

RESOLUTION NO. R-2014- 0210

RESOLUTION APPROVING ZONING APPLICATION ZV/ABN/DOA-2013-02593
(CONTROL NO. 2006-00185)
a Development Order Amendment
APPLICATION OF LeRoy Vander Putten
BY Urban Design Kilday Studios, AGENT
(Jupiter-Palm Beach Motorcoach Resort RVPD)

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 applications relating to zoning;

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

WHEREAS, Zoning Application ZV/ABN/DOA-2013-02593 was presented to the Board of County Commissioners at a public hearing conducted on February 27, 2014;

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

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for a Development Order Amendment; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application ZV/ABN/DOA-2013-02593, the petition of LeRoy Vander Putten, by Urban Design Kilday Studios, agent, for a Development Order Amendment to modify the Site Plan; delete a Condition of Approval (Use Limitation and Landscaping); and, decrease the number of RV sites from 140 to 100 in the Recreation Vehicle Planned Development (RVPD) 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 February 27, 2014, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Valeche moved for the approval of the Resolution.

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

Commissioner Priscilla A. Taylor, Mayor	-	Aye
Commissioner Paulette Burdick, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Absent

The Mayor thereupon declared that the resolution was duly passed and adopted on February 27, 2014.

Filed with the Clerk of the Board of County Commissioners on March 4th, 2014.

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:

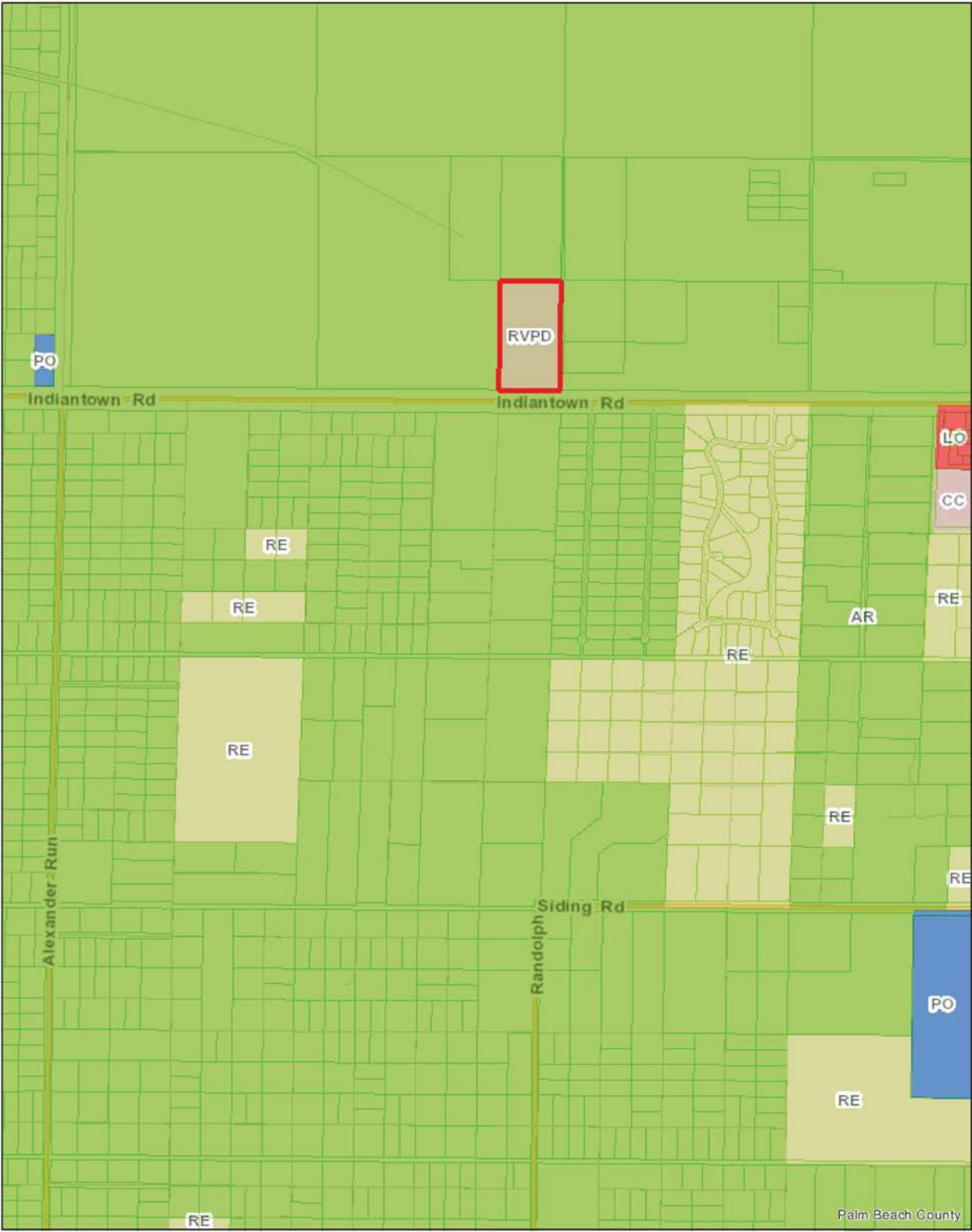

DEPUTY CLERK & COMPTROLLER




EXHIBIT A
LEGAL DESCRIPTION

ALL OF BLOCK 24, ACCORDING TO THE PLAT OF PHILO FARMS, AS RECORDED IN PLAT BOOK 3, PAGE 11 OF THE PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS. LESS RIGHTS-OF-WAY FOR STATE ROAD #706, (INDIANTOWN ROAD).

CONTAINING 17.21 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



  **ZV/ABN/DOA-2013-02593**
Jupiter/Palm Beach Motorcoach Resort

Scale: 1:18,056
0 0.1 0.2 0.4 mi
0 0.175 0.35
Created by: Palm Beach County
January 14, 2014

EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment

ALL PETITIONS

1. Previous ALL PETITIONS condition 1 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Development of the site is limited to the uses approved by the Board of County Commissioners. The approved preliminary site plan is dated December 17, 2007. All modifications must be approved by the Board of County Commissioners or Zoning Commission unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC.

Is hereby amended to read:

The approved Preliminary Site Plan is dated December 12, 2013. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

2. Previous ALL PETITIONS condition 2 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Prior to final approval by the Development Review Officer (DRO), the property owner shall revise the site plan to be consistent with the final Alternative Landscape Plan (ALP) pursuant to Landscape Condition 1 and all approved variances dated April 3, 2008. (DRO: LANDSCAPE - Zoning)

Is hereby deleted. [REASON: No longer applicable.]

3. The twenty-five (25) foot setback for the recreational vehicles shall be permitted to be measured from the interior edge of the ULDC required landscape buffers. (Previous ALL PETITIONS condition 3 of Resolution R-2008-703, Control No.2006-00185) (DRO: ZONING - Zoning)

4. Commencement of the Development Order shall start on or before February 27, 2017, modifications may be permitted administratively as allowed by Article 2.E of the Unified Land Development Code. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for final approval by the Development Review Officer (DRO), the architectural elevations for the recreation building shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements.

(Previous ARCHITECTURAL REVIEW condition 1 of Resolution R-2008-703, Control No.2006-00185) (DRO: ARCHITECTURAL REVIEW - Zoning)

ENGINEERING

1. Previous Condition E.1 of Resolution R-2008-0703, Control No. 2006-00185, which currently states: In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after January 1, 2013. 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 Art. 2.E of the Unified Land Development Code. (DATE: MONITORING-Eng)

Is hereby amended to read:

In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2017. 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 Art. 2.E of the Unified Land Development Code. (DATE: MONITORING-Eng)
(DATE: MONITORING - Engineering)

2. The Property Owner shall construct a right turn lane, east approach on Indiantown Road at project entrance. This right turn lane shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet or as approved by the County Engineer.

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.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING-Eng) (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng) (CO: MONITORING - Engineering)

3. The Property Owner shall widen the pavement of Indiantown Road to provide for U-turn movements for recreation vehicle/travel trailers at the following median openings subject to approval by the County Engineer:

- i) Bridle Court, west approach U turn
- ii) Rocky Pines Road, east approach U turn.

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 guardrail relocation.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDG PERMIT: MONITORING-Eng) (Previous Condition E.6.a of Resolution R-2008-0703, Control No. 2006-00185) (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng) (Previous Condition E.6.b of Resolution R-2008-0703, Control No. 2006-00185) (CO: MONITORING - Engineering)

4. Previous Condition 2 of Resolution R-2008-0703, Control No. 2006-00185, which currently states: The Property Owner shall lengthen the existing left turn lane, east approach on Indiantown Road at Rocky Pines Road. This turn lane shall be lengthened to a minimum of 460 feet in length.

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 from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDG PERMIT: MONITORING-Eng)

c. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

Is hereby deleted (Reason: no longer required)

4. Previous Condition 2 of Resolution R-2008-0703, Control No. 2006-00185, which currently states: The Property Owner shall lengthen the existing left turn lane, east approach on Indiantown Road at Rocky Pines Road. This turn lane shall be lengthened to a minimum of 460 feet in length.

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 from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDG PERMIT: MONITORING-Eng)

c. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

Is hereby deleted (Reason: no longer required)

5. Previous Condition E.3 of Resolution R-2008-0703, Control No. 2006-00185, which currently states: Prior to the issuance of the last Certificate of Occupancy, the Property Owner shall fund the pro rata cost of an exfiltration drainage system required for the 6 lane widening of Indiantown Road. Funding shall be based on the construction of a required exfiltration drainage system required to meet the storm water discharge and treatment requirements of Palm Beach County for Indiantown Road along the property frontage. Payment cost shall be based upon a Certified Cost Estimate provided by the Property Owner's Engineer and approved by the County Engineer. All funding shall be completed prior to the issuance of the last Certificate of Occupancy. (CO: MONITORING-Eng)

Is hereby amended to read:

Prior to the issuance of the first Certificate of Occupancy, the Property Owner shall fund the pro rata cost of an exfiltration drainage system required for the 6 lane widening of Indiantown Road. Funding shall be based on the construction of a required exfiltration drainage system required to meet the storm water discharge and treatment requirements of Palm Beach County for Indiantown Road along the property frontage. Payment cost shall be based upon a Certified Cost Estimate provided by the Property Owner's Engineer and approved by the County Engineer. (CO: MONITORING-Eng) (CO: MONITORING - Engineering)

6. Landscaping within the median of indiantown Road

a. The Property Owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Indiantown Road. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioners approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph D below. (ONGOING: ENGINEERING-Eng) (Previous Condition E.4.a of Resolution R-2008-0703, Control No. 2006-00185) (ONGOING: ENGINEERING - Engineering)

b. Prior to the issuance of the first Building Permit, the necessary permit(s) for this landscaping and irrigation shall be applied for. (BLDG PERMIT:MONITORING-Eng) (Previous Condition E.4.b of Resolution R-2008-0703, Control No. 2006-00185) (BLDGPMT: MONITORING - Engineering)

c. Prior to the issuance of the first Certificate of Occupancy, all installation of the landscaping and irrigation shall be completed. (CO:MONITORING-Eng) (Previous Condition E.4.c of Resolution R-2008-0703, Control No. 2006-00185)

d. At the Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner. (ONGOING:ENG-Eng) (Previous Condition

E.4.d of Resolution R-2008-0703, Control No. 2006-00185)

e. Alternately, at the option of the Property Owner, and prior to the issuance of a Building Permit, the Property Owner may make a contribution to the County's Only, Trees, Irrigation, and Sod, Otis program, unincorporated thoroughfare beautification program. This payment, for the County's installation of landscaping and irrigation on qualifying thoroughfares shall be based on the project's frontage along Indiantown Road. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (ONGOING:ENG-Eng) (Previous Condition E.4.e of Resolution R-2008-0703, Control No. 2006-00185) (ONGOING: ENGINEERING - Engineering)

7. Previous Condition E.5 of Resolution R-2008-0703, Control No. 2006-00185, which currently states: Prior to the issuance of a Building Permit, the Property Owner shall plat the subject property into one legal lot of record in accordance with the provisions of Article 11 of the Unified Land Development Code. A recorded plat waiver is also acceptable, providing this property is eligible for a plat waiver in accordance with the provisions of the ULDC as determined by the County Engineer. (BLDG PERMIT:MONITORING-Eng)

Is hereby amended to read:

Prior to issuance of the first Building Permit, the Property Owner shall legally create a single lot of record in accordance with the provisions of Article 11 of the Unified Land Development Code. The property shall not be subdivided into more than one lot unless the subdivision provides the required improvements. (BLDG PERMIT:MONITORING-Eng) (BLDGPMT: MONITORING - Engineering)

ENVIRONMENTAL

1. Previous Condition No. Env. 3 of Resolution No. R-2008-0703, Control No. 2007-1592 which currently states:

A fire-break strip with a minimum width of forty-five (45) feet shall be provided along the north, east and west property lines. This fire-break strip shall be free and clear of landscape materials and permanent structures. The area in the vicinity of the existing house shall meet this condition to the maximum extent possible, taking into account the existing setback from the north property line. A drivable berm with a maximum slope of 3:1 shall be installed within the strip to protect the site from high water levels with the exception of the area in the vicinity of the existing house, west to where the berm will connect to the existing Old Indiantown Road roadbed, where the berm (wall, if utilized in lieu of a berm) will not be of sufficient width to maintain a drivable surface. (DRO:ERM-ERM)

is hereby amended to read:

A fire-break strip with a minimum width of twenty (20) feet shall be provided adjacent the north, east and west property lines. This fire-break strip shall be free and clear of landscape materials and permanent structures. A drivable berm with a maximum slope of 3:1 shall be installed within the strip to protect the site from high water levels, west to where the berm will connect to the existing Old Indiantown Road roadbed, where the berm (wall, if utilized in lieu of a berm) will not be of sufficient width to maintain a drivable surface. (DRO:ERM-ERM) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

2. The portion of the facility that includes the Old Indiantown roadbed shall be fenced off from the rest of the RV Park and a gate that would provide access to pedestrians and bicycles, shall be installed. This roadbed area shall be conveyed to Palm Beach County prior to Plat approval. (DRO:ERM-ERM) (Previous Condition No. Env. 4 of Resolution No. R-2008-0703, Control No. 2007-1592) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

3. The RV Park shall be presented to the Loxahatchee River Coordinating Council prior to final approval by the Development Review Officer (DRO). (DRO:ERM-ERM) (Previous Condition No. Env. 5 of Resolution No. R-2008-0703, Control No. 2007-1592) [NOTE: COMPLETE] (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

4. In the event of a wildfire, an Evacuation Plan designed to clear the facility within a 90 minute period shall be submitted and approved prior to final approval by the Development review Officer (DRO). (DRO:ERM-ERM) (Previous Condition No. Env. 6 of Resolution No. R-2008-0703, Control No. 2007-1592) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

5. A copy of the SFWMD Consumptive Use Permit, or an indication that such a permit is not necessary, shall be provided prior to final approval by the Development Review Officer (DRO). In no case shall waste water be used as irrigation water or otherwise applied to the ground surface. (DRO:ERM-ERM) (Previous Condition No. Env. 7 of Resolution No. R-2008-0703, Control No. 2007-1592) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

LANDSCAPE - GENERAL-VARIANCE

1. Previous ZONING - LANDSCAPING condition 1 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Prior to final approval by the Development Review Officer (DRO), the property owner shall submit a final Alternative Landscape Plan to the Landscape Section for review and approval. All ULDC required plant materials from the north, east and west perimeter buffers shall be relocated to the interior of the site. The ALP(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein and shall be consistent with the Type II Variance approvals dated April 3, 2008. (DRO: LANDSCAPE - Zoning)

Is hereby deleted. [REASON: No longer required.]

LANDSCAPE - GENERAL-ALONG THE NORTH PROPERTY LINE

2. Previous ZONING - LANDSCAPING condition 3 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Prior to final Development Review Officer (DRO) approval, the site plan shall be amended to reflect a reduction of 15 Recreational Vehicle (RV) sites. The Alternative Landscape Plan (ALP) shall reflect additional material along the north property line to mitigate views of the RVs from the adjacent property. (DRO: ZONING - Landscape)

Is hereby deleted. [REASON: No longer required.]

LANDSCAPE - GENERAL-ALONG THE SOUTH PROPERTY LINE (FRONTAGE OF INDIANTOWN ROAD)

3. Previous ZONING - LANDSCAPING condition 2 of Resolution R-2008-703, Control No.2006-00185, which currently states:

In addition to the code requirements, landscaping along the south property line shall be upgraded to include:

- a. a buffer strip with an average width of twenty-five (25) feet. The buffer width shall range from twenty (20) to forty-five (45) feet and shall be exempt from the firebreak areas. There shall be a minimum of three locations where the buffer width expands to forty-five (45) feet;
- b. one (1) pine for each twenty (20) linear feet of the property line; and shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation and have a maximum spacing of forty (40) feet between clusters;
- c. a six (6)-foot high continuous hedge consisting of Wax Myrtles or a similar species approved by the Landscape Section. The hedge material shall be allowed to count toward the ULDC required quantity for large shrubs;
- d. Saw Palmetto shall replace the ULDC requirement for medium shrubs;
- e. all ULDC small shrub materials shall be of native species;
- f. in areas where buffer width expands to forty-five (45) feet, a minimum of three (3) Dahoon Hollies with a minimum height of twelve (12) feet shall be provided at each of the expanded buffer areas; and,
- g. a three (3) foot high (two railed) split rail fence to be installed meandering between proposed vegetation within this buffer. (BLDG PERMIT: LANDSCAPE - Zoning)

Is hereby amended to read:

In addition to the code requirements, landscaping and buffering along the south property line, except for the firebreak area, shall be upgraded to include:

- a. buffer width shall be a minimum of forty (40) feet;
- b. a six (6) foot high wall;

- c. one (1) Dahoon Holly for each twenty (20) linear feet of the property line. Height shall be a minimum of twelve (12) feet at installation. Trees shall be planted on the north side of the proposed wall;
- d. one (1) pine for each twenty (20) linear feet of the property line; and shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation. Pine species shall be of South Florida Slash Pines or a similar species that is approved by the Landscape Section;
- e. a six (6)-foot high continuous hedge consisting of Wax Myrtles or a similar species approved by the Landscape Section. The hedge material shall be allowed to count toward the ULDC required quantity for large shrubs;
- f. Saw Palmetto shall replace the ULDC requirement for medium shrubs; and,
- g. all ULDC small shrub materials shall be of native species. (BLDG PERMIT: LANDSCAPE - Zoning)

LANDSCAPE - GENERAL

- 4. Prior to final approval by the Development Review Officer (DRO), the Property Owner shall submit a Landscape Plan for review and approval by the Zoning Division. (DRO: ZONING - Landscape)
- 5. Prior to final approval by the Development Review Officer (DRO), the Property Owner shall revise the Site Plan, where applicable, to delineate the firebreak areas along the south property line. (DRO: ZONING - Zoning)
- 6. Prior to final approval by the Development Review Officer (DRO), the Property Owner shall submit an updated Tree Survey that show all the vegetation to be preserved, removed, relocated or mitigated. The Tree Survey shall show the most current site situation within six (6) months of February 27, 2014. (DRO: ZONING - Zoning)
- 7. Prior to final approval by the Development Review Officer (DRO), the Property Owner shall revise the Site Plan to incorporate the location and identify all existing preserved trees consistent with the Tree Survey. (DRO: ZONING - Zoning)
- 8. Prior to final approval by the Development Review Officer (DRO), the Property Owner shall revise the Regulating Plan to include a detail of the six (6) foot high perimeter wall. The wall shall be built from natural materials, including but not limited to: stone or wood. (DRO: ZONING - Zoning)
- 9. The existing Laurel Oak (identified as Tree #25 on the Tree Survey submitted November 25, 2013) located within the proposed lake shall be replaced with three (3) Live Oaks. Height of the proposed oaks shall be a minimum of twenty-two (22) feet. (BLDGPERMIT: ZONING - Landscape)
- 10. All preserved trees shall be marked and barricaded past the drip line to ensure survival. Where applicable, tree wells shall be utilized to ensure proposed fill will not impact the root systems of the preserved trees. Deviation in the tree preservation maybe permitted subject to the approval by the Zoning Division and the Environmental Resources Management Department. (BLDG PERMIT:LANDSCAPE/ERM Zoning)
- 11. Prior to final approval by the Development Review Officer (DRO), the Regulating Plan shall be amended to include a lot detail of Recreational Vehicle (RV) sites 26, 27, 28, 36, 37, 71, 73, 91, and 94. The detail shall indicate the location of the RV pad and accessory structure to ensure the preservation of the existing trees on these sites. (DRO: ZONING - Zoning)
- 12. Prior to the issuance of the building permit for the Recreational Vehicle (RV) pad and accessory structures on RV sites 26, 27, 28, 36, 37, 71, 73, 91, and 94, a tree preservation inspection by the Landscape Section shall be completed. (BLDGPERMIT: ZONING - Zoning)

SIGNS

- 1. Freestanding signs fronting on Indiantown Road shall be limited as follows:
 - a. maximum sign height, measured from finished grade to highest point six (6) feet;
 - b. maximum sign face area per side - sixty (60) square feet;
 - c. maximum number of signs one (1); and,
 - d. style - monument style only. (Previous SIGNS condition 1 of Resolution R-2008-703, Control No.2006-00185) (BLDGPERMIT: BUILDING DIVISION - Zoning)

SITE DESIGN

1. Prior to final approval by the Development Review Officer (DRO), the property owner shall revise the site plan to provide a minimum of 1.7 acres of recreation area on the subject property. (ONGOING: ZONING - Zoning)

USE LIMITATIONS

1. Previous USE LIMITATIONS condition 1 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Prior to final approval by the Development Review Officer (DRO) , the property owner shall revise the site plan to indicate and define the boundary of a vehicle wash area. Washing of vehicles shall be restricted to this area on site. (DRO/ONGOING: CODE ENF - Zoning)

Is hereby deleted. [REASON: Washing area not proposed with the modification.]

2. Previous USE LIMITATIONS condition 2 of Resolution R-2008-703, Control No.2006-00185, which currently states:

Business operations for the RVPD shall not commence until the issuance of the Certificate of Occupancy (CO) for the Recreation Building.

Is hereby amended to read:

No Recreation Vehicles shall park/stay on site until the issuance of the Certificate of Occupancy (CO) for the Recreation Building. (CO: BUILDING DIVISION - Zoning)

3. The 25 foot setback required for the recreational vehicles shall be measured from the interior line of the required 20 foot Right of Way Buffer and the 20 foot required Perimeter Buffers. (Previous USE LIMITATIONS condition 3 of Resolution R-2008-703, Control No.2006-00185) (BLDGPMT: ZONING - Zoning)

Is hereby deleted. [REASON: Duplicated]

4. On January 1 of each year an Annual Time Limitation Report shall be submitted to Executive Director of Planning, Zoning and Building (PZB), pursuant to Article 3.E.7.D, Time Limitations. (Previous USE LIMITATIONS condition 4 of Resolution ZR-2011-1, Control No.2006-00185) (DATE: MONITORING - Zoning)

5. Detached accessory structures used for storage, utilities or entertainment may be permitted to be approved administratively, contingent on approval of the Code Amendment to add language allowing these structures to ULDC Article 3.E.7.G.1 entitled, "Permanent Structures or Additions." (ONGOING: MONITORING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant 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) (ONGOING: ZONING - 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; the 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 Unified Land Development Code 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 of Approval; 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 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 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning) (ONGOING: ZONING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.