

RESOLUTION NO. R-2002-0623

RESOLUTION APPROVING ZONING PETITION PDD2001-059
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT (PDD)
PETITION OF MI HOMES
BY JULIAN BRYAN & CHIP BRYAN, AGENT
(BETHESDA 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 PDD2001-059 was presented to the Board of County Commissioners at a public hearing conducted on April 25, 2002; and,

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the 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 PDD2001-059, the petition of MI Homes by Julian Bryan and Chip Bryan, agent, for an Official Zoning Map Amendment rezoning from Agricultural Residential to Residential Planned Unit Development 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 April 25, 2002, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Greene moved for the approval of the Resolution.

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

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus	-	Nay
Mary McCarty	-	Absent
Burt Aaronson	-	Aye
Tony Masilotti	-	Nay
Addie L. Greene	-	Aye

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

Filed with the Clerk of the Board of County Commissioners on 29 day of May, 2002.

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

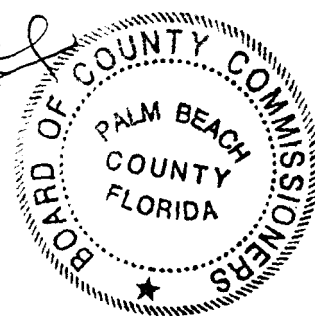


EXHIBIT A
LEGAL DESCRIPTION

Parcel 1

A parcel of land lying in Section 16, Township 46 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 16;
Thence South $89^{\circ}-59'-03''$ West, along the North line of said Section 16, a distance of 992.01 feet to the Point of Beginning;
Thence continue South $89^{\circ}-59'-03''$ West, along the North line of said Section 16, a distance of 533.71 feet to a point on a line 1119.33 feet East of and parallel to the North South Quarter Section line of said Section 16;
Thence South $1^{\circ}-17'-53''$ West, along said parallel line, a distance of 691.18 feet to a point on the South line of the North Half (N $\frac{1}{2}$) of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 16;
Thence North $90^{\circ}-00'-00''$ East, along the South line of the North Half (N $\frac{1}{2}$) of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 16, a distance of 536.61 feet;
Thence North $1^{\circ}-03'-26''$ East, a distance of 691.26 feet to the Point of Beginning.

LESS HOWEVER, the North 25 feet thereof for right of way to Palm Beach County, Florida as recorded in Official Record Book 1948, page 195 of the public records of Palm Beach County, Florida.

AND ALSO LESS HOWEVER, that portion of the property as described in Chancery Case 407 as recorded by Lake Worth Drainage District in Official Record Book 6495, page 761 of the public records of Palm Beach County, Florida.

AND

Parcel 2

The West 719.33 feet of the North Half (N $\frac{1}{2}$) of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 16, Township 46 South, Range 42 East, Palm Beach County, Florida, LESS the East 344.67 feet and LESS the South 315.89 feet thereof.

LESS HOWEVER, the North 25 feet thereof for right of way to Palm Beach County, Florida as recorded in Official Record Book 1948, page 195 of the public records of Palm Beach County, Florida.

LESS HOWEVER, the West 30 feet thereof for right of way to Palm Beach County, Florida as recorded in Deed Book 729, page 553 of the public records of Palm Beach County, Florida.

ALSO LESS HOWEVER, that portion of the property as described in Chancery Case 407 as recorded by Lake Worth Drainage District in Official Record Book 6495, page 761 of the public records of Palm Beach County, Florida.

AND ALSO LESS HOWEVER, Parcel 106 and Parcel 107 as described in that certain Order of Taking by Palm Beach County, Florida, as recorded in Official Record Book 12313, pages 1550 through 1580, inclusive, of the public records of Palm Beach County, Florida.

AND

EXHIBIT A
LEGAL DESCRIPTION

Parcel 3

A parcel of land lying in Section 16, Township 46 South, Range 42 East, Palm Beach County, Florida, said parcel being more particularly described as follows:

The South 315.89 feet of the West 719.33 feet of the North Half (N½) of the North Half (N½) of the Northeast Quarter (NE¼) of said Section 16.

LESS HOWEVER, the West 30 feet thereof for right of way to Palm Beach County, Florida as recorded in Deed Book 729, page 553 of the public records of Palm Beach County, Florida.

AND

Parcel 4

A parcel of land lying in Section 16, Township 46 South, Range 42 East, Palm Beach County, Florida, said parcel being more particularly described as follows:

The East 344.67 feet of the West 719.33 feet, LESS the South 315.89 feet of the North Half (N½) of the North Half (N½) of the Northeast Quarter (NE¼) of said Section 16.

LESS HOWEVER, the North 25 feet thereof for right of way to Palm Beach County, Florida as recorded in Official Record Book 1948, page 195 of the public records of Palm Beach County, Florida.

AND ALSO LESS HOWEVER, that portion of the property as described in Chancery Case 407 as recorded by Lake Worth Drainage District in Official Record Book 6495, page 761 of the public records of Palm Beach County, Florida.

AND

Parcel 5

A parcel of land lying in Section 16, Township 46 South, Range 42 East, Palm Beach County, Florida, said parcel being more particularly described as follows:

The East 200 feet of the West 919.33 feet of the North Half (N½) of the North Half (N½) of the Northeast Quarter (NE¼) of said Section 16.

LESS HOWEVER, the North 25 feet thereof for right of way to Palm Beach County, Florida as recorded in Official Record Book 1948, page 195 of the public records of Palm Beach County, Florida.

AND ALSO LESS HOWEVER, that portion of the property as described in Chancery Case 407 as recorded by Lake Worth Drainage District in Official Record Book 6495, page 761 of the public records of Palm Beach County, Florida.

AND

EXHIBIT A
LEGAL DESCRIPTION

Parcel 6

A parcel of land lying in Section 16, Township 46 South, Range 42 East, Palm Beach County, Florida, said parcel being more particularly described as follows:

The East 200 feet of the West 1119.33 feet of the North Half (N $\frac{1}{2}$) of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 16.

LESS HOWEVER, the North 25 feet thereof for right of way to Palm Beach County, Florida as recorded in Official Record Book 1948, page 195 of the public records of Palm Beach County, Florida.

AND ALSO LESS HOWEVER, that portion of the property as described in Chancery Case 407 as recorded by Lake Worth Drainage District in Official Record Book 6495, page 761 of the public records of Palm Beach County, Florida.

EXHIBIT B
VICINITY SKETCH

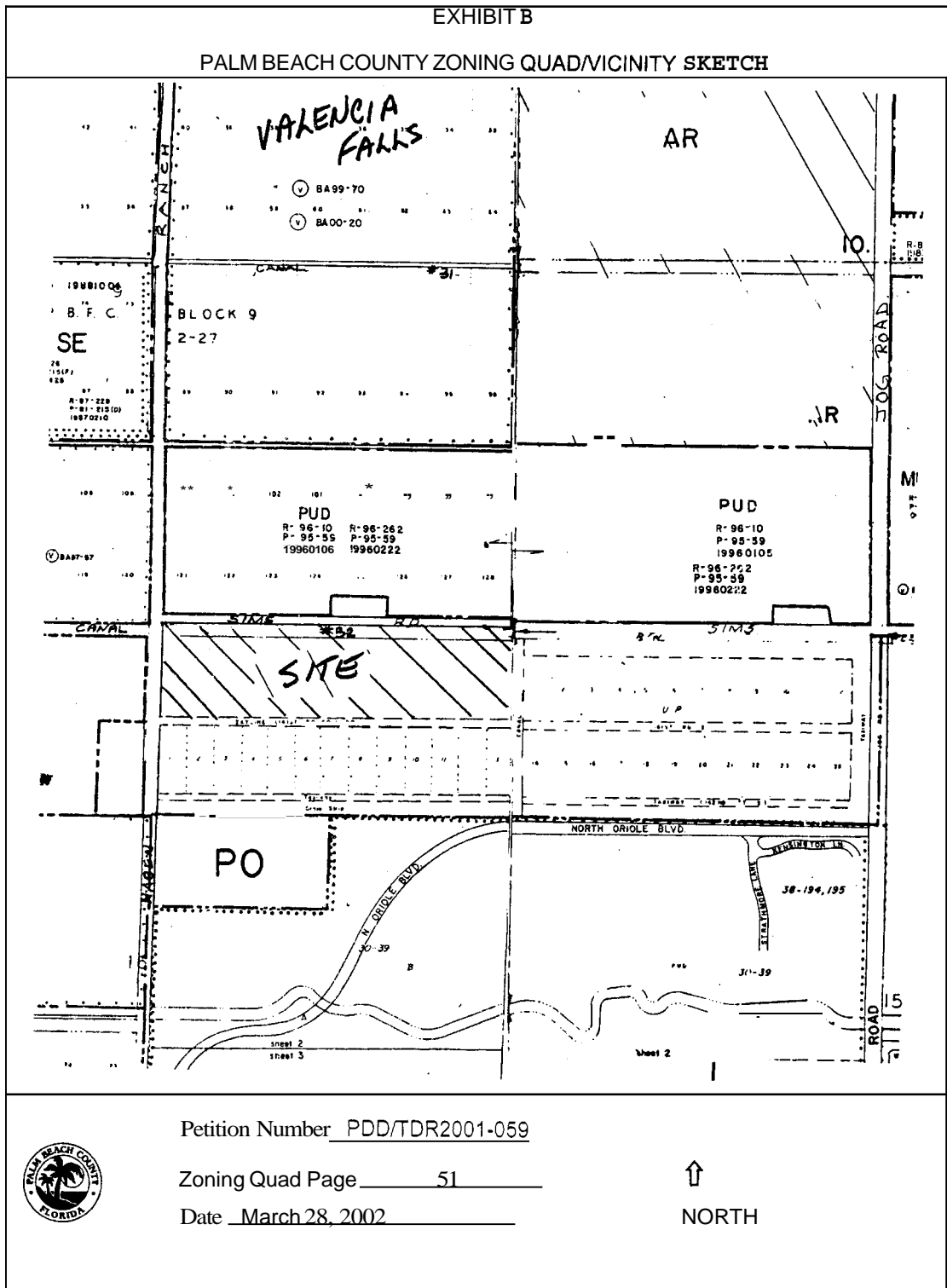


EXHIBIT C

CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved Preliminary Development (PDP)/site plans are dated February 15, 2002. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING)

B. LANDSCAPING - STANDARD

1. Fifty-percent of trees to be planted in the perimeter buffer shall be canopy trees and meet the following minimum standards at installation:
 - a. Tree height: Fourteen (14) feet;
 - b. Trunk diameter: 3.5 inches measured at 4.5 feet above grade;
 - c. Canopy diameter: Seven (7) feet – diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of 3.5 feet in length; and,
 - d. Credit may be given for existing or relocated trees provided they meet ULDC requirements. (CO: LANDSCAPE – Zoning)
2. All palms required to be planted on site by this approval, 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) (CO: LANDSCAPE - Zoning)
3. All shrub or hedge materials shall be planted in continuous masses and 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. twenty-four (24) to thirty-six (36) inches – medium shrub; and
 - c. forty-eight (48) to seventy-two (72) inches – large shrub, unless where specifies herein. (CO: LANDSCAPE - Zoning)
4. All trees and palms shall be planted in a meandering and naturalistic pattern. (CO: LANDSCAPE - Zoning)
5. A group of three (3) or more palm or pine trees may not supersede the requirement for canopy tree in that location, unless specified herein. (CO: LANDSCAPE - Zoning)

C. LANDSCAPING ALONG THE NORTH PROPERTY LINE (FRONTAGE OF LAKE IDA ROAD)

1. Landscaping and buffering along the north property line shall be upgraded to include:
 - a. a minimum ten (10) foot wide landscape buffer strip;

- b. one (1) native canopy tree for each twenty (20) feet of the property line;
- c. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; and,
- d. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
- e. one (1) medium shrub for each four (4) 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.
- g. a minimum of fifty (50) percent of the shrub materials shall be native species. (CO: LANDSCAPE-Zoning)

D. LANDSCAPING ALONG THE SOUTH PROPERTY LINE (FRONTAGE OF SKYLINE DRIVE)

- 1. Landscaping and buffering along the south property line shall be upgraded to include:
 - a. a minimum thirty-five (35) foot wide landscape buffer strip for the south property line. No width reduction or easement encroachment shall be permitted;
 - b. a continuous, minimum three (3) foot high berm measured from top of curb;
 - c. an eight (8) foot high vinyl-coated chain link fence to be located on the property line. Thirty-six (36) inch high shrub or hedge material shall be installed along the interior side of the required fence. The hedge shall be spaced no more than twenty four (24) inches on center and to be maintained at a minimum height of seventy-two (72) inches:
- 2. The following plant materials shall also be installed along the remaining portion of this buffer:
 - a. one (1) native canopy tree for each twenty (20) linear feet of the property line;
 - b. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; (CO: LANDSCAPE-Zoning)
 - c. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
 - d. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation: and,
 - e. 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. and continuously be maintained at seventy-two (72) inches high.
 - f. a minimum of fifty (50) percent of the shrub materials shall be native species. (CO: LANDSCAPE-Zoning)

E. ENGINEERING

- 1. The Property owner shall construct Lake Ida Road as a 3 lane section from Hagen Ranch Road to Villa Borghese.
 - 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 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. 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 10 Single Family dwelling units shall not be issued until the contract has been awarded for the construction of the 4/5 lane widening of Hagen Ranch Road from West Atlantic Avenue to Lake Ida Road plus the appropriate paved tapers. Construction commences is defined as awarding the contract for construction, the acquisition of all right of way and construction easements and the acquisition of all required permits. (BLDG PERMIT: MONITORING-Eng)
3. LANDSCAPE WITHIN MEDIAN OF COUNTY ROADS
- A. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department Permit Section for a permit to landscape the adjacent median of Hagen Ranch Road Right-of-way. This permit shall comply with all permit requirements, including but not limited to indemnifying Palm Beach County. When permitted by the Land Development Division of the Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the latest revision to the Palm Beach County Engineering and Public Works Department Streetscape Standards. The property owner shall also be responsible for supplementing any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscaping installation and maintenance requirements shall be subject to the standards as set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDG PERMIT: MONITORING- Eng)
 - B. All required median landscaping, including an irrigation system if required, shall be installed at the property owners expense. All 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 or 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, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed prior to the issuance of the first certificate of occupancy. (CO: MONITORING- Eng)

- C. If the Developer does not enter into an agreement with Palm Beach County to assume the maintenance responsibility, then appropriate property owner's documents or other restrictive covenant documents, evidencing the maintenance obligation shall be established or amended as required and shall be approved and recorded prior to the issuance of the Building Permit. (BLDG PERMIT: MONITORING-Eng)
- 4. Prior to the issuance of a building permit the property owner shall convey additional right of way to Palm Beach County to provide for a 25 foot "Corner Clip" at Skyline Drive and Hagen Ranch Road. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (BLDG PERMIT: MONITORING-Eng)
- F. LANDSCAPING ALONG THE EAST PROPERTY LINE (ABUTTING RESIDENTIAL)
- 1. Landscaping and buffering along the east property line shall be upgraded to include:
 - a. a minimum thirty (30) foot wide landscape buffer strip for the east property line. No width reduction or easement encroachment shall be permitted;
 - c. a continuous, minimum four (4) foot high berm measured from top of curb;
 - d. an eight (8) foot high wood fence to be located on the plateau of the berm, (CO: LANDSCAPE-Zoning)
 - 2. The following landscaping requirements shall be installed on the exterior side of the required fence:
 - a. one (1) areca palm with a maximum spacing of four (4) feet between each palm. Palm shall be a minimum height of seventy-two (72) inches at installation. Palm shall also be installed at a minimum one and half feet (1.5) feet from the required fence and along the entire east property line. (CO: LANDSCAPE-Zoning)
 - 3. The following landscaping requirements shall be installed on the interior side of the required wall:
 - a. one (1) native canopy tree for each twenty (20) linear feet of the property line;
 - b. one (1) booted sabal palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
 - c. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation; and,
 - d. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation;
 - e. a minimum of fifty (50) percent of the shrub materials shall be native species. (CO: LANDSCAPE-Zoning)
 - 4. Within 30 days of the approval of the vegetation removal permit issued by ERM, the property owner or petitioner or developer shall complete Conditions F.1 and F.2. Condition F.3 may be completed prior to the issuance of Certificate of Occupancy. (VEG. PERMIT/CO: ERM/LANDSCAPE -Zoning)

G. LANDSCAPING ALONG THE WEST PROPERTY LINE (FRONTAGE OF HAGEN RANCH ROAD)

1. Landscaping and buffering along the west 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. a continuous two (2) foot high berm measured from top of curb;
 - c. one (1) native canopy tree for each twenty (28) feet of the property line; and
 - d. 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.
 - e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
 - f. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
 - g. 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.
 - h. a minimum of fifty (50) percent of the shrub materials shall be native species. (CO: LANDSCAPE-Zoning)

H. PLANNED UNIT DEVELOPMENT

1. Decorative street lights shall be provided pursuant to Section 6.8.A.16.c.(1) of the ULDC, subject to approval by the County Engineer. (CO: BLDG - Eng)
2. Street trees shall be planted within or adjacent to streets of fifty (50) feet in width or greater, pursuant to Section 6.8.A.16.c(3) of the ULDC and subject to approval by the County Engineer. (CO: LANDSCAPE - Eng)
3. All utilities shall be underground, pursuant to Section 6.8.A.16.c(5) of the ULDC. (PLAT: ENG - Zoning)
4. Recreation uses provided in accordance with Section 6.8.B.4.A.(6)(b)(i) of the ULDC shall be located on a minimum of 0.1 acre and shall be located per preliminary development/site plans dated February 15, 2002. Such recreation uses shall have a direct connection to the pedestrian system within the project, and shall include recreation amenities such as tot lot, benches with shaded structures, gazebo, fitness station, rest station, or similar items 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-Zoning)
5. Flexible Regulations and Administrative Deviations from the required property development regulations for the residential units and their accessory structures shall be limited to the following:

Property Development Regulations	Administrative Deviation or Flexible Regulations
Building Coverage	44% maximum

6. No setback reductions shall be permitted. (DRC: ZONING-Zoning)
7. Drainage easements shall not be permitted along the rear yards of back-to-back units. (DRC: ZONING-Zoning)

8. 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 owner's 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-Zoning)
9. All recreation parcels shall be deed restricted to recreation for the use of the residents of the development. At the time of turnover of the POA/HOA, the recreation parcel shall be turned over to the association at no cost to the residents. (MONITORING: ZONING/CO ATTY-Zoning)
10. The types of dwelling unit for the PUD shall be limited to single -family units. No modifications shall be permitted without BCC approval. (DRC: ZONING-Zoning)

SCHOOL BOARD

1. The subject development shall post a notice of 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.

"NOTICE TO HOME BUYERS/TENANTS"

'School age children may not be assigned to the public school closest to their residents. School Board policies regarding overcrowding 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-School Board)

J. SIGNS

1. Freestanding signs fronting on Lake Ida Road 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 – sixty (60) square feet;
 - c. maximum number of signs - one (1) pair ;
 - d. style - monument style only; and,
 - e. location - within fifty (50) feet on both sides of the main access driveway. (CO: BLDG-Zoning)

K. COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)
2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

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

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