

RESOLUTION NO. R-2023-0414

RESOLUTION APPROVING ZONING APPLICATION DOA-2022-01078  
(CONTROL NO. 1989-00066)  
a Development Order Amendment  
APPLICATION OF Treetop Academy of Jupiter LLC  
BY Gentile Glas Holloway O'Mahoney & Assoc Inc., AGENT  
(Tree Top Academy)

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 pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA-2022-01078 the application of Tree Top Academy of Jupiter LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent for a Development Order Amendment to add land area (2.99 acres) for a total of 4.49 acres; to reconfigure the site plan, to modify conditions of approval; and increase the number of students was presented to the Board of County Commissioners at a public hearing conducted on September 28, 2023;

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 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC 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 Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC 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 DOA-2022-01078, the Application of Treetop Academy of Jupiter LLC, by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent, for a Development Order Amendment to add land area (2.99 acres) for a total of 4.49 acres; to reconfigure the site plan, to modify conditions of approval; and increase the number of students, on a parcel of land generally described as shown on the legal description 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 September 28, 2023, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Sachs moved for the approval of the Resolution.

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

Commissioner Gregg K. Weiss, Mayor	-	Aye
Commissioner Maria Sachs, Vice Mayor	-	Aye
Commissioner Maria G. Marino	-	Aye
Commissioner Michael A. Barnett	-	Aye
Commissioner Marci Woodward	-	Aye
Commissioner Sara Baxter	-	Aye
Commissioner Mack Bernard	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on September 28, 2023.

Filed with the Clerk of the Board of County Commissioners on October 17th, 2023.

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

JOSEPH ABRUZZO,  
CLERK & COMPTROLLER

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 34, SOUTH 89°15'49" EAST, A DISTANCE OF 1066.32 FEET; THENCE DEPARTING SAID SOUTH LINE, NORTH 00°00'00" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET, AS DESCRIBED IN OFFICIAL RECORD BOOK 3887, PAGE 643, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND;

THENCE CONTINUE, NORTH 00°00'00" EAST, A DISTANCE OF 323.14 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 35.23 FEET; THENCE NORTH 00°44'49" EAST, A DISTANCE OF 65.67 FEET; THENCE NORTH 74°56'03" WEST, A DISTANCE OF 159.02 FEET; THENCE NORTH 15°03'57" EAST, A DISTANCE OF 134.84 FEET; THENCE SOUTH 74°56'03" EAST, A DISTANCE OF 150.90 FEET; THENCE NORTH 00°44'09" EAST, A DISTANCE OF 111.80 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE ALONG SAID NORTH LINE, SOUTH 89°25'24" EAST, A DISTANCE OF 276.07 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE ALONG SAID EAST LINE, SOUTH 00°10'03" EAST, A DISTANCE OF 613.63 FEET TO A POINT ON THE EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET, AS DESCRIBED IN OFFICIAL RECORD BOOK 6428, PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, NORTH 89°15'49" WEST, A DISTANCE OF 140.00 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE, SOUTH 00°10'03" EAST A DISTANCE OF 20 FEET TO A POINT ON THE AFOREMENTIONED NORTH LINE OF PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 3887, PAGE 643, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET, NORTH 89°15'49" WEST, A DISTANCE OF 132.20 FEET THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 195,613 SQUARE FEET OR 4.491 ACRES, MORE OR LESS

EXHIBIT B  
VICINITY SKETCH

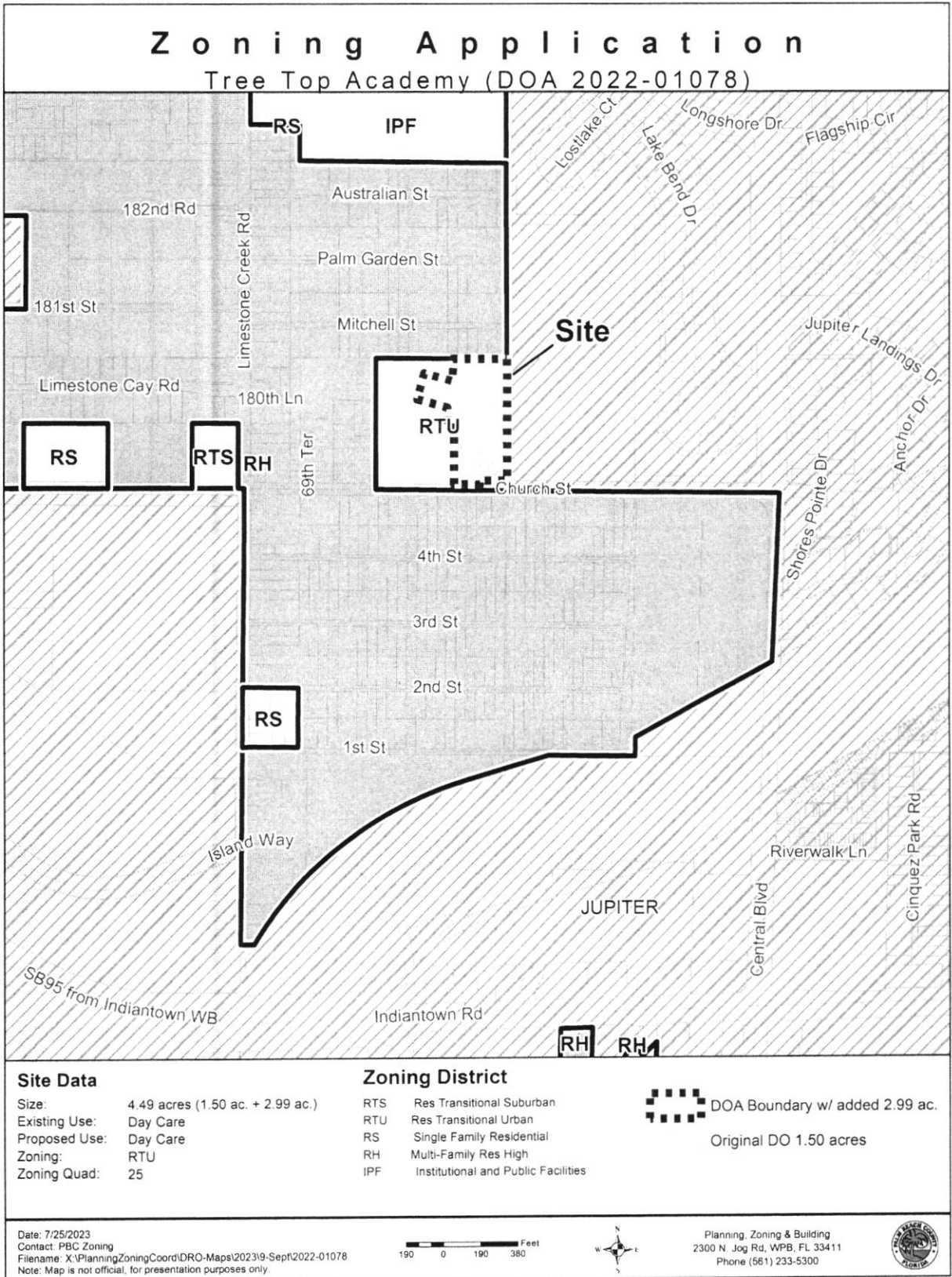




EXHIBIT C

CONDITIONS OF APPROVAL

**Development Order Amendment**

**ALL PETITIONS**

1. Previous ALL PETITIONS Condition 1 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution 90-0530 (Petition 89-066) 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.

**Is hereby amended to read:**

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2002-1008 (Control 1989-066), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING– Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2002-1008, Control No.1989-00066, 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 March 29, 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.

**Is hereby amended to read:**

The approved Preliminary Site Plan is dated March 24, 2023. 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. (ONGOING: ZONING – Zoning)

**BUILDING AND SITE DESIGN**

1. All trash receptacles shall be located away from the residential areas and completely screened by a six (6) foot high solid wood fence and landscaped. (DRO: - ZONING – Zoning) (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2002-1008, Control No.1989-00066)

2. The site shall be limited to one access point along the western half of the property onto Church Street or a safe vehicular design acceptable to the Palm Beach County Engineering Department and the Palm Beach County School Board. (ONGOING: ZONING – ENG) (Previous ARCHITECTURAL REVIEW Condition 3 of Resolution R-2002-1008, Control No.1989-00066)

**ENGINEERING**

1. Deleted by Resolution R-2002-1008. (Previous ENGINEERING Condition 1 of Resolution R-2002-1008, Control No.1989-00066)

2. Prior to December 1, 1989 or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Church Street, 50 feet from centerline free of all encumbrances and encroachments. 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. Right-ofway conveyances shall also include "Safe Sight Corners"\* where appropriate at intersections as determined by the County Engineer. (BLDG PMT: ENGINEERING – Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2002-1008, Control No.1989-00066)

3. The Property owner shall:

a. Pipe the existing open ditch which runs through this property and the adjacent ditch along the south property line subject to approval by the County Engineer; and, (BLDGPMT/CO: MONITORING

- Engineering) [Note: COMPLETED]

b. Re-construction of any pedestrian pathways along the site which may be damaged by this petitioner. All concurrent with onsite paving and drainage improvements. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2002-1008, Control No.1989-00066)

4. Deleted by Resolution R-2002-1008. (Previous ENGINEERING Condition 4 of Resolution R-2002-1008, Control No.1989-00066)

5. In order to comply with the mandatory traffic performance standards the Developer shall be restricted to the following phasing schedule:

a. Building Permits for more than 2,900 square feet shall not be issued until construction has begun for Central Boulevard as a 4 lane median section from Indiantown Road to the River Walk development entrance plus the appropriate paved tapers. (BLDG PMT: MONITORING – Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2002-1008, Control No.1989-00066)

6. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering)

7. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING- Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMT/PLAT: MONITORING - Engineering)

8. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for Church Street, 50 feet, measured from centerline of the proposed right of way on an alignment approved by the County Engineer.

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-ration. A check, made payable to the Tax Collector s Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT/ONGOING: MONITORING- Engineering)

9. No Building Permits for the site may be issued after December 31, 2027, or as amended. 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: LAND DEVELOPMENT - Land Development)

## HEALTH

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted to the site. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 1 of Resolution R-2002-1008, Control No.1989-00066)

2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 2 of Resolution R-2002-1008, Control No.1989-00066)

## LANDSCAPING - ALONG THE NORTH AND WEST PROPERTY LINES (ABUTTING THE CEMETARY)

1. Previous LANDSCAPING - ALONG THE NORTH AND WEST PROPERTY LINES (ABUTTING THE CEMETARY) Condition 1 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

Alternative Perimeter Landscape No. 3 shall be provided along the north and west propertylines, supplemented with additional landscape buffering. The landscape buffering shall include a mixture of relocated Slash pines that are (2) to six (6) inches in diameter at breast height and Sabal palms from within the site.

### Is hereby amend to read: ]

Alternative Perimeter Landscape No. 3 shall be provided along the north property line, supplemented with additional landscape buffering. The landscape buffering shall include a mixture of relocated Slash pines that are (2) to six (6) inches in diameter at breast height and Sabal palms from within the site. (BLDG PMT: ZONING – Zoning)

2. Previous LANDSCAPING - ALONG THE NORTH AND WEST PROPERTY LINES (ABUTTING THE CEMETARY) Condition 2 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

The petitioner shall provide a six (6) foot high wooden fence along the property lines where the outdoor play area is adjacent to residentially zoned property (north, west).

**Is hereby deleted.** [REASON: No longer applicable, as the play area has been relocated]

## LANDSCAPING - STANDARD

3. All native vegetation shall be preserved to the greatest extent possible. All sabal palms and slash pines, two (2) inches to six (6) inches diameter at breast height, shall be relocated to landscape areas on site. BLDG PMT: ZONING – ZONING) (Previous LANDSCAPING – STANDARD Condition 1 of Resolution R-2002-1008, Control No.1989-00066)

4. Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

Prior to any clearing operation, the petitioner shall be required to coordinate a site visit with the Zoning Division, to locate preservation areas and verify conditions of approval.

**Is hereby deleted.** [REASON: Deleted - as this is a code requirement.]

5. Previous –LANDSCAPING - STANDARD Condition 3 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

All slash pines and sabal palms shall be preserved within the outdoor play area. All native vegetation shall be preserved along the perimeter of the site.

**Is hereby deleted.** [REASON: this is a code requirement.]

6. All new palms required to be planted on site by this approval shall meet the following minimum standards at installation: a. 5. c. Palm heights: twelve (12) feet clear trunk; Clusters: staggered heights twelve (12) to eighteen (18) feet; and, Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: ZONING – Zoning) (Previous LANDSCAPING – STANDARD Condition 4 of Resolution R-2002-1008, Control No.1989-00066)

**Is hereby deleted.** [REASON: Deleted – Must comply with Code.]

7. All new trees, shrubs or hedge materials in perimeter buffers shall be planted in continuous masses and/or in a meandering and naturalistic pattern, consisting of a minimum of three (3) varying heights. Shrub materials shall be continuously maintained to achieve the following heights and hierarchical effect:

- a. Eighteen (18) to twenty-four (24) inches - groundcover and small shrub;
- b. 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 five (5) foot wide compatibility buffers. (CO: ZONING – Zoning) (Previous - LANDSCAPING – STANDARD Condition 5 of Resolution R-2002-1008, Control No.1989-00066)

**Is hereby deleted.** [REASON: Deleted – Must comply with Code.]

#### **LANDSCAPING ALONG SOUTH PROPERTY LINE**

8. Landscaping and buffering along the south property line shall be upgraded to include:
- a. . A minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
  - b. One (1) native canopy tree for each thirty (30) linear 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;
  - d. One (1) small shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
  - e. One (1) medium 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,
  - f. One (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (CO: ZONING – Zoning) (Previous LANDSCAPING ALONG SOUTH PROPERTY LINE Condition 1 of Resolution R-2002-1008)

**Is hereby deleted.** [REASON: Deleted – Most comply with Code.]

#### **LIGHTING**

1. Previous LIGHTING Condition 1 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

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.

**Is hereby deleted.** [REASON: the Applicant will comply with current Code.]

2. All outdoor, freestanding lighting fixtures shall not exceed twelve (12) feet in height measured from finished grade to highest point. (CO: BLDG – Zoning) (Previous LIGHTING Condition 2 of Resolution R-2002-1008, Control No.1989-00066)

3. All outdoor lighting shall be extinguished no later than 9:00 p.m. excluding security lighting only. ONGOING: CODE ENF – Zoning) (Previous LIGHTING Condition 3 of Resolution R-2002-1008, Control No.1989-00066)

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) (Previous LIGHTING Condition 4 of Resolution R-2002-1008, Control No.1989-00066)

#### **PLANNING**

1. Prior to Final Site Plan approval, the property owner shall obtain a Certificate to Dig (CTD) from the County Archaeologist. (DRO: PLANNING- Planning)

2. Should any archaeological artifacts be uncovered during development or soil disturbing activity, excavation shall halt; the County Archaeologist contacted and allowed to comment on the significance of the find as provided for in Article 9 of the ULDC. (ONGOING: PLANNING - Planning)

#### **SIGNS**

1. No additional signage shall be permitted on Church Street. Replacement or relocation of the existing freestanding sign shall be limited as follows:

- a.. Maximum sign height, measured from finished grade to highest point- six (6) feet;
- b. Maximum total sign face area - 60 square feet;
- c. Maximum number of signs - one (1);



- d. Style - monument style only; and,
- e. Location - Church Street. (ONGOING: BDLG – Zoning)] (Previous SIGNS Condition 1 of Resolution R-2002-1008, Control No.1989-00066)

**USE LIMITATIONS**

1. Previous USE LIMITATIONS Condition 1 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

The day care center shall be limited to a maximum of 270 children.

**Is hereby amended to read:**

The day care center shall be limited to a maximum of 400 children. (ONGOING: ZONING - Zoning)

2. Hours of operation for outdoor activities shall be limited to 7:00 a.m. to 7:00 p.m. daily. (ONGOING: ZONING – Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2002-1008, Control No.1989-00066)

3. No outdoor loudspeaker system shall be permitted on site. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2002-1008, Control No.1989-00066)

**COMPLIANCE**

1. In Granting this Approval, the Board of County Commissioners relied upon the oral andwritten representations of the Property Owner/Applicant bothon 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)

**DISCLOSURE**

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