

RESOLUTION NO. R-2002- 1235

RESOLUTION APPROVING ZONING PETITION CA1984-094A  
CLASS A CONDITIONAL USE  
PETITION OF RB GRAVES AND SON INC.  
BY KENNETH H. KRUGER, P.E., AGENT  
(OKEECHOBEE MOBILE)

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, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the Board of County Commissioners, pursuant to Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended) is authorized and empowered to consider, approve, approve with conditions or deny Class A Conditional Uses; 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 CA1984-094A was presented to the Board of County Commissioners at a public hearing conducted on July 25, 2002; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendations of the Zoning Commission; 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 (ULDC) 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 Class A Conditional Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Class A conditional Use complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Unified Land Development Code.
3. This Class A Conditional Use is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Class A Conditional Use, 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 Class A Conditional Use, 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.
6. This Class A Conditional Use meets applicable local land development regulations.

7. This Class A Conditional Use, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Class A Conditional Use has a concurrency determination and complies with Article 11, Adequate Public Facility Standards of the ULDC.
9. This Class A Conditional Use, 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 Class A Conditional Use, 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 CA1984-094A, the petition of RB Graves and Son Inc., by Kenneth H. Kruger, agent, for a Class A Conditional Use to allow a convenience store with gas sales and an accessory car wash facility in the General Commercial Zoning District, 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 as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on July 25, 2002, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner McCarty moved for the approval of the Resolution.

The motion was seconded by Commissioner Greene 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	Absent
Addie L. Greene	Aye

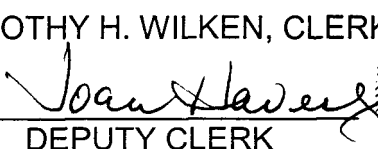
The Chair thereupon declared that the resolution was duly passed and adopted on July 25, 2002.

Filed with the Clerk of the Board of County Commissioners on 21 day of August, 2002.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK  
BY:   
DEPUTY CLERK

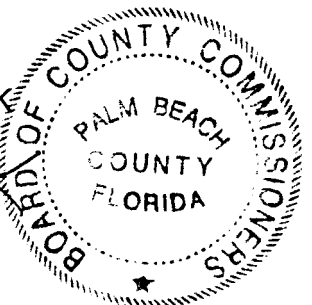


EXHIBIT A

LEGAL DESCRIPTION

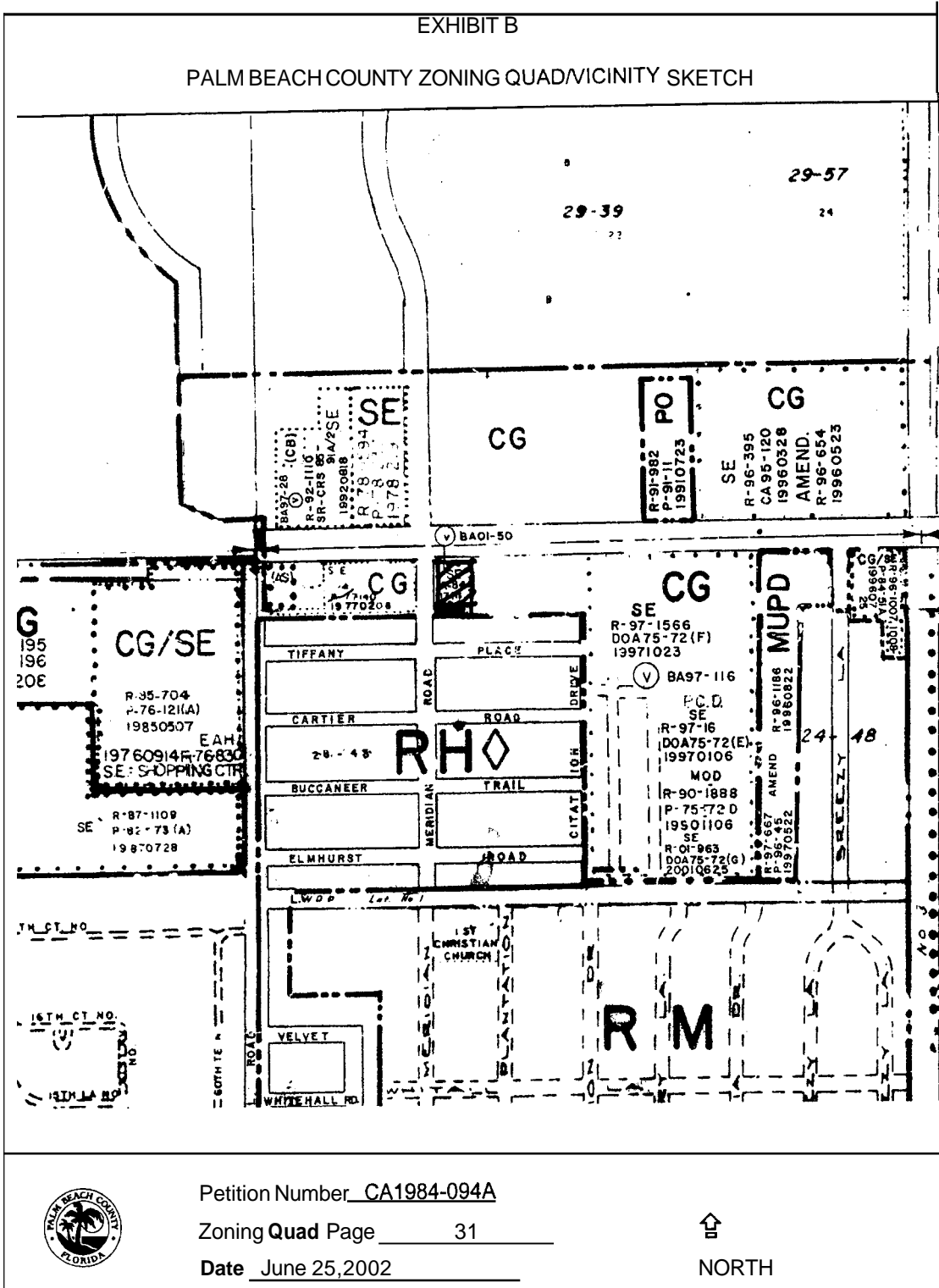
A TRACT OF LAND LYING IN THE NORTHWEST ONE-QUARTER OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST IN PALM BEACH COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 26; THENCE RUN N.89°49'45"E., ALONG THE NORTHERLY BOUNDARY OF SECTION 26, 674.49 FEET TO A POINT OF INTERSECTION WITH THE CENTER- LINE OF MERIDIAN ROAD; THENCE CONTINUE N.89°49'45"E., ALONG SAID SECTION LINE, 230.00 FEET TO A POINT, THENCE S.00°01'40"E., 39.00 FEET TO A POINT OF INTERSECTION WITH THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD, AND ALSO THE POINT OF BEGINNING; THENCE CONTINUE S.00°01'40"E., 198.00 FEET TO A POINT; THENCE S.89°49'45"W., 200.00 FEET TO A POINT OF INTERSECTION WITH THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF MERIDIAN ROAD; THENCE N.00°01'40"W., ALONG SAID EASTERLY LINE, 173.06 FEET TO A POINT OF CURVE, CONCAVE TO THE SOUTHEASTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE, 39.21 FEET, THROUGH A CENTRAL ANGLE OF 89°51'25", TO THE END OF SAID CURVE AND TO A POINT ON THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD; THENCE N.89°49'45"E., ALONG SAID SOUTHERLY LINE 175.06 FEET TO THE POINT OF BEGINNING. LESS THAT PORTION FOR ROAD RIGHT-OF-WAY RECORDED IN O.R. BOOK 4451, PAGE 1957, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS:

A PORTION OF THE NORTH 198 FEET OF THE EAST 200 FEET OF A PORTION OF "NOT INCLUDED" PARCEL BETWEEN MERIDIAN ROAD AND CITATION DRIVE AS SHOWN ON PLAT NO. 2 OF "PLANTATION MOBILE HOMES ESTATES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28 AT PAGE 43, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE N.W. CORNER OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST; THENCE RUN N.89°49'45"E., ALONG THE NORTH LINE OF SAID SECTION 26 FOR A DISTANCE OF 674.49 FEET TO A POINT OF INTERSECTION WITH THE CENTER LINE OF MERIDIAN ROAD; THENCE CONTINUE N.89°49'45"E., ALONG SAID SECTION 26 FOR A DISTANCE OF 230 FEET TO A POINT; THENCE RUN S.00°01'40"E., FOR A DISTANCE OF 39 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN CONVEYED; THENCE CONTINUE S.00°01'40"E., FOR 10.00 FEET TO A POINT; THENCE RUN S.89°49'45"W., PARALLEL TO THE NORTH LINE OF SECTION 26 FOR A DISTANCE OF 165.06 FEET TO A POINT OF CURVE; THENCE RUN SOUTHWESTERLY ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 89°51'25" FOR AN ARC DISTANCE OF 39.21 FEET TO A POINT OF TANGENCY WITH A LINE THAT IS 40 FEET EAST OF AND PARALLEL WITH THE CENTER LINE OF MERIDIAN ROAD; THENCE RUN S.00°01'40"E., PARALLEL TO THE CENTER LINE OF MERIDIAN ROAD FOR 163.06 FEET TO A POINT; THENCE RUN S.89°49'45"W., FOR 10 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MERIDIAN ROAD; THENCE RUN N.00°01'49"W., PARALLEL TO THE CENTER LINE OF MERIDIAN ROAD FOR 173.06 FEET TO A POINT OF CURVE; THENCE RUN NORTHEASTERLY ALONG SAID CIRCULAR CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25 FEET AND CENTRAL ANGLE OF 89°51'25" FOR AN ARC DISTANCE OF 39.21 FEET TO A POINT OF TANGENCY WITH A LINE THAT IS 39 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 26; THENCE RUN N.89°49'45"E., FOR 175.06 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

NOTE: All previous conditions of approval are shown in **BOLD** and will be carried forward with this petition unless expressly modified.

#### A. ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolution R-84-1314 (Petition 1984-094) 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. 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 June 6, 2002. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING)
3. Condition 1 of Resolution R-84-1314, Petition 1884-094 which currently states:  
  
Prior to certification of the site plan by site Plan Review committee, the site plan shall be amended to reflect:
  - a. The required parking and landscaping placed outside of the right -of-way.
  - b. A six-foot high solid masonry wall along the southern property line of the site.  
Is hereby deleted. Reason: [Site plan has been revised under current request, and the wall has been constructed].
4. Condition 7 of Resolution R-84-1314, Petition 84-94 which currently states:  
  
Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.  
  
Is hereby deleted. Reason:[code requirement].
5. Condition 8 of Resolution R-84-1314, Petition 84-94 which currently states:  
  
Reason measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.  
  
Is hereby deleted. Reason:[code requirement].
6. Prior to final DRC certification of the site plan, the proposed carwash shall be revised to comply with the accessory use regulations of the ULDC. (DRC: ZONING -Zoning)

B. ARCHITECTURAL CONTROL

1. At time of submittal for final DRC certification, the architectural elevations shall be submitted for final architectural review and approval. Elevations and the site plan shall be designed to be consistent with Sec. 6.6.E and 6.6.C of the ULDC. Development shall be consistent with the approved architectural elevations and DRC certified site plan. (DRC: ARCH REVIEW - Zoning)
2. Prior to final DRC certification of the site plan, revised exterior elevations shall be reviewed and approved by Architectural Review Section of the Zoning Division. Revised elevations shall include but not limited to the following:
  - a. All structures and accessory buildings shall include unified architectural character and image by use of common elements such as consistent architectural features, colors, materials and details;
  - b. Revised side/(East and West) elevations shall incorporate vertical façade treatment;
  - c. All mechanical and electrical equipment, including satellite dishes, shall be screened from view on all sides by the parapet or roof treatment, consistent with the color, character and architectural style of the principal;
  - d. Design of gutters and downspouts shall be integrated into the architectural design of the building. Painting of the gutters and downspout shall not constitute architectural integration. (DRC: ARCH REVIEW - Zoning)
3. Gas station canopies shall be designed consistent with the following standards:
  - a. a maximum height of twenty-five (25) feet. If a pitched roof is used, the roof shall have a minimum slope of 5:12. No flat roof shall be permitted;
  - b. the clearance of the canopy shall be a maximum of sixteen (16) feet, measured from finished grade to the underside of the canopy;
  - c. lighting for the gas station canopy shall be flush mounted or recessed; and,
  - d. canopy signage shall be limited to a maximum of one (1) canopy sign per right-of-way frontage with a maximum height of twenty-four (24) inches. (BLDG PERMIT/CO: BLDG - Zoning)

C. HEALTH

1. **The underground fuel storage tanks shall be installed to provide maximum protection against leakage or spillage due to corrosion, breakage, structural failure, or other means. Acceptable designs for tank construction include catholically protected steel, glass fiber and installation plans will be submitted to the Health department for approval prior to installation.** (BLDG: HEALTH- HEALTH) (Previous Condition 9 of Resolution R-84-1314, Petition 84-94)

D. LANDSCAPING - STANDARD

1. Fifty-percent (50%) of trees to be planted in the perimeter buffer shall be native canopy trees and meet the following minimum standards at installation:
  - a. Tree height: Fourteen (14) feet. Sixteen (16) feet for the north property line per Board of Adjustment condition 7.;

- b. Trunk diameter: 3.5 inches measured at 4.5 feet above grade;
  - c. Canopy diameter: Seven (7) feet – diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of 3.5 feet in length;
  - d. Credit may be given for existing or relocated trees provided they meet ULDC requirements. (CO: LANDSCAPE – Zoning)
2. All palms required to be planted on site by this approval shall meet the following minimum standards at installation:
- a. Palm heights: twelve (12) feet clear trunk;
  - b. Clusters: staggered heights twelve (12) to eighteen (18) feet; and,
  - c. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)
3. All shrub or hedge material shall be planted in continuous masses consisting of a minimum of two (2) or three (3) varying heights, Shrub materials shall be continuously maintained to achieve the following heights:
- a. eighteen (18) to twenty-four (24) inches – groundcover and small shrub;
  - b. twenty-four (24) to thirty-six (36) inches – medium shrub;
  - c. forty-eight (48) to seventy-two (72) inches – large shrub; and,
  - d. This condition does not apply to the five (5) foot wide buffer. (CO: LANDSCAPE – Zoning)
4. All trees, palms and shrub/hedge material shall be planted in a meandering and naturalistic pattern. (CO: LANDSCAPE - Zoning)

E. ENGINEERING

1. Condition 2 of Resolution R-84-1314, Petition 84-94 which currently states:

The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.

Is hereby deleted. Reason: Code requirement.

2. The property owner shall convey for the ultimate right-of-way of:

- a. Okeechobee Boulevard, 70% feet form centerline and;
- b. Meridian Road, 40 feet for centerline.

All conveyances shall be made within 90% days of approval and must be accepted by, Palm Beach County prior to issuance of the first Building Permit. (Previous Condition 3 of Resolution R-84-1314, Petition 84-94) COMPLETE

3. The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the county Engineer a left turn lane, south approach on Meridian Road at Okeechobee Boulevard. (Previous Condition 4 of Resolution R-84-1314, Petition 84-94) COMPLETE

4. Condition 4 of Resolution R-84-1314, Petition 84-94 which currently states:

**The developer shall be permitted only one turnout onto Meridian Road, per the County Engineer's approval.**

Is hereby deleted. Reason: Entrances are controlled by approved site plan.

5. Condition 6 of Resolution R-84-1314, Petition 84-94 which currently states:

**The developer shall pay a fair share fee in the amount and manner required by "The Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may form time to time by amended. Presently The Fair Share Fee for this amount shall be credited toward the increased Fair Share Fee.**

**If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share fee this amount shall be credited toward the increased Fair Share Fee.**

Is hereby deleted. Reason: Impact fees are code requirement.

6. 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 "Corner Clips" at the intersection of Okeechobee Boulevard and Meridian Road. 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)

7. CUTOUT LANDSCAPE STRIPS WITHIN THE CONCRETE MEDIAN OF OKEECHOBEE BOULEVARD RIGHT OF WAY

- A. Prior to issuance of a building permit, 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 Okeechobee Boulevard Right-of-way contiguous to the frontage. This permit, to be completed by the property owner, shall name Palm Beach County as the applicant. 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. When landscape cutouts are permitted by the Florida Department of Transportation, landscaping shall, consist of Landscape Material approved by the County Engineer. 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. 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 Cutting out or removing the existing concrete median as well as the cost of the Landscape material shall be funded at the property owners expense. 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 a certificate of occupancy. (CO: MONITORING-Eng)

C. If the County does not assume maintenance responsibility, then appropriate property owner's 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. (BLDG PERMIT: MONITORING-Eng)

D. The property owner may fulfill this Condition by opting to participate in the County's OTIS Program (Only Trees, Irrigation and Sod) as administered by the County Engineer. (ENGINEERING)

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

No Building Permits for the site may be issued after July 1, 2003. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Section 5.8 of the Unified Land Development Code. (DATE: MONITORING-Eng)

F. LANDSCAPING ALONG THE NORTH AND WEST PROPERTY LINES  
(FRONTAGE OF OKEECHOBEE BOULEVARD AND MERIDIAN ROAD)

1. Landscaping and buffering along the north and west property lines shall be upgraded to include:

- a. a minimum ten (10) foot wide landscape buffer strip on the north property line, and a minimum of fifteen (15) foot wide landscape buffer strip on the west property line;
- b. one (1) canopy tree planted for each twenty (20) feet of the property line;
- c. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; and,
- d. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- e. one (1) medium native shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of thirty-six (36) inches at installation. (CO: LANDSCAPE-Zoning)

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

1. Landscaping and buffering along the south property line shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip;

- b. decorative pilasters, thirty (30) feet on center, shall be provided on the south side of the existing wall. Decorative pilasters shall be extended two (2) feet above the height of the existing wall with a wall cap feature. Decorative wall treatment shall be designed to be consistent with the colors, character and architectural features of the principal structure. (DRC:ARCH REVIEW-Zoning)
- 2. The following landscaping requirements shall be installed on the exterior side of the required wall:
  - a. One (1) vine shall be planted every ten (10) feet on center for the entire length of the wall;
  - b. Vine shall be supported by a custom made trellis. Prior to final DRC certification of the site plan, detail of the trellis shall be submitted to the Landscape Section, Zoning Division for approval. (CO: LANDSCAPE-Zoning)
- 3. The following landscaping requirements shall be installed on the interior side of the required wall:
  - a. one (1) canopy tree for each twenty (20) feet of property line;
  - b. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; and,
  - c. one (1) shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of thirty-six (36) inches at installation. Shrub shall be maintained to a minimum height of forty-eight (48) inches at maturity. (CO:LANDSCAPE-Zoning)
- 4. Prior to final DRC certification of the site plan, the petitioner shall provide the required width of this buffer as per Condition G.H.1.a, and indicate it on the site plan, or obtain approval from the Board of Adjustment in width reduction to five (5) feet. (DRC/CO: B of A/LANDSCAPE-Zoning)

H. LIGHTING

- 1. All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy the Palm Beach County Security Code, low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BLDG/CODE ENF - Zoning)
- 2. All outdoor, freestanding lighting fixtures shall not exceed thirty (30) feet in height measured from finished grade to highest point. (CO: BLDG - Zoning)
- 3. All outdoor, freestanding lighting fixtures be setback thirty (30) feet from the south property line. (CO: BLDG - Zoning)
- 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)

I. PLANNING

- 1. Prior to final certification of the site plan by the Development Review Committee, the site plan shall include a notation indicating cross access to the parcel to the east of the site as noted on the site plan dated June 6, 2002 as "existing cross access to remain". (DRC:PLANNING-Planning)

J. SIGNS

1. Should the existing sign, which is located on Okeechobee Boulevard be removed, replaced or relocated, the new freestanding point of purchase signs shall be limited as follows:
  - a. maximum sign height, measured from finished grade to highest point - twelve (12) feet;
  - b. maximum sign face area per side – one hundred (100) square feet;
  - c. maximum number of signs - one (1) sign for the entire site;
  - d. style - monument style only; and,
  - e. location – within fifty (50) feet of the eastern access point of Okeechobee Boulevard;
  - f. Signs shall be limited to identification of tenant and gas sale prices only. (CO: BLDG-Zoning)
2. Wall signs shall be limited to northern facade of the building and individual lettering size shall be limited to twenty-four (24) inches high. Wall signs shall be limited to identification of tenant only. (CO: BLDG-Zoning)
3. No signs shall be permitted on the gas canopy, or any facades of the car wash facility and no freestanding signs shall be permitted on Meridian Road. (CO: BLDG-Zoning)

K. USE LIMITATIONS

1. The convenience store with gas sales shall be limited to a maximum of ten (10) fueling stations. (DRC: ZONING-Zoning)
2. Condition 10 of Resolution R-84-1314, Petition 84-94 which currently states:

**There shall be no outdoor storage or display of materials or supplies.**

Is hereby amended to read:

Storage or placement of any material, refuse, equipment or debris shall not be permitted in the rear or side of the facility, except in the enclosed dumpster area as shown on the site plan dated June 6, 2002. (ONGOING: CODE ENF - Zoning)

3. Repair or maintenance of vehicles shall not be permitted on site. (ONGOING: CODE ENF - Zoning)
4. Outdoor retail business activities (except for gas sales) shall not be allowed on site, excluding deliveries only. (ONGOING: CODE ENF - Zoning)
5. Parking of delivery vehicles or trucks shall not be permitted on site except within the designated loading space as shown on the site plan dated June 6, 2002. (ONGOING: CODE ENF-Zoning)
6. The storage of rental trucks/trailers or outside vendors shall not be permitted on the property. (ONGOING: CODE ENF-Zoning)

L. 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; revocation of any concurrency; and/or
  - b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
  - c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
  - d. Referral to code enforcement; and/or
  - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (ONGOING:MONITORING-Zoning)