

RESOLUTION NO. R-2002-1956

RESOLUTION APPROVING ZONING PETITION DOA2000-080A  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF SHELBY HOMES INC.  
BY ROBERT BENTZ, AGENT  
(SOUTH ROAD 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, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA2000-080A was presented to the Board of County Commissioners at a public hearing conducted on October 24, 2002; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

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

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.

9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 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 DOA2000-080A, the petition of Shelby Homes Inc., by Robert Bentz, agent, for a Development Order Amendment to add land area, add units and reconfigure the master plan 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 attached as EXHIBIT B, attached hereto and made a part hereof, was approved on October 24, 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 Marcus and, upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared that the resolution was duly passed and adopted on October 24, 2002.


Filed with the Clerk of the Board of County Commissioners on 6 day of November, 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

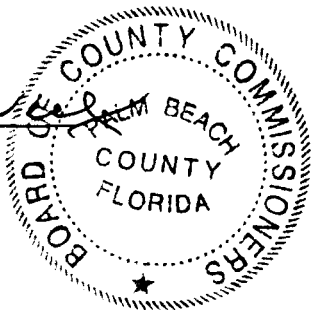


EXHIBIT A  
LEGAL DESCRIPTION

SOUTH ROAD, A P.U.D. ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 95, PAGES 76 THROUGH 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

TOGETHER WITH:

LOT 5, BLOCK 35, APALM BEACH FAMS COMPANY PLAT NO. 3@, ACCORDING TO THE PLAT THEREOF, AS RECOMMENDED IN PLATBOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE WEST 55.00 FEET OF SAID LOT 5, BLOCK 35

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 63.99 ACRES MORE OR LESS.



EXHIBIT C

CONDITIONS OF APPROVAL

NOTE: All previous conditions of approval are shown in BOLD and will be carried forward with this petition unless expressly modified.

A. ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolution R-2000-0433 (Petition PDD2000-080), 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. (ONGOING: MONITORING-ZONING-Zoning)
2. Condition A.1 of Resolution R-2000-0433, Petition PDD2000-080 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 Preliminary Development Plan, Regulating Plan and Focal Point Plan are dated December 11, 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)

Is hereby amended to read:

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 is dated August 22, 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-Zoning)

B. LANDSCAPING - STANDARD

1. Fifty (50%) percent of all perimeter canopy trees required to be planted on the site by this approval shall meet the following minimum standards at installation:
  - a. tree height: fourteen (14) feet
  - b. trunk diameter: 3.5 inches measured 4.5 feet above grade;
  - c. canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length; and,
  - d. credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)(Previous Condition B. 1 of Resolution R-2000-0433, Petition PDD2000-080)
2. All palms required to be planted on site by this approval 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) (Previous Condition B.2 of Resolution R-2000-0433, Petition PDD2000-080)

C. LANDSCAPING ALONG THE NORTH PROPERTY LINE AND THE WEST PROPERTY LINE ABUTTING THE S-7 CANAL (APPLICABLE TO THE OVERALL SITE INCLUDING ADDED PARCEL)

1. Landscaping and buffering along the north and west perimeter property lines abutting the S-7 Canal shall be upgraded to include:
  - a. An overall twenty (20) foot wide landscape buffer strip. Ten (10) feet of which, can be a landscape easement located along the rear of the residential lots to accommodate the backslope of the berm;
  - b. A two (2) to three (3) foot high undulating berm with an average height of two and one half feet measured from the top of the curb;
  - c. One (1) canopy tree planted every thirty (30) linear feet on center;
  - d. One (1) palm or pine tree for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet on center between clusters. A group of three (3) palms or pines may not supersede the requirement for canopy tree in that location;
  - e. Twenty-four (24) inch high shrub or hedge material, spaced no more than twenty-four (24) inches on center at installation. Fifty (50%) percent of the shrub or hedge material shall be located on the plateau of the berm and maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE-Zoning) (Previous Condition C.1 of Resolution R-2000-0433, Petition PDD2000-080)

D. LANDSCAPING ALONG THE SOUTH PROPERTY LINE ABUTTING 52<sup>ND</sup> PLACE SOUTH (APPLICABLE TO THE OVERALL SITE INCLUDING ADDED PARCEL)

1. Landscaping and buffering along the south property line abutting 52<sup>nd</sup> Place South shall be upgraded to include:
  - a. An overall twenty (20) foot wide landscape buffer strip. Five (5) feet of which, can be a landscape easement located along the rear of the residential lots to accommodate the backslope of the berm. The buffer may overlap the ten (10) foot utility easement by a maximum of five (5) feet;
  - b. A two (2) to three (3) foot high undulating berm with an average height of two and one half feet measured from the top of the curb;
  - c. One (1) canopy tree planted every thirty (30) linear feet on center;
  - d. One (1) palm or pine tree for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet on center between clusters. A group of three (3) palms or pines may not supersede the requirement for canopy tree in that location;
  - e. Twenty-four (24) inch high shrub or hedge material, spaced no more than twenty-four (24) inches on center at installation. Fifty (50%) percent of the shrub or hedge material shall be located on the plateau of the berm and maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE-Zoning) (Previous Condition D.1 of Resolution R-2000-0433, Petition PDD2000-080)

E. ENGINEERING

1. Prior to the issuance of a building permit the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for:
  - a) 52nd Place South, 40 feet from centerline Right of way conveyance shall be along the projects entire frontage and shall be free of all encumbrances and encroachments. Developer 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 as determined by the County Engineer. (BLDG PERMIT: MONITORING-Eng)(Previous Condition E.1 of Resolution R-2000-0433, Petition PDD2000-080)
2. The Property owner shall construct:
  - I) Left turn lane west approach on 50th Street at S.R. 7;
  - II) Left turn lane east approach on 50th Street at the project entrance road.
  - 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)(Previous Condition E.2.b of Resolution R-2000-0433, Petition PDD2000-080)
  - c. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng) (Previous Condition E.2.c of Resolution R-2000-0433, Petition PDD2000-080)
3. 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 54 dwelling units shall not be issued until the contract has been let for the widening of Lantana Road from Lyons Road to S.R. 7 as a 4 lane section plus the appropriate paved tapers. (BLDG PERMIT: MONITORING-Eng)(Previous Condition E.3 of Resolution R-2000-0433, Petition PDD2000-080)
4. The Property Owner shall fund the cost of signal installation if warranted as determined by the County Engineer at 50th Street and S.R. 7. Signalization shall be a mast arm structure installation. The cost of signalization shall also include any required utility relocation. Should signalization not be warranted after 12 months of the final Certificate of Occupancy this property owner shall be relieved from this condition. (ONGOING: MONITORING-Eng)(Previous Condition E.4 of Resolution R-2000-0433, Petition PDD2000-080)

5. The property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for 52nd Place South, 40 feet from centerline for the new portion of property being added to the PUD. This additional right of way shall be conveyed on or before June 1, 2003. Right of way conveyance shall be along the projects entire frontage and shall be free of all encumbrances and encroachments. Developer 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. 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 provisions for Expanded Intersection Details and "Corner Clips." (DATE: MONITORING-Eng)
6. In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule:
  - a. No Building Permits for the site may be issued after December 31, 2004. A time extension for this condition may be approved 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)

F. LANDSCAPING ALONG THE EAST PROPERTY LINE AND SOUTHWEST OUTPARCEL PROPERTY LINES

1. Condition F.1 of Resolution R-2000-0433, Petition PDD2000-080 which currently states:

Landscaping and buffering along the east and southwest perimeter property lines shall be upgraded to include:

- a. An overall twenty (20) foot wide landscape buffer strip.
- b. A two (2) to three (3) foot high undulating berm with an average height of two and one half feet measured from the top of the curb;
- c. One (1) canopy tree planted every thirty (30) linear feet on center;
- d. One (1) palm or pine tree for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet on center between clusters. A group of three (3) palms or pines may not supersede the requirement for canopy tree in that location;
- e. Twenty-four (24) inch high shrub or hedge material, spaced no more than twenty-four (24) inches on center at installation. Fifty (50%) percent of the shrub or hedge material shall be located on the plateau of the berm and maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE-Zoning)

Is hereby amended to read:

LANDSCAPING ALONG THE EAST PROPERTY LINE  
(FRONTAGE OF SR 7/US441)

Landscaping and buffering along the east property line shall be upgraded to include:

- a. A minimum twenty (20) foot wide landscape buffer strip.
- b. A two (2) to three (3) foot high undulating berm with an average height of two and one half feet measured from the top of the curb;
- c. One (1) canopy tree planted every thirty (30) linear feet on center;



- d. One (1) palm or pine tree for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet on center between clusters. A group of three (3) palms or pines may not supersede the requirement for canopy tree in that location;
- e. Twenty-four (24) inch high shrub or hedge material, spaced no more than twenty-four (24) inches on center at installation. Fifty (50%) percent of the shrub or hedge material shall be located on the plateau of the berm and maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE-Zoning)

G. LAKE WORTH DRIANANGE DISTRICT

- 1. Prior to platting, the owner shall convey to the District, either by warranty deed or easement, the west 55 feet of tract 5, block 35, less lands owned by the District for the required right-of-way for the S-7 Canal. (PLAT:ENG-LWDD)

H. MASS TRANSIT

- 1. Prior to recordation of first plat, the property owner shall convey to Palm Beach County an easement for a bus stop, subject to the approval of Palm Tram. (PLAT: MONITORING – Palm Tram)
- 2. This easement shall be recorded as a separate instrument prior to Technical Compliance of the first plat. Additionally, the petitioner shall construct continuous paved pedestrian and bicycle access compliant with the American with Disabilities Act to and through the Bus Stop Boarding and Alighting Area. The location of the easement shall be shown on the site plan prior to final certification by the Development Review Committee. (TC: PALM TRAM – Palm Tram)
- 3. Prior to the issuance of the building permit for the 100<sup>th</sup> unit, the developers shall construct a Palm Tram approved mass transit shelter with appropriate access lighting, trash receptacle and bicycle storage. The location of the shelter shall be within an approved Bus Stop Boarding and alighting area easement. Any and all costs associated with the construction and perpetual maintenance shall be funded by the property owner. (BLDG. PERMIT: MONITOING-Eng)

I. PLANNED UNIT DEVELOPMENT

- 1. **Decorative street lights shall be provided pursuant to Section 6.8.A of the ULDC, subject to approval by the County or City Engineer.** (CO: BLDG - Eng)(Previous Condition G.1 of Resolution R-2000-0433, Petition PDD2000-080)
- 2. Condition G.2 of Resolution R-2000-0433, Petition PDD2000-080 which currently states:

**Street trees shall be planted within or adjacent to internal streets 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)

Is hereby amended to read:

Street trees shall be required within the street tracts or right-of-ways of the subject development consistent with the requirements of the Engineering Department, and the following criteria:

- a. along one side of all internal PUD streets, forty (40) feet in width or greater;

- b. along both sides of all internal PUD streets, fifty (50) feet in width or greater;
  - c. all Final Subdivision Applications shall include roadway cross-section sketches showing street trees. (DRC:ZONING/ENG– Zoning/Land Dev.)
3. All utilities shall be underground, pursuant to Section **6.8.A.16.c(5)** of the ULDC. (PLAT: ENG - Zoning)(Previous Condition G.3 of Resolution R-2000-0433, Petition PDD2000-080)
  4. 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 if additional units are added to the PUD. (PLAT: ENG - Co Att) (Previous Condition G.4 of Resolution R-2000-0433, Petition PDD2000-080)

5. Condition G.5 of Resolution R-2000-0433, Petition PDD2000-080 which currently states:

No flexible regulations, administrative deviations, or setback reductions shall be permitted except for rear setback reduction if adjacent to open space and in accordance with the ULDC. (DRC: ZONING)

Is hereby amended to read:

No flexible regulations, administrative deviations, or setback reductions shall be permitted except for rear setback reduction if adjacent to open space and in accordance with the ULDC. Ten (10) percent administrative deviations may be permitted for building coverage subject to final DRC approval. (DRC:ZONING-Zoning)

6. Condition G.6 of Resolution R-2000-0433, Petition PDD2000-080 which currently states:

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 as shown on the Conceptual Site Plan dated July 14, 2000. 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-Zoning)

Is hereby amended to read:

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 as shown on the Conceptual Site Plan dated August 19, 2002. 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-Zoning)

J. PLANNING

1. Condition H.1 of Resolution R-2000-0433, Petition PDD/DOA 2000-080A which currently states:

Prior to final site plan approval by the Development Review Committee, the notation at the eastern property line where the cul-de-sac is shown which reads "50' access easement if out parcel is residential" shall be amended to read "proposed vehicular and pedestrian cross access to be paved to the eastern property line for future access to adjacent 9.32 acre residual parcel". (DRC: PLANNING-Planning)

Is hereby amended to read:

Prior to final site plan approval by the Development Review Committee, the notation at the eastern property line where the cul-de-sac is shown which reads "50' access easement if out parcel is residential" shall be amended to read "proposed vehicular and pedestrian cross access to be paved to the eastern property line for future access to adjacent 9.32 acre residual parcel". This access can be controlled by gates or other security devices that will be controlled by residents of the 63.99 acre PUD. (DRC: PLANNING-Planning)

2. Condition H.2 of Resolution R-2000-0433, Petition PDD2000-080 which currently states:

Prior to the issuance of the certificate of occupancy, the petitioner shall pave the property to the edge of the eastern property line at the location shown on the site plan which reads "proposed vehicular and pedestrian cross access". (CO: MONITORING-Planning)

Is hereby amended to read:

Prior to the issuance of the certificate of occupancy, the petitioner shall pave the property to the edge of the eastern property line, with or without gates, at the location shown on the site plan that reads "proposed vehicular and pedestrian cross access". This access can be controlled by gates or other security devices that will be controlled by the residents of the 63.99 acre PUD. (CO: MONITORING-BUILDING)

K. SCHOOL BOARD

1. The property Owner 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 with the following:

"NOTICE TO HOME BUYERS/TENANTS"

School age children may not be assigned to the public school closest to their residence. 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)(Previous Condition I.1 of Resolution R-2000-0433, Petition PDD2000-080)

2. Prior to the issuance of the first certificate of occupancy, the petitioner shall provide a bus shelter and turnaround to accommodate a school bus at a minimum 55' radius. The bus turnaround and shelter shall be located before the entry gate. (CO/BLDG PERMIT: MONITORING-SCHOOL BOARD-School Board)(Previous Condition 12 of Resolution R-2000-0433, Petition PDD2000-080)

L. 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)(Previous Condition J.1 of Resolution R-2000-0433, Petition PDD2000-080)

2. Condition J.2 of Resolution R-2000-0433, Petition PDD2000-080 which currently states:

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)

Is hereby amended to read:

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. (ONGOING: MONITORING-ZONING)