

RESOLUTION APPROVING ZONING PETITION DOA96-062(B)  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF AMERICAN HERITAGE SCHOOL OF BOCA DELRAY, INC. AND  
WILLIAM R. LAURIE  
BY KIERAN J. KILDAY, AGENT  
(AMERICAN HERITAGE SCHOOL)

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 DOA96-062(B) was presented to the Board of County Commissioners at a public hearing conducted on January 25, 2001; 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 DOA96-062(B), the petition of American Heritage School of Boca Delray, Inc. and William R. Laurie, by Kieran J. Kilday, agent, for a Development Order Amendment to add land area, add students, reconfigure site plan and modify/delete conditions of approval in Resolution R-97-1569 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 25, 2001, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Masilotti moved for the approval of the Resolution.

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

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


The Chair thereupon declared that the resolution was duly passed and adopted on January 25, 2001.

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

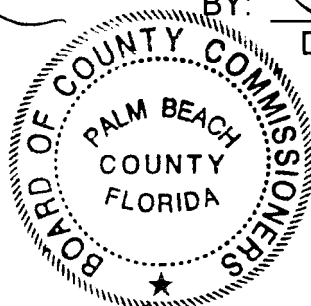


EXHIBIT A  
LEGAL DESCRIPTION

The east half (E.1/2) of the northeast quarter (N.E.1/4) of the northeast quarter (N.E.1/4) of Section 27, Township 46 south, Range 42 east, Palm Beach County, Florida, less the north 50 feet thereof for road right of way.

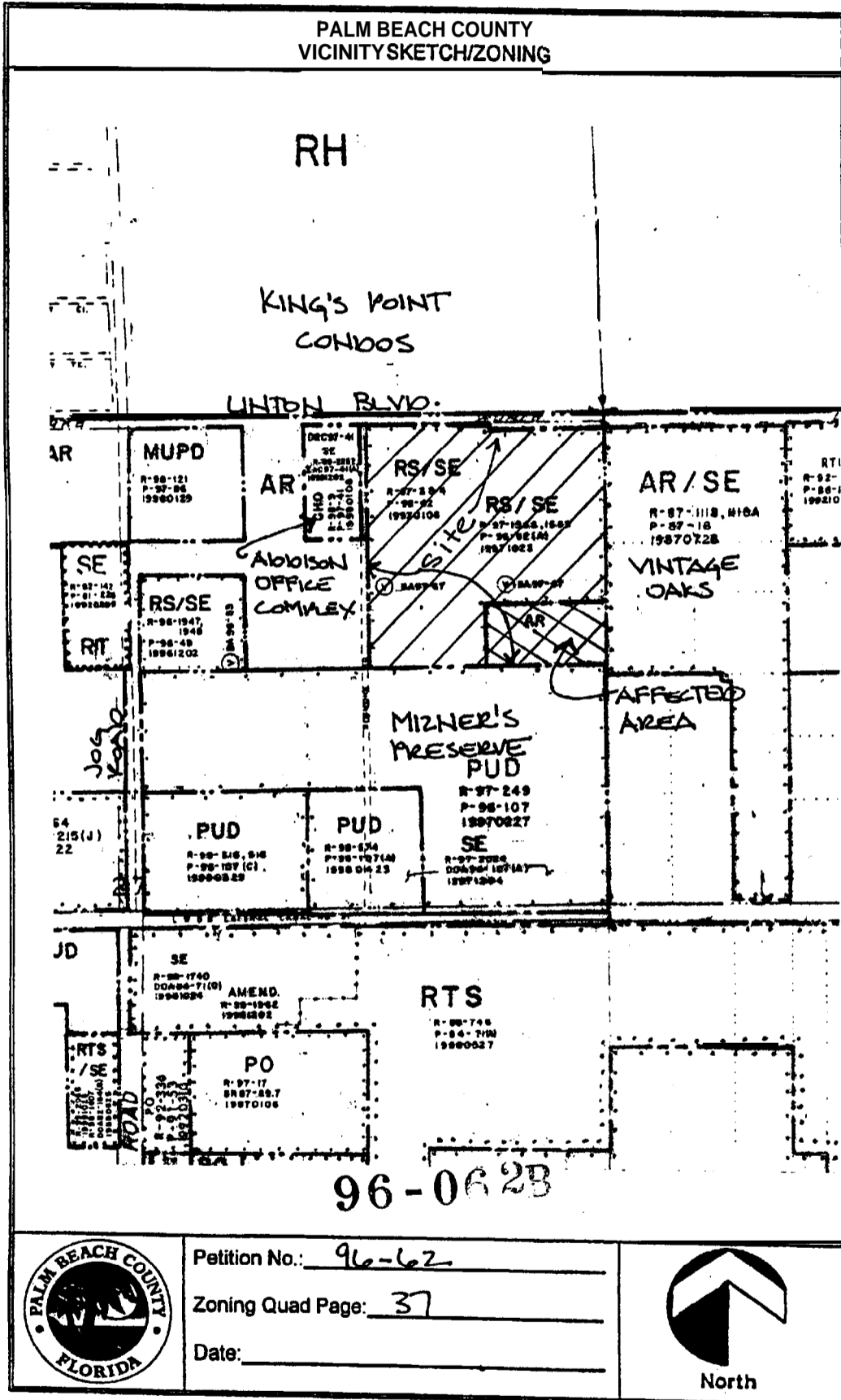
Together with:

The west half (W.1/2) of the northeast quarter (N.E.1/4) of the northeast quarter (N.E.1/4) of Section 27, Township 46 south, Range 42 east, Palm Beach County, Florida, less the north 50 feet thereof for road right of way and less the road right of way for Linton Boulevard as described in official record book 7229. Page 1596 and official record book 11006, page 271 of the public records of Palm Beach County, Florida.

EXHIBIT B

VICINITY SKETCH

EXHIBIT B



## 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-97-1569, Petition 96-62 (A) which currently states:

**All previous conditions of approval applicable to the subject property, as contained in Resolutions R-97-4 (Petition 96-62), have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)**

Is hereby amended to state:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-97-4 (Petition 96-62), and R-97-1569 (Petition 96-62(A) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval, unless expressly modified herein, excluding the previous commencement of development deadline. (ONGOING: MONITORING-Zoning)

2. Condition A.2 of Resolution R-97-1569, Petition 96-62(A) 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 14, 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 state:

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 December 7, 2000 and Ultimate Build-Out Plan is dated June 27, 2000. 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)

#### B. ARCHITECTURAL CONTROL

1. Architectural character and treatment shall be provided on all sides of the building. These features shall include, but are not limited to, the following:
  - a. Varied roof lines within the same building. All roof lines shall not run in continuous place for more than one hundred fifty (150) feet without offsetting or jogging the roof plan. The jog shall be a minimum of five (5) feet in depth;
  - b. Varied window treatments (i.e transoms, glass block, window types, trims, etc.);

- c. Contrasting shapes and forms within the building mass including off setting of vertical or horizontal planes;
  - d. Focal points or points of interest (i.e. cupolas, loggias, entrances, vertical elements, chimneys, etc.); and
  - e. Varied architectural details (i.e. columns, pilasters, vents decorative trims and moldings, stucco or horizontal banding, decorative railings decorative accent tiles, etc.). (DRC: ZONING - Bldg)
2. The maximum height for all structures, including all air conditioning and mechanical equipment, and satellite dishes shall not exceed thirty-five (35) feet, except in conformance with Section 6.5.H. (Exceptions to height regulations) or subject to variance approval from the Board of Adjustment. (BLDG PERMIT: BLDG - Zoning)
  3. Foundation planting or grade for structures over 35 feet in height (if allowed subject to variance approval) to consist of the following:
    - a. The minimum width of the required landscape areas shall be ten (10) feet;
    - b. The length of the required landscaped areas shall be no less than 40% of the total length of the front and rear 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)

**C. DAY CARE**

1. **The maximum number of children for the day care center shall be limited to the following:**
  - a. **School Year: 148 children; and,**
  - b. **Summer Session: 548 children.** (ONGOING: HEALTH) (Previously Condition B.1 of Resolution R-97-I 569, Petition 96-62(A))

**D. HEALTH**

1. **Architectural plans for the day care facility and private school must be submitted to the Environmental Health Section, Palm Beach County Public Health Unit, in accordance with Chapter IOD-24FAC prior to issuance of a building permit.** (BLDG PERMIT: HEALTH/BLDG) (Previously Condition CI of Resolution R-97-I 569, Petition 96-62(A))
2. The property owner shall provide a special care unit hurricane shelter allowing for a maximum of fifty (50) patients in a building adjacent to the proposed theater building. The building shall comply with the Red Cross Hurricane Evacuation Shelter Specifications and meet the Special Care Unit requirements as modeled by the existing South Florida Fairgrounds Special Care Unit Shelter. **(Reference - Palm Beach County's Special Care Units Standard Operating Procedures, amended April 8, 2000; and Article IV, Special Care Unit to Emergency Support Function ESF-78, of the Palm Beach County Comprehensive Emergency Management Plan)** The proposed special care unit shall be open to the public at any time Palm Beach County Emergency Management, or the Red Cross determines that the facility should be available. (BLDG: HEALTH/BLDG)
3. Prior to or concurrent with the issuance of a building permit for the theater building, the property owner shall provide a special care unit (SCU) hurricane shelter within an adjacent building. Prior to issuance of a building permit for the special care unit (SCU) building, the Palm Beach County Health

Department's Medical Director or designee must approve the SCU requirements and site plan for the proposed Special Care Unit. (BLDG: HEALTH/BLDG)

E. ENGINEERING

1. **Prior to the issuance of a building permit the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed additional right of way for the construction of a right turn lane on Linton Boulevard at the project's entrance road. This right-of-way shall be a minimum of 200 feet in storage length, twelve feet in width and a taper length of 50 feet or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and shall include "Corner Clips" where appropriate as determined by the County Engineer. 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. (BLDG PERMIT: MONITORING - Eng) (Previously Condition E.1 of Resolution R-97-1569, Petition 96-62(A)) [COMPLETE]**

2. **The Property owner shall construct a right turn lane west approach on Linton Boulevard at the projects entrance road. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING - Eng)(Previously Condition E.2 of Resolution R-97-1 569, Petition 96-62(A)) [COMPLETE]**

3. Condition E.3 of Resolution R-97-1569, Petition 96-62(A) 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 to be paid at the time of issuance of the Building Permit presently is \$159,500.00 (2900 trips X \$55.00 per trip). (ONGOING: ACCOUNTING - Fair Share Fee Coord)**

Is hereby deleted. [REASON: Code Requirement]

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

a. **No Building Permits shall be issued until construction has begun for Jog Road as a 6 lane section from Clint Moore Road to Linton Boulevard plus the appropriate paved tapers. (BLDG PERMIT: MONITORING - Eng) (Previously Condition E.4 of Resolution R-97-1569. Petition 96-62(A))**

Note: Linton Boulevard 6 laning is complete.

5. **The property owner shall fund the cost of signal installation if warranted as determined by the County Engineer at the project entrance and Linton Boulevard. (ONGOING: ENG) (Previously Condition E.6 of Resolution R-97-I 569, Petition 96-62(A)) [COMPLETE]**
6. **Prior to issuance of the first Building Permit, for Phase 2, the property owner shall convey to the public an access easement, and a separate 10 foot utility easement adjacent to the access easement. 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 conflicting encumbrances and encroachments. Right-of-way conveyances shall also include "Corner Clips" where appropriate at intersections as determined by the County Engineer. The location of the access easement shall be in accordance with the drawing currently on file with the Zoning Division as drawing number 5511SP4, titled Ingress Easement Graphic. (BLDG PERMIT: MONITORING-Eng) (Previously Condition E.7 of Resolution R-97-I 569, Petition 96-62(A))**
7. **The Property owner shall construct the access easement as a two lane section, local street standards. In addition the property owner shall construct a left turn lane south approach within the access easement at Linton Boulevard. [COMPLETE]**
  - a. **This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.**
  - b. **Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit for Phase 2. (BLDG PERMIT: Monitoring-Eng)**
  - c. **Construction shall be completed prior to the issuance of the first Certificate of Occupancy for Phase 2. (CO: MONITORING-Eng) (Previously Condition E.8 of Resolution R-97-I 569, Petition 96-62(A))**
8. **The Developer shall also provide within this project's internal storm water management system an equivalent amount of stormwater runoff for the road drainage of Linton Boulevard. The amount of runoff required to be stored onsite shall be based upon the applicable County Water Control District, South Florida Water Management District and Palm Beach County Engineering Requirements. (DRAINAGE REVIEW: ENG) (Previously Condition E.9 of Resolution R-97-I 569, Petition 96-62(A))**
9. **LANDSCAPE WITHIN MEDIAN OF COUNTY MAINTAINED ROADWAYS**
  - a. **Prior to issuance of a building permit for Phase 2, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. The property owner shall also be**



responsible to supplement any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDG PERMIT: MONITORING - Eng)

- b. **All required median landscaping, including an irrigation system if required shall be installed at the property owners expense. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed on or before the issuance of a Certificate of Occupancy for Phase 2. (CO: MONITORING - Eng)**
- c. **Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to issuance of a certificate of occupancy for Phase 2 to reflect this obligation. (CO: MONITORING - Eng) (Previously Condition E. 10 of Resolution R-97-I 569, Petition 96-62(A))**

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

- a. Building permits for no more than 6000 square feet of day care facility and 1190 private school students which together will generate 3904 trips per day may be issued until the contract has been let for the widening of Linton Boulevard from Military Trail to Congress Avenue. (BLDG PERMIT: MONITORING - Eng.)
- b. An approved phasing plan shall be submitted prior to final DRC approval detailing square footages and uses identified above on the final site plan. (DRC APPROVAL: ENG)

11. "CUTOUT" LANDSCAPE STRIPS WITHIN THE CONCRETE MEDIAN OF LINTON BOULEVARD

- a. Prior to issuance of a building permit for Phase 2, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to provide landscape cutouts within the concrete median of Linton Boulevard right-of-way contiguous to the frontage. As part of this permit process, the property owner shall enter into a Right of Way, concrete median cutout, Landscape Installation and Maintenance, Removal, and Indemnification Agreements. All new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Palm Beach County Standards. Alternative plant and paver block material other than those listed in

the County standards may be permitted subject to approval by the County Engineer. (BLDG PERMIT: MONITORING-Eng)

- b. All required median landscaping, including an irrigation system, the cost of the removal or cutting out the existing concrete median as well as the installation of all landscape material, paver block or similar materials shall be funded at the property owners expense. When landscape cutouts are permitted landscaping shall consist of Landscape Material approved by the County Engineer. All new and existing landscaping, paver block or similar materials shall be the perpetual maintenance obligation of the petitioner and its successors, or assigns or duly established Property Owner's Association. The maintenance may be assumed by the County upon payment equal to the long term maintenance cost, in accordance with the adopted policy approved by the Board of County Commissioners. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, and the irrigation system. All landscape material shall be installed prior to the issuance of the first certificate of occupancy. (CO: MONITORING - Eng)
  - c. If the County does not assume maintenance responsibility, then appropriate property owners documents or other restrictive covenant documents, evidencing the maintenance obligation shall be established or amended as required and shall be approved and recorded prior to the issuance of a Building Permit for Phase 2. (BLDG PERMIT: MONITORING-Eng)
12. Prior to the issuance of a building permit for Phase 2 the property owner shall obtain from the Lake Worth Drainage District the additional right of way required for a right turn lane at the projects east entrance. This right of way shall then be conveyed to Palm Beach County **Land Development Division** by road right of way warranty deed. This right-of-way shall be minimum of 280 feet in storage length, twelve feet in width and a taper length of 50 feet or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and shall include "Corner Clips" where appropriate as determined by the County Engineer. 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. (BLDG PERMIT: MONITORING-Eng)
13. The Property owner shall construct a right turn lane west approach on **Linton Boulevard** at the project's east entrance road.
- a. This construction shall be concurrent with the paving and drainage improvements for Phase 2 for the site (more than 150,000 square feet of building area). Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.
  - b. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of Building Permit for Phase 2 for the site (more than 150,000 square feet of building area). (BLDG PERMIT: Monitoring-Eng)

- c. Construction shall be completed prior to the issuance of the Certificate of Occupancy for Phase 2 for the site (more than 150,000 square feet of building area). (CO: MONITORING-Eng)

F. 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.**
  - d. **Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previously Condition F.1 of Resolution R-97-I 569, Petition 96-62(A))**
  
- 2. **All palms required to be planted on site by this approval shall meet the following minimum standards at time of 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. **Pruning: minimum six (6) fronds, no clipped or spiked cuts.**
  - d. **Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previously Condition F.2 of Resolution R-97-I 569, Petition 96-62(A))**

G. Condition G.1 of Resolution R-97-I 569, Petition 96-62(A) which currently states:

LANDSCAPING ALONG SOUTH, EAST AND WEST PROPERTY LINES (ABUTTING FUTURE RESIDENTIAL)

- 1. **Landscaping and buffering along the south, east and west property lines shall be upgraded to include:**
  - a. **A continuous three (3) foot high berm;**
  - b. **One (1) canopy tree planted every twenty (20) feet on center. Laurel Oak, Mahogany, Loquat or acceptable species to the Development Review Committee (DRC), shall be utilized along the southern perimeter double row of trees to provide a full canopy at maturity so as to decrease glare from adjacent athletic field lights; and**
  - c. **Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be planted on top of berm and maintained at a minimum height of thirty-six (36) inches.**
  - d. **A six (6) foot high vinyl coated chain link security fence shall be installed around the entire perimeter of the property. (DRC /CO: ZONING / LANDSCAPE)**

Is hereby amended to state:

LANDSCAPING ALONG SOUTH, EAST AND WEST PROPERTY LINES

Landscaping and buffering along the south, east and west property lines shall be upgraded to include:

- a. A minimum twenty-five (25) foot wide landscape buffer strip;
- b. A continuous three (3) foot high berm measured from top of curb;
- c. One (1) canopy tree planted every twenty (20) feet on center. Laurel Oak, Mahogany, Loquat or acceptable species to the Development Review Committee (DRC), shall be utilized along the southern perimeter double row of trees to provide a full canopy at maturity so as to decrease glare from adjacent athletic field lights; and
- d. Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be planted on top of berm and maintained at a minimum height of thirty-six (36) inches.
- e. A six (6) foot high vinyl coated chain link security fence shall be installed around the entire perimeter of the property. (DRC / CO: ZONING / LANDSCAPE)

H. LANDSCAPING ALONG NORTH PROPERTY LINE (ABUTTING LINTON BOULEVARD)

I. **Landscaping and buffering along the north property line shall be upgraded to include:**

- a. **A minimum thirteen (13) foot wide landscape buffer strip; (BOFA970006)**
- b. **A continuous two (2) foot high berm;**
- c. **One (1) canopy tree planted every twenty (20) feet on center; and**
- d. **One (1) palm for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm trees may supersede 25% of the requirement for a canopy tree in that location;**
- e. **Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be planted on top of berm and maintained at a minimum height of thirty-six (36) inches; and,**
- f. **A six (6) foot high vinyl coated chain link security fence shall be installed around the entire perimeter of the property, with openings for pedestrian and vehicular access. (DRC / CO: ZONING / LANDSCAPE) (Previously Condition H.1. of Resolution R-97-I 569, Petition 96-62(A))**

I. LIGHTING

- 1. **All outdoor lighting used to illuminate the subject property and identification signs, excluding athletic fields only, shall be of low intensity, shielded and directed down and away from adjacent properties and streets. (CO / ONGOING: BLDG / CODE ENF - Zoning) (Previously Condition I.1 of Resolution R-97-I 569, Petition 96-62(A))**
- 2. **All outdoor lighting fixtures, excluding athletic fields only, shall not exceed twenty five (25) feet in height, measured from finished grade to highest point. (CO: BLDG - Zoning) (Previously Condition 1.2 of Resolution R-97-I 569, Petition 96-62(A))**

3. **All outdoor lighting shall be extinguished no later than 10:00 p.m., excluding security lighting only.** (ONGOING: CODE ENF) (Previously Condition 1.3 of Resolution R-97-I 569, Petition 96-62(A))
4. **All athletic field lighting shall be shielded and directed down and away from adjacent properties and streets. The athletic field lights shall not exceed sixty (60) feet in height, measured from finished grade to highest point.** (CO / ONGOING: BLDG / CODE ENF -Zoning) (Previously Condition 1.4 of Resolution R-97-I 569, Petition 96-62(A))
5. Condition 1.5 of Resolution R-97-1569, Petition 96-62(A) which currently states:

**All athletic field lighting shall be located a minimum of fifty (50) feet from any property line. (DRC: ZONING)**

Is hereby amended to state:

All athletic field lighting shall be located a minimum of fifty (50) feet from the north, east and west property lines and a minimum of three hundred (300) feet from the south property line. (DRC: ZONING - BLDG PERMIT)

J. MASS TRANSIT

1. **Prior to final certification of the master plan or site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate bus access, shelters and/or a bus stop(s) on or adjacent to the subject property. Bus access, shelters and/or bus stops shall be located and constructed by the petitioner in a manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer. The petitioner shall dedicate additional right-of-way to accommodate this requirement for bus bays and/or bus shelters, if requested by the County Engineer. Mass transit access, if required, shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use, and a bicycle rack.** (DRC: ENG - School Board/Planning) (Previously Condition D. 1 Resolution R-97-I 569, Petition 96-62(A))

K. SIGN

1. **Freestanding point of purchase sign fronting on Linton Boulevard 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); and**
  - d. **Style - monument style only.** (CO: BLDG) (Previously Condition J.I of Resolution R-97-I 569, Petition 96-62(A))

L. USE LIMITATION

1. Condition L.I of Resolution R-97-1569, Petition 96-62(A) which currently states:

**The school, camp and day care facility shall operate during the hours of 7:00 a.m. to 9:00 p.m. Monday thru Friday. The school, camp and day care shall operate during the hours of 8:00 a.m. to 6:00 p.m. Saturday**

**and Sunday for extracurricular and recreational activities only.  
(ONGOING: CODE ENF -Zoning)**

Is hereby amended to state:

The school, camp and day care facility shall operate during the hours of 7:00 a.m. to 10:00 p.m. Monday thru Friday. All outdoor activities for the school, camp and day care may operate during the hours of 8:00 a.m. to 8:30 p.m. on Saturday. All indoor activities for the school, camp and day care may operate during the hours of 8:00 a.m. to 10:00 p.m. on Saturday. All extracurricular and recreational activities may operate from 8:00 a.m. to 6:00 p.m. on Sunday. (ONGOING: CODE ENF - Zoning)

2. Condition L.2. of Resolution R-97-1569, Petition 96-62(A) which currently states:

**The combined school, camp and general day care, shall have no more than 1051 students/campers on site at any time. (ONGOING: CODE ENF -Zoning)**

Is hereby amended to state:

The combined school, camp and general day care, shall have no more than 1,639 students/campers on site at any time. (ONGOING: CODE ENF - Zoning)

3. Condition L.3 of Resolution R-97-1569, Petition 96-62(A) which currently states:

**On or before 2002, the applicant shall remove all temporary modular buildings from the subject site.**

Is hereby deleted. [REASON: no longer applicable]

4. All outdoor recreation areas, football fields and accessory structures shall be setback a minimum of fifty (50) feet from the east and south property lines. (DRC: ZONING)

M. 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. **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. (MONITORING) (Previously Condition L. 1. of Resolution R-97-I 569, Petition 96-62(A))**