

RESOLUTION NO. R-2002- 1644

RESOLUTION APPROVING ZONING PETITION DOA1994-056A  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF RONALD G. WOODS, TRUSTEE  
BY PATRIC TOBIN, AGENT  
(RANDOLF OAKS (AKA WILD PALMS))

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA1994-056A was presented to the Board of County Commissioners at a public hearing conducted on September 26, 2002; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.

9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition DOA1994-056A, the petition of Ronald G. Woods, Trustee by Patrick Tobin, Inc., agent, for a Development Order Amendment to modify/delete conditions of approval and reconfigure site plan on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on September 26, 2002, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts moved for the approval of the Resolution.

The motion was seconded by Commissioner Masilotti and, upon being put to a vote, the vote was as follows:

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus	-	Absent
Mary McCarty	-	Aye
Burt Aaronson	-	Absent
Tony Masilotti	-	Aye
Addie L. Greene	-	Absent

The Chair thereupon declared that the resolution was duly passed and adopted on September 26, 2002.

Filed with the Clerk of the Board of County Commissioners on 29 day of October, 2002.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK

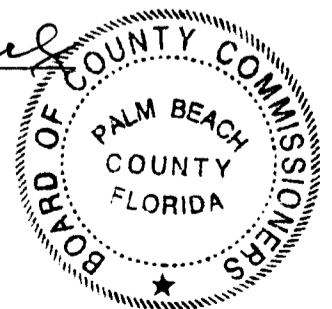


EXHIBIT A

LEGAL DESCRIPTION

TRACT NO. 69 OF JUPITER FARMS AND GROVES, A SUBDIVISION OF PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 9, PAGE 76.

PLUS THE FOLLOWING DESCRIBED PARCEL:

THAT PORTION OF SECTION 1, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THEN N. 2°00'42" EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1 (THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1 IS ASSUMED TO BEAR N. 2°00'42" E. AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 1314.212 FEET TO A POINT ON THE SOUTH LINE OF LOT 39, ACCORDING TO THE UNRECORDED PLAT OF WILDWOOD ACRES, ON FILE IN THE OFFICE OF TEDDY O. POTTER AND ASSOCIATES, DATED JANUARY 4, 1973; THENCE S. 89°55'01" E. ALONG THE SOUTH LINES OF LOTS 39, 38, 31 AND 30 OF SAID WILDWOOD ACRES, A DISTANCE OF 1306.45 FEET TO A POINT ON THE EAST LINE OF TRACT 69, ACCORDING TO THE PLAT OF JUPITER FARMS AND GROVES, AS RECORDED IN PLAT BOOK 9, PAGE 76, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE CONTINUE S. 89°55'01" E., A DISTANCE OF 19.33 FEET TO THE NORTHWEST CORNER OF LOT 22 OF SAID WILDWOOD ACRES; THENCE, S. 2°02'13" W., ALONG THE WEST LINES OF LOTS 22, 8 AND 7 OF SAID WILDWOOD ACRES, A DISTANCE OF 1313.31 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE CONTINUE N. 89°57'24" W., ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 18.51 FEET TO A POINT ON THE SOUTHERLY PROLONGATION OF THE EASTLINE OF SAID TRACT 69; THENCE N. 2°00'05" E., ALONG THE SOUTHERLY PROLONGATION OF THE EAST LINE OF SAID TRACT 69; A DISTANCE OF 25.42 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 69; THENCE CONTINUE N. 2°00'05" E., ALONG THE EAST LINE OF SAID TRACT 69, A DISTANCE OF 1287.88 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.57 ACRES, MORE OR LESS.

LESS THE FOLLOWING DESCRIBED PORTION OF THE ABOVE DESCRIBED PROPERTY.

THAT PORTION OF TRACT 69, ACCORDING TO THE PLAT OF JUPITER FARMS AND GROVES, AS RECORDED IN PLAT BOOK 9, PAGE 76, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE N. 2°00'42" E., ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1 (THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1 IS ASSUMED TO BEAR N. 2°00'42" E. AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 1314.21 FEET TO A POINT ON THE SOUTH LINE OF LOT 39, ACCORDING TO THE UNRECORDED PLAT OF WILDWOOD ACRES, ON FILE IN THE OFFICE OF TEDDY O. POTTER AND ASSOCIATES, DATED JANUARY 4, 1973; THENCE S. 89°55'01" E., ALONG THE SOUTH LINE OF SAID LOT 39 OF WILDWOOD ACRES A DISTANCE OF 1.49 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 69 AND THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL;

THENCE CONTINUE S.  $89^{\circ}55'01''$  E., ALONG THE SOUTH LINES OF LOTS 39, 38, 31 AND 30 OF WILDWOOD ACRES, A DISTANCE OF 1304.96 FEET TO A POINT ON THE EAST LINE OF SAID TRACT 69, A DISTANCE OF 27.12 FEET TO THE NORTHEAST CORNER OF SAID TRACT 69; THENCE  $89^{\circ}53'29''$  W., ALONG THE NORTH LINE OF SAID TRACT 69, A DISTANCE OF 1304.94 FEET TO THE NORTHWEST CORNER OF SAID TRACT 69; THENCE S.  $2^{\circ}00'05''$  WEST ALONG THE WEST LINE OF SAID TRACT 69, A DISTANCE OF 27.71 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 0.82 ACRES, MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

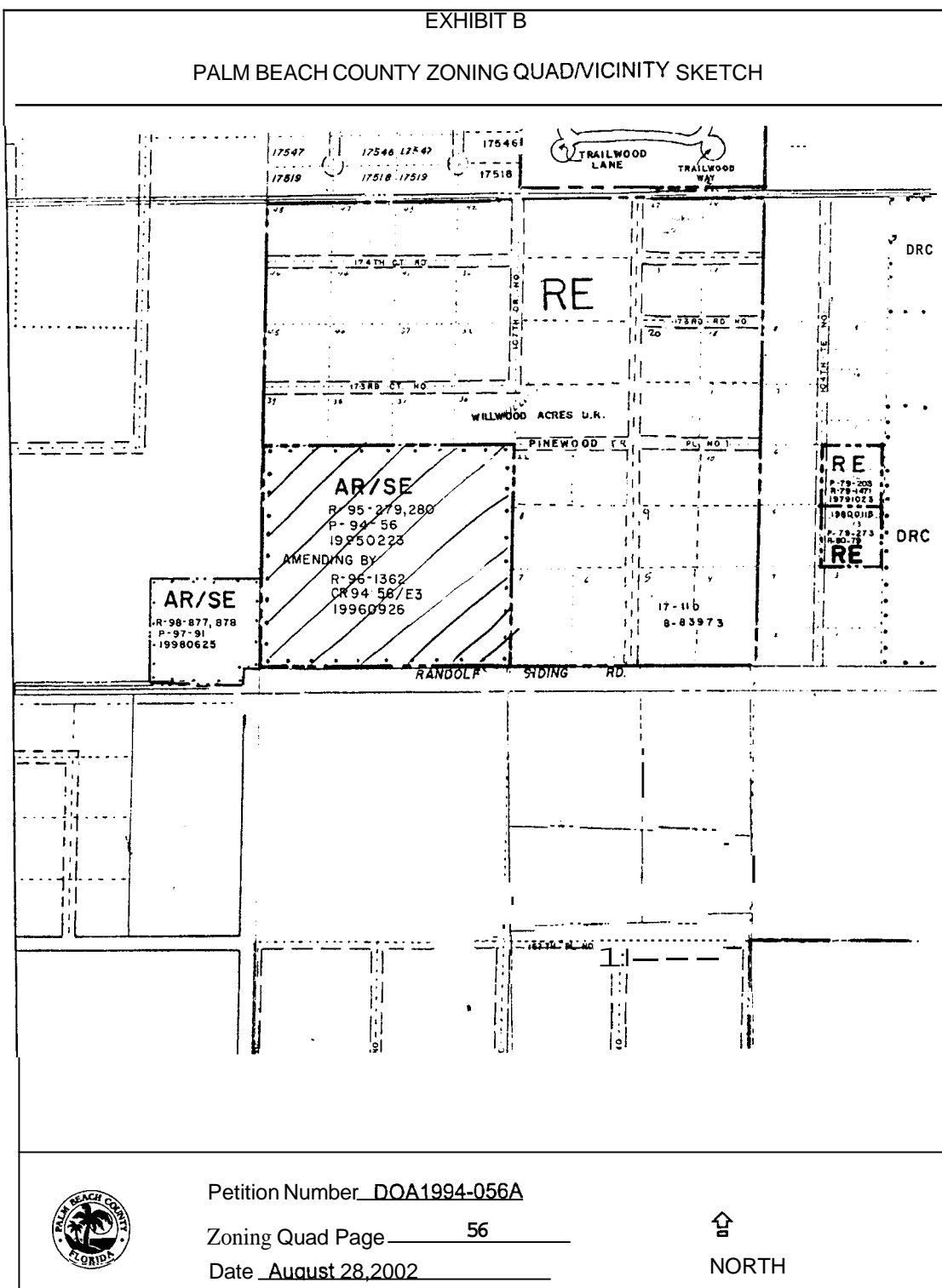


EXHIBIT C

CONDITIONS OF APPROVAL

NOTE: All previous conditions of approval are shown in BOLD and will be carried forward with this petition unless expressly modified.

A. ALL PETITIONS

1. Condition 1 of Resolution R-96-1362, Status Report CR94-056/E3, which currently states:

The property owner shall comply with all previous conditions of approval as contained in Resolution **R-95-0280**, and deadlines previously established by Section 5.8 of the UDLC and the Board of County Commissioners, unless expressly modified herein.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-96-1362 (Status Report CR94-056/E3) and R-95-0280 (Petition 94-056) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING – Zoning)

2. Development of the site is limited to the residential use and site design as approved by the Board of County Commissioners. The approved site plan is dated July 15, 2002. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING/CODE ENF – Zoning)

B. ACCESS

1. Condition A.1 of Resolution R-1995-0280, Petition CA94-056, which currently states:

The site shall not be open to the public.

Is hereby deleted. [Reason: No longer applicable.]

2. Condition A.2 of Resolution R-1995-0280, Petition CA94-056, which currently states:

The sale of excavated material or fill shall not be permitted on site.

Is hereby deleted: [Reason: No longer applicable, offsite removal of fill prohibited.]

3. Condition 2. of Resolution R-96-1362, Status Report CR94-56/E3, which currently states:

Access to the site shall be locked and gated except during residential development activity. The gate shall be setback a minimum of twenty five (25) feet from the right-of-way.

Is hereby amended to read:

Prior to issuance of the first Certificate of Occupancy for a residential dwelling unit, access to the site shall be locked and gated except during residential development activity. The gate shall be setback a minimum of twenty-five (25) feet from the right-of-way. (CO: CODE ENF – Zoning)

C. DUST CONTROL

1. Condition B.I of Resolution R-1995-0280, Petition CA94-056, which currently states:

Prior to certification of the subdivision and/or reclamation plan, a particulate management plan shall be approved by the Health Department.

Is hereby deleted. [Reason: Code Requirement.]

D. ERM

1. Condition 16. of Resolution R-96-1362, Status Report CR94-56/E3, which currently states:

On or before November 1, 1996, the property owner shall submit a complete variance request to the Department of Environmental Resources Management (EM) to modify the Notice of Intent to Construct for Excavations (NIC) issued on December 7, 1995. No administrative time extension shall be granted for this condition.

Is hereby deleted. [Reason: No longer applicable.]

2. Condition 17. of Resolution R-96-1362, Status Report CR94-56/E3, which currently states:

On or before January 15, 1997, the property owner shall complete all sloping of the existing excavated area as set forth in the NIC of December 7, 1995. No excavated material relating to this condition shall be removed from the subject site. No administrative time extension shall be granted for this condition.

Is hereby deleted. [Reason: No longer applicable.]

3. Condition 18. of Resolution R-96-1362, Status Report CR94-56/E3, which currently states:

On or before January 15, 1997, planting of the littoral zones as set forth in the NIC of December 7, 1995 shall be completed. No excavated material relating to this condition shall be removed from the subject site. No administrative time extension shall be granted for this condition.

Is hereby deleted. [Reason: No longer applicable.]

4. Condition 19 of Resolution R-96-1362, Status Report CR94-56/E3, which currently states:

On or before February 15, 1997, the Time Zero monitoring report shall be submitted to ERM.

Is hereby deleted. [Reason: No longer applicable.]

5. Condition 20 of Resolution R-96-1362, Status Report CR94-56/E3, which currently states:

The 90 day, 180 day and 360 day reports shall be submitted at their respective time frame.

Is hereby deleted. [Reason: No longer applicable.]

6. Condition J.3 of Resolution 96-0280, Petition CA94-056, which currently states:

Existing topsoil shall be stored and redistributed on site.

Is hereby deleted. [Reason: No longer applicable.]

7. With the certification by the DRC of a 3 lot subdivision, The Department of Environmental Resources Management will consider the lakes as Type 1B excavations and not subject to littoral zone requirements. However, the lakes shall be brought into compliance with the slope criteria pursuant to ULDC Section 7.6. An as-built survey indicating a 4:1 slope for the three lakes shall be submitted to ERM prior to DRC certification. (DRC: ERM – ERM)

#### E. ENGINEERING

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

Building Permits for more than 3 single family homes shall not be issued, or excavation activity which generates more than 30 vehicle trips per day shall not be permitted, until construction has begun for Indiantown Road as a 4-lane median divided section from Mack Dairy Road to the Florida Turnpike, in accordance with Concurrency Reservation Case #94-07-20-005-C. (BUILDING/ ENGINEERING, TRAFFIC DIVISION). (Previous Condition E.1 of Resolution R-1995-0280, Petition CA94-056)) [Completed: Indiantown Road is four lane)

2. Condition 3. of Resolution R-96-1362, Status Report CR94-056/E3, which currently states:

Residential development of the site shall occur in a maximum of two (2) phases.

Is hereby deleted. [Reason: No longer applicable.]

3. Condition E.3 of Resolution R-95-0280 was deleted by Resolution R-96-1362.

4. Prior to DRC approval of the subdivision plan, the property owner shall submit an approved hauling route to the office of the County Engineer, Land Development Division. Acceptable surety in the amount of \$500.00 per mile shall be posted to ensure any clean up, maintenance or repair necessary caused by hauling of fill off site within the road rights-of-way. (ENGINEERING) (Previous R-95-0280, CA94-056)) [Completed.]

5. Condition 6 of Resolution R-96-1362, Status Report CR94-56/E3, which currently states:

Prior to July 1, 1997, a plat shall be recorded for phase I development.

Is hereby amended to read:

A plat, or plat waiver subject to approval by the County Engineer, shall be recorded for the entire project prior to July 1, 2003. (DATE: MONITORING – Eng)



6. Condition 7 of Resolution R-96-1362, Status Report CR94-56/E3, which currently states:

Prior to January 31, 1998, a plat shall be recorded for Phase II development.

Is hereby deleted. [Reason: No longer applicable.]

F. HEALTH

1. The application for an on-site sewage disposal system subdivision analysis in accordance with Chapter 10D-6 F.A.C. and Palm Beach County ECR-I must be submitted to the Palm Beach County Public Health Unit for approval prior to final site plan approval. (DRC: HEALTH - Health) (Previous condition G. 1 of Resolution 95-0280, Petition CA94-056)
2. The applications and plans to construct a private water supply system for each residence in accordance with Palm Beach County ECR-II must be submitted to the Palm Beach County Public Health Unit for approval prior to issuance of a building permit. (BLDG PRMT: HEALTH – Health) (Previous condition G.2 of Resolution R-95-0280, Petition CA94-056)

G. HOURS OF OPERATION

1. Condition C.I of Resolution R-1995-0280, Petition CA94-056, which currently states:

Hours of operation shall be limited to 9:00 a.m. to **5:00 p.m.** Monday through Friday only. Operation means all outdoor activity, including but not limited to, all excavation and related activity, operation of machinery, heavy equipment and vehicles, vehicles entering the site to retrieve fill, vehicles leaving the site with fill, loading, and hauling.

Is hereby deleted: [Reason: Site development limited to residential uses.]

H. NOISE CONTROL

1. Condition D.I of Resolution R-95-0280, Petition CA94-056, which currently states:

All machinery, heavy equipment and vehicles utilized for excavation purposes on site shall contain double mufflers.

Is hereby deleted. [Reason: Noise performance standards are a code requirement.]

2. Condition D.2 of Resolution R-95-0280, Petition CA94-056, which currently states:

All stationary machinery or equipment, including but not limited to a dewatering pump, shall be completely enclosed on all four sides and roofed or lowered below grade and roofed, except for required ventilation or as may be required by a regulatory agency.

Is hereby deleted. [Reason: Site development limited to residential uses.]

I. RECLAMATION

1. Condition 5. of Resolution R-96-1362, Status Report CR94-56/E3, which currently states:

Residential development activity shall not commence until subdivision, reclamation and phasing plans have been certified by the Development Review Committee.

Is hereby amended to read:

Residential development activity shall not commence until the Development Review Committee has certified final subdivision and reclamation plans. (DRC: ZONING – Zoning)

2. Condition F.2 of Resolution R-1995-0280, Petition CA94-056, which currently states:

A reclamation plan shall be submitted, reviewed and approved by the Development Review Committee concurrent with subdivision approval.

Is hereby deleted. [Reason: Redundant condition.]

3. Condition F.3 of Resolution R-1995-0280, Petition CA94-056, which currently states:

A phasing plan shall be submitted, reviewed and certified by the Development Review Committee concurrent with subdivision approval. The phasing plan shall include a tree survey and planting/buffering requirements for each phase.

Is hereby deleted. [Reason: No longer applicable.]

4. All required surety shall be posted prior to certification of the reclamation plan or in accordance with the provisions of the ULDC. (DRC: ZONING – Zoning) (F.7 of R-1995-0280, CA94-056)

#### J. SCHOOL BOARD

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

##### "NOTICE TO HOME BUYERS/TENANTS"

School age children may not be assigned to the public school closest to their residences. School Board policies regarding levels of service or other boundary policy decisions affect school boundaries. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD – School Board)

#### K. SETBACKS AND BUFFERING

1. Condition H.1 of Resolution R-95-0280, Petition CA94-056, which currently states:

All excavated areas shall be setback a minimum of one hundred (100) feet from all perimeter property lines or three hundred feet (300) from the nearest residential dwelling unit, whichever is greater.

Is hereby amended to read:

All excavated areas shall be setback a minimum of fifty (50) feet, or two-hundred (200) feet from the nearest residential dwelling unit, measured from top of bank. (DRC: ZONING – Zoning)

2. Condition H.2 of Resolution R-95-0280, Petition CA94-056, which currently states:

All accessory structures and disturbed excavated areas shall be setback a minimum of one hundred (100) feet from all perimeter property lines or three hundred feet (300) from the nearest residential dwelling unit, whichever is greater.

Is hereby deleted. [Reason: No longer applicable, site development limited to residential uses.]

3. Condition H.3 of Resolution R-95-0280, Petition CA94-056, which currently states:

All material stored on site shall be stored on the interior side of the excavated areas and be setback a minimum of three hundred (300) feet from all perimeter property lines. Prior to certification of the Reclamation Plan, the plan shall be amended to indicate all storage areas.

Is hereby deleted. [Reason: No longer applicable, site development limited to residential uses.]

4. Condition H.4 of Resolution R-95-0280, Petition CA94-056, which currently states:

The petitioner shall install a temporary eight (8) foot high earth berm topped with an eight (8) foot high opaque screen around the perimeter of all disturbed excavation areas adjacent to any perimeter property line prior to excavation within the affected area.

Is hereby deleted. [Reason: No longer applicable, site development limited to residential uses.]

#### L. STORAGE

1. Condition J.1 of Resolution R-95-0280, Petition CA94-056, which currently states:

All material stored on site, including but not limited to excavated material, top soil and vegetation, shall not exceed a maximum height of fifteen (15) feet, measured from existing grade to highest point.

Is hereby amended to read:

Storage of excavated material shall be prohibited. (ONGOING: CODE ENF – Zoning)

2. Condition J.2 of Resolution R-95-0280, Petition CA94-056, which currently states:

A maximum of 24,000 cubic yards of excavated material shall be stored on site at any time.

Is hereby deleted. [Reason: Superseded by condition K.1.]

3. Condition J.4 of Resolution R-95-0280, Petition CA94-056, which currently states:

All areas designated for refueling of equipment and storage of fuels, oils, and other regulated substances shall have impervious surfaces and a drainage system separated from the stormwater system. These areas shall be shown in detail on the site plan prior to certification.

Is hereby deleted. [Reason: Site development limited to residential uses.]

M. USE LIMITATIONS

1. Drag lines shall not be utilized on site. (CODE ENFORCEMENT-Zoning) (Previous condition K.5 of R-1995-0280, CA1994-056))
2. Blasting shall not be permitted on site (CODE ENFORCEMENT-Zoning) (Previous condition K.6 of R-1995-0280, CA1994-056))
3. No excavated material shall be removed from the subject site. (ONGOING: CODE ENF – Monitoring) (Previous Condition 15. of Resolution R-96-1362, Status Report CR94-56/E3)

N. COMPLIANCE

1. Condition L.1 of Resolution R-95-0280, Petition 94-056; and condition 21 of Resolution 996-1362, Status Report CR94-56/E3), which currently states:

Failure to comply with any condition of approval or ULDC requirement at any time may result in:

- a. The denial or revocation of a building permit; the issuance of a stop work order; cease and desist order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer; owner, commercial-owner, lessee, or user of the subject property; and/or
- b. The revocation of the Conditional Use and any/or zoning which was approved concurrently with the Conditional Use;
- c. A requirement of the development to conform with updated standards of development, applicable at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions;
- d. Referral to code enforcement;
- e. Imposition of entitlement density or intensity; and/or
- f. Review and modification or revocation of the development order by the Board of County Commissioners at an advertised public hearing in accordance with Section 5.8 of the ULDC.

Appeals of any departmental-administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of Conditional Use, Rezoning, or other actions based on a Board of County Commission decision, shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit.

Is hereby amended to read:

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

2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
  - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or

- approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
  - c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
  - d. Referral to code enforcement; and/or
  - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (ONGOING: MONITORING – Zoning)