

RESOLUTION NO. R-94-1478

RESOLUTION APPROVING ZONING PETITION **DOA81-58(A)**
REQUESTED (R) USE
PETITION OF CHARITY BINGO OF DELRAY, INC.

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 Board of County Commissioners, pursuant to Article 6, Section 6.8 (Planned Development District Regulations) of the Palm Beach County Land Development Code (Ordinance 92-20) is authorized and empowered to approve, approve with conditions or deny Requested Uses within a Planned Development District; and

WHEREAS, the notice and hearing requirements, as provided for in Article 6, Section 6.8, of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, Zoning Petition **DOA81-58(A)** was presented to the Board of County Commissioners at a public hearing conducted on October 27, 1994; 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 recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations) of the Palm Beach County 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 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 exemption and therefore 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 6, Section 6.8, of the Palm Beach County 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 **DOA81-58 (A)**, the petition of Charity Bingo of Delray, Inc., for a REQUESTED USE allowing indoor entertainment in the General Commercial (CG) Zoning District, 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 as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on October 27, 1994, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Lee 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:

| | | |
|----------------------|----|--------|
| Mary McCarty, Chair | -- | Aye |
| Burt Aaronson | -- | Aye |
| Ken Foster | -- | Aye |
| Maude Ford Lee | -- | Aye |
| Karen T. Marcus | -- | Aye |
| Warren Newell | -- | Absent |
| Carol A. Roberts | -- | Absent |

The Chair thereupon declared that the resolution was duly passed and adopted this 27th day of October, 1994.

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

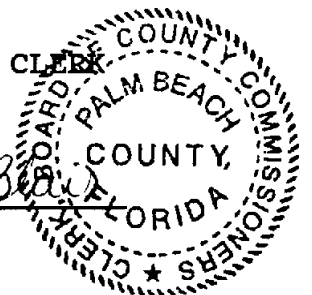


EXHIBIT A

LEGAL DESCRIPTION

EXHIBIT 'A'

LEGAL DESCRIPTION

MARKETPLACE OF DELRAY

A part of the East three quarters of the Northeast quarter of the Southeast quarter and the West half of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 14, Township 46 South, Range 42 East, Palm Beach County, Florida, lying West of the Westerly apparent ultimate right of way line of State Road 809 (Military Trail), said ultimate right of way line being 60 feet West of the centerline as shown in Road Plat Book 2 at page 26, Public Records of Palm Beach County, Florida, being more particularly described as follows:

For a point of reference commence at the Intersection of the Easterly prolongation of the Northerly apparent ultimate right of way line of State Road 806 (West Atlantic Avenue), said apparent ultimate right of way line being 60 feet North of the centerline as shown in Road Plat Book 3 at page 26, Public Records of Palm Beach County, Florida, with the Southerly prolongation of said Westerly ultimate right of way line of State Road 809; thence North 0 degrees, 56 minutes, 8 seconds West, along said Westerly ultimate right of way line, 25.27 feet to the Point of Beginning; thence continue North 0 degrees, 56 minutes, 8 seconds West, along said ultimate right of way line, 1,282.31 feet to the North line of the said East three quarters of the Northeast quarter of the Southeast quarter; thence South 88 degrees, 32 minutes, 49 seconds West, along said North line, 908.70 feet to the West line of the said East three quarters of the Northeast quarter of the Southeast quarter; thence South 0 degrees, 5 minutes, 5 seconds West, along said West line, 692.44 feet to the North line of the said West half of the Southwest quarter of the Northeast quarter of the Southeast quarter; thence South 88 degrees, 49 minutes, 19 seconds West, along said North line, 334.32 feet to the West line of the said West half of the Southwest quarter of the Northeast quarter of the Southeast quarter; thence South 0 degrees, 5 minutes, 54 seconds West, along said West line, 591.86 feet to the said Northerly apparent ultimate right of way line of State Road 806; thence North 89 degrees, 41 minutes, 34 seconds East, along said ultimate right of way line, 1,240.78 feet; thence North 44 degrees, 22 minutes, 43 seconds East, 35.55 feet to the said Point of Beginning.

LESS THAT PARCEL CONVEYED TO LAKE WORTH DRAINAGE DISTRICT BY QUITCLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 3292, PAGES 941 AND 942, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 30.3 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

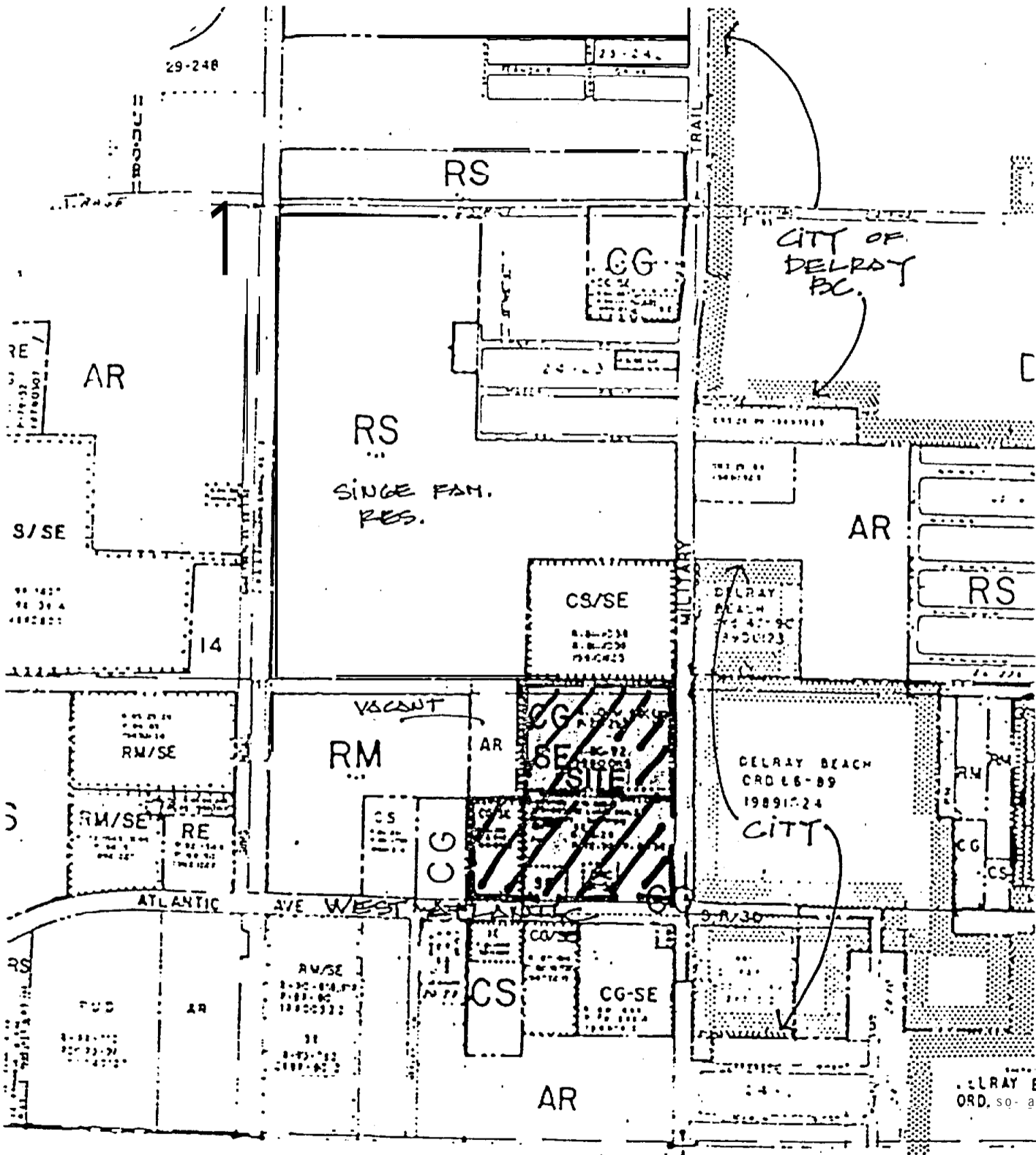


EXHIBIT C

CONDITIONS OF APPROVAL

A. GENERAL

1. All previous conditions of approval applicable to the subject property, as contained in Resolutions R-79-1106, R-80-92, R-81-992 and R-83-28 have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval unless expressly modified. (MONITORING)

B. USE LIMITATION (INDOOR ENTERTAINMENT - BINGO HALL)

1. Hours of operation for the bingo facility shall be limited to the hours of operation for the bingo facility located in the Pine West Center, as may be amended by the City of Delray Beach. These hours are currently from 6:30 p.m. to 10:00 p.m. weekdays and from 11:00 a.m. to 2:00 p.m. on Saturday and Sunday. Prior to site plan certification by the DRC, the petitioner shall apply and receive approval from the City of Delray Beach for the revocation of the petitioners approval for a bingo hall located within the shopping center located north of West Atlantic Avenue, East of Military Trail. (ZONING) (CODE ENFORCEMENT)
2. Indoor entertainment shall be limited to a 4,800 square foot, 125 seat bingo facility. (BUILDING/CODE ENFORCEMENT - Zoning)
3. Prior to site plan certification by the Development Review Committee (DRC), the petition shall apply and receive approval from the city of Delray Beach for the revocation of the petitioner approval for a bingo hall located within the shopping center located north of West Atlantic Avenue and East of Military Trail. (ZONING)
4. Palm Beach County shall initiate a status report of the petition to reconsider the limitation on hours of operation. The status report shall be heard at the October 30, 1997 regularly scheduled Board of County Commissioners public hearing. (MONITORING)

C. LANDSCAPE GENERAL

1. **Petitioner shall make every effort to preserve existing vegetation on the site.** (Previously Condition No. 8 of Resolution No. R-81-592, Petition No. 81-58)
2. **All landscaping shall be installed as shown on site plan submitted prior to a Certificate of Occupancy.** (Previously Condition No. 13 of Resolution No. R-80-92, Petition No. 79-285). (BUILDING)

D. LANDSCAPE BUFFER

1. **Petitioner shall construct a 6 ft. fence along the north property line of the subject parcel and the west property line of the existing Federal Plaza.** (Previously Condition No. 7 of Resolution No. R-81-592, Petition No. 81-58)

E. ENGINEERING

1. Condition 1 of Resolution R-79-1106, Petition 79-88, which currently states:

Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach county sixty (60) feet from the centerline of Delray West Road for the ultimate right-of-way. (ENGINEERING)

Is hereby deleted. [REASON: DUPLICATE CONDITION]

2. Condition 2 of Resolution R-79-1106, Petition 79-88, which currently states:

Petitioner shall relocate existing median opening seven hundred thirty (730) feet from the centerline of Military Trail.

Is hereby deleted. [REASON: LEFT TURNS INTO THE SITE AT THIS LOCATION HAVE BEEN PROHIBITED]

3. Condition 2 of Resolution R-79-1106, Petition 79-88, which currently states;

Petitioner shall provide left turn lane, west approach, at relocated median opening as approved by the county Engineer.

Is hereby deleted. [REASON: MEDIAN OPENINGS SERVING THE SITE HAVE BEEN RECONSTRUCTED BY PALM BEACH COUNTY]

4. Petitioner shall contribute Seven Thousand Fifty Dollars (**\$7,050.00**) towards the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of a building permit(s). This condition shall fulfill the developer's requirement according to the "**Fair** Share Contribution for Road Improvement Ordinance" No. 79-7 approved by the Board of county Commissioners on June 19, 1979. (Previously Condition 4 of Resolution R-79-1106, Petition 79-88) (IMPACT FEE COORDINATOR)

5. Condition No. 5 of Resolution R-79-1106, which currently states:

Prior to site plan approval, the petitioner shall convey to Palm Beach County sixty (60) feet from the centerline for the ultimate right-of-way for Military Trail (S.R. 809). (ENGINEERING)

Is hereby deleted. [REASON: DUPLICATE CONDITION]

6. Prior to Site Plan approval, the petitioner shall convey to Palm Beach County twenty-five (25) feet for a safe corner lot at the intersection of Military Trail (**S.R.** 809) and Delray West Road (S.R. 806). (Previously Condition 6 of Res. R-79-1106, Pet. 79-88) (ENGINEERING)

[Note: This condition has been complied with.]

7. Petitioner shall align development's north entrance road with the entrance road to Delray Square (75-99) and contribute to the cost of a traffic signal based on traffic volumes. (Previously Condition 7 of Resolution R-79-1106, Petition 79-88) (ENGINEERING)

[Note: Traffic signal has been installed at this location.]

8. The developments west entrance shall be the main entrance and shall be located a minimum of seven hundred (700) feet west of the centerline of Military Trail and provide the following turning lanes:

- a. A left turn lane at the west approach.
- b. A two lane in and a two lane out entrance driveway.
- c. A right turn lane at the west approach. (Previously Condition 8 of Resolution R-79-1106, Petition 79-88) (ENGINEERING)

[Note: This entrance has been constructed & is existing.]

9. Condition 8 of Resolution R-79-1106, Petition 79-88, which currently states:

Petitioner shall install a traffic control signal at the intersection of the development's main entrance and Delray West Road, when warranted, as determined by the County Engineer.

Is hereby deleted. [REASON: A TRAFFIC SIGNAL AT THIS LOCATION NO LONGER MEETS MINIMUM SPACING REQUIREMENTS]

10. Petitioner shall construct at the intersection of Military Trail and Delray West Road:

- a. An extension of the existing left turn lane at the west approach.
- b. A right turn lane at the west approach.
- c. A left turn lane at the south approach. (Previously Condition No. 1 of Resolution No. R-79-1106, Petition No. 79-88). (ENGINEERING)

[Note: This intersection has been reconstructed by Palm Beach County.]

11. The developer may construct a left turn lane at the development's east entrance and Delray West Road **for** the west approach. This turn lane shall closed within ninety (90) days upon request of the County or the state due to traffic volume on Delray West Road, after 1980. (Previously Condition No. 11 of Resolution No. R-79-1106, Petition No. 79-88). (ENGINEERING)

[Note: Turn lanes along West Atlantic Avenue has been reconstructed by Palm Beach County.]

12. Storm drainage shall be approved by the Central and Southern Florida Flood control District and the County Engineer prior to issuance of building permits and shall not cause a flood hazard to adjacent lands. (Previously Condition No. 12 of Resolution No. R-79-1106, Petition No. 79-88). (ENGINEERING)

13. petitioner shall obtain drainage easement from development to Lake Worth Drainage District Canal No. ~~L-~~33 to provide legal positive drainage. (Previously Condition No. 13 of Resolution No. R-79-1106, Petition No. 79-88). (ENGINEERING)

14. No building permit(s) other than the banking facilities shall be issued until provisions are made for central water and sewer facilities. (Previously Condition No. 14 of Resolution No. R-79-1106, Petition No. 79-88). (ENGINEERING)

15. Petitioner must comply with Conditions **#1** through **#4** prior to the construction of the bank. All other Conditions shall apply to the balance of the shopping center. (Previously Condition No. 15 of Resolution No. R-79-1106, Petition No. 79-88). (ENGINEERING)

16. Within ninety (90) days of Special Exception approval petitioner shall convey to Palm Beach County sixty (60, feet from centerline for the ultimate right-of-way for Military Trail. (Previously Condition No. 1 of Resolution No. R-80-92, Petition No. 79-285). (ENGINEERING)
- [Note: Condition has been complied with.]
17. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County sixty (60) feet from centerline for the ultimate right-of-way for Delray West Road. (Previously Condition No. 2 of Resolution No. R-80-92, Petition No. 79-285). (ENGINEERING)
- [Note: Condition has been complied with.]
18. Petitioner shall construct the main access drive on Delray West Road a distance of six hundred thirty-nine feet (639') west of the centerline of Military Trail. (Previously Condition No. 3 of Resolution No. R-80-92, Petition No. 79-285). (ENGINEERING)
- [Note: Condition has been complied with.]
19. Petitioner shall align the main access drives on Military Trail and Delray West Road with the projects on the opposite side of the road. (Previously Condition No. 4 of Resolution No. R-80-92, Petition No. 79-285). (ENGINEERING)
- [Note: Condition has been complied with.]
20. Condition No. 5 of Resolution No. R-80-92, which currently states:
- Petitioner shall construct curbing around the median on Military Trail from the point at which High Point of Delray stops to the project's northernmost property line.
- Is hereby deleted. [REASON: MEDIAN OPENINGS ON WEST ATLANTIC AVENUE & MILITARY TRAIL HAVE BEEN RECONSTRUCTED BY PALM BEACH COUNTY]
21. Condition No. 6 of Resolution No. R-80-92, which currently states:
- Petitioner shall be allowed median openings only at:
- the main access drive on Delray West Road
 - the main access drive on Military Drive.
 - the northernmost access drive on Military Trail.
- Is hereby deleted. [REASON: MEDIAN OPENINGS ON WEST ATLANTIC AVENUE & MILITARY TRAIL HAVE BEEN RECONSTRUCTED BY PALM BEACH COUNTY]
22. Petitioner shall construct a berm along the east side of the retention pond. (Previously Condition No. 7 of Resolution No. R-80-92, Petition No. 79-285). (ENGINEERING)
23. Condition No. 8 of Resolution No. R-80-92, which currently states:
- Petitioner shall construct a curb along the parking area adjacent to the L.W.D.D. L-33 Canal easement.
- Is hereby deleted. [REASON: MILITARY TRAIL HAS BEEN RECONSTRUCTED BY PALM BEACH COUNTY]
24. Condition No. 9 of Resolution No. R-80-92, Petition No. 79-285, which currently states:

Petitioner shall construct:

- a. right turn lane, north approach, on Military Trail at the northernmost access drive.
- b. left turn lane, south approach, on Military Trail at the northernmost access drive.
- c. right turn lane, north approach, on Military Trail at the third access drive north of the intersection.
- d. left turn lane, south approach, on Military Trail at the main access drive.
- e. the main access drive on Military Trail to have two lanes entering and three lanes exiting.
- f. right turn lane, east approach, on Delray West Road at the project's main access drive.
- g. left turn lane, west approach, on Delray West Road at the project's main access drive.
- h. the main access drive on Delray West Road to have one lane entering and two lanes existing.

Is hereby deleted. [REASON: MILITARY TRAIL & WEST ATLANTIC AVENUE HAVE BEEN RECONSTRUCTED BY PALM BEACH COUNTY]

25. Petitioner shall contribute the pro rate share for the cost of the signalization of the intersections of the main access drives and:
 - a. Military Trail
 - b. Delray West Roadwhen warranted, as determined by the County Engineer. (Previously Condition No. 10 of Resolution No. R-80-92, Petition No. 79-285). (ENGINEERING)
26. Petitioner shall contribute One Hundred Seventy-four Thousand Six Hundred Twelve Dollars (**\$174,612.00**) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of a building permit(s). The fee schedule **for** this project has been calculated in accordance with Ordinance 79-7 as follows:

Shopping Center **\$0.75/sq. ft.**
(Over 150,000 **sq.ft.**)

However, regardless of the present or future status **of** this Ordinance, this development shall be required to provide the above One Hundred Seventy-four Thousand Six Hundred Twelve Dollars toward alleviating some of its direct and identifiable traffic impact. (Previously Condition No. 11 of Resolution No. R-80-92, Petition No. 79-285). (IMPACT FEE COORDINATOR)
27. We will require the North 50.00 feet of the East **3/4** of the Northeast **1/4** of the Southeast **1/4** of Section 14, Township 46 South, Range 42 East for the right-of-way Of Lateral Canal No. 33. The Lake Worth Drainage District will accept a Quit Claim Deed or **an** Easement (on their form), whichever the owner' prefers. (Previously Condition No. 12 of Resolution No. R-80-92, Petition No. 79-285). (ENGINEERING/LWDD)
28. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach county **60'** from centerline for the ultimate right-of-way for West Atlantic Avenue. (Previously **Condition** No. 1 of Resolution No. R-81-592, Petition No. 81-58) (ENGINEERING)

[Note: Condition has been complied with.]

29. Condition No. 2 of Resolution No. R-81-592, Petition No. 81-58, which currently states:

Petitioner shall be permitted one median opening to align with Petition **80-181**.

Is hereby deleted. [REASON: MILITARY TRAIL & WEST ATLANTIC AVENUE MEDIAN OPENINGS HAVE BEEN RECONSTRUCTED BY PALM BEACH COUNTY]

30. Petitioner shall contribute Seven Thousand Four Hundred Thirty-eight Dollars (**\$7,438.00**) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s). (Previously Condition No. 3 of Resolution No. R-81-592, Petition No. 81-58) (IMPACT FEE COORDINATOR)
31. The developer will take necessary precautions to insure that pollutants from this project will not run-off into adjacent or nearby surface waters. (Previously Condition No. 4 of Resolution No. R-81-592, Petition No. 81-58). (ENGINEERING)
32. Developer shall not be permitted an additional access onto Delray West Road from subject project. (Previously Condition No. 1 of Resolution R-83-28, Petition No. 82-90).
33. Condition No. 2 of Resolution No. R-83-28, Petition No. 82-90, which currently states:
- Developer shall comply with all previous conditions placed on Petitioner No. 81-58.
- Is hereby deleted. [REASON: DUPLICATE CONDITION]
34. Developer shall contribute Nine Thousand Three Hundred and Fifty Dollars (**\$9,350.00**) towards the cost of meeting this projects direct and identifiable project, to be paid on a pro-rata basis at the time of issuance of building permit(s). (Previously Condition No. 3 of Resolution No. R-83-28, Petition No. 82-90). (IMPACT FEE COORDINATOR)
35. Access to the landlocked AG parcel abutting this properties shall be guaranteed through a recorded legal instrument prior to site plan approval. (Previously Condition No. 6 of Resolution No. R-81-592, Petition No. 81-58) (ENGINEERING)
36. 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 the indoor entertainment use 81-58(A) to be paid at the time of issuance of the Building Permit presently is **\$9,185.00** (167 additional trips X \$55.00 per trip) (IMPACT FEE COORDINATOR).
37. In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule:
- Building Permits for any additional square footage above the existing 238,673 square feet shall not be issued until construction has begun for West Atlantic Avenue as a 6 lane facility from Jog Road to Military Trail plus the appropriate paved tapers (BUILDING - Engineering).

38. LANDSCAPE WITHIN MEDIAN

- 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 landscape all adjacent median(s) of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. All landscape material, installation, and maintenance requirements shall be subject to the standards 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. (BUILDING - Engineering)
- B. All required median landscaping, including an irrigation system if required shall be installed at the property owners expense. All 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 on or before the issuance of a Certificate of Occupancy. (BUILDING - Engineering)
- C. Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to issuance of a certificate of occupancy to reflect this obligation. (BUILDING - County Attorney)

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)
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 ECR-II. (HEALTH)
3. The developer will take reasonable precautions during the development of this project to insure that fugitive **particulates** (dust particles) from the project do not become a nuisance to neighboring properties. (Previously Condition No. 5 of Resolution No. R-81-592, Petition No. 81-58). (HEALTH)

G. RECYCLE SOLID WASTE

1. All property owners and lessee's shall participate in a recycling program when available in the area. Material to be recycled shall include, but not be limited to, paper, plastic, metal and glass products. (SWA)

H. COMPLIANCE

1. Failure to comply with any of these conditions of approval at any time may result in:

- a. The denial or revocation of a building permit; the issuance of a stop work order; cease and desist order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer; owner, commercial-owner, lessee, or user of the subject property; and/or
- b. The revocation of the Conditional Use and any/or zoning which was approved concurrently with the Conditional Use;
- c. A requirement of the development to conform with updated standards of development, applicable 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;
 - a. Referral to code enforcement; and/or
 - e. Imposition of entitlement density or intensity.

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 Conditional Use, Rezoning, 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)