

RESOLUTION NO. R-93- 2

RESOLUTION APPROVING ZONING PETITION **R81-115(C)**
REQUESTED (R) USE
PETITION OF HEALTH CARE AND RETIREMENT CORP.

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 6, Section 6.8 (Planned Development District Regulations) of the Palm Beach County Land Development Code (Ordinance 92-20) is authorized and empowered to approve, approve with conditions or deny Requested Uses within a Planned Development District; and

WHEREAS, the notice and hearing requirements, as provided for in Article 6, Section 6.8, of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, Zoning Petition **R81-115(C)** was presented to the Board of County Commissioners at a public hearing conducted on January 4, 1993; 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 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 Requested Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Requested Use is consistent with the requirements of the Palm Beach County Land Development Code.
3. This Requested Use is consistent with all requirements of Article 6, Section 6.8 (Planned Development District Regulations) of the Palm Beach County Land Development Code, Ordinance 92-20.
4. This Requested Use is consistent with all other applicable local land development regulations.

WHEREAS, Article 6, Section 6.8, of the Palm Beach County 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 R81-115(C), the petition of HEALTH CARE AND RETIREMENT CORP., by DENNIS KOEHLER, ESQ., AGENT for a REQUESTED USE allowing a NURSING/CONVALESCENT FACILITY (120 BEDS MAXIMUM) in the GENERAL COMMERCIAL (CG) 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 January 4, 1993, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts 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:

Mary McCarty, Chair	--	AYE
Burt Aaronson	--	AYE
Ken Foster	--	ABSENT
Maude Ford Lee	--	AYE
Karen T. Marcus	--	AYE
Warren Newell	--	ABSTAINING
Carol A. Roberts	--	AYE


The Chair thereupon declared that the resolution was duly passed and adopted this 4th day of January, 1993.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: *Barbara Patton*
COUNTY ATTORNEY

BY: *Jim M. Blair*
DEPUTY CLERK.

The seal of Palm Beach County, Florida, is circular with a dotted border. The text "PALM BEACH COUNTY" is written around the top inner edge, and "FLORIDA" is at the bottom. In the center, there is a smaller circular emblem with a palm tree and the words "1911" and "1909".

FILE:H:\WPDATA\PROD\RESO\R81-115C.RES

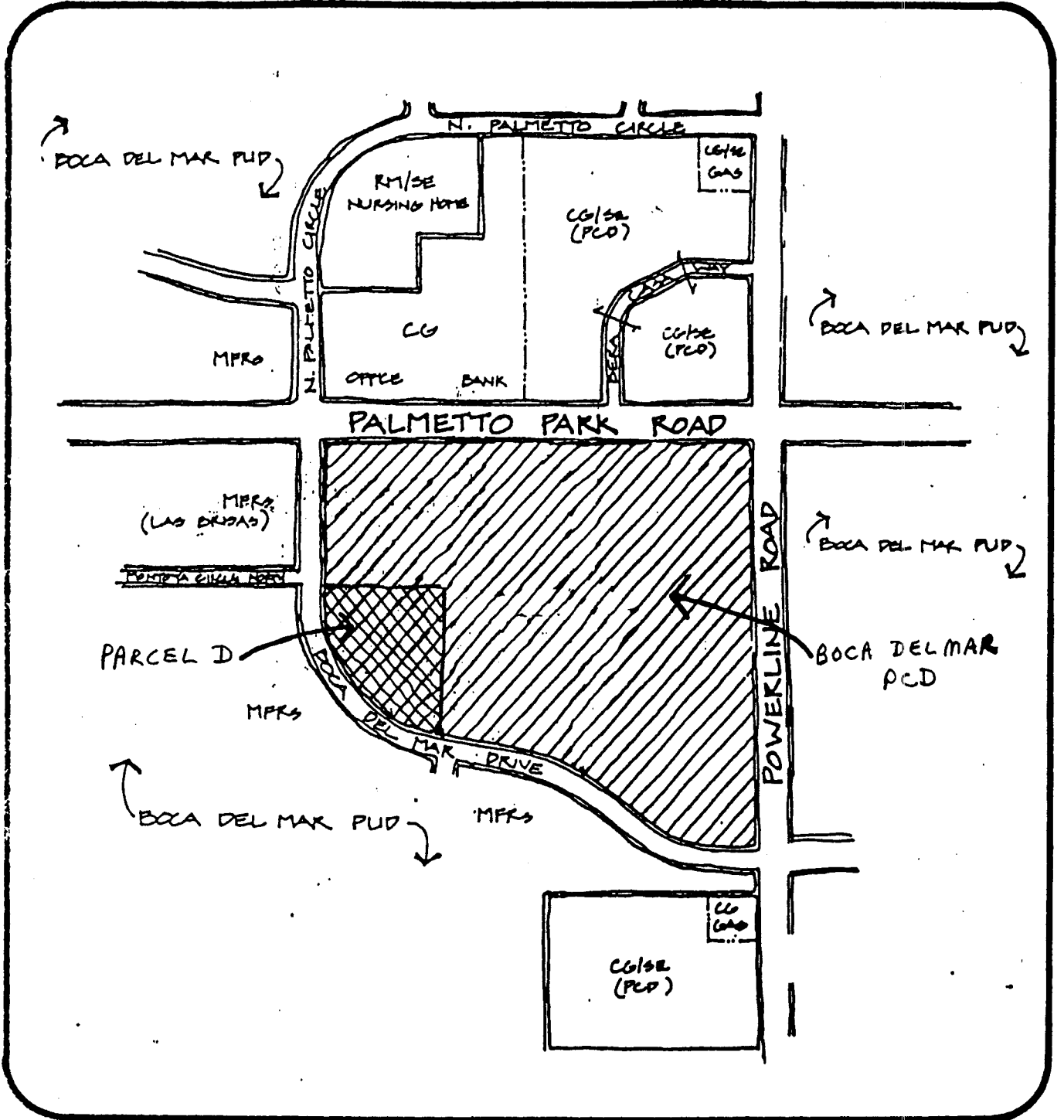
EXHIBIT A

LEGAL DESCRIPTION FOR PETITION NO. 81-115(C)

A PARCEL OF LAND BEING A PORTION OF TRACT 21, BOCA DEL MAR NO. 6 AS RECORDED IN PLAT BOOK 30, PAGES 142 AND 143, IN SECTION 28, TOWNSHIP 47 SOUTH, RANGE 42 EAST; COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 21; THENCE WITH A BEARING OF **N89°50'07"E** ALONG THE NORTH LINE OF TRACT 21, A DISTANCE OF 575.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WITH A BEARING OF **N89°50'07"E** ALONG SAID NORTH LINE OF TRACT 21, A DISTANCE OF 709.63 FEET TO A POINT; THENCE WITH A BEARING OF **S01°03'02"E**, A DISTANCE OF 420.00 FEET TO A POINT; THENCE WITH A BEARING OF **S46°03'02"E**, A DISTANCE OF 267.35 FEET TO A POINT; THENCE WITH A BEARING OF **N88°56'58"E**, A DISTANCE OF 44.00 FEET TO A POINT; THENCE WITH A BEARING OF **S35°27'47"W**, A DISTANCE OF 329.71 FEET TO A POINT; THENCE WITH A BEARING OF **S09°13'58"W**, A DISTANCE OF 230.00 FEET TO A POINT LYING ON A CURVE CONCAVE TO THE SOUTH, BEING COINCIDENT WITH THE SOUTHERLY BOUNDARY OF TRACT 21; THENCE ALONG SAID CURVE HAVING AN INITIAL TANGENT BEARING OF **N80°46'02"W**, A RADIUS OF 1,677.02 FEET, AN ARC LENGTH OF 460.73 FEET TO A POINT OF TANGENCY; THENCE WITH A BEARING OF **S83°50'00"W**, A DISTANCE OF 89.79 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1,597.02 FEET, AN ARC LENGTH OF 155.31 FEET TO A POINT, THE LAST THREE COURSES BEING COINCIDENT WITH THE SOUTHERLY BOUNDARY OF TRACT 21; THENCE WITH A BEARING OF **N00°10'00"W**, A DISTANCE OF 125.00 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 49.84 FEET TO A POINT OF REVERSE CURVATURE; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 375.00 FEET, AN ARC LENGTH OF 204.96 FEET TO A POINT OF TANGENCY; THENCE WITH A BEARING OF **N15°09'53"W**, A DISTANCE OF 125.05 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 225.00 FEET, AN ARC LENGTH OF 117.81 FEET TO A POINT OF REVERSE CURVATURE; THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 620.00 FEET, AN ARC LENGTH OF 324.63 FEET TO A POINT OF REVERSE CURVATURE; THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 45.81 FEET TO A POINT OF TANGENCY; THENCE WITH A BEARING OF **N00°09'53"W**, A DISTANCE OF 125.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Sec. 21 Twp. 47 Rng. 42
Quadrant Sheet: 54
Aerial Page: 419

Vicinity Sketch



Request: A Requested Use for a Nursing, Convalescent Facility (120 beds).

EXHIBIT C

CONDITIONS OF APPROVAL

A. STANDARD CONDITIONS

1. Condition No. A.1 of Resolution No. R-92-56, Petition No. 81-115(B), which currently states:

The petitioner shall comply with all previous conditions of approval, including original deadlines for Zoning Code Section 402.9 compliance, unless expressly modified herein.

Is hereby amended to read:

The petitioner shall comply with all previous conditions of approval, including original deadlines for Zoning Code Section 5.8 of the Palm Beach County Land Development Code, unless expressly modified herein. (ZONING/MONITORING)

2. Prior to site plan certification, the site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements of Palm Beach County. (Previously Condition No. A.2 of Resolution No. R-92-56, Petition No. 81-115(B)). (ZONING)
3. Condition No. A.3 of Resolution No. R-92-56, Petition No. 81-115(B)), which currently states:

Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners (Exhibit Nos. 65 and 66). Any modifications must be approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Zoning Code Section 402.7 (E)2(b) (Site Plan Review Committee Powers and Standards of Review) or required by the conditions of approval contained herein.

Is hereby deleted. [REASON: Code requirement.]

4. Condition No. A.4 of Resolution No. R-92-56, Petition No. 81-115(B), which currently states:

The petitioner shall submit an application to the Site Plan Review Committee for the certification of the site plan for Parcel B and for a revision to the overall site plan (Exhibit No. 3) prior to February 7, 1992.

Is hereby deleted. [REASON: Condition satisfied.]

B. BUILDING AND SITE DESIGN

1. All air conditioning and mechanical equipment shall be screened from view on all sides. (Previously Condition No. B.1 of Resolution No. R-92-56, Petition No. 81-115(B)). (ZONING-Building)
2. Prior to certification of the site plan for Parcel D, the petitioner shall provide the following:
 - a. The delineation of the required pedestrian/bikeway system integrated with the surrounding development.
 - b. Surrounding land uses. (ZONING)

C. DUMPSTER

1. All areas or receptacles for the storage and disposal of trash, garbage or vegetation, shall include the following:
 - a. Be concealed behind a solid enclosure. The open end of the enclosure shall have an obscuring, opaque gate.
 - b. All exterior sides of such enclosures, except the open end, shall be landscaped with thirty-six (36) inch high shrub and hedge material planted twenty-four (24) inches on center. (Previously Condition No. C.1 of Resolution No. R-92-56, Petition No. 81-115(B)). (ZONING-Building)

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. The site is dominated by mature Brazilian Pepper (*Schinus terebinthifolius*) with Australian Pine (*Casuarina* spp.) and mature Slash Pine (*Pinus elliotii*) as the principal species. The petitioner shall preserve the native slash pines to the greatest extent possible through incorporation into the site plan. (ERM)

E. ENGINEERING

1. Condition No. E.1 of Resolution No. R-92-56, Petition No. 81-115(B), which currently states:

The Developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain on-site the stormwater runoff generated by a 3 year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained, as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.

Is hereby deleted. [REASON: Code requirement.]

2. Condition No. E.2 of Resolution No. R-92-56, Petition No. 81-115(B), 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 at the time of the Building Permit presently is \$8,855.00 (161 trips X \$55.00 per trip).

Is hereby deleted. [REASON: Code requirement.]

3. Petitioner shall align the project's east entrance onto Palmetto Park road with the east entrance of Del Mar Shopping Village. (Previously Condition No. E.3 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING)

NOTE: Condition is currently satisfied.

4. Petitioner shall construct at the intersection of Palmetto Park Road and the project's east entrance:
 - a. left turn lane east approach. (Previously Condition No. E.4 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING)

NOTE: Condition is currently satisfied.

5. Petitioner shall construct at the intersection of Palmetto Park Road and the project's west entrance:
 - a. left turn lane east approach. (Previously Condition No. E.5 of Resolution No. R-92-56, Petition No. 81-115(B)) (ENGINEERING)

NOTE: Condition is currently satisfied.

6. Petitioner shall construct at the intersection of Palmetto Park Road and Boca Del Mar Drive:
 - a. left turn lane north approach,
 - b. right turn lane south approach, and
 - c. left turn lane east approach. (Previously Condition No. E.6 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING)

NOTE: Condition is currently satisfied.

7. Petitioner shall align the project's west entrance onto Boca Del Mar Drive with Montoya Circle South. (Previously Condition E.7 of Resolution R-92-56, Pet. 81-115(B) (ENG)

NOTE: Condition is currently satisfied.

8. Petitioner shall construct at the intersection of Montoya Circle South and Boca Del Mar Drive:
 - a. left turn lane west approach. (Previously Condition No. E.8 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING)

NOTE: Condition is currently satisfied.

9. Petitioner shall construct at the project's east entrance and Boca Del Mar Drive:
 - a. left turn lane west approach. (Previously Condition No. E.9 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING)

NOTE: Condition is currently satisfied.

10. Petitioner shall align the project's north entrance onto Boca Del Mar Drive with Montoya Circle South. (Previously Condition No. E.10 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING)

NOTE: Condition is currently satisfied.

11. Petitioner shall construct at the project's north entrance and Boca Del Mar Drive:
 - a. left turn lane north approach. (Previously Condition No. E.11 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING)

NOTE: Condition is currently satisfied.

12. Petitioner shall construct at the intersection of Boca Del Mar Drive and Powerline Road:
- a. left turn lane north approach,
 - b. left turn lane south approach,
 - c. right turn lane east approach,
 - d. left turn lane west approach, and
 - e. right turn lane west approach. (Previously Condition No. E.12 of Resolution No. R-92-56, Petition No. 81-115(B)), (ENGINEERING)

NOTE: Condition is currently satisfied.

13. Petitioner shall construct at the intersection of Powerline Road and the project's entrance road:
- a. right turn lane north approach, and
 - b. left turn lane south approach. (Previously Condition No. E.13 of Resolution No. R-92-56, Petition No. 81-115(B)), (ENGINEERING)

NOTE: Condition is currently satisfied.

14. Petitioner shall construct at the intersection of Palmetto Park Road and Powerline Road:
- a. right turn lane north approach,
 - b. dual left turn lanes north approach,
 - c. dual left turn lanes south approach,
 - d. dual left turn lanes east approach,
 - e. dual left turn lanes west approach, and
 - f. modification of the existing signal when warranted as determined by the County Engineer. (Previously Condition No. E.14 of Resolution No. R-92-56, Petition No. 81-115(B)), (ENGINEERING)

NOTE: Condition is currently satisfied.

15. Prior to the issuance of a certificate of occupancy for either Phase B (the shopping center) or Phase C (office complex) provide an additional two lane bridge over the Lake Worth Drainage District L-47 Canal on Powerline Road. Construction of this bridge shall commence 30 days after written notification by the County should the 4-laning of Powerline Road require it. (Previously Condition No. E.15 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING)

NOTE: Condition is currently satisfied.

16. Petitioner shall not be issued building permit; for Phases A (the financial plaza), Phase D (an office complex), or Phase E (the hotel/motel) until Powerline Road is four laned from the Hillsboro Canal north to the Lake Worth Drainage District L-47 Canal. (Previously Condition No. E.16 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING)

NOTE: Condition is currently satisfied.

17. Petitioner shall contribute Two Hundred Thousand Dollars (\$200,000) to be paid at the time of the issuance of building permits on a square footage basis for Phases A, D and E as indicated on Exhibit No. 3 for this petition. This fee to be used in the implementation for Phase II of the area wide major thoroughfare road improvement program adopted by the County, OR for the four-laning of the Hillsboro Canal bridge on Powerline Road, at the County Engineer's discretion. (Previously Condition No. E.17 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING-Impact Fee Coordinator)
18. Condition No. E.18 of Resolution No. R-92-56, Petition No. 81-115(B), which currently states:

The developer will take reasonable precautions during the development of this project to insure that the fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties. (Previously Condition No. 16 of Resolution No. R-81-296, Zoning Petition No. 81-115).

Is hereby deleted. [REASON: To formally delete condition No. E.18 inadvertently not deleted in Resolution No. R-92-56, Petition No. 81-115(B).]
19. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters. (Previously condition No. E.19 of Resolution No. R-92-56, Petition No. 81-115(B)). (ENGINEERING-Code Enforcement)
20. Petitioner shall provide for a pedestrian/bikeway system integrated with the surrounding development. (Previously Condition No. E.20 of Resolution No. R-92-56, Petition No. 81-115(B)) (ENGINEERING-Zoning)
21. Within thirty (30) days of this approval, the applicant shall enter into an agreement with Palm Beach County for the design and construction of roadway improvements as specified by the Board of County Commissioners. This resolution will become invalid unless said agreement is executed as specified above. (Previously Condition No. E.21 of Resolution No. R-92-56, Petition No. 81-115(B)) (ENGINEERING)

NOTE: Condition is currently satisfied.

F. HEALTH

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. (Previously Condition No. D.1 of Resolution No. R-92-56, Petition No. 81-115(B)) (HEALTH)
2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (Previously Condition No. D.2 of Resolution No. R-92-56, Petition No. 81-115(B)) (HEALTH)
3. Potable water and sewage disposal shall be provided by the City of Boca Raton. (HEALTH)

G. IRRIGATION QUALITY WATER

1. When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system. The cost for connection shall be borne by the property owner. (Previously Condition F.1 of Resolution No. R-92-56, Petition No. 81-115(B)) (UTILITIES)

H. LANDSCAPING - GENERAL (APPLICABLE TO PARCEL A ONLY)

1. Prior to site plan certification, the petitioner shall revise the landscape tabular data on the site plan to reflect conformance to Landscape Code requirements and all landscape conditions of approval. (Previously Condition No. G.1 of Resolution No. R-92-56, Petition No. 81-115(B)) (ZONING)

I. LANDSCAPING - GENERAL (APPLICABLE TO PARCEL D ONLY)

1. Prior to site plan certification, the petitioner shall provide tabular data on the site plan to reflect conformance to the landscape design standards for planned developments in Section 6.8.A.23.b.(7) (b) of the Palm Beach County Land Development Code and all landscape conditions of approval. (ZONING)
2. All 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. (ZONING)

J. LANDSCAPING ALONG BOCA DEL MAR DRIVE (PARCEL D ONLY)

1. Landscaping within the required buffer along Boca Del Mar Drive shall be installed pursuant to Section 6.8.A, Table 6.8-3, Type D perimeter landscape area of the Palm Beach County Land Development Code and shall be upgraded to include:
 - a. A minimum twenty (20) foot wide landscape buffer strip.
 - b. One (1) native canopy tree for every two hundred (200) square feet of landscape buffer area.
 - c. Thirty (30) inch high shrub or hedge material for every one hundred fifty (150) square feet of landscape buffer area at installation, maintained at a minimum height of forty two (42) inches. (ZONING)

K. LANDSCAPING ALONG THE NORTH AND EAST PROPERTY LINES (PARCEL D ONLY)

1. Landscaping and buffering along the north and east property lines of Parcel D shall be upgraded to include:
 - a. A minimum twenty (20) foot wide landscape buffer strip measured from the edge of pavement along the north property line and a minimum twenty-five (25) foot wide landscape buffer strip measured from the edge of pavement along the east property line.
 - b. A six (6) foot high opaque berm, hedge or combination thereof. (ZONING)

L. LANDSCAPING - INTERIOR (APPLICABLE TO PARCEL A ONLY)

1. Immediately upon planting, all trees within the proposed interior parking area shall be a minimum of fourteen (14) feet in height with a minimum diameter of three and one-half (3.5) inches measured at a point which is at least four and one-half (4.5) feet above existing grade level. (Previously Condition No. H.1 of Resolution No. R-92-56, Petition No. 81-115(B)). (ZONING)
2. The trees within the proposed parking area shall **have** a minimum of five (5) feet of clear trunk and a minimum seven (7) foot canopy spread. (Previously Condition H.2 of Resolution No. R-92-56, Petition 81-115(B)). (ZONING)

M. PARKING

1. Vehicle parking shall be limited to the parking areas designated on the approved site plan. No parking of vehicles shall be permitted in landscaped areas, right-of-way or interior drives. (Previously Condition No. 1.1 of Resolution No. R-92-56, Petition No. 81-115(B)). (ZONING-Code Enforcement)

N. RECYCLE SOLID WASTE

1. The property owner shall participate in a recycling program when available in the area. Material to be recycled shall include, but not be limited to, paper, plastic, metal and glass products. (Previously Condition No. J.1 of Resolution No. R-92-56, Petition No. 81-115(B)). (ZONING-Solid Waste Authority)
2. Prior to site plan certification, receptacles for recycled material shall be designated on the site plan, located in the parking area or adjacent to the dumpster location. (Previously Condition No. J.2 of Resolution No. R-92-56, Petition No. 81-115(B)). (ZONING)

O. SIGNS

1. All on site signs shall comply with the Palm Beach County Sign Code and shall indicate principal uses only, No snipe signs, balloons, banners or other prohibited types of advertisement or signs shall be permitted on-site. (Previously Condition No. K.2 of Resolution No. R-92-56, Petition No. 81-115(B)). (ZONING-Bldg/Code Enforcement)
2. **If**, prior to the issuance of a building permit for the project, the Sign Code is amended to be more restrictive than the conditions of approval, the regulations of the amended Sign Code shall supersede all sign-related conditions of approval. (Previously Condition No. K.3 of Resolution No. R-92-56, Petition No. 81-115(B)). (ZONING-Building)
3. Signs for Parcel D shall be further limited and meet the following requirements:
 - a. Maximum sign height, measured from crown of road - eight (8) feet;
 - b. Maximum sign face area per side - 80 square feet;
 - c. Maximum number of signs - one (1). (BUILDING-Zoning)

P. COMPLIANCE

1. Condition No. L.1 of Resolution No. R-92-56, Petition No. 81-115(B), which currently states:

As provided in Zoning Code Sections **400.2** and **402.6**, failure to comply with any of these conditions of approval at any time may result in:

- a. The denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property; and/or
- b. The revocation of the Special Exception and any zoning which was approved concurrently with the Special Exception as well as any previously granted certifications of concurrency or exemptions therefrom; and/or
- c. A requirement of the development to conform with updated standards of development, applicable 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. (ZONING-Monitoring)

Is hereby amended to read:

As provided in Section 5.8 of the Palm Beach County Land Development Code, failure to comply with any of the conditions of approval at any time may result in:

- a. The denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property; and/or
 - b. The revocation of any conditional use and any zoning which was approved concurrently with the conditional use as well as any previously granted certifications of concurrency or exemptions therefrom; and/or
 - c. A requirement of the development to conform with updated standards of development, applicable 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. (MONITORING)
2. Condition No. L.2 of Resolution No. R-92-56, Petition No. 81-115(B), which currently states:

Appeals of any **departmental-administrative** actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Appeals of any revocation of Special Exception, Rezoning, or other actions based on a Board of County Commission decision, shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit.

Is hereby amended to read:

Appeals **of** any departmental-administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or **as** otherwise provided in the Palm Beach County Land Development Code. Appeals **of** any revocation **of** Special Exception, Rezoning, 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)