2014
DRAWN: FRV
CHECKED: JRC/LK
REVISION: FILE: BWC05ALTAX.dwg

SCALE: 1" = 40'
PROJECT NUMBER: BWC05005

SHEET NO.

1
OF 6

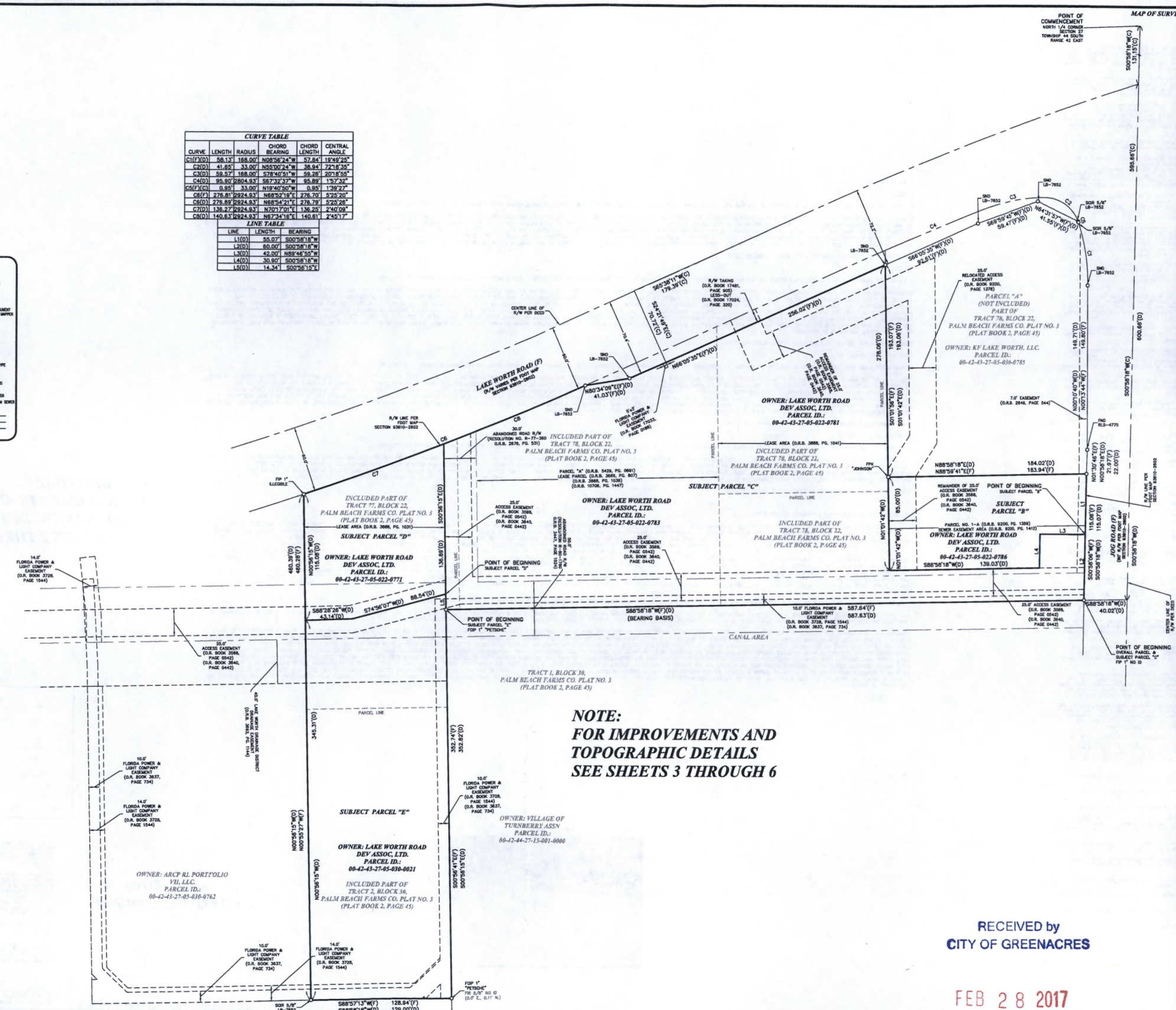
BA-17-03



LEGEND	
AN	ANALOG MEASUREMENT
CA	CADASTRAL
CE	CONCRETE
CH	CHURCH
CL	CLIMATE
CM	COMMON
CO	CONCRETE
CR	CORNER
CS	CORNER
CT	CORNER
CU	CORNER
CV	CORNER
CW	CORNER
CX	CORNER
CY	CORNER
CZ	CORNER
DA	DEVELOPMENT
DB	DEVELOPMENT
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HY	HIGHWAY
HZ	HIGHWAY
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IB	IRRIGATION
IC	IRRIGATION
ID	IRRIGATION
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II	IRRIGATION
IJ	IRRIGATION
IK	IRRIGATION
IL	IRRIGATION
IM	IRRIGATION
IN	IRRIGATION
IO	IRRIGATION
IP	IRRIGATION
IQ	IRRIGATION
IR	IRRIGATION
IS	IRRIGATION
IT	IRRIGATION
IU	IRRIGATION
IV	IRRIGATION
IW	IRRIGATION
IX	IRRIGATION
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IZ	IRRIGATION
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JB	JAIL
JC	JAIL
JD	JAIL
JE	JAIL
JF	JAIL
JG	JAIL
JH	JAIL
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ML	MARSH
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MN	MARSH
MO	MARSH
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MQ	MARSH
MR	MARSH
MS	MARSH
MT	MARSH
MU	MARSH
MV	MARSH
MW	MARSH
MX	MARSH
MY	MARSH
MZ	MARSH
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NB	NATURAL
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NL	NATURAL
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OD	OFFICE
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OF	OFFICE
OG	OFFICE
OH	OFFICE
OI	OFFICE
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OK	OFFICE
OL	OFFICE
OM	OFFICE
ON	OFFICE
OO	OFFICE
OP	OFFICE
OQ	OFFICE
OR	OFFICE
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OT	OFFICE
OU	OFFICE
OV	OFFICE
OW	OFFICE
OX	OFFICE
OY	OFFICE
OZ	OFFICE
PA	PARK
PB	PARK
PC	PARK
PD	PARK
PE	PARK
PF	PARK
PG	PARK
PH	PARK
PI	PARK
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PU	PARK
PV	PARK
PW	PARK
PX	PARK
PY	PARK
PZ	PARK
QA	QUARTERS
QB	QUARTERS
QC	QUARTERS
QD	QUARTERS
QE	QUARTERS
QF	QUARTERS
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QH	QUARTERS
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RZ	RAMP
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UD	UTILITY
UE	UTILITY
UF	UTILITY
UG	UTILITY
UH	UTILITY
UI	UTILITY
UJ	UTILITY
UK	UTILITY
UL	UTILITY
UM	UTILITY
UN	UTILITY
UO	UTILITY
UP	UTILITY
UQ	UTILITY
UR	UTILITY
US	UTILITY
UT	UTILITY
UU	UTILITY
UV	UTILITY
UW	UTILITY
UX	UTILITY
UY	UTILITY
UZ	UTILITY
VA	VALLEY
VB	VALLEY
VC	VALLEY
VD	VALLEY
VE	VALLEY
VF	VALLEY
VG	VALLEY
VH	VALLEY
VI	VALLEY
VJ	VALLEY
VK	VALLEY
VL	VALLEY
VM	VALLEY
VN	VALLEY
VO	VALLEY
VP	VALLEY
VQ	VALLEY
VR	VALLEY
VS	VALLEY
VT	VALLEY
VU	VALLEY
VV	VALLEY
VW	VALLEY
VX	VALLEY
VY	VALLEY
VZ	VALLEY
WA	WATER
WB	WATER
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WS	WATER
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WU	WATER
WV	WATER
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WX	WATER
WY	WATER
WZ	WATER
XA	X-ROAD
XB	X-ROAD
XC	X-ROAD
XD	X-ROAD
XE	X-ROAD
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YJ	Y-ROAD
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YO	Y-ROAD
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YZ	Y-ROAD
ZA	Z-ROAD
ZB	Z-ROAD
ZC	Z-ROAD
ZD	Z-ROAD
ZE	Z-ROAD
ZF	Z-ROAD

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING	CENTRAL ANGLE
C1(D)	58.17	188.00	N08°56'24"W	57.84
C2(D)	41.85	133.00	N55°00'24"E	38.94
C3(D)	59.57	188.00	S78°40'51"W	59.28
C4(D)	95.90	2804.93	S87°34'37"W	95.89
C5(F)	0.85	33.00	N18°40'50"W	0.85
C6(F)	276.81	2924.93	N68°52'19"E	276.70
C6(D)	276.89	2924.93	N68°54'21"E	276.79
C7(D)	136.27	2924.93	N70°17'01"E	136.25
C8(D)	140.63	2924.93	N67°24'10"E	140.61

LINE TABLE		
LINE	LENGTH	BEARING
1(D)	55.07	S00°58'18"W
2(D)	60.00	S00°58'18"W
3(D)	42.00	N89°44'55"W
4(D)	30.90	S00°58'18"W
5(D)	14.24	S00°58'18"W



NOTE:
FOR IMPROVEMENTS AND
TOPOGRAPHIC DETAILS
SEE SHEETS 3 THROUGH 6

RECEIVED by
CITY OF GREENACRES

FEB 28 2017

PLANNING & ENGINEERING

B EBI Surveying
8415 Sunstate Street
Tampa, Florida 33634
Phone: (813) 886-6080 / Fax: (813) 886-6081
Certificate of Authorization Number: LB-7652

ALTA/ACSM LAND TITLE BOUNDARY AND TOPOGRAPHIC SURVEY
6566 LAKE WORTH ROAD
PART OF SECTION 27
TOWNSHIP 44 SOUTH RANGE 42 EAST
PALM BEACH COUNTY, FLORIDA

REVISIONS: APPD.
ADDITIONAL TOPOGRAPHY 10/27/16 AW
REVISED LEGAL 02/13/16 AW
REVISED SURVEY BODY 02/13/16 AW

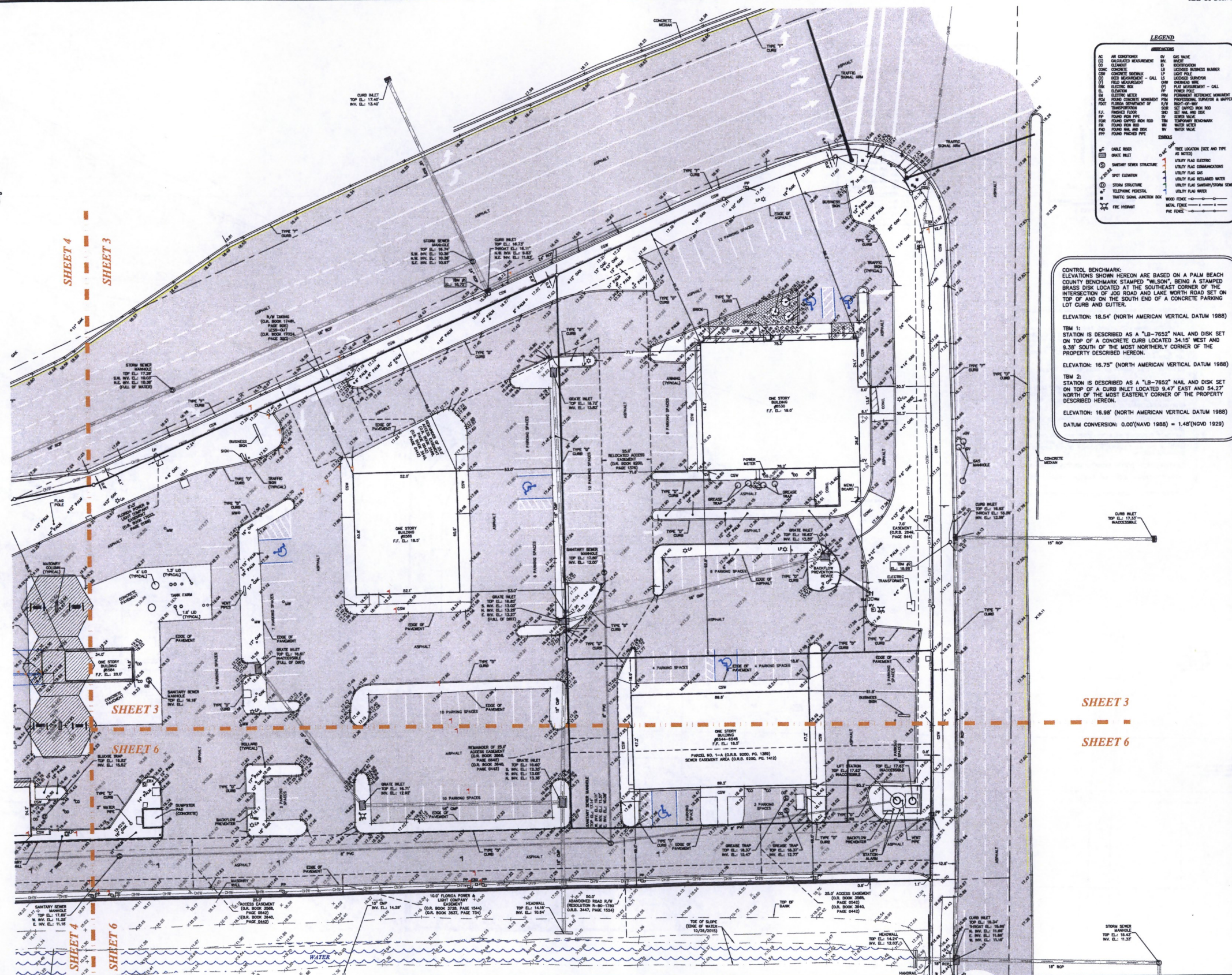
DATE OF SURVEY:
10/29/2014
DRAWN: FRV
CHECKED: JRC/AX
REVISION:
FILE: SW05ALTAX.dwg

SCALE: 1" = 40'

PROJECT NUMBER:
BWFRE0005

SHEET NO.

BA-17-03

[illegible]

CONTROL BENCHMARK:
ELEVATION: 15.84' (NORTH AMERICAN VERTICAL DATUM 1988)

CONTROL: BENCH MARK HEREON ARE BASED ON A PALM BEACH COUNTY BENCHMARK STAMPED "WILSON," BEARING A STAMPED BRASS DISK LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 420 ROAD AND LAKE WORTH ROAD SET OF TOP OF AND ON THE SOUTH END OF A CONCRETE PARKING LOT CURB AND GUTTER.

STATION 1:
STATION IS DESCRIBED AS A "LB-7653" NAIL AND DISK SET ON TOP OF A CONCRETE CURB LOCATED 34.15' WEST AND 0.36' SOUTH OF THE MOST NORTHERLY CORNER OF THE PROPERTY DESCRIBED HEREON.

ELEVATION: 16.75' (NORTH AMERICAN VERTICAL DATUM 1988)

STATION 2:
STATION IS DESCRIBED AS A "LB-7653" NAIL AND DISK SET ON TOP OF A CURB INLET LOCATED 9.47' EAST AND 54.27' NORTH OF THE MOST EASTERLY CORNER OF THE PROPERTY DESCRIBED HEREON.

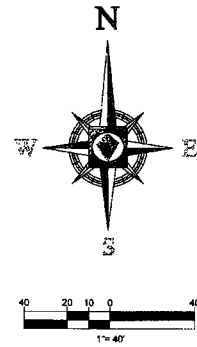
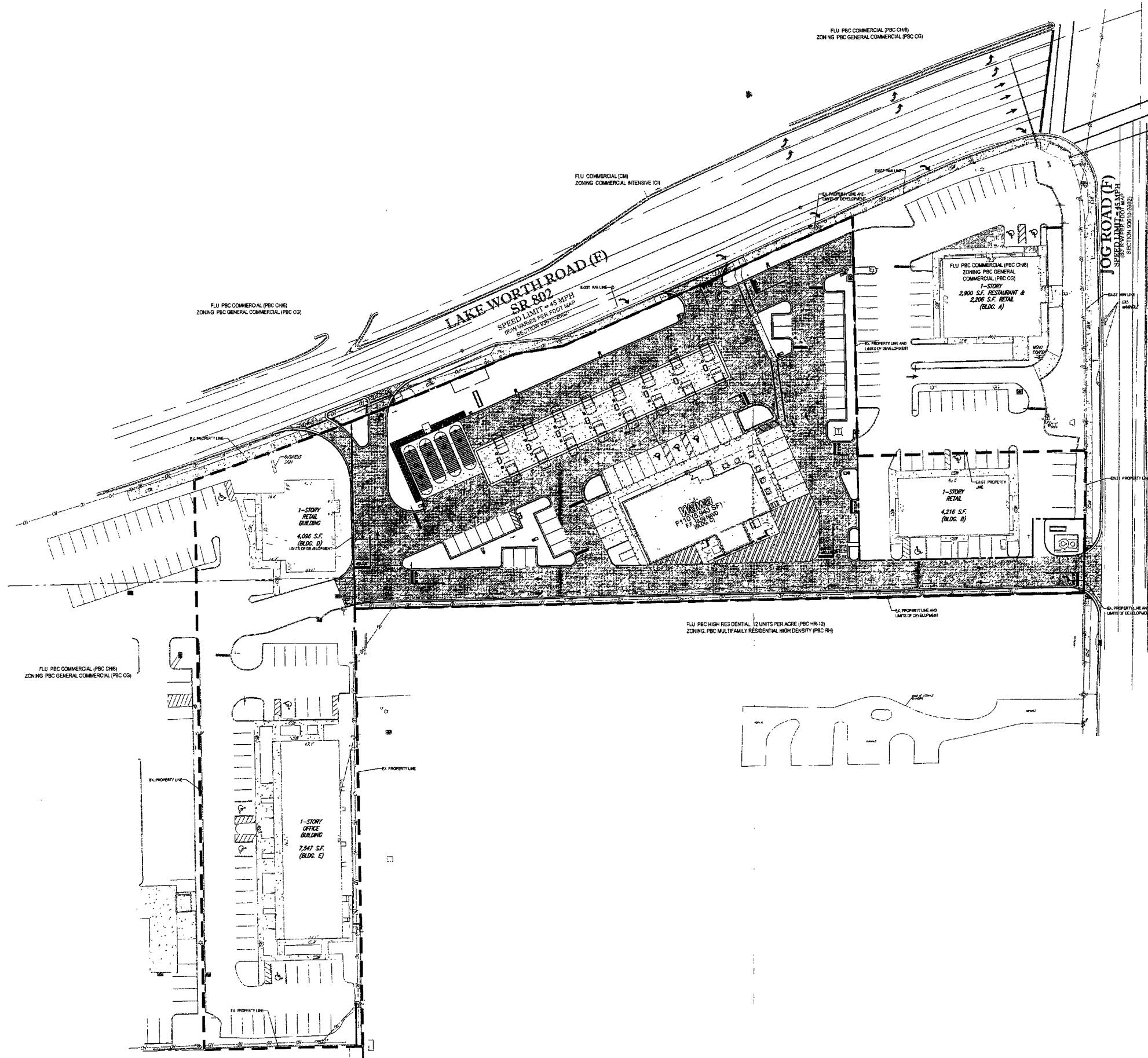
ELEVATION: 16.98' (NORTH AMERICAN VERTICAL DATUM 1988)

DATUM CONVERSION: 0.00'(NAD 1988) = 1.48'(NAD 1929)

6566 LAKE WORTH ROAD
PART OF SECTION 27
TOWNSHIP 44 SOUTH RANGE 42 EAST
PALM BEACH COUNTY, FLORIDA

OF 6

PLANNING & ENGINEERING




OVERALL PARKING CALCULATIONS:

WAWA (BLDG. C)	
REQUIRED PARKING	(1 SPACE / 200 S.F. GFA) = 30 SPACES
PROPOSED PARKING	= 46 SPACES
NORTHEAST BUILDING (BLDG. A)	
RESTAURANT PARKING REQUIREMENTS	RESTAURANT 2,208 S.F.
(1 SPACE / 80 S.F. OF GFA) = 37 SPACES	
RETAIL PARKING REQUIREMENTS	RETAIL 2,208 S.F.
(1 SPACE / 200 S.F. OF GFA) = 11 SPACES	
NORTHEAST BUILDING REQUIRED PARKING	= 48 SPACES
NORTHEAST BUILDING PROVIDED PARKING	= 40 SPACES
SOUTHEAST BUILDING (BLDG. B)	
RETAIL PARKING REQUIREMENTS	RETAIL 4,216 S.F.
(1 SPACE / 200 S.F. OF GFA) = 21 SPACES	
SOUTHEAST BUILDING REQUIRED PARKING	= 21 SPACES
SOUTHEAST BUILDING PROVIDED PARKING	= 20 SPACES
NORTHWEST BUILDING (BLDG. D)	
RETAIL PARKING REQUIREMENTS	RETAIL 4,096 S.F.
(1 SPACE / 200 S.F. OF GFA) = 21 SPACES	
NORTHWEST BUILDING REQUIRED PARKING	= 21 SPACES
NORTHWEST BUILDING PROVIDED PARKING	= 29 SPACES
SOUTHWEST BUILDING (BLDG. E)	
OFFICE PARKING REQUIREMENTS	OFFICE 7,547 S.F.
(1 SPACE / 200 S.F. OF GFA) = 38 SPACES	
SOUTHWEST BUILDING REQUIRED PARKING	= 38 SPACES
SOUTHWEST BUILDING PROVIDED PARKING	= 46 SPACES
TOTAL PARKING REQUIRED =	
TOTAL PARKING PROVIDED =	158 SPACES

PLANNING DEPT. TEMPLATE	
CASE #	SP-15-06
PROJECT NAME	Wawa
PCN	06-42-43-31-45-022-0771, 0781, 0785, 0786 and 06-42-43-31-45-020-0931
ADDRESS	6548, 6549, 6550, 6551 & 6552 Lake Worth Rd.
APPROVAL DATE	February 22, 2016

RECEIVED BY
CITY OF GREENACRES
DEC 28 2015
PLANNING & ENGINEERING



BOHLER
ENGINEERING

SITE CIVIL AND CONSTRUCTION ENGINEERING
LAND SURVEYING DESIGN PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES

- UPRATER NEW YORK
- LONGHART NEW YORK
- NEW YORK METRO
- PHILADELPHIA, PA
- SOUTHERN CALIFORNIA
- BOCA RATON, FL
- NORTHERN VIRGINIA
- CHARLOTTE, NC
- TAMPA, FL

REVISIONS		
REV	DATE	COMMENT
1	10/28/2015	REV PER CITY COMMENTS
2	12/23/2015	REV PER CITY, LINDO, AND FOOT COMMENTS
3	02/17/2016	REV PER COUNTY AND FOOT



811

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PERMIT SET

PROJECT NO.	FLB140003
DRAWN BY	JSR
CHECKED BY	CTW
DATE	09/29/15
SCALE	AS NOTED
CAD 1 D	SP2

CONSTRUCTION PLANS

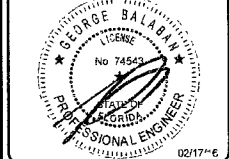
Wawa

LOCATION OF SITE
SWC JOG ROAD &
LAKE WORTH ROAD
GREENACRES, FL



BOHLER
ENGINEERING

2255 GLADES RD., SUITE 308E
BOCA RATON, FLORIDA 33431
Phone: (561) 571-0280
Fax: (561) 571-0281
FLORIDA BUSINESS CERT. OF AUTH. No. 30780



OVERALL SITE LAYOUT PLAN

SHEET NUMBER
C-5

