

RESOLUTION NO. R-2003-1121

RESOLUTION APPROVING ZONING PETITION DOA1975-068U
DEVELOPMENT ORDER AMENDMENT
PETITION OF BOCA FITNESS ENTERPRISES INC.
BY MICHAEL POSNER, AGENT
(LOGGERS RUN SHOPPING CENTER)

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 DOA1975-068U was presented to the Board of County Commissioners at a public hearing conducted on July 24, 2003; 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 has considered the findings in the staff report and 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 DOA1975-068U, the petition of Boca Fitness Enterprises Inc., by Michael Posner, agent, for a Development Order Amendment to allow a fitness center in excess of 15,000 square feet 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 July 24, 2003, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Koons moved for the approval of the Resolution

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on July 24, 2003.


Filed with the Clerk of the Board of County Commissioners on 22 day of August, 2003.

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

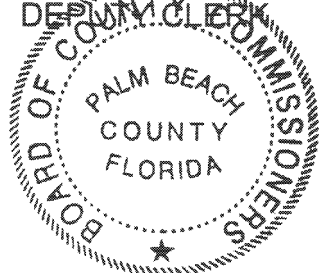


EXHIBIT A
LEGAL DESCRIPTION

All of Tract 1, LOGGERS' RUN COMMERCIAL REPLAT,
according to the Plat thereof, as recorded in Plat Book 49, Page
56 of the Public Records of Palm Beach County, Florida

EXHIBIT B
VICINITY SKETCH

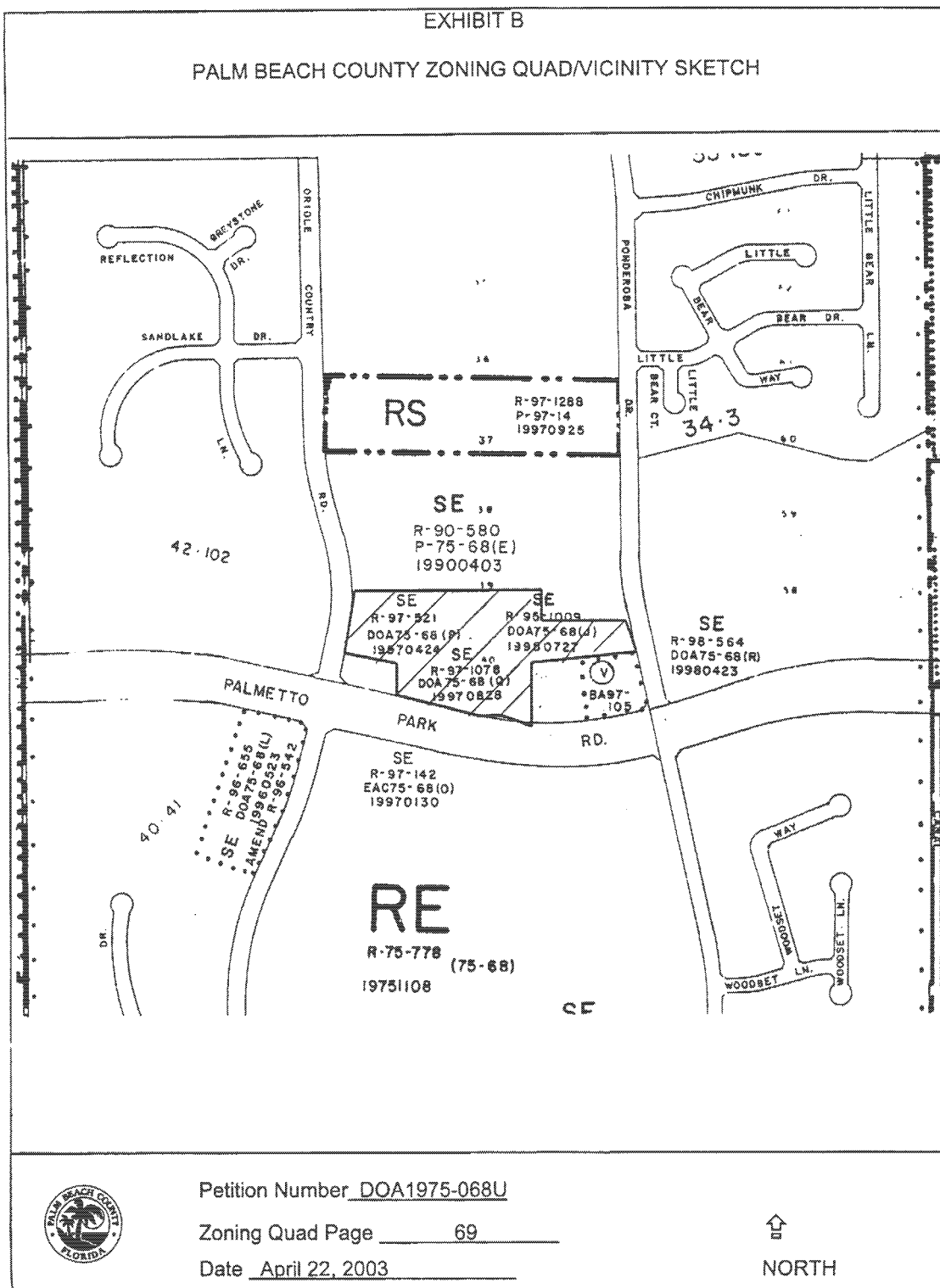


EXHIBIT C

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 A.1 of Resolution R-1997-0521, Petition DOA1975-068P, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-97-142 (Petition 75-68(O)), have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines Previous established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-97-0521 (Petition 75-68(P)), have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines Previous established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

2. Conditions in Resolution R-97-542, Petition 75-68(L) (Publix/Retail uses in Parcel D) and Conditions in Resolution R-97-10, Petition 1975-68(M) (Wendy's fast food restaurant in Parcel M, Tract 3), Resolution R-98-564, Petition 75-068R (Chevron gas station in Parcel M, Tract B), Resolution R-99-014, Petition 75-068(T) (Fire Station 56) shall remain in full force and in effect. (ONGOING: MONITORING-Zoning)

3. Condition A.2 of Resolution R-1997-0521, Petition DOA1975-068P, which currently states:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated February 28, 1997. 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)

Is hereby amended to read

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved Preliminary Development plan for the Planned Unit Development is dated May 8, 1996, and the approved Master plan for the Commercial Pod is dated June 20, 2003. 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-Zoning)

B BUILDING AND SITE DESIGN (COMMERCIAL POD)

1. Condition B.1 of Resolution R-1997-0521, Petition 1975-068(P), which currently states:

Prior to Site Plan approval the property owner shall indicate interior access from the shopping center to all the "not included parcels", no additional access points other than those shown on the Master Plan will be permitted. (ZONING)

Is hereby deleted. REASON:[Code requires all access to a POD be shown on Master Plan and does not permit additional access to be added without approval from the BCC.]

- 2 **The petitioner shall relocate all dumpsters a minimum of seventy five (75) feet from the outdoor activity area. (Previous Condition B.2 of Resolution R-1997-0521, Petition 1975-068(P)). (DRC:ZONING-Zoning)**

- 3 **The adjacent retail bay to the south of the proposed day care shall not be used for any business primarily engaged in the sale or use of flammable materials, for example, restaurants and paint sales. This condition shall not preclude the use of normally accessory cleaning materials and other products customarily used in the operation of a retail business.(Previous Condition B.3 of Resolution R-1997-0521, Petition 1975-068(P)). (DRC/ONGOING:ZONING/CODE ENF-Zoning)**

- 4 Condition B.4 of Resolution R-1997-0521, Petition 1975-068(P), which currently states:

Prior to occupancy of the day care center the facility shall be modified to meet all applicable building and life safety codes.

Is hereby deleted. REASON: [Code requirement]

- 5 **Prior to final site plan certification one (1) landscape island shall be provided along both the northern and the western parking areas (designated for the day care center). (Previous Condition B.5 of Resolution R-1997-0521, Petition 1975-068(P)). (DRC:ZONING-Zoning)**

C CIVIC (APPLICABLE TO OVERALL PUD)

1. **Developer shall dedicate to Palm Beach County, the conservation area within the development as it relates to the Land Use Plan for Palm Beach County. (Previous Condition C.1 of Resolution R-1997-0521, Petition 1975-068(P)). (PREM-Prem)**

- 2 **Developer shall deed to the Board of County Commissioners of Palm Beach County, Florida, thirty-six (36) acres to be used for schools, parks, recreation centers, fire station, police station and/or libraries. (Previous Condition C.2 of Resolution R-1997-0521, Petition 1975-068(P)). (PREM-Prem)**

- 3 **The Developer shall construct an on-site utility facility if it becomes legally possible. The facility shall be conveyed to Palm Beach County for maintenance and operation. (Previous Condition C.3 of Resolution R-1997-0521, Petition 1975-068(P)). (PREM-Prem)**

- 4 **The land area donated for the County Park shall continue to be counted gross land area of the development for the purpose of calculating maximum residential density and to satisfy the other requirements of Zoning Code Section 500.21 (Planned Unit Developments). (Previous Condition C.4 of Resolution R-1997-0521, Petition 1975-068(P)). (ZONING:PREM-Prem)**

D DAY CARE (NORTHWEST CORNER OF THE COMMERCIAL POD)

1. **The day care center shall be limited to a maximum of eighty (80) students and 3,600 square feet of usable building area. (Previous Condition F.1 of Resolution R-1997-0521, Petition 1975-068(P)). (BLDG/HEALTH-Zoning)**
2. **The perimeter of the outdoor activity area shall be fenced with a solid six (6) foot tall visually opaque fence. Architecturally maintained compatible with the shopping center (painted/stained). Signage shall be affixed to the fence indicating no trespassing or loitering. (Previous Condition F.2 of Resolution R-1997-0521, Petition 1975-068(P)). (CO:LANDSCAPE/HEALTH-Zoning)**
3. **Landscaping around the exterior perimeter of the outdoor activity area shall be upgraded to include fifteen (15) foot tall canopy trees, fifteen (15) feet on center and a minimum of three (3) fifteen (15) foot canopy trees planted on the interior, in compliance with HRS requirements. (Previous Condition F.3 of Resolution R-1997-0521, Petition 1975-068(P)). (CO:LANDSCAPE/HEALTH-Zoning)**
4. **Travel in front of the center and drop-off area shall be limited to one-way (south to north). "One-way" and "Do Not Enter" signs shall be appropriately installed. (Previous Condition F.4 of Resolution R-1997-0521, Petition 1975-068(P)). (DRC:ZONING-Zoning)**
5. **Maximum speed in front of the facility shall be limited to 5 mph with appropriate signage installed. (Previous Condition F.5 of Resolution R-1997-0521, Petition 1975-068(P)). (ONGOING:CODE ENF-Zoning)**
6. **Pavement in front of the facility shall be striped yellow and marked with caution signs. (Previous Condition F.6 of Resolution R-1997-0521, Petition 1975-068(P)). (DRC:ZONING -Zoning)**
7. **Sufficient asphalt pavement located in the interior (along the eastern side) of the expanded play area shall be removed and replaced or covered with material suitable for a play area, subject to approval by the Palm Beach County Public Health Unit. Prior to site plan certification by the Development Review Committee, the petitioner shall amend the site plan for the day care to indicate the extent of asphalt pavement to be removed or covered and material to be used. (Previous Condition F.7 of Resolution R-1997-0521, Petition 1975-068(P)). (DRC:ZONING/HEALTH-Bldg)**
8. **Bollards shall be installed every ten (10) feet on center in the landscape strip around the outdoor play area, adjacent to all vehicular use areas. (Previous Condition F.8 of Resolution R-1997-0521, Petition 1975-068(P)). (CO:LANDSCAPE-Zoning)**

- 9 Landscaping around the north and east exterior perimeters of the outdoor activity area shall be upgraded to include twenty-four (24) inch high shrub material planted twenty-four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches. (Previous Condition F.9 of Resolution R-1997-0521, Petition 1975-068(P)). (CO:LANDSCAPE-Zoning)

E ENGINEERING (APPLICABLE TO OVERALL PUD)

1. **Developer shall construct four (4) lanes between the project and State Road No. 7 in the following manner:**
- a) **Two (2) lanes concurrent with the first plat**
 - b) **Two (2) lanes prior to platting more than forty (40) percent of the total units.**
 - c) **The exact alignment and engineering plans for the roads shall conform to Palm Beach County Standards and shall be subject to the approval of the County Engineer.**
 - d) **The above construction shall be along the following corridors: Palmetto Park Road, Glades Road or Hillsboro Boulevard. (Previous Condition E.1 of Resolution R-1997-0251, Petition 1975-068(P)). (ENG) [Note: This condition is in compliance.]**
- 2 **Developer shall construct intersection improvements and signalization at the intersection of the aforesaid access roads and State Road No. 7, as warranted. (Previous Condition E.2 of Resolution R-1997-0251, Petition 1975-068(P)). (ONGOING-ENG)**
- 3 **The property owner shall convey for the ultimate right-of-way of**
- a) **Glades Road 120 feet total right-of-way. [Note: Complete]**
 - b) **Palmetto Park Road 200 feet of right-of-way. [Note: Complete]**
 - c) **Sixty (60) foot half right-of-way for Riverside Drive. [Note: Complete]**
 - d) **Four hundred twenty-six (426) foot right-of-way for University Expressway. [Note: Complete]**
 - e) **Sixty (60) foot half right-of-way for Hillsboro Boulevard from State Road No. 7 to the development.**
 - f) **The developer shall provide a 3' high mulched berm along the south side of Glades Road through Logger's Run.**

All within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of First Building Permit. (Previous Condition E.3 of Resolution R-1997-0251, Petition 1975-068(P)). (ENG)

[Note: Land Development records indicates that 3a, 3b, 3d & 3e have been complied with. Condition 3c may be deleted as this intersection will not require expansion.]

- 4 **The ownership and maintenance of all canals and lakes shall be retained by and be the responsibility of the development's property owners association, unless transferred to a drainage district. (Previous Condition E.4 of Resolution R-1997-0251, Petition 1975-068(P)). (ONGOING-ENG)**
- 5 **Developer shall obtain approval of all drainage specifications from the Central and South Florida Flood Control District. (Previous Condition E.5 of Resolution R-1997-0251, Petition 1975-068(P)). (ONGOING-ENG)**

- 6 **Prior to site plan certification, the Master Plan will be revised to reflect the proposed amendments. In addition, the Master Plan site data shall reflect proposed and existing development dwelling unit counts.** (Previous Condition. E.6 of Resolution. R-1997-0251, Petition 1975-068(P)). (ONGOING-ZONING)
7. **Prior to site plan certification of the Master Plan the property owner shall identify the access locations to the site per the County Engineers approval.** (Previous Condition E.7 of Resolution No. R-1997-0251, Petition 1975-068(P)). (ONGOING-ENG)
- 8 **The property owner shall construct turn lanes at the project's entrance(s) per the County Engineer's approval concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.** (Previous Condition E.8 of Resolution R-1997-0251, Petition 1975-068(P)). (ONGOING-ENG)
- 9 Condition E9 of Resolution R-1997-0251, Petition 1975-068(P), which currently states:
- The property owner shall pay a Fair Share Fee in the amount and manner require by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$2,545.00 (95 trips x \$26.79 per trip) for the proposed Church.** (Previous Condition E.9 of Resolution R-1997-0251, Petition 1975-068(P)). (IMPACT FEE COORD)
- Is hereby deleted. [Reason: code requirement]
- 10 **The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.** (Previous Condition E.10 of Resolution R-1997-0251, Petition 1975-068(P)). (CO ATTY)
11. Condition E11 of Resolution R-1997-0251, Petition DOA1975-068P, which currently states:
- The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for day care expansion project to be paid at the time of issuance of the Building Permit presently is \$2,970 (54 trips X \$55.00 per trip).** (Previous Condition E.11 of Resolution R-1997-0251, Petition 1975-068(P)). (IMPACT FEE COORD)
- Is hereby deleted. [Reason: code requirement]
12. Condition E12 of Resolution R-1997-0251, Petition DOA1975-068P, which currently states:
- The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project, Zoning Petition 75-68(J), to be paid at the time of issuance of the first building permit for the use, presently is \$5,445 (99 additional trips X \$55.00 per trip).** (Previous Condition E.12 of Resolution R-1997-0251, Petition 1975-068(P)). (IMPACT FEE COORD)
- Is hereby deleted. [Reason: code requirement]

13. Condition E13 of Resolution R-1997-0251, Petition DOA1975-068P, which currently states:

The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project, Zoning Petition 75-68(K), which is to be paid at the time of issuance of the first Building Permit presently is \$13,915.00 (253 additional trips X \$55.00 per trip). (Previous Condition E.13 of Resolution R-97-142, Petition 75-68(O) (IMPACT FEE COORD)

Is hereby deleted. [Reason: code requirement]

14. Condition E.11 of Resolution R-95-714, Petition 75-68(J), which currently states:

The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit Section prior to the application for a Building Permit. (BLDG. PERMIT:ENG-Eng)

Is hereby deleted. [Reason: code requirement]

15. Condition E.12 of Resolution R-95-714, Petition 75-68(J), which currently states:

The property owner shall obtain a turnout Permit from the Palm Beach county Engineering Department, Permit Section fro access onto Oriole country Road or Ponderosa Road. (ENG)

Is hereby deleted. [Reason: access to the site is existing and permits are now a code requirement].

F DAY CARE (MONTESSORI ACADEMY, NORTHEAST CORNER OF THE COMMERCIAL POD)

1. **The day care center shall be limited to a maximum of 7,571 square feet and 150 children. (BLDG/HEALTH-Zoning) (Previous Condition D.1 of Resolution R-1997-0521, Petition 1975-068(P))**

G DUMPSTER

1. Prior to the issuance of the Certificate of Occupancy (CO) for the fitness center, all areas for dumpsters or receptacles shall be in compliance with ULDC section 6.6.A.5. (DRC / ONGOING: ZONING / CODE ENF - Zoning)

H HEALTH

1. Condition G.1 of Resolution R-1997-0521, Petition 1975-068(P) which currently states:

Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

Is hereby deleted. [REASON: code requirement]

2. Condition G.2 of Resolution R-1997-0521, Petition 1975-068(P) which currently states:

Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

Is hereby deleted. [REASON: code requirement].

- 3 Condition G.3 of Resolution R-1997-0521, Petition 1975-068(P) which currently states:

Sewer service is available to the property. Therefore, no septic tank shall be permitted on this site. All existing onsite sewage disposal systems must be abandoned in accordance with Chapter 10D-6, FAC., and Palm Beach County ECR-I.

Is hereby deleted. [REASON: code requirement].

- 4 Condition G.4 of Resolution R-1997-0521, Petition 1975-068(P) which currently states:

Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing onsite potable water supply systems must be abandoned in accordance with Palm Beach County ECR-II.

Is hereby deleted. [REASON: code requirement]

- 5 Condition G.5 of Resolution R-1997-0521, Petition 1975-068(P) which currently states

The petitioner will be required to connect to public water and sewer prior to issuance of a certificate of occupancy.

Is hereby deleted. [REASON: code requirement]

- 6 **Architectural plans must be submitted to the Environmental Health Section, Palm Beach County Public Health Unit, in accordance with chapter 10D-24 FAC prior to issuance of a building permit.** (Previous Condition G.6 of Resolution R-1997-0521, Petition 1975-068(P))(BLDG.PERMIT:HEALTH-Health)

- 7 **Any biomedical waste associated with the veterinary clinic which may be generated at this site, shall be properly handled and disposed of in accordance with Chapter 10D-104FAC.** (Previous Condition G.7 of Resolution R-1997-0521, Petition 1975-068(P)) (ONGOING: HEALTH/CODE ENF-Health)

I. INTERIOR LANDSCAPING

1. Foundation planting or grade level planters shall be provided along the south facade of the fitness center to consist of the following:
- The minimum width of the required landscape areas shall be five (5) feet;
 - The length of the required landscaped areas shall be no less than 50% of the total length of the north side of the dog daycare facility; and,
 - Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear foot or one (1) palm species for each fifteen (15) linear foot of building facade and appropriate ground cover. (CO: ZONING/ LANDSCAPE)

J. LANDSCAPE-STANDARDS

1. All newly planted or replacement of trees to be planted in the perimeter buffer shall be native canopy trees and meet the following minimum standards at installation:

- a tree height: Fourteen (14) feet;
 - b trunk diameter: 3.5 inches measured at 4.5 feet above grade;
 - c canopy diameter: Seven (7) feet – diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of 3.5 feet in length; and,
 - d credit may be given for existing or relocated trees provided they meet ULDC requirements. (CO: LANDSCAPE - Zoning)
- 2 All newly planted or replacement palms required to be planted on the property by this approval, shall meet the following minimum standards at installation:
- a palm heights: twelve (12) feet clear trunk;
 - b clusters: staggered heights twelve (12) to eighteen (18) feet; and,
 - c credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)
- 3 Prior to the issuance of the Certificate of Occupancy (CO) for the fitness center, the property owner/petitioner shall replace all dead, missing plant materials on the entire subject property. (CO: LANDSCAPE-Zoning)
- 4 Prior to final DRC approval of the site plan, the petitioner shall meet with Landscape Section staff to discuss the incorporation of new or replacement landscaping with the existing vegetation on the site. An Alternative Landscape Plan shall be submitted for landscaping for the property to ensure that existing vegetation is integrated with the proposed landscaping. (DRC: LANDSCAPE - Zoning)

K RECYCLE SOLID WASTE

1. **The property owner and lessee's shall participate in a recycling program when available in the area. Material to be recycled shall include, but not be limited to, paper, plastic, metal and glass products.** (Previous Condition H.1 of Resolution R-1997-0521, Petition 1975-068(P)). (ONGOING:SWA-Swa)

L. SIGNS (OUTPARCELS ONLY IN COMMERCIAL POD)

1. **Freestanding point of purchase signs for the outparcels fronting on Palmetto Park Road in the commercial pod shall be limited as follows:**
- a **Maximum sign height, measured from finished grade to highest point - ten (10) feet;**
 - b **Maximum sign face area per side - 100 square feet;**
 - c **Maximum number of signs - one (1) each; and**
 - d **Style - monument style only. (CO: BLDG)** (Previous Condition I.1 of Resolution R-1997-0521, Petition 1975-068(P)).
- 2 New or replacement freestanding signs for the Commercial Pod (Tract M) fronting on Oriole Country Road, Palmetto Park Road, and Ponderosa Drive shall be limited as follows:
- a maximum sign height, measured from finished grade to highest point - ten (10) feet;
 - b maximum sign face area per side - 75 square feet;
 - c maximum number of signs - one (1) for each frontage;
 - d style - monument style only; and,
 - e location - frontage of Oriole Country Road, Palmetto Park Road, and Ponderosa Drive;
 - f Signs shall be limited to identification of tenants only. (CO: BLDG - Zoning)

M USE LIMITATION (CHURCH)

1. **The church or place of worship within the commercial pod shall be limited to a maximum of 120 seats.** (Previous Condition J.1 of Resolution R-1997-0521, Petition 1975-068(P)). (ONGOING:CODE ENF-Zoning)

N USE LIMITATION (VETERINARY CLINIC)

1. **The veterinary clinic within the commercial pod shall be limited to a maximum of 3,200 square feet.** (Previous Condition K.1 of Resolution R-1997-0521, Petition 1975-068(P)) (DRC/BLDG.PERMIT: ZONING-Zoning)
2. **Overnight boarding of animals shall be limited to hospitalization and associated medical services.** (Previous Condition K.2 of Resolution R-1997-0521, Petition DOA1975-068P) (ONGOING: CODE ENF-Zoning)

O COMPLIANCE

1. 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. Condition L.1 of Resolution R-1997-0521, Petition 1975-068(P) which currently states:

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; 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 majority vote of the Code Enforcement Board 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.

Is hereby amended to read:

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)