

RESOLUTION NO. R-99- 110

RESOLUTION APPROVING ZONING PETITION DOA80-200(C)
DEVELOPMENT ORDER AMENDMENT
PETITION OF
BY THOMAS J. LANAHAN, AGENT
(SCHUMACHER AUTOMOTIVE)

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 DOA80-200(C) was presented to the Board of County Commissioners at a public hearing conducted on January 28, 1999; 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 DOA80-200(C), the petition of Schumacher Automotive, Inc., by Thomas J. Lanahan, agent, to reconfigure site plan, add building square footage and add access point 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 January 28, 1999, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus 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:

Maude Ford Lee, Chair	--	Aye
Warren Newell, Vice Chair	--	Aye
Karen T. Marcus	--	Aye
Carol A. Roberts	--	Aye
Mary McCarty	--	Absent
Burt Aaronson	--	Aye
Tony Masilotti	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on January 28, 1999.

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

The West half (W 1/2) of the West half (W 1/2) of the Northeast one quarter (NE 1/4) of the Northwest one quarter (NW 1/4) of Section 19, Township 42 South, Range 43 East, Palm Beach County, Florida more particularly described as follows:

Commencing at the North one-quarter corner of said Section 19; thence North 88d27'22" West, along the North line of said Section 19, a distance of 995.30 feet; thence South 01d38'06" West, a distance of 75.00 feet to a POINT OF INTERSECTION with the Southerly Right-of-way line of State Road 809A, as shown on Florida Department of Transportation Right-of-way map, Section 93600-2606, said point also being the POINT OF BEGINNING of this description; thence continuing South 01d38'06" West, a distance of 1258.06 feet to a POINT OF INTERSECTION with the North line of the Plat of Parkway Village as recorded in Plat Book 37 Page 41 and 42 of the Public Records of Said Palm Beach County; thence North 88d12'10" West, along the said North line of Parkway Village, a distance of 322.30 feet; thence North 01d39'08" East along a line parallel with and 40.00 feet east of, as measured at right angles, to the centerline of Sandtree Drive, as now laid out and in use, same line also being the Easterly line of Right-of-Way Warranty Deed as recorded in Official Record Book 3767, Page 1026 of the said Public Records, a distance of 956.63 feet; thence continuing North 01d39'08" East along the Easterly line of a second Right-of-way Warranty Deed as recorded in Official Record Book 4975, Page 1882 and 1883 of the said Public Records, a distance of 275.00 feet; thence continuing along the southeasterly line of said Second Right-of-way Warranty Deed, North 46d35'53" East, a distance of 35.39 feet to a POINT OF INTERSECTION with the said Southerly Right-of-way line of State Road 809A; thence South 88d27'22" East, along said Southerly Right-of-way line of State Road 809A, a distance of 296.92 feet to the POINT OF BEGINNING.

SUBJECT to existing easement, Rights-of-way, Restrictions and Reservations of Record.

CAN BE FURTHER DESCRIBED AS FOLLOWS:

The West 1/2 of the West 1/2 of the NE 1/4 of the NW 1/4 of Section 19, Township 42 South, Range 43 East, Palm Beach County, Florida, LESS AND EXCEPT the North 75.0 feet thereof for right of way of Northlake Boulevard, also LESS AND EXCEPT that portion of the West 10.0 feet thereof that lies South of a line 375.0 feet South of and parallel with the North line of said Section 19, and FURTHER LESS AND EXCEPT the following:

Being a Parcel of land for additional road right of way lying in the Northwest One-quarter (NW 1/4) of Section 19, Township 42 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the North quarter (N 1/4) Corner of Said Section 19; thence S 89d59'49" West (assumed bearing) along the North line of said Section 19, a distance of 995.14 feet; thence S 00d04'21", W a distance of 75.00 feet to a POINT OF INTERSECTION with the South Right of Way line of Northlake Boulevard as now laid out and in use; Thence S 89d59'49" W along said South Right of Way line, a distance of 296.75 feet to the POINT OF BEGINNING of this description; thence Continue S 89d59'49" W along said South Right of Way line, a distance of 35.00 feet to a POINT OF INTERSECTION with the East Right of Way line of Sandtree Drive, as now laid out and in use; thence S 00d05'49" W along said East right of way line, a distance of 300.00 feet; thence N 89d59'49" E, a distance of 10.00 feet; thence N 00d05'49" E, along a line 10.00 feet E of and parallel with the East Right of Way line of said Sandtree Drive, a distance of 275.00 feet; thence N 45d02'49" E, a distance of 35.39 feet to the POINT OF BEGINNING.

Containing 9.29 Acres, more or less.

EXHIBIT B
VICINITY SKETCH

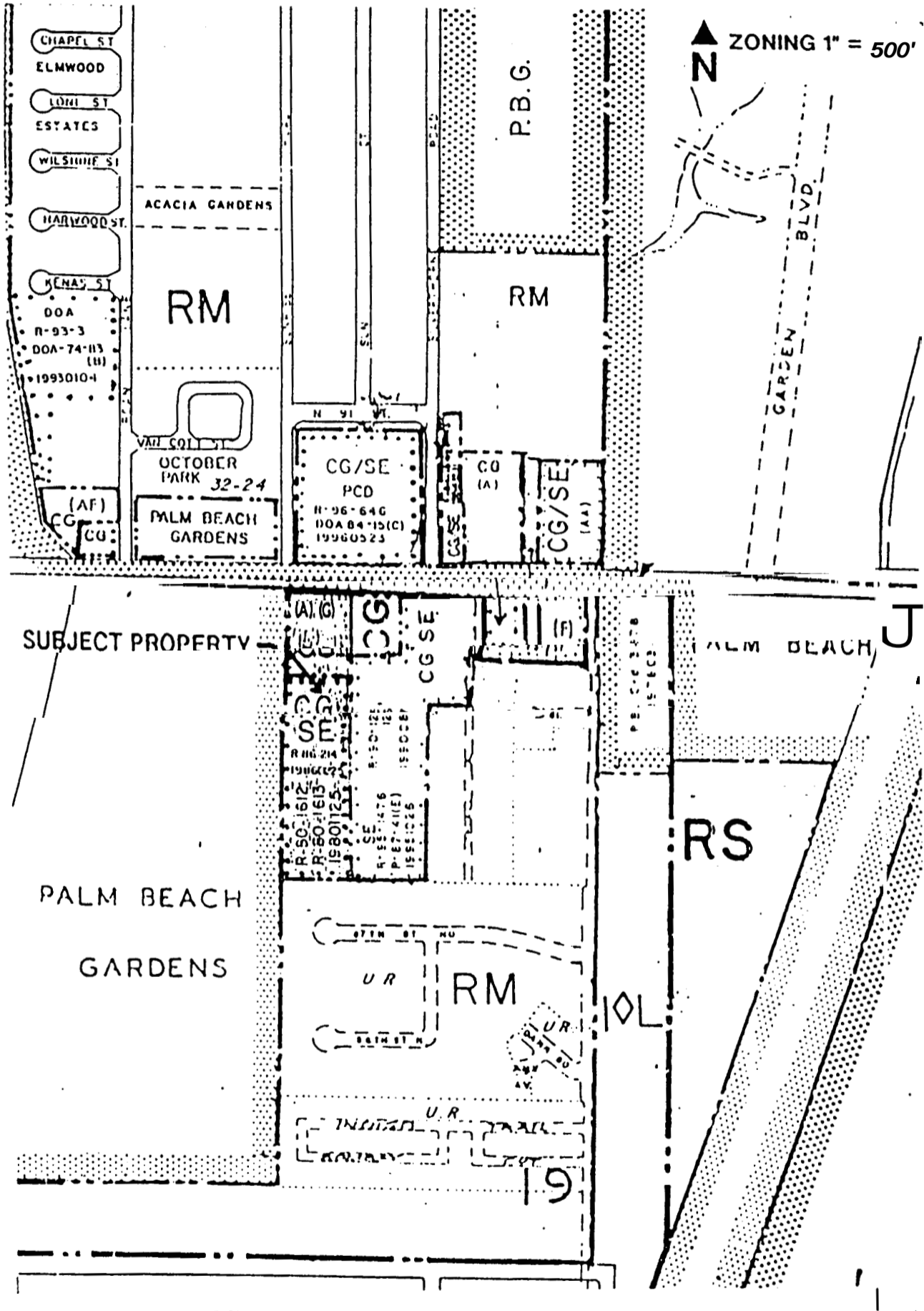


EXHIBIT C

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. All previous conditions of approval applicable to the subject property, as contained in Resolutions R-87-1094 (Petition **80-200(B)**), R-86-214 (Petition **80-200(A)**) and R-80-1613 (Petition **80-200**), have been consolidated 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. Condition 9 of Resolution R-86-214 of Petition **80-200(A)** which currently states:

Exact copies of all graphics presented at Board of County Commissioners and Planning Commission hearings shall be submitted to the Zoning Division for inclusion in the permanent file.

Is hereby amended to read:

Development of the site is limited to the uses and site design approved by the Board of County Commissioners. The approved site plan is dated December 28, 1998 and the architectural elevations dated November 22, 1998 and (parking structure elevations) dated January 21, 1999. 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)

3. Condition 1 of Resolution R-86-214 of Petition **80-200(A)** which currently states:

Prior to site plan certification, the site plan shall be amended to reflect the following:

- a) **A six (6)** foot high wall between the commercial and residential properties with canopy trees **10-12** feet in overall height planted **30** feet on center. The trees shall be located on the exterior side of the wall.
- b) Security lighting shall be directed away from nearby **residences**.
- c) **All facade(s)** of the showroom and service center shall be given architectural treatment consistent with the front of the **center** to avoid an incompatible appearance impact upon **nearby** residential development.
- d) **No** storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the **auto** dealership.
- e) **No** parking of any vehicles shall be permitted along the rear of the auto dealership except in designated spaces or unloading **areas**.
- f) Prior to Certificate of Occupancy minimum landscaping shall **be** installed **as** shown on Exhibit **No. 29**.

Is hereby deleted. Reason: replaced by new conditions.

4. Condition 15 of Resolution R-86-214 of Petition 80-200(A) which currently states:

The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

Is hereby deleted. Reason: [not applicable].

B. ARCHITECTURAL CONTROL

1. Architectural character and treatment which is compatible and harmonious with abutting development shall be provided on all sides of all buildings. (BLDG PERMIT: BLDG - Zoning)
2. The architectural design of all buildings shall provide variety, visual interest, and create an overall unified image utilizing, but not limited to, the items specified below.
 - a. Large concentrations of repetitive building types shall be avoided (except for parking structure).
 - b. The exterior elevation of all multi use buildings shall be varied by:
 - 1) varying the roof and floor elevations within the same building,
 - 2) varying window treatments,
 - 3) use of contrasting shapes and forms,
 - 4) creation of points of interest on the exterior of the buildings,
 - 5) overhangs and architectural projectionsto create shadows on the buildings exterior, and
 - 6) horizontally off-setting sections.
 - c. An overall unified image shall be created by the use of **common** elements such as consistent forms, colors, architectural details and landscape materials.
 - d. Similar architectural character and treatment shall be provided on all sides of the building.
 - e. Details on all sides of the building shall be repeated and be made to appear functional and realistic.
 - f. Roof and/or trim color shall be coordinated with base colors. **Gutters** and downspouts shall be integrated into the architectural design of the building.
 - g. All building entries shall be easily identifiable. Entries shall be integrated into the building architecture. Exterior stairs shall be designed to provide shelter from inclement weather.
 - h. Durable exterior materials which provide a high quality appearance and reduce maintenance shall be used.
 - i. All rooftop mechanical and electrical equipment shall be screened from view so as not to be visible from any property line.

- j. Exterior storage areas shall be screened from view and integrated into the building design to make it compatible with the building architecture. (BLDG PERMIT: BLDG - Zoning)

C. AUTO (VEHICLE) STORAGE

1. Use of the site shall be limited to the storage of new and used automobiles (a total of 355 cars). A maximum of 225 vehicles shall be stored within the parking structure/garage and 130 cars to be stored within the specialized vehicle use area at any time. (ONGOING: CODE ENF)
2. When this facility is not open, the parking area shall be locked and gated. (ONGOING: CODE ENF)

D. BUILDING AND SITE DESIGN

1. Total gross floor area shall be limited to a maximum of 86,252 square feet. (BLDG PERMIT: BLDG - Zoning)
2. The maximum height for all structures (excluding the parking structure), including all air conditioning and mechanical equipment, measured from finished grade to highest point, shall not exceed thirty five (35) feet. (BLDG PERMIT: BLDG - Zoning)
3. The maximum height for the parking structure, including all air conditioning and mechanical equipment, measured from finished grade to highest point, shall not exceed sixty two (62) feet. (BLDG PERMIT: BLDG - Zoning)
4. All air conditioning and mechanical equipment shall be screened from view on all sides by a visually opaque barrier consistent with the color, character and architectural style of the principal structure or equivalent landscape material. (CO: BLDG - Zoning)
5. Total floor area of indoor vehicle showroom (for both used and new vehicles) on the site shall not exceed thirty thousand (30,000) square feet. (CO: BLDG - Zoning)

E. ENGINEERING

1. **Petitioner shall construct a left turn lane, north approach, at the intersection of Sandtree Drive and the project's north entrance.** (Previous Condition 1 of Resolution R-80-1613 of Petition 80-200)
[COMPLETE]
2. **Petitioner shall construct a left turn lane, north approach, at the intersection of Sandtree Drive and the project's south entrance.** (Previous Condition 2 of Resolution R-80-1613 of Petition 80-200)
[NOT COMPLETE]
3. **This project must comply with the Palm Beach County Platting and Subdivision Ordinance 73-4, as amended.** (Previous Condition 3 of Resolution R-80-1613 of Petition 80-200)

May be deleted. (Reason: Code Requirement)

4. Petitioner shall submit a comprehensive drainage report prior to Subdivision Review Committee approval to determine the effect that this development will have on the drainage of abutting properties. (Previous Condition 4 of Resolution R-80-1613 of Petition 80-200) [COMPLETE:]
5. A review of the internal roadway system will be required by the Subdivision Review Committee. (Previous Condition 5 of Resolution 11-80-1613 of Petition 80-200)

May be deleted. (Reason: Code Requirement)
6. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County an additional ten (10) feet for the right-of-way for Sandtree Drive. (Previous Condition 6 of Resolution R-80-1613 of Petition 80-200) [COMPLETE]
7. Petitioner shall provide publicly dedicated right-of-way for access prior to the issuance of building permit(s). (Previous Condition 7 of Resolution R-80-1613 of Petition 80-200) [COMPLETE]
8. Petitioner shall contribute Nine Hundred Eighty-Eight Dollars (\$988.00) per 1,000 sq. ft. of building area toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s). (Previous Condition 8 of Resolution R-80-1613 of Petition 80-200)

May be deleted. (Reason: Code Requirement)
9. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-24 hour storm per requirements of the Permit Section, Land Development division. (Previous Condition 9 of Resolution R-86-214 of Petition 80-200(A))

May be deleted. (Reason: Code Requirement)
10. The developer shall retain the stormwater runoff in accordance with all agency requirements in effect at the time of the permit application. However at a minimum, this development shall retain onsite three (3") inches of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. (Previous Condition 10 of Resolution R-87-1094 of Petition 80-200(B))

May be deleted. (Reason: Code Requirement)
11. The property owner shall convey for the ultimate right of way of Sandtree Drive, 40 feet from centerline including the safe corner at the intersection of Northlake Boulevard and Sandtree Drive 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 3 of Resolution R-86-214 of Petition 80-200(A)) [COMPLETE]

12. Condition 4 of Resolution R-86-214 of Petition 80-200(A) which currently states:

The property owner shall construct Sandtree Drive as a **3** lane section (**36'** wide) from Northlake Boulevard south to the south entrance/exit plus the appropriate tapers concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.

[COMPLETE]

13. The construction of Sandtree Drive as a three (**3**) lane section of thirty-six (**36**) feet wide from Northlake Boulevard south to the south entrance/exit plus the appropriate tapers shall be completed prior to the issuance of the Certificate of Occupancy. (Previous Condition 10 of Resolution R-87-1094 of Petition 80-200(B))

[COMPLETED]

14. The Developer 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 presently is **\$27,861.00 (1,040 trips x \$26.79 per trip)**. (Previous Condition 5 of Resolution R-86-214 of Petition 80-200(A)).

May be deleted. (Reason: Code Requirement)

15. Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute an additional **\$6,965.00** toward Palm Beach County's existing Roadway Improvement Program, these total funds of **(\$34,826.00)** to be paid prior to November 1, 1986.

If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee, this additional amount of **\$6,965.00** shall be credited toward the increased Fair Share Fee. (Previous Condition 6 of Resolution R-86-214 of Petition 80-200(A)).

16. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit. (Previous Condition 7 of Resolution R-86-214 of Petition 80-200(A)).

May be deleted. (Reason: Code Requirement)

17. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Sandtree Drive and Northlake Boulevard. (Previous Condition 8 of Resolution R-86-214 of Petition 80-200(A)).

May be deleted. (Reason: Code Requirement)

18. 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 the proposed addition presently is **\$6,081.00 (227 trips x \$26.79 per trip)**. (Previous Condition 7 of Resolution R-87-1094 of Petition 80-200(B))

May be deleted. (Reason: Code Requirement)

19. Prior to January 1, 2002, the property owner shall eliminate the two existing parking spaces located adjacent to the exit onto Northlake Boulevard. (DATE: Eng)

F. DUMPSTER

1. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall not be located within fifty (50) feet of the south property line and shall be confined to the areas designated on the site plan. (DRC/ ONGOING: ZONING / CODE ENF)

G. ENVIRONMENTAL RESOURCES MANAGEMENT

1. A Wellfield Affidavit of Notification shall be submitted to Environmental Resources Management prior to DRC site plan certification. (DRC: ER M)

H. HEALTH

1. **No** building permit shall be issued for the subject property until **such** a time that the site is connected to a public sewer system. (Previous Condition 4 of Resolution R-87-1094 of Petition 80-200(B)).
2. Since sewer and water service are available to the property, **neither** septic tank **nor** well shall be approved for use on the property. (Previous Condition 5 of Resolution R-87-1094 of Petition 80-200(B)).
3. 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. (Previous Condition 10 of Resolution R-86-214 of Petition 80-200(A))
4. Reasonable measures shall be employed during site **development** to insure that no pollutants from this property shall enter adjacent or nearby surface waters. (Previous Condition 11 of Resolution R-86-214 of Petition 80-200(A))
5. Any fuel or chemical storage tanks shall be installed with protection against leakage or spillage due to corrosion, breakage, structural failure or other means. The design and installation plans will be submitted to the Health Department for approval prior to installation. (Previous Condition 12 of Resolution R-86-214 of Petition 80-200(A)).
6. Any toxic or hazardous waste generated at this site shall be **properly** handled and disposed of in accordance with Chapter **17-30, F.A.C.** (Previous Condition 13 of Resolution R-86-214 of Petition 80-200(A)).
7. The owner of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil. (Previous Condition 14 of Resolution R-86-214 of Petition 80-200(A))
8. Generation and disposal of any hazardous effluent into sanitary sewer system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection and the agency responsible

for sewage works are constructed and used by project tenants or owners generating such effluent. (ONGOING: HEALTH/CODE ENF)

I. LANDSCAPING - STANDARD

1. All canopy trees required to be planted on site by this approval shall meet the following minimum standards at installation:
 - a. Tree height: fourteen (14) feet;
 - b. Trunk diameter: 3.5 inches measured 4.5 feet above grade
 - c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length; and,
 - d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)
2. All palms required to be planted on site 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. A group of three or more palm or pine trees shall not supersede the requirement for a canopy tree in that location. (CO: LANDSCAPE - Zoning)
4. Condition 10 of Resolution R-80-1613 of Petition 80-200 which currently states:

All landscaping shall be installed as shown on site plan submitted prior to the issuance of a Certificate of Occupancy.

Is hereby amended to read:

Prior to April 1st, 1999, the petitioner shall replace any dead, damaged or missing trees, shrubs or other required improvements on the site required by the approval of Petition 80-200(B), Exhibit 56 dated March 14, 1988 and conditions of that approval. (DATE: LANDSCAPING - Zoning)

5. Condition 18 of Resolution R-86-214 of Petition 80-200(A) which currently states:

The petitioner shall comply with the prospective amendments to the Landscape Code.

Is hereby deleted. Reason: Code requirement.

6. Condition 2 of Resolution R-87-1094 of Petition 80-200(B) which currently states:

Prior to site plan certification, the site plan shall be amended to reflect the following:

- a) **the required eight (8) foot fence or wall along the eastern property line.**

- b) **landscaped islands every twelve (12) parking spaces, with (1) tree in every island as required by Section 500.35 of the Zoning code or submit a Landscape Betterment Plan to be approved by the Zoning Division.**

Is hereby deleted.

J. LANDSCAPING - INTERIOR

- 1. Foundation plantings or grade level planters shall be provided along the front and side facades of all proposed structures to consist of the following:
 - a. The minimum width of the required landscape areas shall be five (5) feet;
 - b. The length of the required landscaped areas shall be no less than 50% of the total length of each side of the structure; and,
 - c. Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear foot of building facade and appropriate ground cover. (DRC / CO: ZONING / LANDSCAPE]
- 2. The petitioner shall provide a minimum of one (1) interior landscape island for every ten (10) parking space interval designated as customer/service, display and employee parking spaces along the Sandtree Drive frontage. (DRC: ZONING)

K. LANDSCAPING ALONG THE SOUTH PROPERTY LINE (ABUTTING RESIDENTIAL)

- 1. Condition 9 of Resolution R-80-1613 of Petition 80-200 which currently states:

Petitioner shall construct a 6 ft. high concrete wall along all property lines, adjacent to residential zoning.

Is hereby amended to read:

- 1. Landscaping and buffering along the above property line shall be upgraded to include:
 - a. A minimum twenty (20) foot wide landscape buffer strip; and
 - b. A six (6) foot high opaque concrete wall. The exterior side of the wall shall be given a finished architectural treatment which is compatible and harmonious with abutting development.
 - c. Credit may be given for existing wall structure provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)
- 2. The following landscaping requirements shall be installed on the exterior side of the required wall:
 - a. One (1) canopy tree planted every twenty (20) feet on center;
 - b. One (1) palm or pine tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location; and
 - c. Twenty four (24) inch high shrub or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-eight (48) inches. (CO: LANDSCAPE)

3. Along the interior side of the required wall, the property owner shall install twenty-four (24) inch high shrub or hedge material spaced no more than twenty four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE)

L. LANDSCAPING ALONG THE EAST PROPERTY LINE (ABUTTING COMMERCIAL)

1. Landscaping and buffering along the above property line shall be upgraded to include:
 - a. A minimum five (5) foot wide landscape buffer strip; and
 - b. A minimum of six (6) foot high fence.
 - c. Credit may be given for existing fence provided they meet current U.L.D.C requirements. (CO: LANDSCAPE - Zoning)
2. The following landscaping requirements shall be installed on the exterior side of the required fence:
 - a. One (1) canopy tree planted every thirty (30) feet on center;
 - b. Twenty four (24) inch high shrub or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-eight (48) inches. (CO: LANDSCAPE)

M. LANDSCAPING ALONG THE R.O.W.

1. The petitioner shall provide landscaping in the right-of-way between 1). the southern edge of pavement for Northlake Boulevard and the north property line and 2). turning south along Sandtree Drive to the first driveway entrances shall include:
 - a. One (1) live oak tree planted every forty (40) feet on center;
 - b. Twelve (12) inch high flowering shrub spaced no more than eighteen (18) inches on center at installation, to be maintained at a minimum height of eighteen (18) inches;
 - c. Groundcover;
 - d. Both shrubs and groundcover to be planted in a meandering fashion in front of the existing hedge;
 - e. the above landscaping shall be subject to the approval of the approval of the Land Development Permit Section. (DRC: ZONING)
 - f. the above landscape requirements shall be in compliance to the Northlake Corridor Landscape proposal; and
 - g. All canopy trees required to be planted shall have a minimum tree height of fourteen (14) feet. (DRC: ZONING)
2. Prior to final DRC certification of the site plan, the petitioner shall submit a landscape plan to the Palm Beach County, Zoning Division. (DRC: ZONING)

N. LIGHTING

1. Condition 9 of Resolution R-87-1094 of Petition 80-200(B) which currently states:

All outdoor security lighting shall be low intensity and directed away from adjacent residential development.

Is hereby amended to read:

All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, shielded and directed down and away from adjacent properties and streets. (CO / ONGOING: BLDG / CODE EVF - Zoning)

2. All outdoor lighting fixtures shall not exceed twenty five (25) feet in height, measured from finished grade to highest point. (CO: BLDG - Zoning)
3. All outdoor lighting shall be extinguished no later than 10:00 p.m., excluding security lighting only. (ONGOING: CODE ENF)
4. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF)

O. USE LIMITATIONS

1. Condition 16 of Resolution R-86-214 of Petition 80-200(A) which currently states:

There shall be no outdoor repair of vehicles.

Is hereby deleted. Reason: replaced by new condition.

2. Condition 17 of Resolution R-86-214 of Petition 80-200(A) which currently states:

Any storage of damaged vehicles shall be visually screened from adjacent properties.

Is hereby deleted. Reason: replaced by new condition.

3. Condition 19 of Resolution R-86-214 of Petition 80-200(A) which currently states:

Use of the site shall be limited to automobile dealership(s).

Is hereby amended to read:

Use of the site shall be limited to vehicle sales and rental use. (ONGOING: ZONING)

4. **No outdoor public address systems shall be permitted on the site.** (Previous Condition 8 of Resolution R-87-1094 of Petition 80-200(B).

5. Condition 3 of Resolution R-87-1094 of Petition 80-200(B) which currently states:

The Specialized Vehicular Use Area, designated as future Auto Storage, shall remain in its natural state until it will be used for auto storage,

Is hereby deleted. Reason: [revised site plan].

6. No barbed or razor wire shall be permitted on the site. (CO/ONGOING: BLDG -Zoning/CODE ENF)

7. Outdoor storage of disassembled vehicles or parts shall not be permitted on site. No outdoor repair vehicles shall be permitted on site. (ONGOING: CODE ENF - Zoning)
8. Vehicles shall not be parked or on display with hoods or trunks open. (ONGOING: CODE ENF - Zoning)
9. Vehicles shall not be elevated off the ground in any way. (ONGOING: CODE ENF - Zoning)
10. Vehicles shall be parked or displayed only in the areas designated on the approved site plan dated December 28, 1998 for parking/display. (ONGOING: CODE ENF - Zoning)
11. No advertising flags, foreign flags, pennants, banners, streamers, balloons, objects, gimmicks or similar signs designed to attract the attention of the general public shall be permitted outdoors on any building, vehicle or wall. (ONGOING: CODE ENF - Zoning)
12. Vehicles shall not be test driven on residential streets. (ONGOING - CODE ENF)
13. All parking spaces required for employee and customer parking shall be identified by appropriate signage and separated from display and inventory/storage spaces. (DRC / ONGOING: ZONING / CODE ENF)
14. The storage of rental trucks/trailers or outside vendors shall not be permitted on the property. (ONGOING: CODE ENF)
15. Storage or placement of any material, refuse, equipment or debris shall not be permitted in the rear of the facility. (ONGOING: CODE ENF - Zoning)
16. Retail business activity shall not be allowed on site, including deliveries, prior to 6:00 a.m. nor continue later than 9:30 p.m. daily. (ONGOING: CODE ENF - Zoning)

P. COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the 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 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. (MONITORING)