

RESOLUTION NO. R-98-2038

RESOLUTION APPROVING ZONING PETITION DOA87-06(C)  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF ROBERT CUILLO  
BY RICHARD BEKESH, AGENT  
(LEXUS OF PALM BEACH)

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 DOA87-06(C) was presented to the Board of County Commissioners at a public hearing conducted on December 3, 1998; 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.

ORIGINAL

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 DOA87-06(C), the petition of Robert Cuillo, by Richard Bekesh, agent, for a Development Order Amendment (DOA) to Add land area 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 December 3, 1998, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on December 3, 1998.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

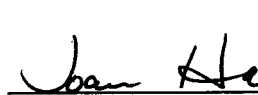
PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

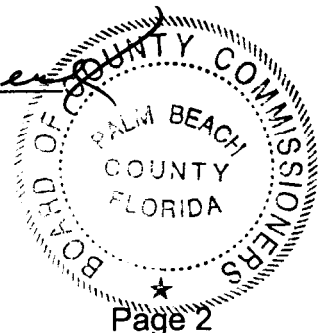
DOROTHY H. WILKEN, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK



## EXHIBIT A

### LEGAL DESCRIPTION

#### PARENT TRACT

LOTS 1 THROUGH 8, INCLUSIVE, BLOCK "A", OF THE AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 6, 6, AND THE NORTHERN PART OF BLOCK "A", WEST GATE ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 20, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA:

TOGETHER WITH THE NORTH 686.00 FEET OF BLOCK A, WEST GATE ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 36, PUBLIC RECORDS PALM BEACH COUNTY, FLORIDA

LOTS 1, 2 AND 3, MEERDINKS LITTLE RANCHES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 60, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA : EXCEPTING THE EAST 30.00 FEET OF LOT 1 AND 3 SAID PLAT OF MEERDINK'S LITTLE RANCHES, TOGETHER WITH ABANDONED RIGHT-OF-WAY LYING WITHIN.

TOGETHER WITH PROPERTY DESCRIBED AS LATERAL NO. 1, BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY, LINE OF OKEECHOBEE ROAD, AND ON THE EAST BY THE WEST RIGHT-OF-WAY LINE OF CONGRESS AVENUE AND ON THE SOUTH BY THE NORTH LINE OF LOTS 1 AND 2, MEERDINKS LITTLE RANCHES, AND ON THE WEST BY THE LINE WHICH IS THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 2, MEERDINK'S LITTLE RANCHES, LESS AND EXCEPT THE REAL PROPERTY DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1701, PAGE 410.

TOGETHER WITH ALL THAT PART OF THE NORTH 232.8 FEET OF THE LAKE WORTH DRAINAGE DISTRICT E-3 1/2 RIGHT-OF-WAY LYING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 15, PAGE 16, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE SAID LAKE WORTH DRAINAGE DISTRICT E-3 1/2 (30 FEET WIDE) RIGHT-OF-WAY LYING NORTH OF THE SOUTH PROPERTY LINE OF LOT 3; SAID MEERDINKS LITTLE RANCHES AND SOUTH OF THE NORTH PROPERTY LINE OF LOTS 1 AND 2 OF SAID MEERDINKS LITTLE RANCHES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 60, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA EXCEPTING THE SOUTH 20.00 FEET OF THE FORE DESCRIBED PORTION OF SAID RIGHT-OF-WAY.

CONTAINING 3.22 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAY RECORD.

#### ADDED TRACT

1. THE SOUTH 1/2 OF LOT 6 AND THE NORTH 25 FEET OF LOT 6, ACCORDING TO THE PLAT OF MEERDINK'S LITTLE RANCHES, AS RECORDED IN PLAT BOOK 4, PAGE 60, IN AND FOR THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LESS THE EAST 15 FEET FOR ROAD RIGHT OF WAY PURPOSES.

CONTAINING 7,946 SQUARE FEET (0.182 ACRES) MORE OR LESS, AND SUBJECT TO EASEMENT AND RIGHT OF WAY RECORD.

## EXHIBIT A

### LEGAL DESCRIPTION

#### 2. L.W.D.D. E-3 1/2 CANAL

A PORTION OF LAKE WORTH DRAINAGE DISTRICT CANAL E-3 1/2, RIGHT OF WAY TO BE ABANDONED, LYING IN SECTION 39, TOWNSHIP 43 SOUTH, RANGE 43 EAST, AS RECORDED IN WEST GATE ESTATES IN PLAT BOOK 15, PAGE 16, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID RIGHT OF WAY BEING DESCRIBED AS FOLLOWS;

BOUNDED ON THE NORTH BY THE NORTH LINE OF LOT 3, MEERDINK'S LITTLE RANCHES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 50 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS MENTIONED IN O.R.B. 5597, PAGE 1990, AS THE SOUTH LINE OF THAT PORTION OF THE CANAL AS ABANDONED LYING NORTH OF THE SOUTH LINE OF LOT 3, MEERDINKS SUBDIVISION.

BOUNDED ON THE SOUTH BY A LINE LYING 329.08 FEET SOUTH OF, AND PARALLEL TO THE AFOREMENTIONED SOUTH LINE OF MEERDINKS LITTLE RANCHES, LOT 3.

BOUNDED ON THE WEST, BY THE EAST LINE OF BLOCK "A, WEST GATES ESTATES, AND THE WEST RIGHT OF WAY LINE OF THE E 3-1/2 CANAL, AS RECORD IN PLAT BOOK 16, PAGE 16 PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

BOUNDED ON THE EAST LINE BY THE EAST RIGHT TO WAY LINE OF THE E 3-1/2 CANAL, AND THE WEST LINE OF LOTS 4, 5, 6, 7, OF THE MEERDINKS LITTLE RANCHES, PLAT AS RECORDED IN PLAT BOOK 4, PAGE 50, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 9872 SQUARE FEET (0.227 ACRES) MORE OR LESS, AND SUBJECT TO EASEMENT AND RIGHTS OF WAY OF RECORD.

EXHIBIT B  
VICINITY SKETCH

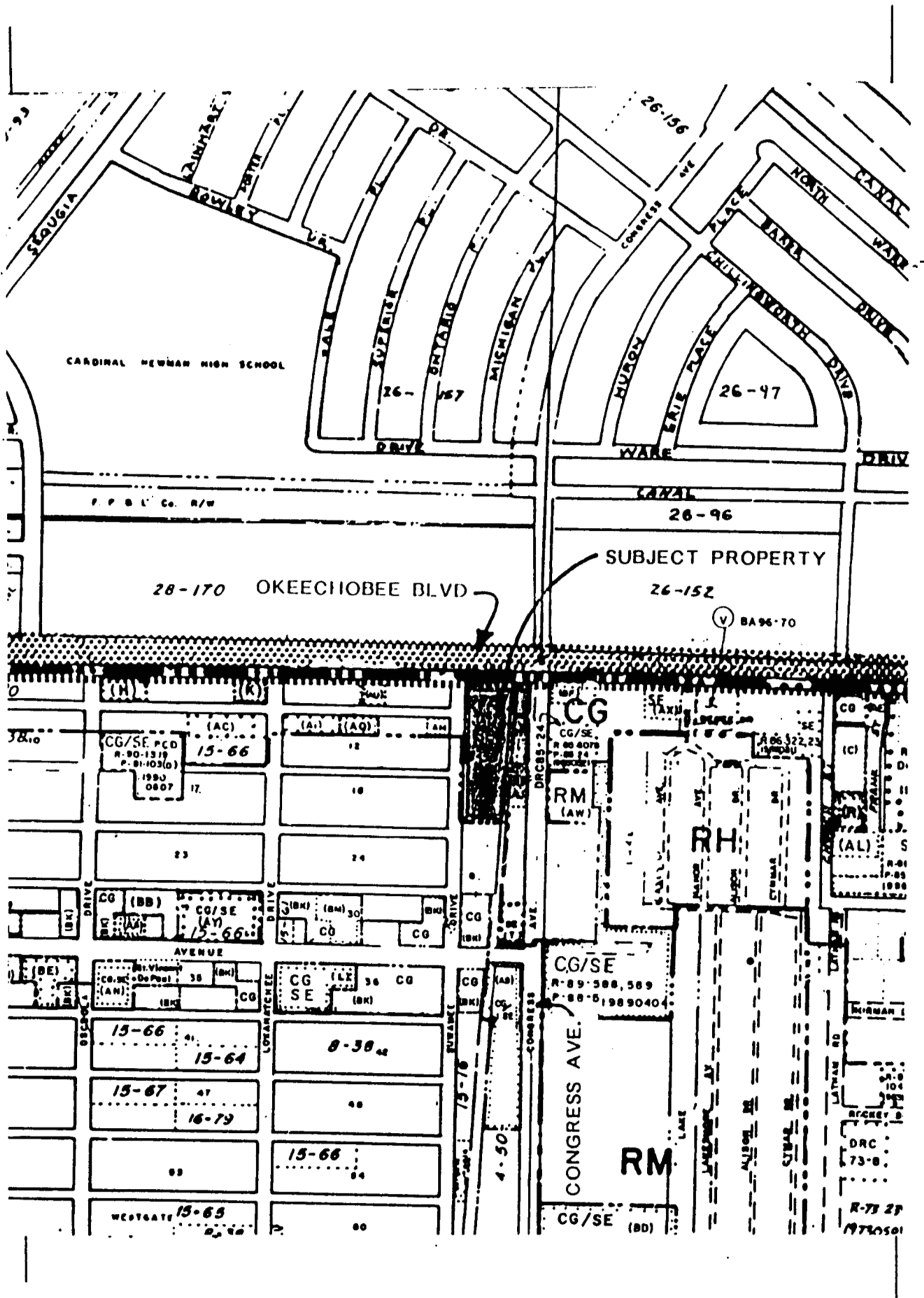


EXHIBIT C

CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. Condition A.I of R-97-1573 (Petition 87-06B) which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution 87-1099 (Petition 87-6) and Resolutions R-89-1634, **R-89-1635**(Petition 87-6A) 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)

Is hereby amended to read:

All previous conditions of approval applicable to the subject property as contained in Resolution 87-1099 (Petition 87-6) and Resolutions R-89-1634, R-89-1635(Petition 87-6A), R-97-1573 (Petition 87-06B) 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)

Reason: [Add resolution and petition numbers]

2. Condition A.I of R-97-1573 (Petition 87-06B) 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 site plan is dated June 30, 1997. 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 site plan is dated September 24, 1998. 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)

Reason: [New site plan]

B. AUTO (VEHICLE) STORAGE AND DISPLAY AREAS

1. There shall be no outside storage of disassembled vehicles or parts thereof. (Previous Condition 3 of Resolution R-87-1099, Petition 87-6). (ONGOING: CODE ENF)

2. The parking of vehicles shall be limited to the designated areas **shown** on the site plan dated June 30, 1997. No parking of vehicles **within** public rights-of-way or required landscape buffers shall be **permitted**. (ONGOING: CODE ENF) (Previous Condition B.2 of Resolution R-97-1573, Petition 87-6B)
3. Vehicles displayed on site shall not be displayed elevated above ground level or with open hoods or trunks excepting the existing second **story** display space. (Previous Condition 5 of Resolution R-87-1635, Petition 87-6A.) (ONGOING: CODE ENF)
4. The southern **0.84** acre parcel shall be used exclusively for the storage of inventory. (Previous Condition 7 of Resolution R-87-1635, Petition 87-6A). (ONGOING: CODE ENF)
5. Condition B. 5 of Resolution R-97-1573, Petition 87-6B which currently states:  
  
**A** maximum of one hundred and fourteen (**114**) vehicles shall be **stored** on site at any time. (ONGOING: CODE ENF)

Is hereby amended to read:

A maximum of one hundred and sixty four (164) vehicles shall be stored on site at any time. (ONGOING: CODE ENF)

6. When this facility is not open, the parking area shall be locked and gated. (Previous Condition B.6 of Resolution R-97-1573, Petition 87-6B). (ONGOING: CODE ENF)

C. BUILDING AND SITE DESIGN

1. Total gross floor area shall be limited to a maximum of **22,776** square feet. (DRC: ZONING) (Previous Condition C. 1 of Resolution R-97-1573, Petition 87-6B)
2. The maximum height for all structures, measured from finished grade to highest point, shall not exceed thirty five (**35**) feet. (BLDG PERMIT: BLDG -Zoning) (Previous Condition C. 2 of Resolution R-97-1573, Petition 87-6B)
3. **All** air conditioning and mechanical equipment shall be roof mounted and screened from view on all sides in a manner consistent with the color, character and architectural style of the principle structure. (BLDG PERMIT: BLDG -Zoning) (Previous Condition C. 3 of Resolution R-97-1573, Petition 87-68)

D. DUMPSTER

1. **All** areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and **trash** compactors, shall not be located within twenty five (**25**) feet of the residential property line and shall be confined to the areas designated on the site plan. (DRC / ONGOING: ZONING / CODE ENF) (Previous Condition D. 1 of Resolution R-97-1573, Petition 87-6B)

E. ENGINEERING

1. Condition 6 of Resolution R-1099, Petition 87-6 was deleted. (Reason: Code Requirement).
2. Condition 7 of Resolution R-87-1099, Petition 87-6 was deleted. (Reason: Completed)
3. Condition 8 of Resolution R-87-1099, Petition 87-6 was deleted. (Reason: Okeechobee Blvd. has now been widened).
4. Condition 9 of Resolution R-87-1099, Petition 87-6 was deleted. (Reason: Code Requirement).
5. Prior to site plan certification, all drainage and road right-of-ways within the project shall be properly abandoned as determined by the County Attorney. (Previous Condition 10 of Resolution R-87-1099, Petition 87-6). (DRC: Eng)
6. Condition 13 of Resolution R-87-1635, Petition 87-6A was deleted. (Reason: Code Requirement).
7. Condition 15 of Resolution R-87-1635, Petition 87-6A was deleted. (Reason: Completed).
8. The property owner shall pipe the existing drainage ditch along the project's east property line concurrent with onsite paving and drainage improvements. (Previous Condition 17 of Resolution R-87-1635, Petition 87-6A). (MONITORING: Eng)
9. Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement along Congress Avenue to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County standards and codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDG PERMIT: MONITORING-Eng) (Previous Condition E. 9 of Resolution R-97-1573, Petition 87-6B)
10. Prior to June 1, 1999 the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed additional right of way to provide an expanded intersection at the intersection of Okeechobee Boulevard and Congress Avenue as shown on Palm Beach County's expanded intersection detail. This additional right of way shall be free of all encumbrances and encroachments and shall include "Corner Clips" where appropriate as determined by the County Engineer. 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)
11. Prior to June 1, 1999 the property owner shall convey a temporary roadway construction easement to Palm Beach County for that portion of the additional property added to the car dealership along Congress Avenue. Construction by the applicant within sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDG PERMIT: MONITORING-Eng)



12. Prior to June 1, 1999, the Developer shall ~~be replatt~~ the entire Lexus Car Dealership in accordance with provisions of Article 8 of the Unified Land Development Code. (DATE:MONITORING-Eng)

F. HEALTH

1. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents. (Previous Condition 9 of Resolution R-87-1635, Petition 87-6A). (ONGOING: HEALTH)
2. Sewer service is available to the property. Therefore, no septic tank shall be permitted to the site. (Previous Condition 10 of Resolution R-87-1635, Petition 87-6A). (ONGOING: HEALTH)
3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING: HEALTH) (Previous Condition 11 of Resolution R-87-1635, Petition 87-6A).
4. The Developer shall design the drainage system such that drainage from those areas which may contain hazardous or undesirable waste shall be separate from stormwater runoff from the remainder of the site. (ONGOING: HEALTH) (Previous Condition 14 of Resolution R-87-1635, Petition 87-6A).

G. LAKE WORTH DRAINAGE DISTRICT

1. The petitioner shall convey to the Lake Worth Drainage District the additional right-of-way for E-3½ Canal as shown on the Survey for the property until such time as document has been executed for the piping, paving and parking, as tentatively agreed to by the owner's representative and the Board of Supervisors of the Lake Worth Drainage District at the regular Board Meeting on November 12, 1986. (Previous Condition 3 of Resolution R-87-1099, Petition 87-6)

H. LANDSCAPING

1. All canopy trees required to be planted on 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.
  - d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previous Condition H. 1 of Resolution R-97-1573, Petition 87-05B)

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 or grey wood, whichever is greater;
  - 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 H. 2 of Resolution R-97-1573, Petition 87-06B)

I. LANDSCAPING - INTERIOR

1. One landscape island shall be provided for every ten (10) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred (100) linear feet. (DRC: ZONING) (Previous Condition I. 1 of Resolution R-97-1573, Petition 87-06B)
2. Foundation planter strips shall be provided along the north, east and west facades of the sales/showroom building. The minimum width of the required planter strip shall be five (5) feet. The combined length of the required planter strip shall be no less than 40% of the accumulative length of the applicable side of the structure. All required planter strips shall be planted with appropriate trees, shrubs and ground cover. (DRC / CO: ZONING / LANDSCAPE) (Previous Condition I.2 of Resolution R-97-1573, Petition 87-06B)

J. LANDSCAPING ALONG WEST PROPERTY LINE (SUWANEE DRIVE)

1. Landscaping along the above property line shall include:
  - a. A ten (10) foot wide landscape buffer strip;
  - b. One fourteen (14) foot high native, canopy tree planted at twenty (20) feet on center; and
  - c. Thirty six (36) inches high shrub or hedge material spaced no more than twenty four (24) inches on center and maintained at a minimum height of forty eight (48) inches. (CO: LANDSCAPE: Zoning) (Previous Condition J. 1 of Resolution R-97-1573, Petition 87-06B)

K. LANDSCAPING ALONG SOUTH PROPERTY LINE

1. Prior to January 15, 1998, the petitioner shall replace any **dead**, damaged, or missing trees, shrubs or other required improvement!; on the site in accordance with the ULDC or Landscaping Condition!; as modified. (DATE: LANDSCAPING - Zoning) (Previous Condition K. 1 of Resolution R-97-1573, Petition 87-06B)

L. LANDSCAPING ALONG THE 104 FEET NORTH, THE 107 FEET NORTH, THE 150 FEET EAST AND THE 83 FEET EAST PROPERTY LINES (ABUTTING COMMERCIAL)

1. Landscaping along the above property lines shall include:
  - a. A minimum five (5) foot wide landscape buffer strip;

- b. One (1) canopy tree planted every thirty (30) feet on center;
- c. One (1) palm or pine tree for each thirty (30) linear feet of frontage. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location; and
- d. Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE)

M. LANDSCAPING ALONG THE 75 FEET OF THE EAST PROPERTY LINE (ABUTTING CONGRESS AVENUE)

- 1. Landscaping along the above property line shall include:
  - a. A minimum fifteen (15) foot wide landscape buffer strip;
  - b. One (1) canopy tree planted every thirty (30) feet on center;
  - c. One (1) palm or pine tree for each thirty (30) linear feet of frontage, A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location; and
  - d. Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE)

N. LIGHTING

- 1. **All** outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ ONGOING: **BLDG / CODE ENF - Zoning**) (Previous Condition L. 1 of Resolution R-97-1573, Petition 87-06B)
- 2. **All** new outdoor lighting fixtures shall not exceed twenty five (**25**) feet in height, measured from finished grade to highest point. (CO: **BLDG - Zoning**) (Previous Condition L. 2 of Resolution R-97-1573, Petition 87-06B)
- 3. **All** outdoor lighting shall be extinguished no later than 10:00 p.m., excluding security lighting only. (ONGOING: CODE ENF) (Previous Condition L.3 of Resolution R-97-1573, Petition 87-06B)

O. LOADING

- 1. Loading shall be limited to designated areas within the interior of the site. (Previous Condition 8 of Resolution R-87-1635, Petition 87-6A). (ONGOING: CODE ENF)

P. RECYCLE OIL

- 1. The owner, occupant or tenant of the facility shall participate in an oil recycling program which insures proper re-use or disposal of waste oil. (Previous Condition 12 of Resolution R-87-1635, Petition 87-6A). (ONGOING: HEALTH)

Q. SIGNS

1. No banners, flags, balloons, snipe signs, etc. shall be permitted on site. All advertisement shall be in conformance with the Palm Beach County Sign Code. (Previous Condition 3 of Resolution R-87-1635, Petition 87-6A). (ONGOING: CODE ENF)
2. No **off** premise signs shall be permitted on site. (Previous Condition 5 of Resolution R-87-1635, Petition 87-6A). (ONGOING: CODE ENF)
3. Any wall signs shall be limited to the north and east facades of the **showroom/sales** building. (CO: BLDG. PERMIT) (Previous Condition 0.3 of Resolution R-97-1573, Petition 87-06B)
4. No additional freestanding signs except for directional signs shall be permitted on site. (ONGOING: CODE ENF) (Previous Condition 0.4 of Resolution R-97-1573, Petition 87-06B)

R. UNITY OF TITLE

1. Prior to approval by the Site Plan Review Committee the **property** owner shall record a Unity of Title on the subject property subject to approval by the County Attorney. (Previously Condition 16 of Resolution R-87-1635, Petition 87-6A) (DRC: ZONING- Co Atty)

S. USE LIMITATIONS

1. There shall be no outdoor loud speaker system installed upon the site. (Previous Condition 12 of Resolution R-87-1099, Petition 87-6). (ONGOING: ZONING / CODE ENF)
2. Use of the site shall be limited to the commercial sales, leasing **and** repair of new or used automobile and customary accessory use. (Previous Condition 13 of Resolution R-87-1099, Petition 87-6). (ONGOING: ZONING / CODE ENF)

T. 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; 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) (Previous Condition S. I of Resolution 97-1573, Petition 07-06(B)).