

Exhibit "A"
Location Map

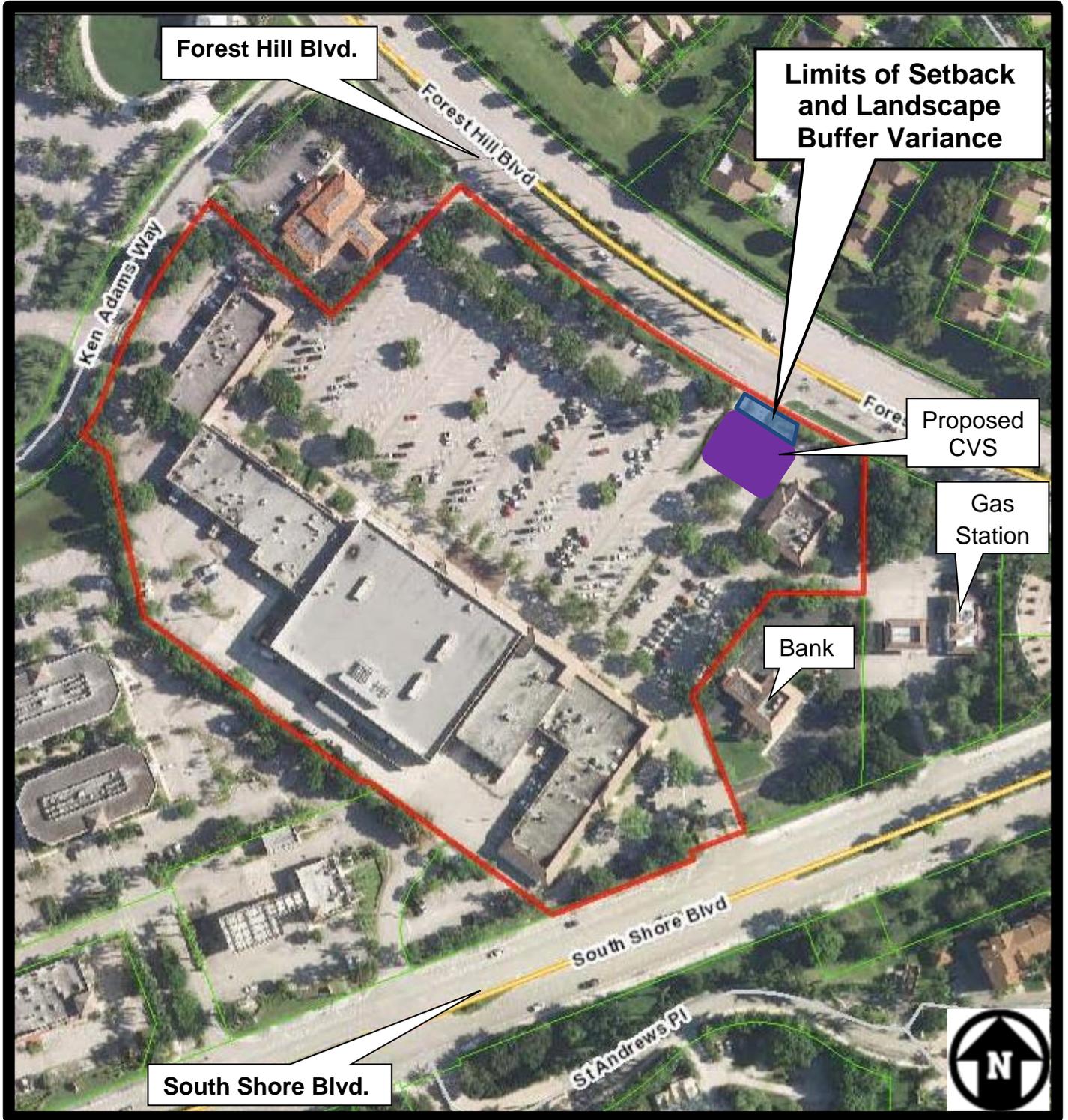


Exhibit "B"
Legal Description

PARCELS "A", "B" AND "C", PLAT NO. 2 TOWN CENTER OF WELLINGTON - PUD. ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 42, PAGE 35, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

ALL OF PLAT NO. 3 TOWN CENTER OF WELLINGTON - PUD., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48, PAGE 121, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LONG SITUATE, LYING AND BEING IN THE TOWN OF WELLINGTON, PALM BEACH COUNTY, FLORIDA, AND CONTAINING 597.214 SQUARE FEET OR 13.7101 ACRES, MORE OR LESS.

Exhibit "D"

Applicant's Variance Justification

Justification for granting the variance requested utilizing the criteria for the granting of variances as set forth in Section 5.8.5:

- A. Special conditions and circumstances exist. Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure, that are not applicable to other parcels of land, structures or buildings in the same district;

Response: The existing shopping center and surrounding retail development (including the Chevron Gas Station and drive through bank) are under separate ownership, governed by reciprocal easement agreements that provide for interconnected cross access. Modifications to the shopping center have to take this into account, and the existing orientation of drive aisles leading to the existing Chevron Gas Station need to be preserved, with parking areas for the proposed CVS shared by the retail development. It is in this framework of shared orientation of drive aisle and parking areas that a final building position was obtained, which maintains a parallel basis for the parking field between the shopping center and CVS but is not directly parallel to Forest Hill Blvd. It is this curved condition along Forest Hill Blvd, as it approaches South Shore, that creates a pinch point for the NW corner of the CVS which is the subject of the proposed variance.

- B. Special circumstances and conditions do not result from the actions of the applicant;

Response: The curvature of Forest Hill Blvd, and a desire to maintain a shared parking field between the shopping center and CVS creates a condition where the parking lot is parallel and perpendicular to the retail buildings, but the NW corner of the CVS building has a point where the building encroaches into the buffer and setback by 5' and then, as the right of way continues to curve this encroachment no longer occurs.

- C. Granting the variance shall not confer upon the applicant any special privilege denied by the Comprehensive Plan and this Code to other parcels of land, buildings, or structures, in the same district;

Response: Typically; land development regulations for setbacks and buffers are not written with a curved condition in mind. Customer orienteering within the parking lot is an important concern from a safety perspective, and the alignment of Forest Hill Blvd is not typical, and does not confer any special privileges to the applicant.

- D. That literal interpretation and enforcement of the provisions of the LDR would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the LDR and would work an unnecessary and undue hardship.

Response: The orientation of the shared parking field between CVS and the retail shopping center, combined with the curved right of way at Forest Hill Boulevard creates a scenario in which there would be a loss of efficiency for customers accessing the overall project, or a large irregular area in excess of the required right of way buffer to compensate. The request for flexibility takes into account the overall buffer width adjacent to the CVS, which meets code requirements for tree spacing, shrub requirements and square footage while incorporating a minor encroachment point at the NW corner of the building.

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

Response: The curvature of Forest Hill Blvd, and a desire to maintain a shared parking field between the shopping center and CVS creates a condition where the parking lot is parallel and perpendicular to the retail buildings, but the NW corner of the CVS building has a point where the building encroaches into the buffer and setback by 5' and then, as the right of way continues to curve this encroachment no longer occurs. The design results in the minimum variance request, given these geometric factors.

- F. That the granting of the variance is consistent with the purposes, goals, objectives and polies of the Comprehensive Plans and the LDR.

Response: Objective 1.7- Managed Growth: Wellington has adopted land development regulations that direct growth into areas served by urban services. Wellington shall continue to ensure that growth is of a quality equal to or better than the existing community, discourages urban sprawl, protects environmental and archeological resources, ensures the availability of suitable lad for required utility services and the density and intensity are consisted with other Goals, Objectives and Policies contained in this plan including the Work Plan. The proposed use is a natural and compatible land use with the existing shopping center, and makes use of a previously designated commercial services area. The proposed CVS will not cause any negative impacts for this area.

- G. That the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Response: Safe and orderly parking and access aisle navigation is an important consideration; as customers have a reasonable expectation to experience perpendicular and parallel geometries within the parking field between buildings. The proposed variance is the result of this consideration by the applicant, and the resultant modification to Wellington Square Shopping center will not be injurious to this area