

RESOLUTION NO. R-2002- 1959

RESOLUTION APPROVING ZONING PETITION EAC1986-150B
DEVELOPMENT ORDER AMENDMENT
PETITION OF CUBBY CO. LLC
BY HELEN LAVALLEY, AGENT
(CHECKERS FAST FOOD RESTAURANT)

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 EAC1986-150B 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 EAC1986-150B, the petition of Cubby Co. LLC, by Helen LaValley, agent, for a Development Order Amendment to revoke a fast food restaurant, add square footage and reconfigure site 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.

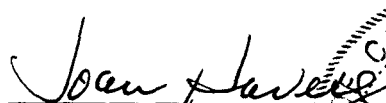
Filed with the Clerk of the Board of County Commissioners on 6 day of November, 2002.

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

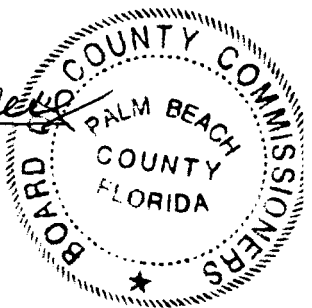


EXHIBIT A

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACTS 67, 68, 69, 70, 71, 93, 94, 95, AND 96, OF BLOCK 76, OF PALM BEACH FARMS PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS; COMMENCE AT THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF BOCA RATON WEST ROAD (S.R. 808), AND THE WESTERLY RIGHT OF WAY LINE OF THE FLORIDA STATE TURNPIKE, (SAID POINT BEING, 40.00 FEET FROM THE CENTERLINE OF S.R. 808); THENCE RUN DUE WEST, WITH AN ASSUMED BEARING, ALONG SAID SOUTHERLY LINE, 60.00 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF SHELL PIT ROAD, (A 60 FOOT ROAD RIGHT OF WAY); THENCE SOUTH 00 43' 00" EAST, ALONG SAID WESTERLY LINE 235.00 FEET TO THE POINT OF BEGINNING, OF THE HEREIN DESCRIBED PARCEL;

THENCE CONTINUE SOUTH 00 43' 00" EAST, ALONG SAID WESTERLY LINE 840.09 FEET; THENCE DUE WEST, 350.00 FEET; THENCE DUE NORTH, 100.00 FEET TO A POINT; THENCE DUE WEST, 98.18 FEET TO THE POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWESTERLY HAVING A RADIUS OF 65.00 FEET, THENCE FROM A TANGENT BEARING OF NORTH 43 48' 47" WEST, RUN NORTHWESTERLY, ALONG SAID CURVE 26.74 FEET, THROUGH A CENTRAL ANGLE OF 23 34' 01" TO A POINT; THENCE DUE NORTH 85.00 FEET; THENCE DUE WEST, 185.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEASTERLY, HAVING A RADIUS OF 145.00 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE 213.82 FEET, THROUGH A CENTRAL ANGLE OF 84 29' 28", TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHEASTERLY, HAVING A RADIUS OF 20.00 FEET, THENCE ALONG SAID CURVE 33.34 FEET TO THE END OF SAID CURVE; THENCE DUE EAST, 59.42 FEET; THENCE DUE SOUTH, 47.00 FEET; THENCE DUE WEST, 2 29 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEASTERLY, HAVING A RADIUS OF 200.00 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, 314.16 FEET, TO THE POINT OF REVERSE CURVE; THENCE WITH A CURVE CONCAVE TO THE SOUTHWESTERLY, HAVING A RADIUS OF 420.00 FEET, RUN ALONG SAID CURVE, 52.20 FEET TO A POINT; THENCE NORTH 82 52' 42" EAST, RADIAL TO THE PREVIOUS CURVE, 53.19 FEET; THENCE NORTH 64 30' 43" EAST, 95.00 FEET TO A POINT; THENCE NORTH 25 29' 17" WEST, 40.00 FEET TO A POINT; THENCE NORTH 00 43' 00" WEST, 106.72 FEET TO A POINT; THENCE SOUTH 89 17' 00" WEST, 77.92 FEET TO A POINT; THENCE NORTH 30 10' 50" WEST, 22.00 FEET TO A POINT; THENCE SOUTH 59 49' 10" WEST, 98.00 FEET, TO A POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWESTERLY, HAVING A RADIUS OF 420.00 FEET; THENCE FROM A TANGENT BEARING OF NORTH 30 10' 50" WEST, RUN NORTHWESTERLY ALONG SAID CURVE 433.48 FEET TO A POINT; THENCE DUE NORTH, 442.01 FEET TO A POINT OF INTERSECTION WITH THE EXISTING SOUTHERLY RIGHT OF WAY LINE OF BOCA RATON WEST ROAD, SAID POINT BEING 53.00 FEET SOUTH OF THE EXISTING CENTER LINE OF SAID ROAD; THENCE RUN ALONG SAID RIGHT OF WAY LINE THE FOLLOWING SEVEN COURSES AND DISTANCES; DUE EAST, 415.00 FEET; DUE NORTH, 13.00 FEET; DUE EAST 330.00 FEET; DUE SOUTH 13.00 FEET; DUE EAST 330.00 FEET; DUE NORTH 13.00 FEET; DUE EAST 48.84 FEET TO A POINT; THENCE SOUTH 00 43' 00" EAST 235.00 FEET TO A POINT; THENCE DUE EAST, 200 00 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF SHELL PIT ROAD, AND THE POINT OF BEGINNING. SAID PROPERTY LOCATED ON THE SOUTH SIDE OF GLADES ROAD (S.R. 808), BOUNDED ON THE EAST BY LAKE WORTH DRAINAGE DISTRICT CANAL E-2 WEST, APPROXIMATELY 150.00 WEST OF FLORIDA'S TURNPIKE (SUNSHINE STATE PARKWAY)

CONTAINING 24.09 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS,
RESERVATIONS AND RIGHTS OF WAYS OF RECORD.

LESS THE RIGHT OF WAY FOR GLADES ROAD, AS RECORDED IN ORB 7769, PAGE
848, AND THE RIGHT OF WAY FOR BOCA RIO ROAD, (SHELL PIT ROAD), IN ORB
6975, PAGE 556, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

EXHIBIT B
VICINITY SKETCH

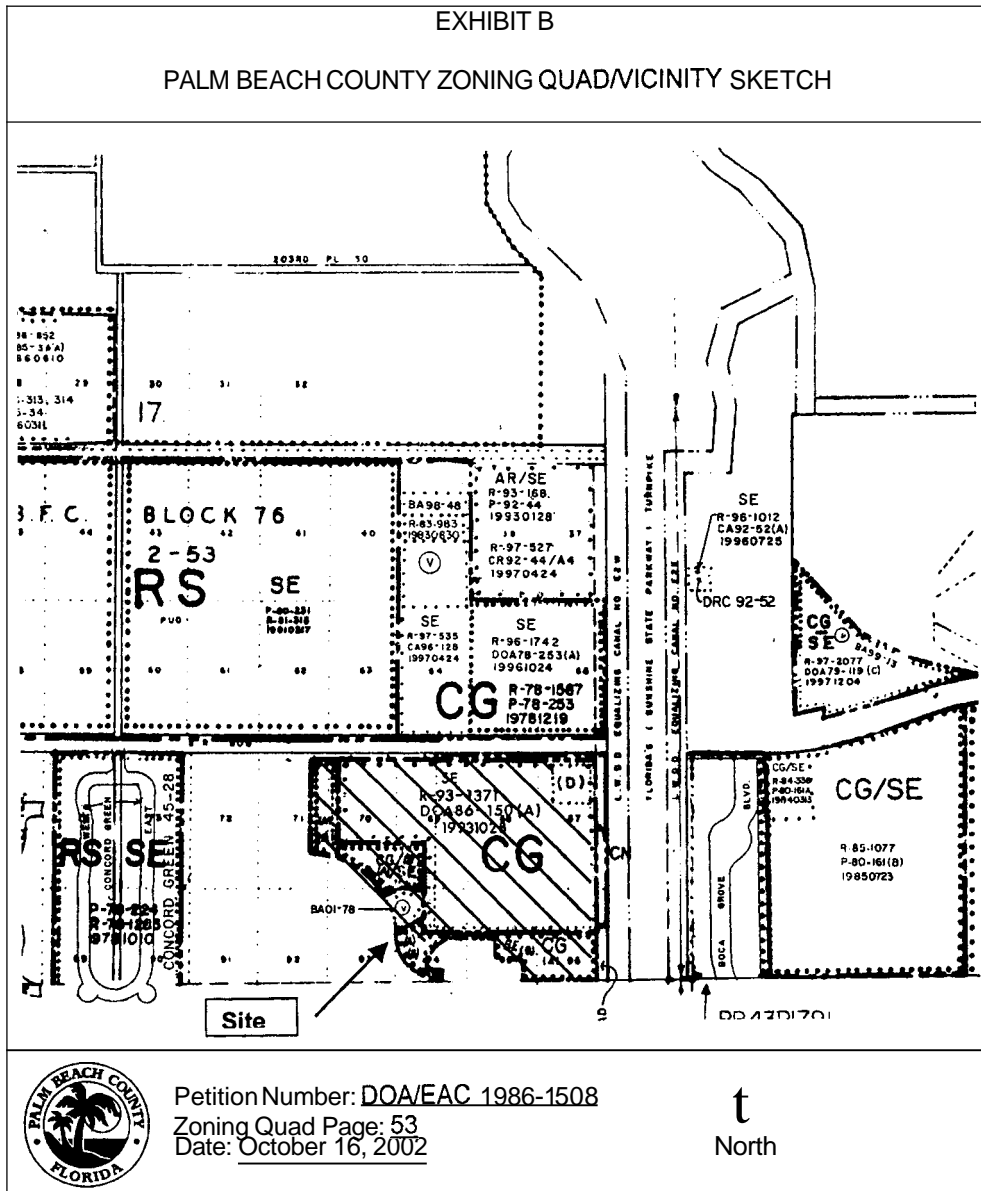


EXHIBIT C

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. Previous Condition A.1 of Resolution R-93-1371, which currently states:

All previous conditions of approval applicable to the subject property have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval, including original deadlines for Section 5.8 of the ULDC compliance, as amended, unless expressly modified.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-93-1371 (Petition 86-150A), 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)

2. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated September 13, 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. ARCHITECTURAL

1. The rear **façade(s)** of the shopping center shall be given architectural treatment compatible with the front of the center. The design will avoid an incompatible industrial appearance. (ZONING/BLDG: BLDG – Zoning) (Previous Condition A.7 of Resolution R-93-1371)
2. **All** mechanical and air conditioning equipment shall be roof mounted and architecturally screened or be contained within the enclosed loading and service area. (ZONING/BLDG: BLDG – Zoning) (Previous Condition A.8 of Resolution R-93-1371)
3. To ensure consistency with the architectural style of the surrounding area. The architectural treatments shall be identical to the “Wellington Style” store used in the Wellington PUD. (ARCH REV: BUILDING – Zoning) (Previous Condition A.16 of Resolution R-93-1371)

C. BUILDING AND SITE DESIGN

1. Previous Condition A.2 of Resolution R-93-1371, which currently states:

All flag poles located on the fast food site shall be limited to a maximum height of twenty-five (25) feet measured from finished grade to the highest point.

Is hereby deleted. [REASON: Fast food restaurant use revoked.]

2. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a) The correct loading space requirement in the site data tabular.
 - b) The elimination and relocation of the two (2) handicap parking stalls immediately west of the four (4) story hotel.
 - c) The required number of handicap spaces.
 - d) Relocation of the southeastern most parking stall out of the 25 foot landscape buffer and 20 foot required backup distance maneuvering area along the eastern property line.
 - e) A 25 foot landscape buffer along the western property line on West Lake Boulevard. (DRC: ZONING – Zoning) (Previous Condition A.5 of Resolution R-93-1371)
3. Prior to site plan approval, petitioner shall record a Unity of Title Agreement covering the entire site. (DRC: ZONING - County Attorney) (Previous Condition A.6 of Resolution R-93-1371)

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. All lakes on site shall, at all times, be maintained free of exotic species, including but not limited to cattails, primrose willow, and hyacinth, as listed in Section 7.6.F.4.i(1) (b) of the ULDC. (CODE ENFORCEMENT – ERM) (Previous Cond. A.4 of Resolution R-93-1371)

E. ENGINEERING

1. Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement for Boca Rio Road to Palm Beach County along the entire frontage of Boca Rio Shops. 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 PRMT: MONITORING-Eng)
2. The property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Boca Rio Road, 80 feet west of the existing east right of way line of Boca Rio Road. This additional right of way shall be conveyed on or before December 1, 2003 or prior to the issuance of the Building Permit for the site previously occupied by the Checkers Fast Food Restaurant, whichever shall first occur. 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/BLDG PRMT: MONITORING – Eng)
3. The property owner shall construct an eight (8) foot bike path along Boca Rio Road as outlined in condition Nos. 11 and 12 above. (ENGINEERING/ZONING) (Previous Condition A.13 of Resolution R-93-1371) [NOTE: Completed]

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4. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be reviewed by the Code Enforcement Board for enforcement. (ENGINEERING) (Previous Condition E.1 of Resolution R-93-1371). [NOTE: Completed]
 5. The property owner shall convey for the ultimate right-of-way for:
 - a) Glades Road, 80 feet from centerline
 - b) Boca Rio Road, 80 feet west of the existing east right of way line of Boca Rio Road
 - c) the construction of a right turn lane, west approach on Glades Road at the project's main entrance road

All within 90 days of the approval of the Resolution approving this project. (ENGINEERING) (Previous Condition E.2 of Resolution R-93-1371). [NOTE: Completed]

6. Concurrent with onsite paving and drainage improvements, or concurrent with the widening of Glades Road under the Florida Turnpike, whichever shall first occur, the property owner shall construct:
 - a) a right turn lane, west approach on Glades Road at the project's main entrance road; and,
 - b) Boca Rio Road as a 5 lane undivided section from Glades Road to the project's middle entrance plus the appropriate tapers and any turn lanes. Plan for this section of road shall be submitted to the office of the County Engineer prior to the letting of the contract for the Glades Road underpass. (Previous Condition E.3 of Resolution R-93-1371)
7. The property owner shall provide to Palm Beach County a road drainage easement within the project's internal lake system which is adjacent to the property capable of accommodating all runoff from those segments of Boca Rio Road along the property frontage along Boca Rio Road. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable County Control District and South Florida Water Management District. The design of the system shall assume the ultimate Thoroughfare Plan Section road drainage runoff. Additionally, this property owner shall accommodate to the extent possible, based on a drainage study provided by the adjacent trailer park and approved by the county engineer, the ability of the adjacent trailer park to drain through this proposed project's drainage system. (ENGINEERING) (Previous Condition E.4 of Resolution R-93-1371)
8. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this proposed Checkers

— Restaurant at the time of the Building Permit presently is \$22,248.00 (809 external trips X \$27.50 per trip) (IMPACT FEE COORDINATOR) (Previous Condition E.7 of Resolution R-93-1371)

9. In order to comply with the mandatory traffic performance standards, the property owner shall be issued no building permits until:
 - a) Palmetto Park Road is open to traffic from SR 7 to Powerline Road (including the Turnpike overpass),
 - b) Twelve (12) months after the construction has begun for the Glades Road/Turnpike interchange Conditions No. 16 a) and 16 b) shall also be deed restricted prior to site plan certification. Once the roads are constructed in accordance with Conditions 16 a) and 16 b), a document evidencing satisfaction of the conditions may be executed by the Executive Director of the Palm Beach County Planning, Zoning and Building Department and may be recorded. (ENGINEERING) ((Previous Condition E.8 of Resolution R-93-1371) [NOTE: Completed]
10. The property owner shall install signalization if warranted as determined by the County Engineer at:
 - a) project's entrance and Boca Rio Road
 - b) project's entrance and Glades Road.

Should signalization not be warranted after 12 months of the final Certificate of Occupancy, this property owner shall be relieved from this condition. (ENGINEERING) (Previous Condition E.9 of Resolution R-93-1371) [NOTE: Completed]
11. If valet or other limited access parking is to be provided for the hotel, it shall be restricted to the parking spaces in excess of the minimum required by Section 7.2 of the PBC ULDC. (ZONING/CODE ENFORCEMENT) (Previous Condition E.10 of Resolution R-93-1371)
12. Prior to site plan certification, the developer shall revise the subject site plan to align the parking aisles in the southeast corner of the site in accordance with the County Engineer's approval to provide for a smooth traffic flow. (ENGINEERING) (Previous Condition E.11 of Resolution R-93-1371)

F. HEALTH

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted on this site. All existing onsite sewage disposal systems must be abandoned in accordance with Chapter 10D-6, FAC., and Palm Beach County ECR-I. (HEALTH) (Previous Condition D.1 of Resolution R-93-1371)
2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing onsite potable water supply systems must be abandoned in accordance with Palm Beach County ERC-1. (HEALTH) (Previous Condition D.2 of Resolution R-93-1371)

G. LANDSCAPING STANDARD

1. Fifty-percent (50%) of all replacement trees to be planted in the perimeter buffer shall be native 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 new or replacement 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)

H. LANDSCAPING ALONG REAR OF CENTER

- - Previous Condition A.17 of Resolution R-93-1371, which currently states:

The petitioner shall supplement the existing landscape along the entire rear of the center in a manner and form acceptable to the Zoning Division. All required landscape shall be installed prior to issuance of a Certificate of Occupancy for the fast food restaurant.

Is hereby amended to read:

The petitioner shall supplement the existing landscape along the entire rear of the center in a manner and form acceptable to the Zoning Division. (ONGOING: LANDSCAPE – Zoning)

I. LANDSCAPING – INTERIOR

- 1. A minimum of one (1) landscape island shall be provided for every ten (10) parking spaces in the parking lot north of the proposed 6,000 square foot retail facility. The maximum spacing between landscape islands shall not exceed one hundred (100) linear feet. (DRC: ZONING – Zoning)
- 2. Foundation planting or grade level planters along the front and side facades of the proposed 6,000 square foot retail facility shall be upgraded to include:
 - a. The minimum width of the required landscape areas along the side facades shall be eight (8) feet;
 - b. The length of the required landscaped areas shall be no less than 50% of the total length of the front and side facades of the structure; and
 - c. One (1) canopy tree or cluster of palms for each twenty (20) linear feet of building façade; and
 - d. One (1) shrub for each two (2) linear feet of building façade and appropriate ground cover. Shrub to be planted at a minimum height of eighteen (18) inches at installation, and shall be maintained at a height of thirty-six (36) inches. (DRC/CO: ZONING/LANDSCAPE – Zoning)

J. LIGHTING

- 1. **Security lighting shall be low intensity in nature and directed away from nearby residences.** (ZONING/BULDING) (Previous Condition A.12 of Resolution R-93-1371)

— K. SIGNAGE

1. Previous Condition A.14 of Resolution R-93-1371, which currently states:
No exterior neon billboard-style signage shall be permitted on the site.
Is hereby amended to read:
No exterior neon style signage shall be permitted on the site.
(ZONING/BLDG: BLDG – Zoning)
2. **Prior to site plan certification by the Development Review Committee, the petitioner shall submit a detailed master signage program demonstrating compliance to Section 7.14 (Signage) of ULDC.** (DRC: ZONING – Zoning) (Previous Condition A.3 of Resolution R-93-1371)
3. No new freestanding point of purchase signs shall be permitted. (DRC: ZONING – Zoning)

L. USE LIMITATIONS

1. **No stock loading or dumpster pickup will be permitted between the hours of 8:00 p.m. and 8:00 a.m.** (ONGOING: CODE ENF – Zoning) (Previous Condition A.9 of Resolution R-93-1371)
2. **No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the shopping center.** (ONGOING: CODE ENF – Zoning) (Previous Condition A.10 of Resolution R-93-1371)
3. **No parking of any vehicle shall be permitted along the rear of the shopping center except in designated spaces or unloading areas.** (ONGOING: CODE ENF – Zoning) (Previous Condition A.11 of Resolution R-93-1371)

M. 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. (ONGOING: MONITORING – Zoning)