

PLANNING AND ZONING BOARD

CITY OF DELRAY BEACH

---STAFF REPORT---

MEETING DATE: May 16, 2016

AGENDA ITEM:

ITEM: Conditional Use request to allow the establishment of a veterinary clinic known as Oceanside Veterinary Clinic within an existing commercial building located at 836 SE 5th Avenue.
(Quasi-Judicial Hearing).

RECOMMENDATION: Recommend Approval of the Conditional Use Request to the City Commission.

GENERAL DATA:

Owner..... Nicole G, LLC.

Applicant..... Dr. Benjamin Carter and Dr. Tanis Whyte

Location..... Northwest corner of SE 5th Avenue and SE 9th Street

Property Size..... 17,299 square feet (0.40 acres)

Future Land Use Map..... GC (General Commercial)

Zoning Designation..... GC (General Commercial)

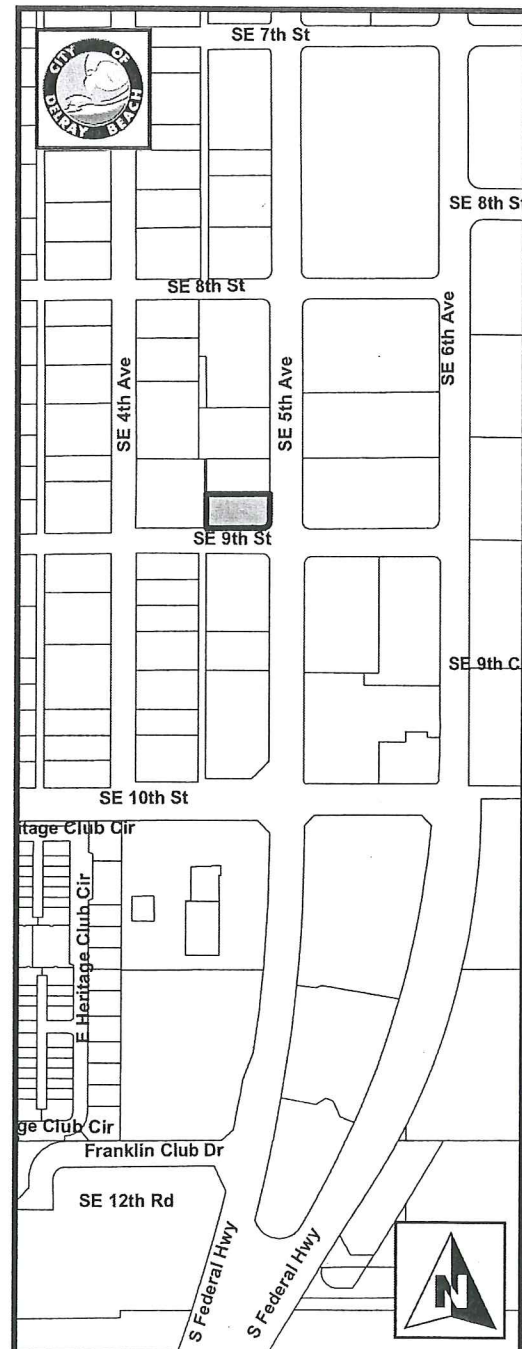
Adjacent Zoning..... North: GC
East: GC
South: GC
West: R-1-A (Single Family Residential)

Existing Land Use..... Previously occupied by a Professional Office

Proposed Land Use..... Veterinary Clinic

Water Service..... Existing on site

Sewer Service..... Existing on site



Location Map

Not To Scale

ITEM BEFORE THE BOARD

The action before the Board is making a recommendation to the City Commission on a request for a Conditional Use to allow the establishment of a Veterinary Clinic for **Oceanside Veterinary Clinic** pursuant to LDR Section 4.4.9(D)(14).

The veterinary clinic seeks to locate at 836 SE 5th Avenue (the northwest corner of SE 5th Avenue and SE 9th Street).

BACKGROUND

The subject property consists of 0.40 acres (17,299 sq. ft.) and is located at the northwest corner of SE 5th Avenue and SE 9th Street. The property has a GC (General Commercial) zoning and Future Land Use Map (FLUM) designation. Two, one-story office buildings totaling 2,664 square feet were constructed on the property in 1934. The northernmost building located at 830 SE 5th Avenue measures 1,230 square feet. The southernmost building located at 836 SE 5th Avenue measures 1,434 square feet. Both buildings were previously occupied as professional offices, most recently as State Farm Insurance at 836 SE 5th Avenue and Moore Hearing Aid Center at 830 SE 5th Avenue.

On October 28, 2015, the Site Plan Review and Appearance Board (SPRAB) approved a Class III Site Plan Modification request to allow the conversion of both buildings from professional office to medical office. On November 17, 2015, the City Commission appealed the approval of the Class III Site Plan Modification by SPRAB. On January 5, 2016, the City Commission denied the Class III Site Plan Modification application.

PROJECT DESCRIPTION

Oceanside Veterinary Clinic will be a full service veterinary clinic offering medical treatment of dogs and cats including; wellness care, vaccines, anesthesia, surgery, radiology, dermatology, nutrition and behavior counselling. The veterinary clinic will not offer boarding, daycare or overnight care of patients except for the care of patients which are under supervision of the veterinary staff. The anticipated hours of operation are from 8:00a.m. to 7:00p.m., Monday through Friday and from 9:00a.m. to 1:00p.m. on Saturday. The facility will be closed on Sunday. The office will accommodate a maximum of 5 employees including the veterinarians. No exterior structural or aesthetic improvements are proposed. The only site improvement will include the installation of a bike rack accommodating 3 bikes.

CONDITIONAL USE ANALYSIS

REQUIRED FINDINGS: (Chapter 3):

Pursuant to Section 3.1.1 (Required Findings), prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the following four areas.

FUTURE LAND USE MAP: The use or structures must be allowed in the zone district and the zoning district must be consistent with the land use designation.

The subject property has a GC Future Land Use Map (FLUM) designation and is zoned GC. LDR Section 4.4.9(D) refers to the allowed conditional uses within the GC zoning district.

Veterinary Clinics are listed as an allowed conditional use in the GC Zoning District by LDR Section 4.4.9(D)(14). The GC zoning district is consistent with the GC FLUM designation. Based upon the above, a positive finding can be made with respect to consistency with the FLUM.

CONCURRENCY: Facilities which are provided by, or through, the City shall be provided to new development concurrent with issuance of a Certificate of Occupancy. These facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.

As the building is existing a certificate of occupancy is not required for the proposed use, however specific to this development proposal, changes in the level of services for traffic and solid waste are highlighted below:

Traffic:

The applicant has submitted a traffic statement that indicates no additional trips will be generated during the AM peak hour of traffic, but with 4 new trips generated during the PM peak hour. The total number of trips anticipated for the proposed veterinary clinic is 3 during the AM peak hour and 6 during the PM peak hour. These added trips are minimal and are typically not considered to have a negative or significant impact on adjacent traffic circulation or the adjacent neighborhood as the property is located along SE 5th Avenue/South Federal Highway, the roadway by which clientele would likely arrive.

Solid Waste:

A review of solid waste impacts show a decreased generation rate as the previous professional office use generates approximately 3.87 tons per year for this building, whereas the veterinary clinic (which falls within the category of medical office for waste generation rates) will generate 3.29 tons per year, a reduction of 0.58 tons per year. Based on population projections, waste generation rate projections, waste reduction, and recycling the Solid Waste Authority forecasts that capacity will be available at the existing landfill through 2047.

Based on the above analysis, positive findings can be made at this time with regard to concurrency for traffic and solid waste.

CONSISTENCY: Compliance with performance standards set forth in Chapter 3 and required findings in Section 2.4.5(E) (5) for the Conditional Use request shall be the basis upon which a finding of overall consistency is to be made. Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.

Required findings under LDR Section 2.4.5(E) are discussed later in this report. The following objective found in the adopted Comprehensive Plan may also be used in making a finding of overall consistency:

Future Land Use Element – Objective A-1: Property shall be developed or redeveloped, in a manner so that the future use and intensity is appropriate in terms of soil, topographic, and other applicable physical considerations; is complementary to adjacent land uses; and fulfills remaining land use needs.

No physical changes other than the installation of a bike rack are proposed and therefore an evaluation with respect to the intensity of the use to the soil or topography is not required.

With the establishment of a veterinary clinic, consideration however must be undertaken to determine if the use is complementary to the adjacent land uses. The adjacent land uses to the north are retail (The Boat House) and a Fraternal Club (VFW); to the west are single family residences. To the south (south side of SE 9th Street) is an office use (J.M.D. Properties, Inc.), and to the east (east side of SE 5th Avenue) is Center State Bank and a vacant parcel. The properties where the potential for the greatest impact exists are the adjacent residential uses to the west and the commercial uses to the north.

With the establishment of a veterinary clinic, the primary concerns with compatibility are namely, the noise generated by barking pets, the manner in which biological wastes are disposed of, and traffic impact.

The applicant has indicated that services offered will not include boarding or daycare or overnight accommodation of pets except for the care of patients which are under supervision of the veterinary staff.

The applicant states that "the patients who remain overnight will be in locked cages within the ICU/Treatment area of the hospital. Nearly all of our patients will be referred to local 24/7 care facilities for continued overnight treatment and observation. In the rare event that a patient is not stable enough to be transported to another facility upon the end of the business day, that patient (critical) will be kept overnight, patient vocalization (barking, meowing) is not considered an issue. This care is limited to medical patients only and it is not foreseen to be done on a regular basis. As the facility will not provide for daycare or boarding, and pets will be kept indoors, no additional noise greater than normal business operations is anticipated.

Pertaining to the disposal of biological wastes, the applicant has provided the following information: "Biological or hazardous wastes (such as needles, scalpel blades, surgical instruments, products harmful to the environment, and infected animal tissue) will be disposed of through a contracted third party waste disposal company. The hazardous waste will be contained in 13 gallons red plastic biohazardous waste bins that are stored inside and on the premises as the containers are filled, a non-removable plastic lid will be inserted, and placed within a red bag-lined cardboard biological waste box for transporting."

Other biological waste materials will be disposed of through the public sewage lines. Surgical waste or regular animal tissue is disposed of through regular trash collection.

Staff is requesting the provision of an additional roll-out cart to ensure that overflow of trash will not occur.

As stated above, the added trips are minimal and are not considered to have a significant impact on adjacent traffic circulation or the adjacent neighborhood. The property is located along SE 5th Avenue/South Federal Highway, it is anticipated that clientele will utilize SE 5th Avenue to access the site and not the residential streets.

Based on the above, since there will be no boarding or daycare services and overnight stay is restricted to critical patients under the veterinarian supervision; biological or hazardous wastes will not be disposed of on-site, and minimal new traffic to be generated, positive findings can be made with respect to compatibility.

COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS:

Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the land development application/request. This discussion is limited to those items which are relevant to the conditional use request.

No development or site plan changes are proposed.

The following table indicates that the existing development complies with the applicable development standards of LDR Section 4.3.4(K) and 4.4.9 as they pertain to the GC zoning district:

		<i>Required:</i>	<i>Provided:</i>
<i>Min. Lot Size (sq.ft.)</i>		0'	17,299 sq. ft.
<i>Min. Lot Width (ft)</i>		0'	135'
<i>Min Lot Depth (ft)</i>		0'	128.5'
<i>Min. Lot Frontage (ft)</i>		0'	135'
<i>Building Height:</i>		48' (max)	13.5'
<i>Building Setbacks:</i>	<i>Front (US1)</i>	10'	28.48'
	<i>Rear (Alley)</i>	10'	64.18'
	<i>Side Street (SE 9th St.)</i>	10'	16.44'
	<i>Side Interior (North)</i>	10'	19.21'
<i>Open Space:</i>		25%	37%

Minimum Parking Requirements:

Both buildings share the parking lot consisting of a total of 16 spaces (15 regular and 1 handicap space). The Land Development Regulations do not provide a specific parking requirement for veterinary clinics.

Pursuant to LDR Section 4.6.9(C)(1)(d) **[Uses Not Listed]**, any use, or use category, which is not specifically listed herein shall have its parking requirement established at the time of approval of the site and development action associated with the new use or structure.

Historically, the General Commercial rate of 4.5 spaces /1,000 sq. ft. has been used as it has been determined that the medical office rate of 5 spaces /1,000 square feet of gross floor area may be excessive for a single tenant veterinary clinic (i.e. not located within a shopping center.)

Since there are 16 existing parking spaces, whether a rate of 4.5 spaces per 1,000 square feet or 5 space /1,000 sq. feet is utilized, the parking requirement will be met as noted in the table below.

Parking Requirement	General Commercial 4.5 spaces/1,000 sq. ft.	Medical Office 5 spaces /1,000 sq. ft.
830 SE 5 th Avenue Northern Building 1,230 sq. ft.	$4.5 \times 1,230/1,000 = 5.53$	$5 \times 1,230/1,000 = 6.15$
836 SE 5 th Avenue Oceanside Veterinary Clinic 1,425 sq. ft.	$5 \times 1,425/1,000 = 6.41$	$5 \times 1,425/1,000 = 7.12$
Total	12 spaces	13 spaces

Commercial Zoning Adjacent to Residential Zoning:

Pursuant to LDR Section 4.6.4(A)(2), where the rear or side of commercially zoned property directly abuts residentially zoned property without any division or separation between them, such as a street, alley, railroad, waterway, park, or other public open space, the commercially zoned property shall provide a ten-foot building setback from the property line located adjacent to the residentially zoned property. In addition, either a solid finished masonry wall six feet in height, or a continuous hedge at least 4 ½ feet in height at the time of installation, shall be located inside and adjacent to the portion of the boundary line of the commercially zoned property which directly abuts the residentially zoned property.

The existing building is setback 64.18' from the west property line abutting the single family residential district. An existing hedge is provided along the west property line. This hedge shall be maintained at a minimum height of 4 ½ feet and is noted as a condition of approval. This requirement is met.

Lighting:

A photometric plan showing existing illumination levels for the parking lot was provided. The photometric plan is consistent with the illumination levels listed in LDR Section 4.6.8. These criteria require a maximum foot candle level of 12.0 and a minimum foot candle level of 1.0 for the entire parking area. The photometric plan submitted has a maximum foot candle level of 9.1 and a minimum foot candle level of 1.0 within the parking lot. The photometric plan reveals that the existing light fixtures at the building entrances range between 5.8 to 6.0 foot candles. This requirement is met.

Handicap Accessible Parking:

Pursuant to LDR Section 4.6.9(C)(1)(b), special parking spaces designed for use by the handicapped shall be provided pursuant to the provisions of Florida Accessibility Code for Building Construction. One handicap space is located adjacent to the breezeway leading to the main entrance. This requirement is met.

Bicycle Parking:

LDR Section 4.6.9(C)(1)(c) and Transportation Element Policy D-2.2 of the Comprehensive Plan recommend that a bicycle parking facility be provided. One bike rack accommodating 3 bikes is proposed.

Crime Prevention Through Environmental Design (CPTED):

A CPTED review has been conducted by the Delray Beach Police Department. The CPTED review is based upon the CPTED standards for Lighting, Natural Surveillance, and Natural Access Control. The Police Department recommends that a surveillance system be considered due to the medication and equipment that will be stored within the office. This recommendation is listed as a condition of approval.

Perimeter Landscape Buffers:

Pursuant to LDR Section 4.4.9(H)(1), the first 10 feet adjacent to a right-of-way shall be landscaped area. Within the required landscape area, no paving shall be allowed except for driveways and walkways which shall be generally perpendicular to the property line. This required buffer has been provided along SE 5th Avenue/South Federal Highway and SE 9th Street.

As stated previously, a hedge 4 ½ feet in height is required and provided along the west property line abutting the residential uses. While not required, the applicant is providing 4 new Silver Buttonwood trees (or other approved FPL species) along the west property line. The trees will be spaced approximately 30 feet on center to provide a solid buffer between the residential and commercial uses. This requirement is met.

Refuse Disposal:

As noted previously refuse will be disposed of by a third party agency for biological or hazardous materials and the utilization of roll-out carts for curbside pickup. The site plan shows a trash receptacle area at the north end of the site which will be screened by existing hedges located on the east and west sides of the receptacle storage area. No hedges are proposed on the north side and this is noted as a condition of approval. The south portion of the hedges on the west side should be cut-back to allow the containers access to the curb. An additional roll-out cart is recommended as a condition of approval.

LDR Section 4.3.3 (W) Veterinary Clinics (Special Requirements for Specific Uses):

Pursuant to LDR 4.3.3(W), veterinary clinics shall not accommodate on-site disposal of carcasses nor shall it provide overnight accommodations of patients except for those under medical supervision. Boarding of animals is expressly prohibited. As stated previously overnight accommodations of pets will only be offered to critical patients under the care of the veterinarian and there will be no on-site disposal of carcasses. This requirement is met.

Sidewalks:

Pursuant to LDR Section 6.1.3(C)(5)(a), sidewalks are required for all new non-residential development. A minimum 5' sidewalk presently exists adjacent to the SE 5th Avenue right-of-way. No sidewalk currently exists along SE 9th Street. A sidewalk is not required along SE 9th Street as the property is an existing developed site.

Osceola Park Plan:

The subject property is located within the Osceola Park Redevelopment Plan Area which is bounded by SE 5th Avenue (Federal Highway southbound) on the east; Swinton Avenue on the west; SE 2nd Street on the north; and SE 10th Street on the south. The Redevelopment Plan was adopted by the City Commission on December 6, 2004.

The subject property is identified within the "Federal Highway Corridor" area of the Plan. Pertaining to this geographic area, the plan states:

"This area contains a mix of residential and commercial uses. Automotive related uses are prevalent in the area, including a used car dealership, a body shop, an automatic car wash facility and vehicle rental. No land use changes are recommended for the area. Limited intervention is needed in this area. The major focus for the area will be to improve the alleyways separating the commercial development from the residential properties to the west and to enhance the buffers between the two uses. There are no buffers provided by much of the older commercial development and this has a negative impact on adjacent residential properties.

Code enforcement will be used to target parking on unimproved surfaces and to bring landscape up to code. As in the railway corridor, automotive related uses will have to find alternative means to deal with the large number of vehicles serviced. Using the roadway swales and alleys as a permanent parking lot is not appropriate."

The subject site is separated from the residential uses to the west by a 4' unpaved strip of land. No alleyway exists between the subject property and the adjacent residential development. With the limited buffer, it is imperative that the commercial use does not negatively impact the existing residences. The safeguards proposed by the applicant which includes no boarding or daycare activities, the manner in which biological and hazardous waste will be disposed of and the hours of operation will minimize potential negative impacts to the adjacent uses.

REQUIRED FINDINGS

SECTION 2.4.5(E) REQUIRED FINDINGS: (Conditional Use)

Pursuant to Section 2.4.5(E) (5) (Findings), in addition to provisions of Chapter 3, the City Commission must make findings that establishing the conditional use will not:

- A. Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;**
- B. Nor that it will hinder development or redevelopment of nearby properties.**

The use is located within an existing commercial structure. To the north, south and east are existing commercial uses. To the west are single family residences. Safeguards are proposed by the applicant that the objectionable aspects of a veterinary clinic such as barking pets, disposal of medical wastes are addressed. Based upon the analysis in this report, a veterinary clinic is compatible with adjacent and nearby properties and will not have a detrimental effect on the stability of the neighborhood within which it is located nor hinder development or redevelopment of nearby properties. A positive finding can be made with respect to LDR Section 2.4.5(E)(5)(Required Findings).

REVIEW BY OTHERS

The development proposal is located within a geographical area requiring review by the CRA (Community Redevelopment Agency). On April 28, 2016, the CRA unanimously recommended approval.

Courtesy Notices:

Courtesy notices have been sent to the following homeowner's and/or civic associations:

- Delray Citizen's Coalition
- Osceola Park
- Domaine Delray
- Harbour Club

Public Notices:

Formal public notice has been provided to property owners within a 500' radius of the subject property. Letters of objection or support, if any, will be presented at the Planning and Zoning Board meeting.

ASSESSMENT AND CONCLUSION

The Conditional Use request is to allow the establishment of a veterinary clinic. There will be no boarding or daycare services offered. Additionally, biological and hazardous waste will be contained within the office and picked-up directly from the office and there will be no-site disposal of carcasses. Other waste will be collected and stored in plastic bags for disposal into the dumpster at the end of each day. The proposed use is consistent with the policies of the Comprehensive Plan and Chapter 3 of the Land Development Regulations. Positive findings can be made with respect to Section 2.4.5(E)(5) that it will not have a significant detrimental effect upon the stability of the neighborhood nor will it hinder development or redevelopment of nearby properties.

ALTERNATIVE ACTIONS

- A. Move to **continue** with direction.
- B. Recommend **approval** to the City Commission for a Conditional Use to allow a veterinary clinic for Oceanside Veterinary Clinic, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(E)(5), and Chapter 3 of the Land Development Regulations.
- C. Recommend **denial** to the City Commission for a Conditional Use to allow a veterinary clinic for Oceanside Veterinary Clinic, by adopting the findings of fact and law, and finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Sections 2.4.5(E)(5), and Chapter 3 of the Land Development Regulations.

RECOMMENDED ACTION

Recommend of **approval** to the City Commission for a Conditional Use to allow a veterinary clinic for Oceanside Veterinary Clinic, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(E)(5), and Chapter 3 of the Land Development Regulations with the following conditions:

- 1. That the applicant submit an application for Class I site plan modification which provides:
 - i. An additional roll-out cart is provided to ensure that overflow of trash will not occur.
 - ii. Security cameras are installed at the entrance and at the parking lot.
 - iii. The hedge screening the roll-out carts continues along the north side of the refuse/storage area and a portion of the hedge screening the refuse area is cut back to allow the roll-out carts access to the curb.
 - iv. A note be placed on the site plan stating that the hedge located along the west property line shall be maintained at a minimum height of 4 ½ feet.
- 2. A life safety plan showing emergency lighting, exit signs and fire extinguishers be provided prior to action by the City Commission on the conditional use request.

Staff Report Prepared By: Jasmin Allen, Senior Planner

Attachments:

- Location Map
- Site Plan
- Survey
- Floor Plan
- Landscape Plan
- Photometric Plan

SE 8th St

SE 4th Ave

SE 5th Ave

SE 9th St

836 SE 5th Avenue

LOCATION MAP

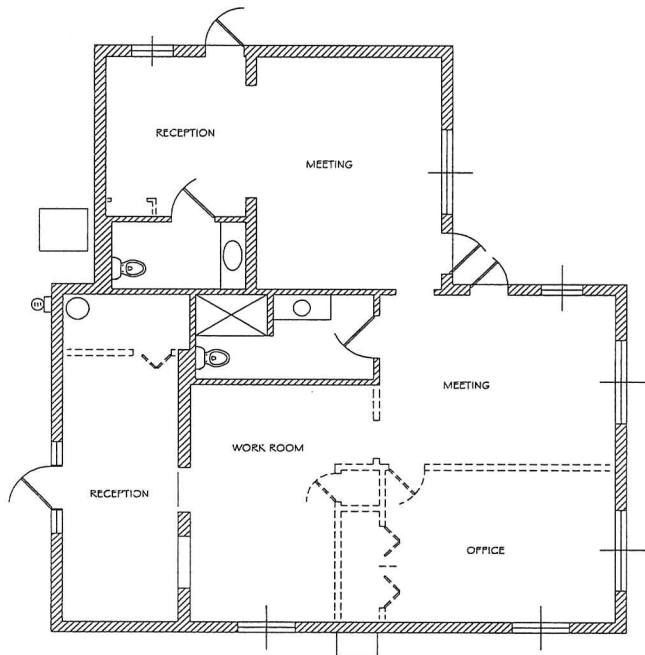


836 SE 5th Avenue



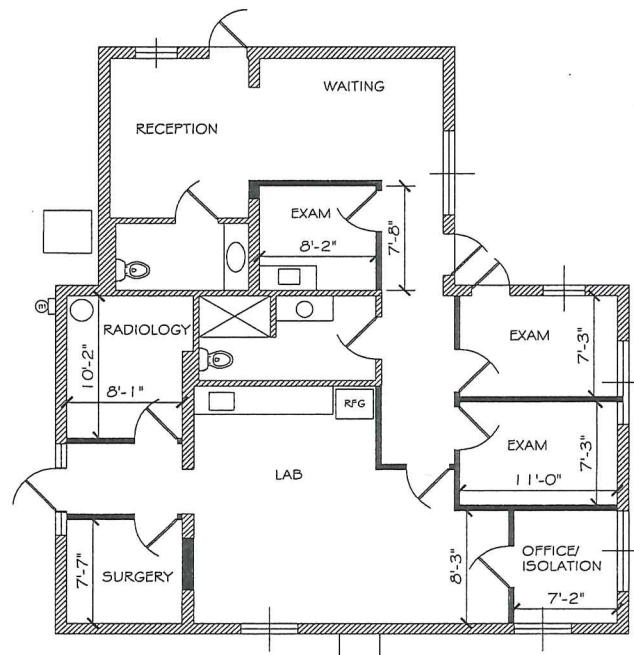
Subject Property



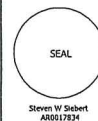


1,434 SQ FT

EXISTING & DEMOLITION PLAN (836 SE 5th Ave)



PROPOSED FLOOR PLAN



STEVE SIEBERT
ARCHITECTURE

STEVE SIEBERT
ARCHITECTURE
118 SE 4th Avenue, Suite 106
DELRAY BEACH, FL 33483
ph. 561.880.7894
stevesiebert@outlook.com

CONDITIONAL USE APPROVAL FOR:
Oceanside Veterinary Care
836 SE 5th Avenue
DeLray Beach Florida, 33483

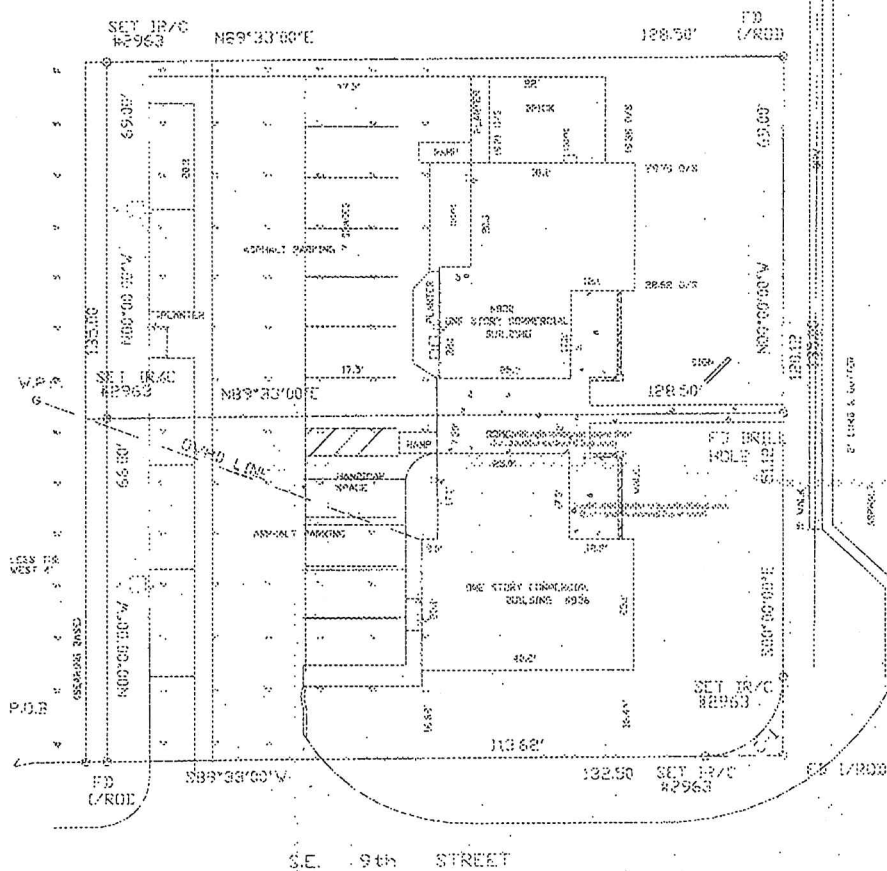
WRITTEN SUPPLEMENT ON THESE
DRAWINGS SHALL HAVE PRECEDENCE
OVER SCALE DIMENSIONS.
CONTRACTOR SHALL VERIFY AND BE
RESPONSIBLE FOR ALL DIMENSIONS
AND CONDITIONS ON THE JOB, AND
THIS OFFICE MUST BE ADVISED OF
ANY VARIATION FROM THE
DIMENSIONS.
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PROJECT NO.: 16-093
DATE: 04.01.16
DRAWN BY: S.W.S.
CHECKED BY: B.X.
REVISIONS:



FLOOR PLAN(S)

A.1

SHEET NO.



PHOTOMETRIC (PARKING PLAN)

LUMINAIRE SCHEDULE					
Symbol	Label	Qty	Catalog Number	Flt	LUF
	SA	2	SPH/DRUG LIGHTING CL13 A 48LU SK 4 COLOR (POLE MOUNT 4' 3" FT AFG)	416, 48, SK 4, 195	0.75
	SB	4	SPH/LIGHTING CL15 A 32LU SK 4 VHS COLOR (MAX 1' 1" FT AFG)	416, 32, SK 4, 161	5.75

STATISTICS					
Description	Avg	Max	L60	Max/Min	Avg/Min
Footcandle	3.1 fc	8.1 fc	1.0 fc	9.1 ft	3.1 ft



STEVE SIEBERT
ARCHITECTURE

STEVE SIEBERT
ARCHITECTURE
111 S. 5th Avenue, Suite 100
Oceanside, CA 92054
Phone: (760) 431-1111
Fax: (760) 431-1112
www.stevesiebert.com

CONDITIONAL USE APPROVAL FOR:
Oceanside Veterinary Center

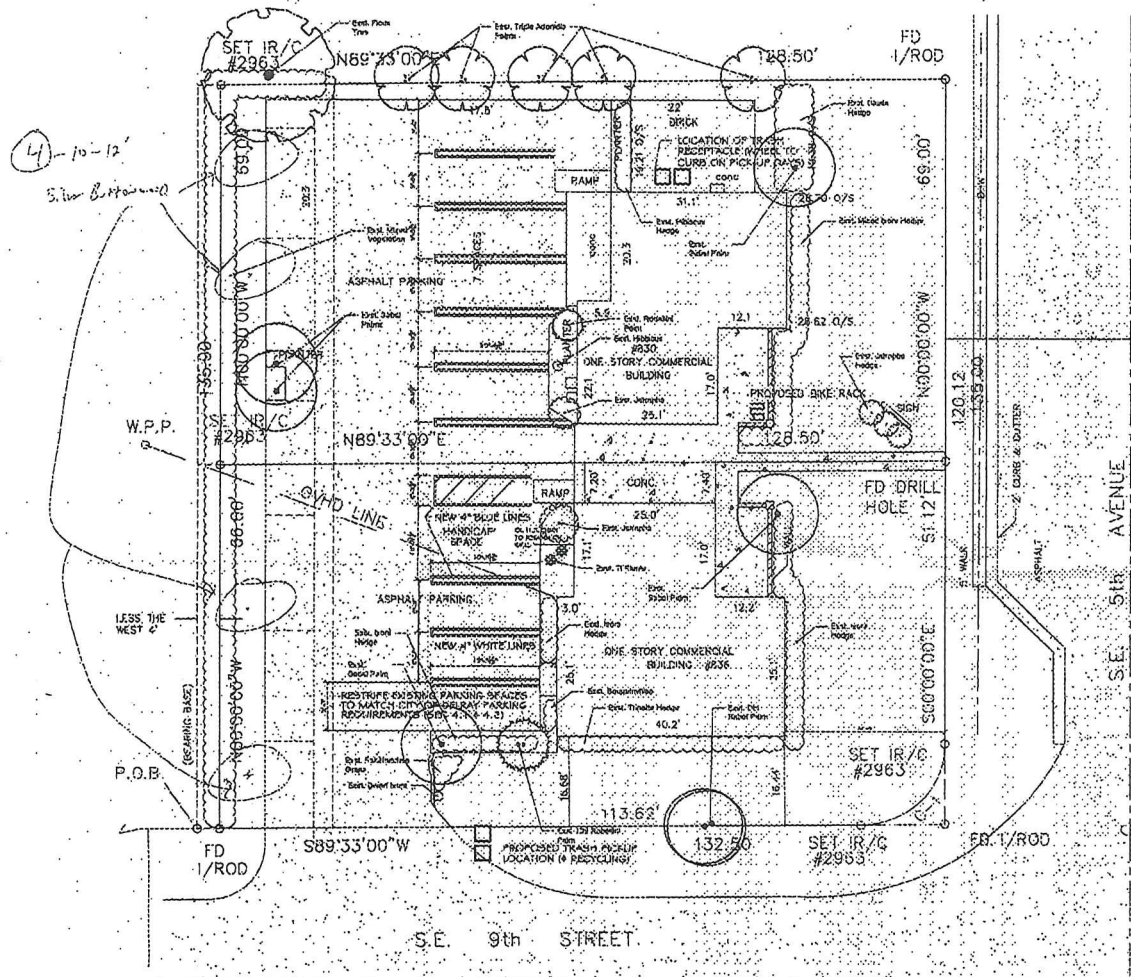
838 SE 5th Avenue
Oceanside, CA 92054

NOT A CONTRACTOR'S DRAWING
THIS DRAWING IS FOR INFORMATION ONLY
AND DOES NOT REPRESENT A CONTRACT
OR A COMMITMENT TO ANY ACTION
OR INACTION. IT IS THE RESPONSIBILITY
OF THE USER TO OBTAIN ALL NECESSARY
PERMITS AND APPROVALS FROM THE
APPLICABLE AGENCIES AND AUTHORITIES
BEFORE CONSTRUCTION OR INSTALLATION
OF ANY PROJECT.

PROJECT NO.: 16-081
DATE: 04-01-16
DRAWN BY: J. SIEBERT
CHECKED BY: J. SIEBERT
APPROVED BY: J. SIEBERT

PHOTOMETRIC PLAN

A.2
SHEET 101



2" elevations will be applied to all landscape beds. Elevation Station shall be fully specified.

Providing 100% coverage to all plant material and grass.

Silver Birch wood subject to availability - will mix with other FPL approved species such as Orange, Green, Ligustrum or Yellow Birch - if Silver Birch is not available.



RECEIVED BY
2/24/23
City of Deltona Parks
Department

RECEIVED BY
3/5/23
City of Deltona Parks
Department

KEY	DESCRIPTION
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OWNER:
Oceanside Veterinary Center

Oceanside Veterinary Center
835 SE 5th Ave
Deltona, FL 32725

Landscape Survey

DATE: 1/10/23
DRAWN BY: JC
DATE: 2/1/23

LA-01
OF 1 - SHEETS



LEGAL DESCRIPTION:

LOT 10, BLOCK 1, "MODEL LAND COMPANY'S" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 128, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE POINT OF INTERSECTION OF THE NORTH LINE OF SOUTHEAST 9th STREET (FORMERLY SOUTHEAST 7th STREET) WITH THE CENTERLINE OF SOUTHEAST 4th AVENUE (SAID CENTERLINE BEING ALSO THE WESTERLY LINE OF LOT 10, BLOCK 1, OF THE SUBDIVISION OF SECTION 21, TOWNSHIP 46 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 128, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA), RUN EASTERLY ALONG THE NORTHERLY LINE OF SOUTHEAST 9th STREET WITH AN ANGLE OF 89 DEGREES 33 MINUTES 00 SECONDS, MEASURED FROM THE NORTH TO EAST FROM THE CENTERLINE OF SOUTHEAST 4th AVENUE, A DISTANCE OF 165.60 FEET TO THE POINT OF BEGINNING, THENCE RUN NORTHERLY PARALLEL TO THE CENTERLINE OF SOUTHEAST 4th AVENUE A DISTANCE OF 135.00 FEET, THENCE RUN EASTERLY PARALLEL TO THE NORTH LINE OF SOUTHEAST 9th STREET, A DISTANCE OF 132.50 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF SOUTHEAST 5th AVENUE (FORMERLY DIXIE HIGHWAY) THENCE RUN SOUTHERLY ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE, BEING ALSO PARALLEL TO THE CENTERLINE OF SOUTHEAST 4th AVENUE, A DISTANCE OF 135.00 FEET TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SOUTHEAST 9th STREET, THENCE RUN WESTERLY ALONG SAID NORTH LINE A DISTANCE OF 132.50 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE WEST 4.00 FEET THEREOF AND THAT PART OF THE SOUTH HALF (S 1/2) OF THE EAST HALF (E 1/2) OF THE NORTH 135.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 46 SOUTH, RANGE 43 EAST, WHICH IS INCLUDED IN THE EXTERNAL AREA FORMED BY A 15.00 FOOT RADIUS ARC, TANGENT TO THE NORTH LINE OF SOUTHEAST 9th STREET AND TANGENT TO A LINE PARALLEL TO AND 33.00 FEET WEST OF THE CENTERLINE OF SOUTHEAST 5th AVENUE. SUBJECT TO AN EASEMENT OVER AND ACROSS THE WEST 20.00 FEET THEREOF.

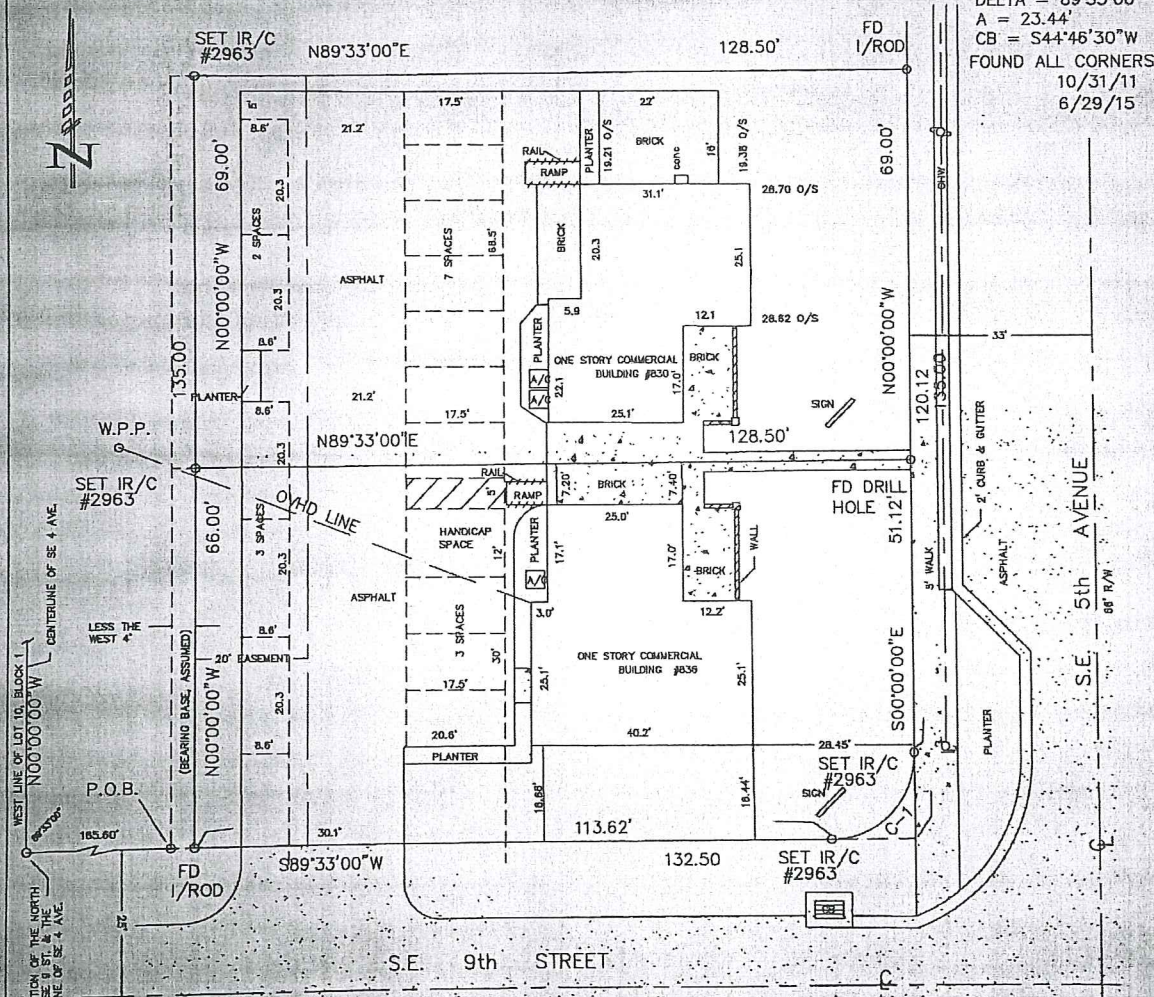
SKETCH OF SURVEY
BOUNDARY

FOR: ANTHONY LANCELLA

LEGEND

- CL = CENTERLINE
- R/W = RIGHT-OF-WAY
- RR = RAILROAD
- PL = PLANT BED
- FE = FENCE
- UE = UTILITY EASEMENT
- DE = DRAINAGE EASEMENT
- PDC = POINT OF DISCONTINUITY
- PDI = POINT OF BEGINNING
- PAT = POINT OF TERMINUS
- CJ = CATCH BASIN
- VPP = VERTICALLY POWER POLE
- CON = CONCRETE
- C & G = CURB AND GUTTER

C-1
R = 15'
DELTA = 89°33'00"
A = 23.44'
CB = S44°46'30"W
FOUND ALL CORNERS
10/31/11
6/29/15



NOTE: THE UNDERSIGNED AND BRUCE CARTER & ASSOCIATES, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, RESERVATIONS, AGREEMENTS AND OTHER SIMILAR MATTERS, AND FURTHER, THIS INFORMATION IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE SEARCH. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY AND/OR EASEMENTS OF RECORD.

NOTES:

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CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE, AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION IN
MARCH 21 20 08

BRUCE N. CARTER
REGISTERED LAND SURVEYOR # 2963
STATE OF FLORIDA 18 14683

REVISIONS	DATE	BY
UPDATE SURVEY	6/29/15	BC
UPDATE SURVEY	10/31/11	BC
ADD NORTH 89°	5/12/08	BC

SCALE: 1" = 20'	DRAWN BY: SUE	CHECKED BY:	FIELD BOOK:	FILE NO.:
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