

RESOLUTION NO. R-2009- 0356

RESOLUTION APPROVING ZONING APPLICATION DOA-2008-00461
(CONTROL NUMBER 1998-00015)
DEVELOPMENT ORDER AMENDMENT
APPLICATION OF T MOBILE
BY GLOTEL INC / T MOBILE, AGENT
(T MOBILE HORIZON BAPTIST)

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, as amended, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) have been satisfied; and

WHEREAS, Zoning Application DOA-2008-00461 was presented to the Board of County Commissioners at a public hearing conducted on February 25, 2009; and

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

WHEREAS, this approval is subject to Article 2.E (Monitoring), 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 purposes, goals, objectives and policies of the Palm Beach County Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.
2. This Development Order Amendment complies with relevant and appropriate portions of Article 4.B (Supplementary Use Standards) of the Palm Beach County Unified Land Development Code. This Development Order Amendment also meets applicable local land development regulations.
3. 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.
4. The proposed design, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Development Order Amendment has a concurrency determination and complies with Article 2.F (Concurrency - Adequate Public Facility Standards) of the ULDC.
6. 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.

7. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.
8. This Development Order Amendment, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
9. This Development Order Amendment, with conditions as adopted, is consistent with applicable Neighborhood Plans.
10. The applicant has demonstrated sufficient justification that there are changed circumstances, which would require the Development Order Amendment.

WHEREAS, Article 2.K.3.b (Action by BCC) 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 Application DOA-2008-00461, the application of T Mobile, by Glotel Inc / T Mobile, agent, for a Development Order Amendment to to modify conditions of approval (Building & Site Design and Landscaping) 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 February 25, 2009, 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:

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
District 4	-	
Commissioner Jess R. Santamaria	-	Aye
Commissioner Addie L. Greene	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on February 25, 2009.

Filed with the Clerk of the Board of County Commissioners on March 3rd, 2009.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON BOCK, CLERK &
COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION: PARENT TRACT (TITLE COMMITMENT):

ALL OF SECTION 27, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. LESS THE NORTH 5,169 FEET AND LESS THE EAST 4,838 FEET: SUBJECT TO AN EASEMENT FOR ROAD AND DRAINAGE PURPOSES TO INDIAN TRAIL WATER CONTROL DISTRICT OVER THE WEST 60 FEET.

LESS AND EXCEPT THE FOLLOING DESCRIBED PARCEL:

A PORTION OF THE SOUTHWEST ONE QUARTER OF SECTION 27; TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE NORTH 03°07'06" EAST ALONG THE WEST LINE OF THE SOUTHWEST ONE QUARTER OF THE SAID SECTION 27 FOR A DISTANCE OF 10.03 FEET; THENCE NORTH 88°54'40" EAST ALONG A LINE 10.00 FEET NORTH OF AND PARRALEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 60.16 FEET TO THE EAST LINE OF A 60 FOOT WIDE ROAD AND DRAINAGE EASEMENT TO THE INDIAN TRAIL WATER CONTROL DISTRICT FOR 130TH AVENUE NORTH; THENCE NORTH 03°07'06" EAST ALONG SAID EAST EASEMENT LINE FOR A DISTANCE OF 26.91 FEET; THENCE SOUTH 43°59'07" EAST FOR A DISTANCE 36.63 FEET; THENCE NORTH 88°54'40" EAST ALONG A LINE 10.00 FEET NORTH OF AND PARRALEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 299.80 FEET; THENCE SOUTH 03°07'22" WEST FOR A DISTANCE OF 10.03 FEET TO THE SOUTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 27; THENCE SOUTH 88°54'40" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 386.87 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: PROPOSED 20.0' ACCESS EASEMENT:

A PORTION OF LAND LYING SECTION 27, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE ALONG THE WEST BOUNDARY LINE OF THE SAID SECTION 27, NORTH 03°06'54" EAST, A DISTANCE OF 10.03 FEET; THENCE NORTH 88°54'40" EAST, A DISTANCE OF 60.16 FEET; THENCE NORTH 03°07'06" EAST, A DISTANCE OF 26.91 FEET; THENCE SOUTH 43°59'07" EAST, A DISTANCE OF 36.63 FEET; THENCE NORTH 88°54'40" EAST, A DISTANCE OF 138.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°05'20" WEST, A DISTANCE OF 116.07 FEET; THENCE NORTH 08°49'58" EAST, A DISTANCE OF 51.26 FEET; THENCE NORTH 00°50'44" WEST, A DISTANCE OF 20.38 FEET; THENCE NORTH 89°09'16" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 00°50'44" EAST, A DISTANCE OF 22.07 FEET; THENCE SOUTH 08°49'58" WEST, A DISTANCE OF 51.22 FEET; THENCE SOUTH 01°05'20" EAST, A DISTANCE OF 114.33 FEET; THENCE SOUTH 88°54'40" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. CONTAINING 3753.5 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION: PROPOSED 10.0' X 40.0' T-MOBILE LEASE PARCEL:

A PORTION OF LAND LYING IN SECTION 27, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE ALONG THE WEST BOUNDARY LINE OF SAID SECTION 27, NORTH 03°06'54" EAST, AT A DISTANCE OF 10.03 FEET; THENCE NORTH 88°54'40" EAST, AT A DISTANCE OF 60.16 FEET; THENCE NORTH 03°07'06" EAST, AT A DISTANCE OF 26.91 FEET; THENCE SOUTH 43°59'07" EAST, AT A DISTANCE OF 36.63 FEET; THENCE NORTH 88°54'40" WEST, AT A DISTANCE OF 138.67 FEET; THENCE NORTH 01°05'20" WEST, AT A DISTANCE OF 116.07 FEET; THENCE NORTH 08°49'58" EAST, AT A DISTANCE OF 51.26 FEET; THENCE NORTH 00°50'44" WEST, AT A DISTANCE OF 20.38 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°09'16" WEST, AT A DISTANCE OF 10.00 FEET; THENCE NORTH 00°50'44" WEST, AT A DISTANCE OF 10.00 FEET; THENCE NORTH 59°09'16" EAST, AT A DISTANCE OF 40.00 FEET; THENCE SOUTH 00°50'44" EAST, AT A DISTANCE OF 10.00 FEET; THENCE SOUTH 89°09'16" WEST, AT A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING. CONTAINING 400.0 SQUARE FEET, MORE OF LESS.

LEGAL DESCRIPTION: PROPOSED 5.0' UTILITY EASEMENT:

A PORTION OF LAND IN SECTION 27, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE ALONG THE WEST BOUNDARY LINE OF SAID SECTION 27, NORTH 03°06'54" EAST, AT A DISTANCE OF 10.03 FEET; THENCE NORTH 88°54'40" EAST, AT A DISTANCE OF 60.16 FEET; THENCE NORTH 03°07'06" EAST, AT A DISTANCE OF 26.91 FEET; THENCE SOUTH 43°59'07" EAST, AT A DISTANCE OF 36.63 FEET;

THENCE NORTH 88°54'40" EAST, AT A DISTANCE OF 153.80 FEET TO THE POINT OF BEGINNING.
THENCE NORTH 01°05'20" WEST, AT A DISTANCE OF 185.88 FEET; THENCE NORTH 89°09'16" EAST,
AT A DISTANCE OF 5.00 FEET; THENCE SOUTH 01° 05'20" EAST, AT A DISTANCE OF 186.86 FEET;
THENCE SOUTH 88°54'40" WEST, AT A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 383.7 SQUARE FEET, MORE OF LESS.

EXHIBIT B
VICINITY SKETCH

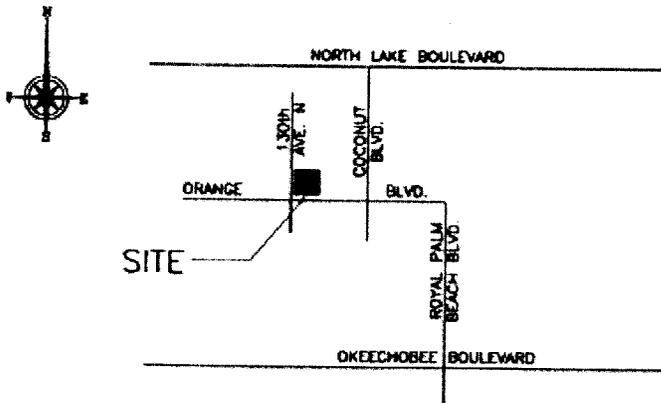


EXHIBIT C

CONDITIONS OF APPROVAL

ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolution R-2004-2259 (Control 1998-15) and Resolution R-1998-2259 (Control 1998-15), have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Condition A.1 of Resolution 1998-1296, Control 1998-15 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 July 9, 1998. 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.

Is hereby amended to read

Development of the site is limited to the uses as approved by the Board of County Commissioners. The approved site plan is dated December 15, 2008. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or may be modified in accordance with the ULDC standards. (DRO: ZONING-Zoning)

BUILDING AND SITE DESIGN

1. The church shall be limited to a maximum of 80 seats and a total gross enclosed floor area of 3,136 square feet. Any future expansion of the church facility shall be subject to the approval of the Board of County Commissioners. (DRC/ONGOING: BUILDING - Zoning) (Previous Condition C.1 of Resolution 1998-1296, Control 1998-15)

Is here by deleted: [Reason: Regulated by All Petitions Condition 2.]

2. Condition B.2 of Resolution 1998-1296, Control 1998-15 which currently states:

The maximum height for all structures including the steeple, measured from finished grade to highest point, shall not exceed thirty (30) feet. (BLDG PERMIT: BLDG - Zoning)

Is hereby amended to read:

The maximum height, from grade to roof line, for all structures, including Steeple, measured from finished grade to highest point shall not exceed 30 feet Except for a 100 foot Stealth communication tower. (BLDG PERMIT: BLDG - Zoning)

ENGINEERING

1. Prior to December 1, 1998 or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Orange Boulevard, 40 feet from centerline along the project's entire frontage, free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Corner Clips" where appropriate at intersections as determined by the County Engineer. (BLDG PERMIT: MONITORING-Eng) (Previous Condition E.1 of Resolution R-1998-1296, Petition 1998-

015)

[Note:Complete]

2.Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement along Orange Boulevard to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County

Engineer prior to final acceptance. (BLDG PERMIT: MONITORING-Eng) (Previous Condition E.2 of Resolution R-1998-1296, Petition 1998-015)

[Note:Complete]

HEALTH

1.Previous condition D. 1. of Resolution R-1998-1296 which reads:

Application and engineering plans to construct a non-community water well in accordance with Rule 62-555 FAC and Palm Beach County ECR-II must be submitted to the Palm Beach County Health Department prior to final site plan review. (DRC:HEALTH)

Is hereby DELETED---Reason: Completed

2.Previous condition D.2 of Resolution R-1998-1296 which reads:

Application and engineering plans to construct an onsite sewage treatment and disposal system (OSTDS) in accordance with Rule 64E-4 FAC and Palm Beach County ECR-I must be submitted to the Palm Beach County Health Department prior to final site plan review. (DRC:HEALTH)

Is hereby DELETED---Reason: Completed

ZONING - LANDSCAPING

1.All trees required to be planted on site by this approval shall meet the following minimum standards at installation:

- a. Tree height: Twelve (12) 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 f set in length. (CO: LANDSCAPE-Zoning)
- d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE -Zoning) (Previous Condition F.1of Resolution 1998-1296, Control 1998-15)

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 or grey wood, whichever is greater;
- 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) (Previous Condition F. 2 of Resolution 1998-1296, Control 1998-15)

ZONING - LANDSCAPING-LANDSCAPING ALONG NORTH AND EAST PROPERTY LINES (ABUTTING RESIDENTIAL)

3.Landscaping and buffering along the above property lines shall include:

- a. A minimum twenty five (25) foot wide landscape buffer strip; and
- b. One (1) native, canopy tree planted every thirty (30) feet on center;
- c. 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 not supersede the requirement for a canopy tree in that location; and

d. Seventy two (72) inch high native, shrub or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of seventy two (72) inches. (CO: LANDSCAPE-Zoning) (Previous Condition G.1 of Resolution 1998-1296, Control 1998-15)

Is hereby deleted: [Reason: Proposed buffers comply with current code with a 15 foot incompatibility buffer.]

ZONING - LANDSCAPING-LANDSCAPING ALONG SOUTH AND WEST PROPERTY LINES (ABUTTING R.O.W)

4.Landscaping and buffering along the above property lines shall include:

a. A minimum of fifteen (15) foot wide landscape buffer shall be provided along the south property line; and a minimum) twenty five (25) foot wide landscape buffer strip shall be provided along the west property line; and

b. One (1) native, canopy tree planted every thirty (30) feet on center;

c. 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 not supersede the requirement For a canopy tree in that location; and

d. twenty four (24) inch high native, 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-Zoning) (Previous Condition H.1 of Resolution 1998-1296, Control 1998-15)

Is hereby deleted: [Reason: Proposed buffers comply with current code with a 15 foot Right of Way buffer.]

ZONING - LANDSCAPING-LANDSCAPING - INTERIOR

5.One landscape island shall be provided for every twelve (12) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred twenty (120) linear feet. (DRO: ZONING-Zoning) (Previous Condition I.1 of Resolution 1998-1296, Control 1998-15)

ZONING - LANDSCAPING

6.Landscape islands shall be provided along the facades of all structures. The minimum width of the required landscape islands shall be five (5) feet. The combined length of the required landscape islands shall be no less than 40% of the accumulative length of the structure. All required landscape islands shall be planted with a minimum of one (1) tree or palm every 20 feet on center and appropriate ground cover. (DRO / CO: ZONING / LANDSCAPE-Zoning) (Previous Condition I. 2 of Resolution 1998-1296, Control 1998-15)

LIGHTING

1.All outdoor lighting used to illuminate the subject property and identification signs shall be of lowest intensity allowed by the Palm Beach County, ;and shall be shielded and directed down and away from adjacent properties (and streets. (CO/ONGOING: BLDG/CODE ENF-Zoning) (Previous Condition K.1 of Resolution 1998-1296, Control 1998-15)

2.All outdoor lighting fixtures shall not exceed twenty (20) feet in height measured from finished grade to highest point. (ONGOING: BUILDING-Zoning) (Previous Condition K.2 of Resolution 1998-1296, Control 1998-15)

3. All outdoor lighting shall be extinguished no later than 9:00 p.m., excluding security lighting only. (ONGOING: CODE ENF-Zoning) (Previous Condition K. 3 of Resolution 1998-1296, Control 1998-15)

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- Zoning) (Previous Condition K. 4 of Resolution 1998-1296, Control 1998-15)

5. Building security lights shall be installed only at exterior doorways. (ONGOING: CODE ENF) (Previous Condition K. 5 of Resolution 1998-1296, Control 1998-15)

SIGNS

1. New freestanding sign fronting on Orange Boulevard shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point - four (4) feet; and
- b. Maximum sign face area per side - 32 square feet; and
- c. Maximum number of signs - one (1); and
- d. Style - Monument style only; and
- e. The sign shall be setback twenty five (25) foot from the south property line; and
- f. The sign shall not be internally illuminated. (CO: BLDG- Zoning) Previous Condition J.1 of Resolution 1998-1296, Control 1998-15

2. No wall signs shall be permitted on the site. (CO: BLDG- Zoning) (Previous Condition J. 2 of Resolution 1998-1296, Control 1998-15)

USE LIMITATIONS

1. All services shall be held within the church and the hours of operation shall be limited to 8:00 a.m. - 9:00 p.m. daily, excluding holiday services. (ONGOING: CODE ENF-Zoning) (Previous Condition L.1 of Resolution 1998-1296, Control 1998-15)

2. Accessory outdoor uses such as temporary sales events, (i.e. Christmas tree and pumpkin sales, bake sales, etc.) shall be limited to a maximum of three (3) events per year and shall be setback a minimum of 100 feet from all perimeter property lines. No temporary amusements or special events, (i.e. rummage sales, flea markets, carnivals, circuses, auctions or tent revivals, etc.) are permitted on the site. (ONGOING/SPECIAL PERMIT: CODE ENF/ZONING - Zoning) (Previous Condition L. 2 of Resolution 1998-1296, Control 1998-15)

3. No overnight parking of vehicles shall be permitted on the site. (ONGOING: MONITORING - Zoning) (Previous Condition L. 3 of Resolution 1998-1296, Control 1998-15)

4. Parking spaces located along the perimeter of the site shall be installed as grass parking. Only the aisle, driveway and six (6) parking spaces shall be paved. (ONGOING: BUILDING - Zoning) (Previous Condition L. 4 of Resolution 1998-1296, Control 1998-15)

5. No daycare center or religious school, or bingo and similar activities shall be permitted on the site. (ONGOING: CODE ENF/ MONITORING - Zoning) (Previous Condition L. 5 of Resolution 1998-1296, Control 1998-15)

6. No off-site parking or parking in the swale area shall be permitted. (ONGOING: CODE ENF -Zoning) (Previous Condition L. 6 of Resolution 1998-1296, Control 1998-15)

7. No kitchen and cooking facilities shall be permitted on the site. (ONGOING: CODE ENF - Zoning) (Previous Condition L. 7 of Resolution 1998-1296, Control 1998-15)

8. No church bells shall be permitted on the site. (ONGOING: CODE ENF -

Zoning) (Previous Condition L. 8 of Resolution 1998-1296, Control 1998-15)

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. Previous Condition M. 2 of Resolution 1998-1296, Control 1998-15 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; 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)

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

a. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

b. 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

c. Referral to code enforcement; and/or

d. 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 Article 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Departmental administrative actions made pursuant to this condition may be appealed as 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 Circuit Court, Appellate Division, 15th Judicial Circuit of Florida. (ONGOING: MONITORING - Zoning)