

RESOLUTION NO. R-2001 - 0812

RESOLUTION APPROVING ZONING PETITION DOA1987-024(I)
DEVELOPMENT ORDER AMENDMENT
PETITION OF ROBERT J. AMSDELL, TR
BY ROBERT BASEHART, AGENT
(LANTANA ROAD PCD)

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 DOA1987-024(I) was presented to the Board of County Commissioners at a public hearing conducted on May 24, 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 DOA1987-024(I), the petition of Robert J. Amsdell, TR, by Robert Basehart, agent, for a Development Order Amendment (DOA) to modify conditions of approval, add square footage and reconfigure site plan on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on May 24, 2001, 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 Masilotti and, upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared that the resolution was duly passed and adopted on May 24, 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

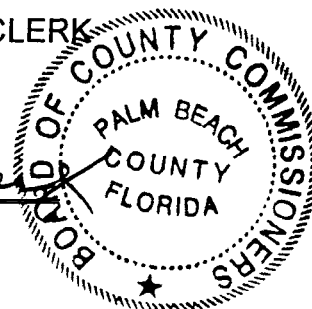


EXHIBIT A
LEGAL DESCRIPTION

Lots 1 through 6, according to the Plat of Lantana Road P.C.D., as recorded in Plat Book 87, Pages 22 through 24, Public Records of Palm Beach County, Florida.

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-99-2251, Petition **EAC87-024(H)** which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-97-11 (Petition 87-24(G)), 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 read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-99-2251 (Petition 87-24(H)), have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

2. Condition A.2 of Resolution R-99-2251, Petition **EAC87-024(H)** 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 October 28, 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)

Is hereby amended to read:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated May 17, 2001. 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. Prior to final DRC, the site plan shall be revised to reflect the removal of Buildings **23, 24, 26** and the expansion of buildings 17 and 25 as well as the outdoor storage area. (DRC: Zoning)

B. ARCHITECTURAL CONTROL

1. Similar architectural character and treatment, including but not limited to color, material, fenestration and roof lines, shall be provided on all sides of the proposed buildings (Building 17 and 25). The proposed Architectural elevations shall be consistent with the Architectural Design Guidelines

presented to the Board of County Commissioners on April 24, 2001, as amended. (BLDG PERMIT: BLDG - Zoning)

2. Prior to final DRC certification of the site plan, the petitioner shall submit architectural elevations for Buildings 17 and 25 to the Zoning Division for review. Development shall be consistent with the approved architectural elevations. (DRC: BLDG PERMIT - Zoning)

C. BUILDING AND SITE DESIGN

1. **Prior to site plan certification, the site plan shall be amended to include the following:**

- a. **The required six (6) foot wall along the western property line.** (DRC: ZONING) (Previously Condition B.1 of Resolution R-99-2251, Petition EAC87-024(H))

2. Condition B.2 of Resolution R-99-2251, Petition EAC87-024(H) which currently states:

Prior to DRC final certification of the site plan, the petitioner shall revise the site plan to indicate a full five (5) foot landscape buffer along the entire south property line, except for the seventy (70) linear adjacent to the existing road directly south of Building 22. (DRC: ZONING)

Is hereby amended to read:

Prior to DRC final certification of the site plan, the petitioner shall revise the site plan to indicate a full five (5) foot landscape buffer along all property lines. (DRC: ZONING)

3. Condition B.5 of Resolution R-99-2251, Petition EAC87-024(H) which currently states:

Appliance, Building Supplies, Chemicals, Furniture, Machinery, Millwork, woodwork and Office Warehouse uses shall be limited to buildings 19, 20, 21, 22 only. (ONGOING: CODE ENF - Zoning)

Is hereby deleted. [REASON: Current requests will replace uses of Buildings 23,24, 25 and 26.]

4. Condition B.6 of Resolution R-99-2251, Petition EAC87-024(H) which currently states:

Automotive paint or body shop and repair maintenance, general uses shall be permitted only in Buildings 23, 24, 25 and 26. (ONGOING: CODE ENF - Zoning)

Is hereby deleted. [REASON: Current requests will replace uses of Buildings 23,24, 25 and 26.]

5. Condition B.8 of Resolution R-99-2251, Petition EAC87-024(H) which currently states:

Retail sales shall be permitted only in Buildings 1 and 2. (ONGOING: CODE ENF - Zoning)

Is hereby deleted. [REASON: Current requests will replace uses of Buildings 23,24, 25 and 26.]

6. Condition B. 10 of Resolution R-99-2251, Petition EAC87-024(H) which currently states:

Total gross floor area shall be limited to a maximum of 200,500 square feet. (Expansion shall be limited to an increase of five percent (5%) of the total square footage or 1,000 square feet, whichever is less subject to approval by Traffic Division or DRC. (DRC: ZONING)

Is hereby amended to read:

Total gross floor area shall be limited to a maximum of 200,500 square feet and uses as shown on site plan dated May 17, 2001. (Expansion shall be limited to an increase of five percent (5%) of the total square footage or 1,000 square feet, whichever is less subject to approval by Traffic Division or DRC. (DRC: ZONING)

7. **The maximum height for all new structures except for Building 17, including all air conditioning and mechanical equipment, and satellite dishes shall not exceed twenty five (25) feet, excluding unoccupied decorative architectural elements which are not the major component of the roofing system. All heights shall be measured from finished grade to highest point. (BLDG PERMIT: BLDG -Zoning) (Previously Condition B. 11 of Resolution R-99-2251, Petition EAC87-024(H))**

8. Condition B. 12 of Resolution R-99-2251, Petition EAC87-024(H) which currently states:

The maximum height for Building 17, including all air conditioning and mechanical equipment, and satellite dishes shall not exceed thirty five (35) feet, excluding unoccupied decorative architectural elements which are not the major component of the roofing system. All heights shall be measured from finished grade to highest point. (BLDG PERMIT: BLDG - Zoning)

Is hereby amended to read:

The maximum height for Building 17, including all air conditioning and mechanical equipment, and satellite dishes shall not exceed forty (40) feet, excluding unoccupied decorative architectural elements which are not the major component of the roofing system. All heights shall be measured from finished grade to highest point. (BLDG PERMIT: BLDG - Zoning)

9. Condition B. 13 of Resolution R-99-2251, Petition EAC87-024(H) which currently states:

All ground mounted air conditioning and mechanical equipment, including satellite dishes, 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)

Is hereby amended to read:

All roof or ground mounted air conditioning and mechanical equipment, including satellite dishes, 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)

10. **No barbed or razor wire shall be permitted on the site. (CO/ONGOING: BLDG -Zoning/CODE ENF) (Previously Condition B.14 of Resolution R-99-2251, Petition EAC87-024(H))**

D. FAA

1. **Prior to site plan certification, the petitioner shall submit documentation to the Zoning Division which demonstrates that the proposed facility does not violate FAA Regulations and/or advisory circulars of the Palm Beach County Airport Zoning Regulations. This documentation shall be subject to approval by the Palm Beach County Department of Airports. (DRC: AIRPORTS) (Previously Condition C.I of Resolution R-99-2251, Petition EAC87-024(H))**

E. ENGINEERING

1. **The property owner shall convey for the ultimate right-of-way of :**
 - a. **Lantana Road, 54 feet from centerline.**
 - b. **Conveyance for the construction of a right turn lane, west approach on Lantana Road at the project's main entrance. This right of way shall be a minimum of 150 feet in length and 12 feet in width, within 90 days of the approval of the Resolution approving this project. [COMPLETE] (Previously Condition E.I of Resolution R-99-2251, Petition EAC87-024(H))**
2. **The property owner shall construct a left turn lane, east approach at the project's east entrance and a right turn lane, west approach at the project's west entrance on Lantana Road at the project's entrance road concurrent with onsite paving and drainage improvements. (Previously Condition E.2 of Resolution R-99-2251, Petition EAC87-024(H))**
3. **The property owner shall provide to Palm Beach County a road drainage easement within the project's internal lake system which is adjacent to the property capable of accommodating all runoff from those segments of Lantana Road along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Lantana Road. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable County Control District and South Florida Water Management District. The design of the system shall assume the ultimate Thoroughfare Plan Section road drainage runoff. (Previously Condition E.3 of Resolution R-99-2251, Petition EAC87-024(H))**
4. Condition E.5 of Resolution R-97-I 1, Petition 87-24(G) was deleted by R-99-2251.
5. **The petitioner shall design the drainage system such that storm water runoff from the parking areas and paved surface area shall be separate from those areas which may contain hazardous or undesirable waste**

from the proposed site. (Previously Condition E.5 of Resolution R-99-2251, Petition EAC87-024(H))

6. Condition E.8 of Resolution R-97-I 1, Petition 87-24(G) was deleted by R-99-2251.
7. **In order to comply with the mandatory traffic performance standards the petitioner shall be restricted to the following:**
 - a. **50% of the building permits for the remaining unbuilt structures of Zoning Petition No. 87-24(C) identified in the November 1988 applicants Traffic Impact Analysis may be pulled after January 1, 1989. Certificates of occupancy for those structures may be received after July 1, 1989.**
 - b. **The remaining 50% of the unbuilt structures may not be eligible for building permits until all construction has begun (4 lane median divided section) for: 1) Lantana Road from Hagen Ranch Road to Jog Road; 2) Jog Road from Melaleuca Lane to Lantana Road. [COMPLETE] (Previously Condition E.7 of Resolution R-99-2251, Petition EAC87-024(H))**

F. HEALTH

1. **Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works, are constructed and used by project tenants or owners generating such effluents.** (ONGOING: HEALTH/CODE ENF) (Previously Condition D. 1 of Resolution R-99-2251, Petition EAC87-024(H))
2. **No building permit shall be issued for the subject property until such a time that the site is connected to a public sewer system.** (ONGOING: HEALTH/CODE ENF) (Previously Condition D.2 of Resolution R-99-2251, Petition EAC87-024(H))
3. **There shall be no repair, oil change, car wash or maintenance of mechanical equipment conducted on the property until the facility is connected to the public water and sewer system.** (ONGOING: HEALTH/CODE ENF) (Previously Condition 0.3 of Resolution R-99-2251, Petition EAC87-024(H))
4. **Since sewer and water service are available to the property, neither septic tank or well shall be approved for use on the property.** (ONGOING: HEALTH/CODE ENF) (Previously Condition D.4 of Resolution R-99-2251, Petition EAC87-024(H))

G. LANDSCAPE FOR COMMUNICATION TOWER ONLY

1. **The petitioner shall provide a minimum ten (10) foot wide Alternative 3 landscape buffer around the tower lease parcel, except as permitted in Section 6.4.D.22.h. (Communication Tower/Landscape and Buffering) of the ULDC.** (DRC: LANDSCAPE - Zoning) (Previously Condition F.I of Resolution R-99-2251, Petition EAC87-024(H))

2. **Canopy trees shall be planted twenty (20) feet on center around the tower lease parcel in the landscape buffer. (CO: LANDSCAPE - Zoning) (Previously Condition F.2 of Resolution R-99-2251, Petition EAC87-024(H))**

H. LANDSCAPING - STANDARD

1. **All new and replacement canopy 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: 2.5 inches measured 3 feet above grade;**
 - c. **Canopy diameter: six (6) 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 feet in length; and,**
 - d. **Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previously Condition G.I of Resolution R-99-2251, Petition EAC87-024(H))**
2. **All new and replacement 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) (Previously Condition G.2 of Resolution R-99-2251, Petition EAC87-024(H))**
3. **A group of three (3) or more palm or pine trees may not supersede the requirement for canopy tree in that location, unless specified herein. (CO: LANDSCAPE - Zoning) (Previously Condition G.3 of Resolution R-99-2251, Petition EAC87-024(H))**
4. **Credit may be given for existing or relocated trees and native understory provided they meet current ULDC standards pursuant to Section 7.3.E. (CO: LANDSCAPE - Zoning) (Previously Condition G.4 of Resolution R-99-2251, Petition EAC87-024(H))**
5. **Prior to April 1st, 2000, the petitioner shall submit a landscape plan approved by the landscape inspector for the entire site to the Public Hearing Section, Zoning Division. (DATE: LANDSCAPE - Zoning) (Previously Condition G.5 of Resolution R-99-2251, Petition EAC87-024(H))**
6. **Prior to May 1st, 2000, the petitioner shall replace any dead, damaged or missing plant materials in the developed portions of the site. (DATE: LANDSCAPE - Zoning) (Previously Condition G.6 of Resolution R-99-2251, Petition EAC87-024(H))**

I. LANDSCAPING - INTERIOR (AFFECTED AREA PETITIONS 87-024(H) AND 87-024(G))

1. **A minimum of one (1) landscape island shall be provided for every ten (10) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred (100) linear feet. (DRC: ZONING) (Previously Condition H. 1 of Resolution R-99-2251, Petition EAC87-024(H))**
2. **Landscaped divider medians shall be provided between all rows of abutting parking. The minimum width of this median shall be ten (10) feet. One tree and appropriate ground cover shall be planted for each thirty (30) linear feet of the divider median, with a maximum tree spacing of sixty (60) feet on center. (DRC: ZONING) (Previously Condition H.2 of Resolution R-99-2251, Petition EAC87-024(H))**
3. **Foundation planting or grade level planters shall be provided along the front and side facades of all 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) (Previously Condition H.3 of Resolution R-99-2251, Petition EAC87-024(H))**

J. LAKE WORTH DRAINAGE DISTRICT

1. **The petitioner shall convey to the Lake Worth Drainage District the south 25 feet of the subject property for the required right-of-way for Lateral Canal No. 16, by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of the approval of the Resolution approving this project. (Previously Condition 1.1 of Resolution R-99-2251, Petition EAC87-024(H))**

K. LIGHTING

1. **All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, minimum necessary to satisfy the Palm Beach County Security Code, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BLDG/CODE ENF - Zoning) (Previously Condition J.I of Resolution R-99-2251, Petition EAC87-024(H))**
2. **All outdoor lighting fixtures for the affected area shall not exceed twenty five (25) feet in height, measured from finished grade to highest point. (CO: BLDG - Zoning) (Previously Condition J.2 of Resolution R-99-2251, Petition EAC87-024(H))**

L. SELF SERVICE STORAGE FACILITY- OUTSIDE STORAGE AREA

1. **Petitioner shall install an eight (8) foot high masonry screen panel wall along the overall project's south property line. (CO: LANDSCAPE)**

2. Petitioner shall install a six (6) foot high black vinyl coated chain link fence around the perimeter of the outside storage area. (DRC: ZONING)
3. Repair or maintenance of vehicles and storage of disassembled vehicles and parts shall not be permitted in the outdoor storage area. (ONGOING: CODE ENF - Zoning)

M. SIGNS

1. **No point of purchase or freestanding signs shall be permitted on the lease parcel or parent tract identifying the commercial communication tower or users.** (CO: BLDG -Zoning) (Previously Condition K. 1 of Resolution R-99-2251, Petition EAC87-024(H))
2. **No additional new signs shall be permitted. Replacement of existing freestanding point of purchase signs fronting on Lantana Road 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 - three (3); and**
 - d. **Style - monument style only.** (CO: BLDG) (Previously Condition K.2 of Resolution R-99-2251, Petition EAC87-024(H))
3. Condition K.3 of Resolution R-99-2251, Petition EAC87-024(H) which currently states:

No off-premise signs or relocated billboards shall be permitted on the site. (ONGOING/DRC: CODE ENF/ZONING)

Is hereby deleted. [REASON: Subject to ULDC Requirements.]

N. SWA

1. **The property owner shall participate in a recycling program when available in the area. The program shall include paper, plastic, metal and glass products as programs are available.** (Previously Condition L.I of Resolution R-99-2251, Petition EAC87-024(H))

O. TOWER

1. **Palm Beach County and the State of Florida shall have the right to co-locate communication equipment on the tower, subject to an acceptable lease agreement, provided that the placement of the equipment does not interfere with the petitioner's equipment or operations.** (ONGOING: PREM) (Previously Condition M.I of Resolution R-99-2251, Petition EAC87-624(H))
2. **Prior to site plan certification by the DRC, the petitioner shall comply with the shared use provisions of the ULDC, Section 6.4.D.22.k. (shared use), as may be amended. Additional square footage on the site of the tower approval, to accommodate additional unmanned users only, may be permitted administratively subject to approval by the DRC.** (DRC: ZONING) (Previously Condition M.2 of Resolution R-99-2251, Petition EAC87-624(H))

3. **Prior to site plan certification, the petitioner shall provide documentation that the tower does not encroach into any public or private airport runway protection zone as established by the Federal Aviation Administration. This documentation shall be approved by the Palm Beach County Department of Airports. (DRC: AIRPORTS) (Previously Condition M.3 of Resolution R-99-2251, Petition EAC87-024(H))**
4. **The communication tower shall be limited to a maximum 100 foot high self support or monopole structure, measured from finished grade to highest point. (DRC: ZONING - Bldg) (Previously Condition M.4 of Resolution R-99-2251, Petition EAC87-024(H))**
5. **The minimum rear setback for the tower shall be one hundred and fifty (150) feet from the south property line. (DRC: ZONING - Bldg) (Previously Condition M.5 of Resolution R-99-2251, Petition EAC87-024(H))**

P. UNITY

1. **Prior to site plan certification, the petitioner shall submit a copy of the executed Unity of Title for inclusion into the official zoning file. (DRC: ZONING - Co Att) (Previously Condition N. 1 of Resolution R-99-2251, Petition EAC87-024(H))**
2. **Prior to any further site plan certification the property owner shall record a Unity of Title covering the entire site for Zoning Petition 87-24(E), and all subsequent amendments. The Executive Director of Planning, Zoning and Building shall have authority to break the Unity of Title should the property owner desire to subdivide this parcel. Any subsequent subdivision of this subject property shall meet all provisions of Palm Beach County's Subdivision and Required Improvements Regulations and all applicable regulations and ordinances. (DRC: ZONING-Co Att) (Previously Condition N.2 of Resolution R-99-2251, Petition EAC87-024(H))**

Q. USE LIMITATIONS

1. **No retail sales shall be permitted in the office-warehouse combination. (ONGOING: CODE ENF -Zoning) (Previously Condition 0.1 of Resolution R-99-2251, Petition EAC87-024(H))**
2. **No stock loading or dumpster pickup except for Building 13-16 (Palm Beach Post Building) will be permitted between the hours of 8:00 P.M. and 8:00 A.M. (ONGOING: CODE ENF -Zoning) (Previously Condition 0.2 of Resolution R-99-2251, Petition EAC87-024(H))**
3. **The existing well drilling use shall be discontinued upon expiration of the existing lease for the well drilling company. (ONGOING: CODE ENF -Zoning) (Previously Condition 0.3 of Resolution R-99-2251, Petition EAC87-024(H))**
4. **Vehicle parking shall be limited to the parking spaces designated on the approved site plan. No parking of vehicles shall be permitted in landscape areas, rights-of-ways or interior drives. (ONGOING: CODE ENF - Zoning) (Previously Condition 0.4 of Resolution R-99-2251, Petition EAC87-024(H))**

5. **There shall be no outside storage of disassembled or inoperative vehicles or parts thereof on site.** (ONGOING: CODE ENF - Zoning) (Previously Condition 0.5 of Resolution R-99-2251, Petition EAC87-024(H))
6. **There shall be no outdoor repair of vehicles.** (ONGOING: CODE ENF - Zoning) (Previously Condition 0.6 of Resolution R-99-2251, Petition EAC87-624(H))
7. **No outdoor loudspeaker system shall be permitted on site.** (ONGOING: CODE ENF - Zoning) (Previously Condition 0.7 of Resolution R-99-2251, Petition EAC87-024(H))

R. 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) (Previously Condition P.1 of Resolution R-99-2251, Petition EAC87-624(H))
2. Condition P.2 of Resolution R-99-2251, Petition EAC87-024(H) 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
- 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 the Code Enforcement Division 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)