

RESOLUTION NO. R-2000-0890

RESOLUTION APPROVING ZONING PETITION PDD99-018(A)  
OFFICIAL ZONING MAP AMENDMENT  
TO A PLANNED DEVELOPMENT DISTRICT(PDD)  
PETITION OF TOWN & COUNTRY BUILDERS  
BY H. P. TOMPKINS, AGENT  
(LANTERN KEY PUD)

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 notice and hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition PDD99-018(A) was presented to the Board of County Commissioners at a public hearing conducted on June 29, 2000; 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 recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) with approved conditions is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) with approved conditions does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) with approved conditions will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11, (Adequate Public Facilities) of the Palm Beach County Unified Land Development Code, Ordinance 92-20; and,
7. This official zoning map amendment (rezoning) with approved conditions is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) 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 PDD99-018(A), the petition of Town & Country Builders by H. P. Tompkins, agent, for an Official Zoning Map Amendment to a Planned Development District (PDD) from Agricultural Residential (AR) to Planned Unit Development (PUD) on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on June 29, 2000, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Newell moved for the approval of the Resolution.

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

Maude Ford Lee, Chair		Aye
Warren Newell, Vice Chair	-	Aye
Karen T. Marcus		Absent
Carol A. Roberts		Aye
Mary McCarty		Absent
Burt Aaronson		Aye
Tony Masilotti	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on June 29, 2000.

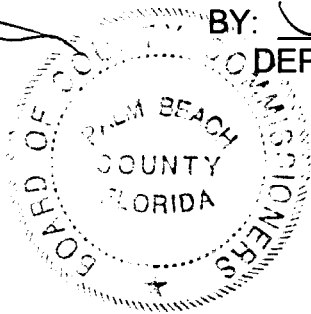
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



## EXHIBIT A

### LEGAL DESCRIPTION

The west one-half of the southwest one-quarter of the southwest one-quarter; and the south 1303 feet of the west one-half of the northwest one-quarter of the southwest one-quarter of section 1, township 45 south, range 42 east, Palm Beach County, Florida.

Except

That portion thereof lying southerly of the northerly line of the land described in deed recorded in official record book 172, page 589, public records of Palm Beach County, Florida;

Except

That portion of the west half of the southwest quarter of the southwest quarter of section 1, township 45 south, range 42 east in Palm Beach County, Florida, lying southerly of a line parallel with and northerly 110.00 feet from the southerly line of sections 1 and 2, township 45 south, range 42 east as said southerly line is shown on the right-of-way map of Hypoluxo Road dated November, 1987.

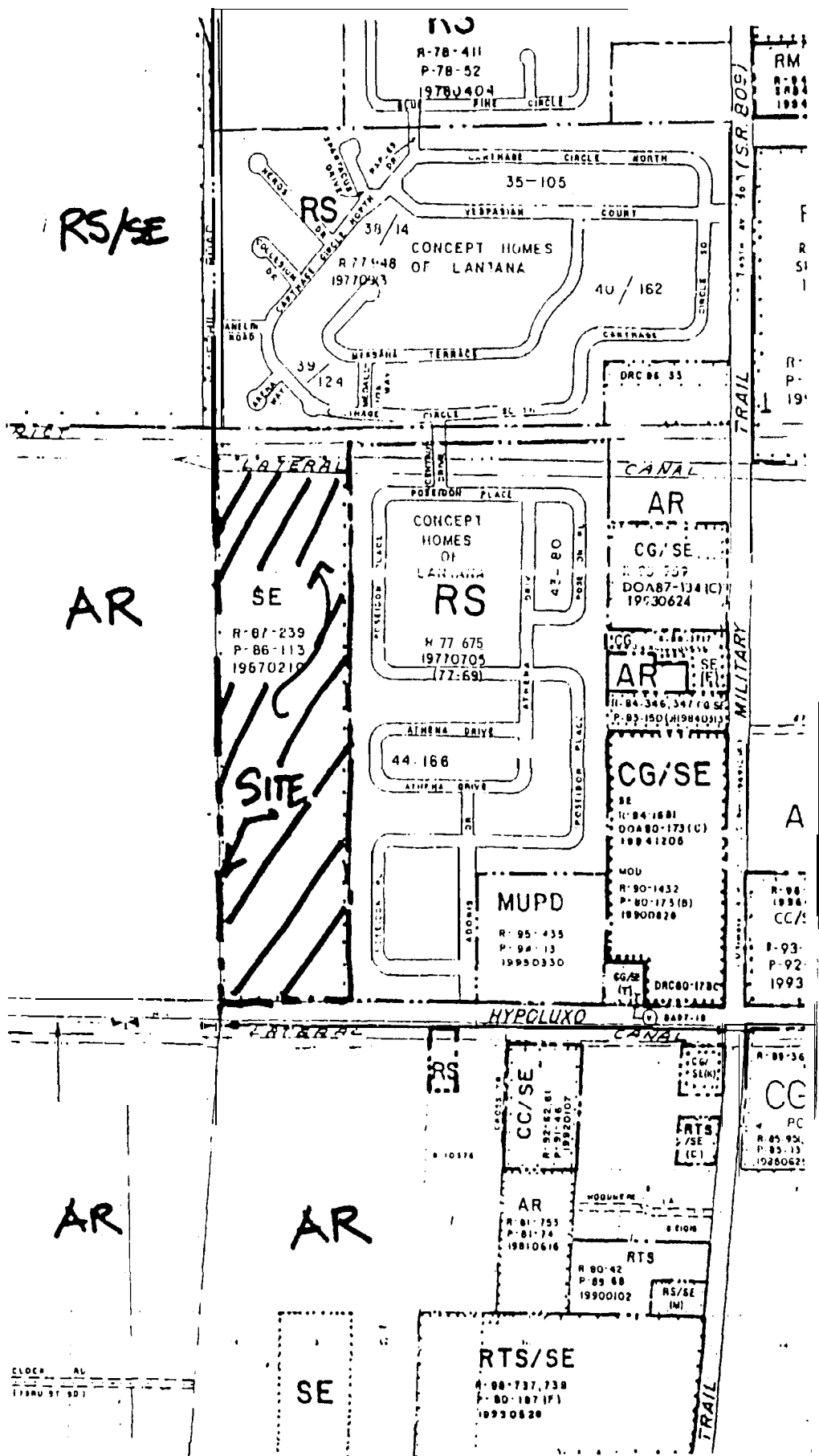
Except that parcel described as:

Beginning at the northwest corner of the south 1303.00 feet of the west one-half (W1/2) of the northwest one-quarter (NW1/4) of the southwest one-quarter (SW1/4) of section 1, township 45 south, range 42 east, Palm beach County, Florida, (Said point being 37.53 feet south of the west quarter section corner, as measured along the west line of said section 1); thence S89°07'27"E, along the north line of the south 1303.00 feet of the west one-half (W1/2) of the northwest one-quarter (NW1/4) of the southwest one-quarter (SW1/4) of said section 1, a distance of 664.92 feet to the northeast corner of the south 1303.00 feet of the west one-half (W1/2) of the northwest one-quarter (NW1/4) of the southwest one-quarter (SW1/4) of said section 1; thence S00°18'22"E, along the east line of the south 1303.00 feet of the west one-half (W1/2) of the northwest one-quarter (NW1/4) of the southwest one-quarter (SW1/4) of said section 1, a distance of 86.26 feet to a point; thence N88°47'52"W, a distance of 664.93 feet to a point on the west line of said section 1; thence N00°20'41"W, along the west line of said section 1, a distance of 82.47 feet to the point of beginning.

Said lands lying in Palm Beach County, Florida, containing 1,631,282 square feet (37.45 acres), more or less.

EXHIBIT B

VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### A. ALL PETITIONS

1. Resolutions R-87-0239 and R-95-I 727, granting approval of Petitions SE86-113 and Z94-085, are hereby revoked. (MONITORING)
2. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved Preliminary Development Plan and conceptual site plan/regulating plan are dated May 15, 2000. 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)

#### B. ARCHITECTURAL CONTROL

1. Diversity of architectural elevation and exterior color scheme shall be required by complying with the following:
  - a. No more than three (3) homes with the same elevation shall be placed next to each other; or,
  - b. No more than three (3) homes with the same exterior color scheme may be placed next to each other.

For monitoring purposes, a lot analysis with elevation options and sequences shall be provided prior to final site plan approval of each pod. All residential units shall be constructed in accordance to this analysis. This obligation shall also be included in the Homeowners Association's documentation for future exterior color changes. (DRC/BLDG PERMIT: ZONING/BLDG/ZONING)

2. The proposed residential buildings within the PUD shall be designed consistent with the facade elevations by Garcia Brenner Stromberg Architects dated April 20, 2000. Minor modifications may be permitted provided the new architectural treatments are equal to or an upgrade of the original architectural treatment and are approved by the Architectural Review Section of the Zoning Division. (BLDG PERMIT: BLDG - Zoning)

#### C. LANDSCAPING - STANDARD

1. All canopy trees required to be planted on site by this approval, except on individual residential lots, shall meet the following minimum standards at installation:
  - a. Tree height: Twelve (12) feet
  - b. Trunk diameter: 2.5 inches measured 3 feet above grade;
  - c. Canopy diameter: Six (6) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3 feet in length; and,
  - d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)
2. All palms required to be planted on site by this approval, except on individual residential lots, 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. A group of three (3) or more palm or pine trees may not supersede the requirement for perimeter canopy tree in that location, unless specified herein. (CO: LANDSCAPE - Zoning)
  4. All internal PUD buffers between pods shall be approved by the Development Review Committee (DRC) in accordance with the ULDC, unless otherwise stated herein. (DRC: ZONING)

D. ENVIRONMENTAL RESOURCE MANAGEMENT

1. If the storage tank is greater than 500 gallons, it must be registered in accordance with Chapter 62-761, F.A.C. In addition, it appears that a fuel discharge may have occurred at this site. A Discharge Report Form should be submitted in accordance with Chapter 62-761, F.A.C., and appropriate cleanup activities undertaken in accordance with Chapter 62-770, F.A.C. The property shall be brought into compliance with these regulations prior to DRC Master Plan certification. (DRC: ERM)

E. ENGINEERING

1. The Property owner shall construct a directional left turn lane west approach and a directional median opening on Hypoluxo Road at the project's entrance road.
  - a. This construction shall be concurrent with the paving and drainage improvements for the site. All construction costs shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and modification of the existing median of Hypoluxo Road.
  - b. Permits required by 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)
2. Prior to December 1, 2000 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 Haverhill Road:
  - a. 40 feet from centerline
  - b. additional right of way required for an expanded intersection at Haverhill Road and Hypoluxo Road on both roadways

All additional right of way shall be along the projects entire frontage, and free of all encumbrances and encroachments. The 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-of-way conveyances shall also include "Corner Clips" where appropriate at intersections as determined by the County Engineer. (DATE/BLDG PERMIT: MONITORING - Eng)

3. Prior to issuance of a building permit the property owner shall convey a roadway construction easement to Palm Beach County at the Projects Entrance Road(s). This roadway construction easement shall contain an isosceles trapezoid connecting the required corner clips across this property owners road right of way. Construction by the applicant within this easement shall conform to Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDG PERMIT: MONITORING - Eng)
4. Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement along Haverhill Road and Hypoluxo Road to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDG PERMIT: MONITORING - Eng)
5. On or before March 1, 2001, the property owner shall convey to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Haverhill Road along the property frontage; and a maximum 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient retention/detention and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. (DATE: MONITORING - Eng)
6. Prior to DRC approval of the Master Plan the Applicants drainage study for the site shall be amended to reflect compliance with the condition of approval above which requires the Developer to provide legal positive outfall for Haverhill Road. Adjustments to the drainage system shall be amended as required. (DRC: ENG)
7. Prior to the approval of the master plan by the DRC the Master Plan shall be amended to reflect any requested Gate House or similar structure for the site from future Haverhill Road. These structures will not be permitted unless minimum Palm Beach County Standards have been met. (DRC: ENG)
8. 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 24 single family dwelling units shall not be issued until construction has begun for widening of Hypoluxo as a 6 lane section from Military Trail to Lawrence Road plus the appropriate paved tapers. (BLDG PERMIT: MONITORING - Eng)
- b. Building Permits for more than 125 single family dwelling units shall not be issued until construction has begun for widening of Hypoluxo Road as a 6 lane section from Congress Avenue to Lawrence Road plus the appropriate paved tapers. (BLDG PERMIT: MONITORING - Eng)

The mix of allowable residential uses, as permitted by the Zoning Division, listed above may be adjusted by the County Engineer only if 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)

9. "CUTOUT" LANDSCAPE STRIPS WITHIN THE CONCRETE MEDIAN OF HYPOLUXO ROAD

- 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 Hypoluxo Road Right-of-way contiguous to the frontage. 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. 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 Palm Beach County 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 the removal or cutting out the existing concrete median as well as the installation of all landscape material, paver block or similar materials shall be funded at the property owners expense. When landscape cutouts are permitted the, landscaping shall consist of Landscape Material approved by the County Engineer. 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 the first certificate of occupancy. (CO: MONITORING - Eng)



- c. If the County does not assume maintenance responsibility, then appropriate property owners 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)

F. LANDSCAPING ALONG NORTH PROPERTY LINE (ADJACENT TO LWDD L-17 CANAL)

- 1. Landscaping and buffering along the north property line shall be upgraded to include:
  - a. A minimum twenty-five (25) foot wide landscape buffer strip, no reductions or easement encroachment shall be permitted. The widths of lots #3 and #10 may encroach the buffer a maximum of ten (10) feet to allow for an internal landscape focal point;
  - b. A six (6) foot wall, fence, hedge, or combination with a three (3) high berm, providing an opaque barrier at time of installation will be maintained at a minimum height of six (6) feet. The berm, if used, shall be measured from finished grade. The minimum spacing and height of the shrub and hedge material shall be pursuant to provisions of the ULDC;
  - c. One (1) canopy tree planted every twenty (30) feet on center. A group of three (3) or more palm or pine trees may supersede the requirement for a maximum twenty-five (25) percent of the required canopy trees in that location within the buffer; and,
  - d. One (1) palm or pine tree for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet between clusters. (CO: LANDSCAPE)
- 2. If a non-living barrier is installed within the above buffers, then, the landscaping materials required above shall be equally distributed on both sides of the barrier. (CO: LANDSCAPE)

G. LANDSCAPING ALONG THE SOUTH AND WEST PROPERTY LINES (ADJACENT TO HYPOLUXO ROAD AND HAVERHILL ROAD EXTENSION)

- 1. Landscaping and buffering along the south property line, from the PUD east property line to approximately 120' west, shall be upgraded to include:
  - a. A minimum twenty (20) foot wide landscape buffer strip with a maximum five (5) foot easement encroachment;
  - b. A minimum one (1) to three (3) foot high undulating berm with an average minimum height of two (2) feet, measured from top of curb;
  - c. One (1) canopy tree planted every thirty (30) feet on center. A group of three (3) or more palm or pine trees may supersede the requirement for a maximum twenty-five (25) percent of the canopy trees in that location within the buffer;
  - d. One (1) additional palm or pine tree for each thirty (30) linear feet of frontage, with a maximum spacing of sixty (60) feet between clusters; and,
  - e. Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE)

2. Landscaping and buffering along the remaining portion of the south property line (approximately 543') and entire west property line shall be upgraded to include:
  - a. A minimum twenty-five (25) foot wide landscape buffer strip with a maximum five (5) foot easement encroachment;
  - b. A minimum two (2) to four (4) foot high undulating berm with an average minimum height of three (3) feet, measured from top of curb;
  - c. One (1) canopy tree planted every thirty (30) feet on center. A group of three (3) or more palm or pine trees may supersede the requirement for a maximum twenty-five (25) percent of the canopy trees in that location within the buffer;
  - d. One (1) additional palm or pine tree for each thirty (30) linear feet of frontage, with a maximum spacing of sixty (60) feet between clusters; and,
  - e. Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36)inches. (CO: LANDSCAPE)

H. LANDSCAPING ALONG EAST PROPERTY LINE (ADJACENT TO CONCEPT HOMES)

1. Landscaping and buffering along the east property line shall be upgraded to include:
  - a. A minimum twenty-five (25) foot wide landscape buffer strip, no reductions or easement encroachment shall be permitted;
  - b. A six (6) foot opaque wall or fence;
  - c. One (1) canopy tree planted every twenty (30) feet on center located on the exterior side of the wall or fence. A group of three (3) or more palm or pine trees may supersede the requirement for a maximum twenty-five (25) percent of the required canopy trees in that location within the buffer;
  - d. One (1) palm or pine tree for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet between clusters; and,
  - e. Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, maintained at a minimum height of thirty-six (36)inches, and located on both sides of the required wall or fence. (CO: LANDSCAPE)

I. MASS TRANSIT

1. A. Prior to final certification of the preliminary development plan or site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate one or more of the following: mass transit access, mass transit shelter(s) and/or a bus stop(s) on or adjacent to the subject property. (DRC: ZONING)
2. Mass transit access, shelters and/or bus stops, if required, shall be constructed by the petitioner in a location and manner acceptable to Palm Tran, and County Engineer prior to issuance of a building permit for the 47th unit. The petitioner shall accommodate the requirement for mass transit access, bus shelters and/or bus stops by dedicating additional right-of-way, if requested by the County Engineer. Provisions for mass transit shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use to the shelter, appropriate lighting, waste container, and bicycle rack. Bus shelters or bus stops located on private property or in

common areas shall be the maintenance responsibility of the property owner.  
(BLDG PERMIT: MONITORING - Eng)

J. PLANNED UNIT DEVELOPMENT

1. Decorative street lights shall be provided pursuant to Section 6.8.A.16 of the ULDC, subject to approval by the County or City Engineer. (CO: BLDG - Eng)
2. Street trees shall be provided as follows, subject to the Engineering Department's approval:
  - a. Along one side of all internal PUD right-of-ways forty (40) feet in width or greater;
  - b. Along both sides of all internal PUD right-of-ways, fifty (50) feet in width or greater; and,
  - c. At one canopy tree for every forty (40) linear feet of street frontage with a maximum spacing of sixty (60) feet between clusters.

Root barriers and other alternatives acceptable to the Zoning Division, Utilities Departments and the County Engineer, if required, shall be used. Prior to DRC certification of the preliminary development plan, street tree planting details and cross sections shall be approved by the Zoning Division, Utilities departments, and the County Engineer. (DRC/CO: ZONING/UTILITIES/ENG/LANDSCAPE - Zoning)

3. All property included in the legal description of the petition shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's office which shall, among other things, provide for: Formation of a single "master" property owners association, automatic voting membership in the master association by any party holding title to any portion of the subject property, and assessment of all members of the master association for the cost of maintaining all common areas.

The property shall not be subjected to the Declaration of Restrictions in phases. Approval of the Declaration must be obtained from the County Attorney's office prior to the recordation of the first plat for any portion of the planned development. This Declaration shall be amended when additional units are added to the PUD. (PLAT: ENG - Co Att)

4. Additional guest and overflow parking spaces within all townhouse pods shall be deleted and converted to additional greenspace. (DRC: ZONING)
5. Recreation uses provided in accordance with Section 6.8.B.4.A.(6)(b) of the ULDC shall be located on a minimum of 0.1 acre and shall be located within each residential pod. Such recreation uses shall have a direct connection to the pedestrian system within the project and include a tot lot, gazebo, fitness station, rest station, or similar recreation amenity subject to approval of the Zoning Division. These recreation areas shall not be used towards the Parks and Recreation Department's minimum recreation requirement or be located within land areas designated for drainage, stormwater management or other utility purposes. (DRC/PLAT: ZONING)
6. No Flexible Regulations and Administrative Deviations from the required property development regulations for the residential units shall be permitted. Setback reductions for residential structures adjacent to open space or lake tracts may be permitted pursuant to ULDC.

7. Prior to final site plan certification by the Development Review Committee (DRC), the site plan shall be amended to show a focal point and/or pedestrian amenities at the terminus or midpoint of internal roadway, access tract, residential street (including T-intersections), or cul-de-sac consistent with the conceptual site plan dated May 15, 2000. This focal point shall be pedestrian oriented public areas and shall be in the form of a plaza, fountain, gazebo, roundabout with landscaping, accent landscaping with lighting or any other site element or architectural design acceptable to the Zoning Division. (DRC: ZONING)
8. Drainage easements shall not be permitted along the width and within the rear yards of the back-to-back units. (DRC: ZONING)
9. All zero-lot line lots (units) which side yard abuts the rear yard of two (2) or more lots (units) shall be restricted to one (1) story in height. (DRC: ZONING)

K. SCHOOL BOARD

1. The property owner shall post notice on annual boundary school assignments for students from this development. The District will provide an 11" x 17" sign to be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO HOME BUYERS/TENANTS"

"School age children may not be assigned to the public school closest to their residences. School Board policies regarding overcrowding, racial balance or other boundary policy decisions affect school boundaries. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s)." (ONGOING: SCHOOL BOARD)

L. SIGN

1. Project identification signs fronting on Hypoluxo Road and Haverhill Road extension shall be limited as follows:
  - a. Maximum sign height, measured from finished grade to highest point - eight (8) feet;
  - b. Maximum sign face area per side - 60 square feet;
  - c. Maximum number of signs - One median sign at each entrance; and,
  - d. Style - Monument style only. (CO: BLDG)

J. 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 majority vote of the Code Enforcement Board to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

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