

RESOLUTION NO. R-2005- 1794

RESOLUTION APPROVING ZONING APPLICATION DOA2005-501
(CONTROL NUMBER 1986-114)
DEVELOPMENT ORDER AMENDMENT
APPLICATION OF SUMMIT CHRISTIAN SCHOOL
BY DENNIS P. KOEHLER, P.A., AGENT
(SUMMIT CHRISTIAN SCHOOL)

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 2 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Application DOA2005-501 was presented to the Board of County Commissioners at a public hearing conducted on September 22, 2005; 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 2.E (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 has considered the findings in the staff report and 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 2.K.3.b 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 Application DOA2005-501, the petition of Summit Christian School, by Dennis P. Koehler, P.A., agent, for a Development Order Amendment to add land area, add square footage, reconfigure the site plan, and modify a condition of approval 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 September 22, 2005, 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 Koons and, upon being put to a vote, the vote was as follows:

Tony Masilotti, Chair	- Aye
Addie L. Greene, Vice Chairperson	- Aye
Karen T. Marcus	- Aye
Jeff Koons	- Aye
Warren H. Newell	- Aye
Mary McCarty	- Aye
Burt Aaronson	- Aye

The Chair thereupon declared that the resolution was duly passed and adopted on September 22, 2005.

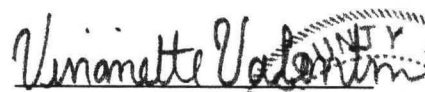
Filed with the Clerk of the Board of County Commissioners on 22nd day of September, 2005

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK




EXHIBIT A

LEGAL DESCRIPTION

PARCEL A

THE EAST HALF OF LOT 6, BLOCK 2, PALM BEACH PLANTATIONS, SUBDIVISION OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 10, PAGE 20.

ALSO, DESCRIBED AS THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

TOGETHER WITH PARCEL B

THE SOUTH HALF OF THE SOUTH HALF OF THE WEST HALF OF LOT 6, BLOCK 2, OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, AT PAGE 20, PALM BEACH COUNTY RECORDS.

ALSO, DESCRIBED AS THE SOUTH HALF OF THE SOUTH HALF OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SAID SECTION 12.

EXCEPTING THEREFROM, THE WEST 20 FEET THEREOF HERETOFORE EXCEPTED AND RESERVED FOR PUBLIC ROAD PURPOSES; AND

EXCEPTING THEREFROM, THE SOUTH 150 FEET THEREOF AS MEASURED ALONG THE WEST LINE OF SAID LOT 6.

TOGETHER WITH, AN EASEMENT AND RIGHT-OF-WAY, IN COMMON WITH OTHERS ENTITLED THERETO, AT TIMES AND FOR ALL PURPOSES, WITH OR WITHOUT VEHICLES AND ANIMALS, TO AND FROM THE LAND CONVEYED OR ANY PART THEREOF, OVER AND UPON THE EAST 5 FEET OF THE WEST 25 FEET OF SAID LOT 6, AND ALSO THE NORTH 20 FEET OF THE SOUTH 150 FEET OF SAID LOT 6 HEREIN ABOVE EXCEPTED, ALSO DESCRIBED AS THE WEST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF SAID SECTION 12, LESS THAT PART CONVEYED BY THIS DEED.

SUBJECT TO AN EASEMENT AND RIGHT-OF-WAY IN COMMON WITH OTHER ENTITLED THERETO, AT ALL TIMES AND FOR ALL PURPOSES WITH OR WITHOUT VEHICLES AND ANIMALS OVER AND UPON THE SOUTH 20 FEET OF SAID PROPERTY HEREIN CONVEYED BY THIS DEED LESS THE EAST 20 FEET OF THE WEST 40 FEET FOR ROAD RIGHT-OF-WAY.

SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD

ALSO TOGETHER WITH PARCEL C

THE NORTH HALF OF THE SOUTH HALF OF THE WEST HALF OF LOT 6, BLOCK 2, PALM BEACH PLANTATIONS, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICIAL OF THE CLERK OF THE CIRCUIT COURT IN AND FOR

PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 10, PAGE 20, LESS THE WEST 20 FEET THEREOF.

TOGETHER WITH, AN EASEMENT FOR INGRESS AND EGRESS OVER THE WEST 25 FEET OF SAID LOT 6, BLOCK 2, OF SAID SUBDIVISION ABOVE DESCRIBED.

SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD

ALSO TOGETHER WITH PARCEL D

THE NORTH HALF OF THE WEST HALF OF LOT 6, LESS THE WEST 20 FEET THEREOF, BLOCK 2, SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, IN PALM BEACH PLANTATIONS, A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 10, PAGE 20.

LESS HOWEVER THE ADDITIONAL RIGHT-OF-WAY FOR HAVERHILL ROAD AS DESCRIBED IN THAT CERTAIN RIGHT-OF-WAY WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 4864, PAGES 1559 AND 1560 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD

ALSO TOGETHER WITH PARCEL E

THE NORTH 350 FEET OF THE WEST 135 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS THE NORTH 50 FEET THEREOF FOR ROAD AND DITCH RIGHT-OF-WAY.

SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD

AND ALSO TOGETHER WITH PARCEL F

THE WEST ½ OF THE EAST ½ OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, BEING A PART OF LOT 5, BLOCK 2, SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH PLANTATIONS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE FOLLOWING: THE NORTH 350 FEET OF THE WEST 135 FEET THEREOF AND THE NORTH 50 FEET OF THE EAST 198.6 FEET FOR ROAD AND DITCH RIGHT OF WAY.

SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD

TOGETHER WITH AN EASEMENT OVER THE FOLLWING DESCRIBED PARCEL, AS RECORDED IN O.R. BOOK 18151, PAGE 861, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

NORTH 10 FEET OF LOT 49 AND THE SOUTH 20 FEET OF LOT 48, HOLT ESTATE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 31, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO TOGETHER WITH AN EASEMENT OVER THE FOLLOWING DESCRIBED PARCELS, AS RECORDED IN O.R. BOOK 5027, PAGE 908, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

PARCEL 2

BEING A PARCEL OF LAND LYING IN LOT 49 OF HOLT ESTATES, RECORDED IN PLAT BOOK 21, PAGE 31, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 49; THENCE, NORTH 01°29'16" WEST ALONG THE WEST LINE OF SAID LOT 49, A DISTANCE OF 20.70 FEET TO THE POINT OF BEGINNING OF AN INGRESS-EGRESS EASEMENT; THENCE CONTINUE NORTH 01°29'16" WEST ALONG THE SAID WEST LINE OF LOT 49, A DISTANCE OF 18.45 FEET; THENCE, NORTH 55°40'32" EAST, A DISTANCE OF 18.69 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 49; THENCE, SOUTH 88°53'16" EAST ALONG SAID NORTH LINE, A DISTANCE OF 26.74 FEET; THENCE SOUTH 55°40' 32" WEST, A DISTANCE OF 50.48 FEET TO THE POINT OF BEGINNING.

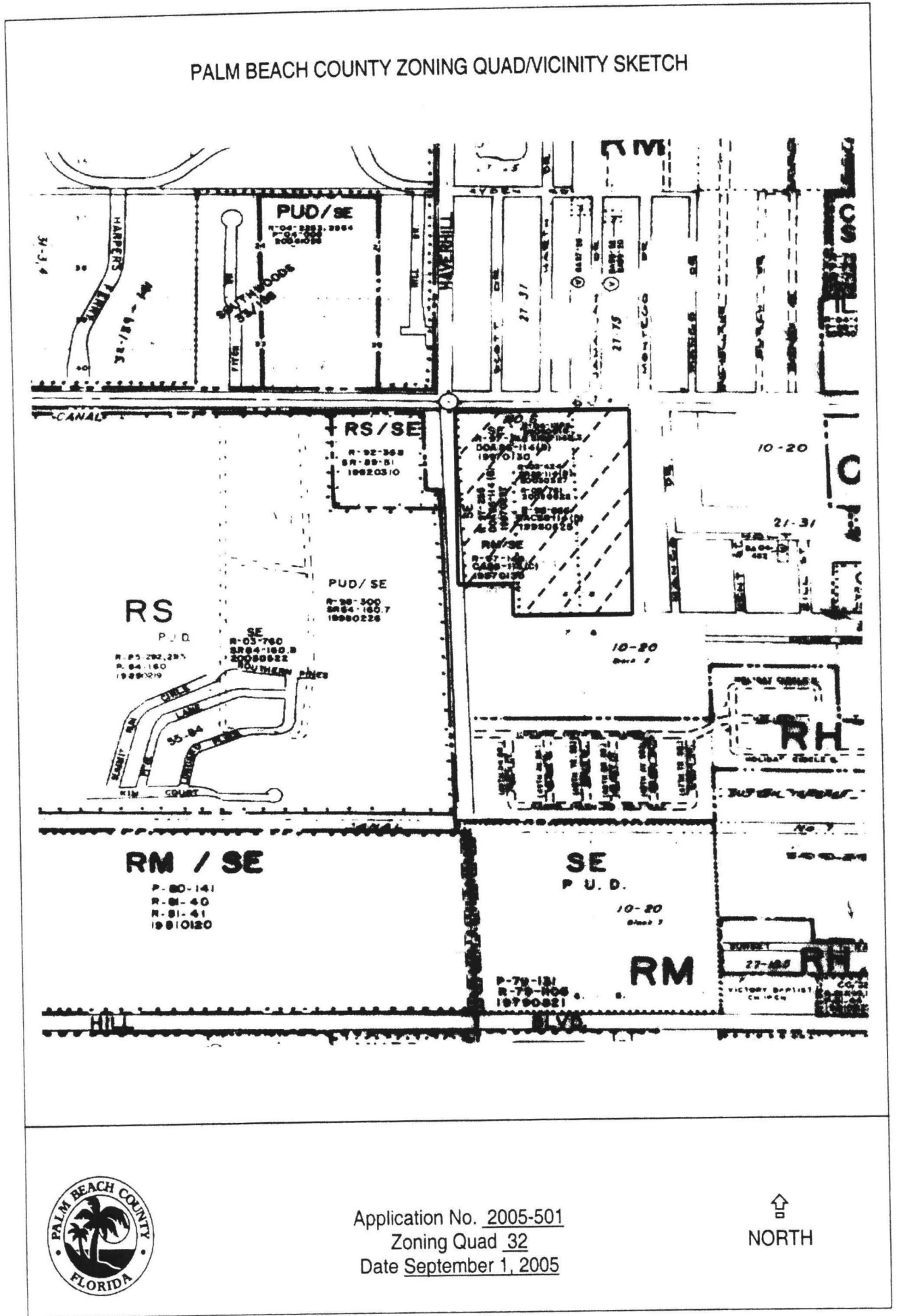
PARCEL 3

BEING A PARCEL OF LAND LYING IN LOT 48 OF HOLT ESTATES, RECORDED IN PLAT BOOK 21, PAGE 31, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 48; THENCE, NORTH 88°53'16" WEST ALONG THE SOUTH LINE OF SAID LOT 48, A DISTANCE OF 118.74 FEET; THENCE, NORTH 55°40' 32" EAST, A DISTANCE OF 22.42 FEET; THENCE, SOUTH 88°53'16" EAST, PARALLEL WITH AND DISTANT NORTH 13 FEET BY RECTANGULAR MEASUREMENT, FROM THE SAID SOUTH LINE OF LOT 48, A DISTANCE OF 100.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 48; THENCE, SOUTH 00°57'04" EAST ALONG SAID EAST LINE, A DISTANCE 13.01 FEET TO THE POINT OF BEGINNING.

CONTAINING: 26.67 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



Application No. 2005-501
Zoning Quad 32
Date September 1, 2005



EXHIBIT C

CONDITIONS OF APPROVAL

ALL PETITIONS

1. Resolution No. R-98-866, Petition EAC86-114(D), (SUMMIT CHRISTIAN TOWER) shall remain in full force and effect. (ONGOING:ZONING-Zoning)
2. Condition A.1 of Resolution No. R-97-255 (Petition DOA86-114(B)) which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-88-1554 (Petition 86-114(A)) and R-87-508 (Petition 86-114), 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 Resolutions R-97-255 (Petition DOA86-114(B)), R-2003-0761 (Status Report No. SR 86-114B), and R-2004-1375 (Status Report No. SR 1986-114B.3) have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING:MONITORING-Zoning)

3. Condition A.2 of Resolution No. R-97-255 (Petition DOA86-114(B)) 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 January 17, 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 August 22, 2005. 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)

ARCHITECTURAL REVIEW

1. Condition 2 of Resolution No. R 2003 0761 (Status Report No. SR 86 114B) which currently states:

Prior to the issuance of a building permit, the property owner shall submit an application to the Development Review Committee for review and certification that the project is in compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, "Architectural Guidelines." (BLDG PERMIT: MONITORING Zoning)

Is hereby amended to read:

At time of submittal for final approval by the Development Review Officer (DRO), the architectural elevations for all structures not yet constructed shall be submitted

simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO:ARCH REVIEW-Zoning)

ENGINEERING

1. TRAFFIC PERFORMANCE STANDARDS PHASING REQUIREMENTS

In order to comply with the mandatory Traffic Performance Standards, the property owner shall be restricted to the following phasing schedule:

- a) No more than 1,175 students shall be enrolled/registered until the contract has been let for the 4 lane median divided construction of Haverhill Road from Cresthaven Boulevard to Purdy Lane plus the appropriate paved tapers. (ONGOING-Eng)
- b) No Building Permits for the site may be issued after January 1, 2011. 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 Article 2.E of the Unified Land Development Code. (DATE: MONITORING-Eng)
- c) The date shown which indicates when the final building permit will be issued may be adjusted by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. (REVISED TRAFFIC STUDY: MONITORING-Eng)

2. SIGNALIZATION

The Property Owner shall fund the cost of signal installation if warranted as determined by the County Engineer at Haverhill Road and the Projects Entrance Road. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation.

- A) No Building Permits shall be issued until the developer provides acceptable surety in the form of a cash bond or escrow agreement to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDG PERMIT:MONITORING-Eng).
- B) In order to request release of the surety for the traffic signal at this intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at this intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. (ONGOING: ENGINEERING-Eng)

3. RIGHT TURN LANE RIGHT OF WAY

Prior to issuance of a building permit the property owner shall convey to Palm Beach County Land Development Division by warranty deed additional right of way for the construction of a right turn lane on:

- Haverhill Road and the Projects Entrance Road
- Summit Boulevard and the Projects Entrance Road.

This right of way shall be a minimum of 280 feet in length, twelve feet in width, and a taper length of 50 feet or as approved by the County Engineer. 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)

a) Construction for these improvements shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

4. The concurrency approval is subject to the project aggregation rule set for the in the Traffic Performance Standards Ordinance. (ONGOING)

5. INTERSECTION IMPROVEMENTS

The Property owner shall construct:

A) right turn lane south approach on Haverhill Road at the projects entrance road;
B) left turn lane north approach on Haverhill Road at the projects entrance road.
C) right turn lane west approach on Summit Boulevard at the projects entrance road.

6. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with this 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.

a). Permits required by Palm Beach County for these turn lanes shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING-Eng)

ENVIRONMENTAL

1. All existing native vegetation, including understory, depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation have been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. No grade changes, or the toe of proposed grade changes, shall occur within the dripline of existing native vegetation depicted to remain. (ONGOING:ERM)

HEALTH

1. Since sewer service is available to the property, septic tank shall not be approved for use on said property. (Previously Condition B.1 of Resolution R-1997-255, Petition 1986-114B) (ONGOING: HEALTH)

2. Since water service is available to the property, a potable water well shall not be approved for use on said property. (Previously Condition B.2 of Resolution R-1997-255, Petition 1986-114B) (ONGOING: HEALTH)

3. Architectural plans must be submitted to the Environmental Health Section, Palm Beach County Public Health Unit, in accordance with Chapter 10D-24 FAC prior to issuance of a building permit. (Previous Condition B.3 of Resolution R-1997-255, Petition DOA1986-114B) (BLDG PERMIT: HEALTH/BLDG)

4. Property owners and operators of facilities generating industrial, hazardous or toxic waste shall not deposit or cause to be deposited any such waste into the sanitary sewer system unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection, the Palm Beach County Health Department, and the agency responsible for sewage works are provided and used. (ONGOING: HEALTH-CODE ENF)

LANDSCAPING-STANDARD

1. Condition D.1 of Resolution No. R-97-255 (Petition DOA86-114(B)) which currently states:

Prior to site plan certification, the site plan shall be amended to reflect the following:

- a. The required number of trees to be preserved or planted
- b. One (1) of three (3) alternative perimeter landscape strips where required
- c. Signage located outside of the required front landscape strip
- d. A terminal landscape island along the northern end-west side of the 45 degree one-way parking aisle. A minimum of 20 feet shall be maintained as open drive between this terminal island and the interior island on the east side of this aisle
- e. Appropriate signage indicating direction of traffic.

Is hereby deleted [REASON: no longer applicable].

2. Condition D.2 of Resolution No. R-97-255 (Petition DOA86-114(B)) which currently states:

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. (CO: LANDSCAPE - Zoning)
- d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)

Is hereby amended to read:

All new and replacement 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; and,
- d. credit may be given for existing or relocated trees provided they meet current ULDC requirements. (BLDG. PERMIT: LANDSCAPE - Zoning)

3. Condition D.3 of Resolution No. R-97-255 (Petition DOA86-114(B)) which currently states:

All palms required to be planted on site by this approval shall meet the following minimum standards at time of installation:

- a. Palm heights: twelve (12) feet grey wood;
- b. Clustering: staggered heights twelve (12) to eighteen (18) feet; and
- c. Pruning: minimum six (6) fronds, no clipped or spiked cuts.
- d. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) Previously

Is hereby amended to read:

All new and replacement palms required to be planted on site by this approval shall meet the following minimum standards at time of installation:

- a. palm heights: twelve (12) feet grey wood;
 - b. clustering: 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. (BLDG. PERMIT:LANDSCAPE-Zoning)
4. Prior to September 22, 2006 all dead and missing landscape materials must be replaced on the western 16.9 acres of the site. (DATE:MONITORING-Zoning)
 5. Field adjustment of berm and plant material locations may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings and existing vegetation. (BLDG.PERMIT: BLDG- Zoning)
 6. Prior to the issuance of the first building permit under this application, the property owner shall submit a landscape plan to the Landscape Section for review and approval. The plan shall be prepared in accordance with all conditions. (BLDG PERMIT: LANDSCAPE-Zoning)

LANDSCAPING-INTERIOR

1. Condition F.1 of Resolution No. R-97-255 (Petition DOA86-114(B)) which currently states:

Landscape islands shall be provided along the front and side facades of all structures. The minimum width of the required landscape islands shall be five (5) feet. The combined length of the required landscape islands shall be no less than 40% of the total length of the applicable side of the structure. All required landscape islands shall be planted with a minimum of one (1) tree every 20 feet on center and appropriate ground cover.

Is hereby deleted [REASON: Code requirement]

LANDSCAPING-LANDSCAPING ALONG THE NORTH AND WEST PROPERTY LINES, (FRONTAGES OF SUMMIT BOULEVARD AND HAVERHILL ROAD)

1. Condition G.1 of Resolution No. R-97-255 (Petition DOA86-114(B)) which currently states:

LANDSCAPING ALONG NORTH, SOUTH AND WEST PROPERTY LINE OF ADDITIONAL LAND AREA (+7.23 ACRES) (ABUTTING RIGHT-OF-WAY ON HAVERHILL ROAD AND SUMMIT BOULEVARD AND RESIDENTIAL ON THE SOUTH)

Landscaping and buffering along the north, south and west property lines shall be upgraded to include:

- a. A minimum twenty-five (25) foot wide landscape buffer;
- b. A continuous three (3) foot high berm;
- c. A double row of canopy trees thirty (30) feet on center of which 50% can be planted on the interior side of the berm and the remaining 50% on the exterior side of the berm;
- d. One (1) palm or pine tree for each twenty (20) linear feet, with a minimum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location; and
- e. Thirty-six(36) inch high shrub or hedge material spaced no more than twenty four (24) inches on center at installation, to be planted at the top of berm. (DRC / CO: ZONING / LANDSCAPE)

Is hereby amended to state:

LANDSCAPING ALONG THE NORTH AND WEST PROPERTY LINES, (FRONTAGES OF SUMMIT BOULEVARD AND HAVERHILL ROAD)

1. Landscaping and buffering along the north and west property lines shall be upgraded to include:
 - a. a minimum twenty-five (25) foot wide landscape buffer;
 - b. a continuous three (3) foot high berm;
 - c. a double row of canopy trees thirty (30) feet on center of which 50% shall be planted on the interior side of the berm and the remaining 50% on the exterior side of the berm;
 - d. one (1) palm or pine tree for each twenty (20) linear feet, with a minimum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location; and,
 - e. Thirty-six (36) inch high shrub or hedge material spaced no more than twenty four (24) inches on center at installation, to be planted at the top of berm. (BLDG. PERMIT:LANDSCAPE-Zoning)

LANDSCAPING-LANDSCAPING ALONG SOUTH PROPERTY LINE (ABUTTING LONG LAKE VILLAGE)

1. Landscaping and buffering along the the south property line shall be upgraded to include:
 - a. a minimum twenty-five (25) foot wide landscape buffer;
 - b. a continuous three (3) foot high berm. Berm requirement shall be exempted from the 667 eastern portion of the south property line;
 - c. a six (6) foot high vinyl-coated chain link fence;
 - d. a double row of canopy trees thirty (30) feet on center. Trees shall be planted alternating on the both sides of the fence, in areas where fence is required;
 - e. one (1) palm or pine tree for each twenty (20) linear feet, with a minimum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location. Palms shall be planted alternating on the both sides of the fence, in areas where fence is required;
 - f. a sixty (60) inch high hedge shall be planted on the exterior side of the fence along the eastern 667 feet of the south property line;
 - g. thirty-six (36) inch high shrub or hedge material spaced no more than twenty four (24) inches on center at installation, shall be planted on the entire south property line. Shrubs or hedge material shall be planted on the interior side of the fence, in areas where a fence is required. (BLDG. PERMIT:LANDSCAPE-Zoning)

LANDSCAPING-LANDSCAPING ALONG EAST PROPERTY LINE (ABUTTING RESIDENTIAL)

1. Landscaping and buffering along the east property line shall be upgraded to include:
 - a. a minimum twenty-five (25) foot wide landscape buffer. No width reduction or easement encroachment shall be permitted;
 - b. a six (6) foot opaque concrete panel wall measured from the nearest top of curb, crown of adjacent road, or nearest finished floor elevation, whichever is highest, shall be installed along the north six hundred and forty (640) feet of the east property line. This wall shall be connected to the northeast and the northwest corners of Building MM/MM-1/MM-2. The exterior side of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure;
 - c. a six (6) foot high vinyl coated chain link fence measured from the nearest top of curb, crown of adjacent road, or nearest finished floor elevation, whichever is highest, shall be installed along the southern six hundred and forty (640) feet of the east property line;

- d. one (1) canopy tree shall be planted for each fifteen (15) linear feet of the property line. Trees shall be planted alternating on both sides of the wall/fence;
 - e. one (1) palm or pine tree for each twenty (20) linear feet of the property line. Palms or pines shall be planted alternating on both sides of the wall/fence in a group of five (5) to seven (7) palms/pines per cluster. Each cluster shall have a maximum spacing of sixty (60) feet on center;
 - f. one (1) small shrub for each two (2) linear feet of the property line and shall be planted on both sides of the wall/fence. Shrub shall be a minimum of eighteen (18) inches at installation;
 - g. one (1) medium shrub for each four (4) linear feet of the property line and shall be planted on both sides of the wall/fence. Shrub shall be a minimum of twenty-four (24) inches at installation; and,
 - h. a continuous six (6) foot high hedge shall be planted on the exterior side of the fence only. (BLDG PERMIT: LANDSCAPE - Zoning)
2. In the event all adjacent properties to the east area acquired by Summit Christian School, the wall referenced by section 1 may be replaced by a vinyl coated chainlink fence subject to Zoning approval. (ONGOING:ZONING-Zoning)

LIGHTING

- 1. All outdoor, freestanding lighting fixtures shall not exceed twenty (20) feet in height measured from finished grade to highest point. (BLDG PERMIT: BLDG - Zoning)
- 2. All outdoor, freestanding lighting fixtures be setback fifty (50) feet from the east and south property lines. (BLDG PERMIT: BLDG - Zoning)
- 3. All outdoor lighting shall be extinguished no later than one-half (1/2) hour after operating hours excluding security lighting only. (ONGOING: CODE ENF - Zoning)
- 4. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF - Zoning)
- 5. No outdoor lighting shall be permitted for outdoor recreation facilities. (BLDG. PERMIT:BLDG-Zoning)

MASS TRANSIT

- 1. The location of an easement for a Bus Stop Boarding and Alighting Area, subject to the approval of Palm Tran shall be shown on the final site plan prior to final approval of the DRO. The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. (DRO: PALM TRAN-Palm Tran)
- 2. Prior to Plat Recordation or issuance of the first Building Permit, whichever shall first occur, the property owner shall convey and or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not limited to, a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran. (PLAT/BLDG PERMIT: MONITORING-Eng)

PLANNING

- 1. Prior to final plan approval by the Development Review Officer (DRO), the applicant shall provide all pedestrian pathways and crosswalks as shown on the certified site plan dated June 13, 2005. (DRO: PLANNING-Planning)

SIGNS

Condition I.1, Resolution No. R-97-255 (Petition DOA86-114(B)) which currently states:

1. Freestanding signs fronting on Haverhill Road and Summit Boulevard shall be limited as follows:
 - a. Maximum sign height, measured from finished grade to highest point - six (6) feet;
 - b. Maximum sign face area per side - 72 square feet;
 - c. Maximum number of signs per frontage - two (2); and
 - d. Style - monument only. (CO: BLDG)

Is hereby amended to read:

1. New and replacement freestanding signs fronting on Haverhill Road and Summit Boulevard shall be limited as follows:
 - a. maximum sign height, measured from finished grade to highest point - twelve (12) feet for sign type A; and six (6) feet for sign type B.
 - b. maximum sign face area per sign face: seventy-two (72) square feet for sign type A; and sixty (60) square feet with a maximum of three sign faces for sign type B.
 - c. maximum number of Type A signs per road frontage - one (1); and,
 - d. style - monument only.
 - e. location - one (1) of sign type A per frontage, and one (1) of sign type B fronting the intersection of Haverhill Road and Summit Boulevard. (BLDG. PERMIT:BLDG-Zoning)

USE LIMITATIONS

Condition J.1, Resolution No. R-97-255 (Petition DOA86-114(B)) that currently states.

1. The approval of this petition shall not include the ITV Tower shown on the site. The tower approval shall be processed separately pursuant to the provisions of the ULDC. (DRC: ZONING)

Is hereby deleted [REASON: superseded by condition All Petitions1]

2. Hours of operation for the entire school, except employees, shall be limited to 7:00 a.m. to 10:00 p.m. (ONGOING:CODE ENF-Zoning)
3. Outdoor speaker or public address systems, excluding emergency warning systems, shall not be permitted on the property. (ONGOING: CODE ENF - Zoning)
4. Hours of construction activity during all stages of site development shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. on Saturday. Construction shall be prohibited on Sunday and statutory holidays. (ONGOING: CODE ENF - Zoning)
5. Construction traffic shall be prohibited from utilizing any roads other than Haverhill Road and Summit Boulevard to access the site. (ONGOING: CODE ENF- Zoning)

UTILITIES

1. If any relocations/modifications to the County's existing facilities are required that are a direct or indirect result of the development, the developer shall pay for the complete design and construction costs associated with these relocations/modifications. (ONGOING:PBCWUD-PBCWUD)

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 Article 2.E 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)