

4.0.27

RESOLUTION NO. R-2008- 0708

RESOLUTION APPROVING ZONING APPLICATION CA-2007-205
(CONTROL NO. 2007-054)
CLASS A CONDITIONAL USE
APPLICATION OF FLORIDA ROCK INDUSTRIES, INC, U S SUGAR CORP
BY CASEY, CIKLIN, LUBITZ, AGENT
(LAKE HARBOR QUARRY)

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 applications relating to zoning; and

WHEREAS, the Board of County Commissioners, pursuant to Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) is authorized and empowered to consider, approve, approve with conditions or deny Class A Conditional Uses; 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 CA-2007-205 was presented to the Board of County Commissioners at a public hearing conducted on April 24, 2008; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant 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 2.E (Monitoring) of the Palm Beach County Unified Land Development Code (ULDC) 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 Class A Conditional Use is consistent with the purposes, goals, objectives and policies of the Palm Beach County Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.
2. This Class A Conditional Use complies with relevant and appropriate portions of Article 4.B (Supplementary Use Standards) of the Palm Beach County Unified Land Development Code. This Class A Conditional Use also meets applicable local land development regulations. This Class A Conditional Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
3. This Class A Conditional Use, 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.
4. The proposed design, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Class A Conditional Use, 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.

6. This Class A Conditional Use, with conditions as adopted, will result in logical, timely and orderly development patterns.
7. This Class A Conditional Use, with conditions as adopted, is consistent with applicable Neighborhood Plans.
8. This Class A Conditional Use has a concurrency determination and complies with Article 2.F (Concurrency - Adequate Public Facility Standards) of the ULDC.
9. The applicant has demonstrated sufficient justification that there are changed circumstances, which would require the Class A Conditional Use.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 CA-2007-205, the application of Florida Rock Industries, Inc, U S Sugar Corp, by Casey, Ciklin, Lubitz, agent, for a Class A Conditional Use to allow a Type III B Excavation in the Agricultural Production 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 April 24, 2008, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

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

Addie L. Greene, Chairperson	-	Absent
Jeff Koons, Vice Chair	-	Aye
Karen T. Marcus	-	Naye
Robert J. Kanjian	-	
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Jess R. Santamaria	-	Naye

The Chairperson thereupon declared that the resolution was duly passed and adopted on April 24, 2008.

Filed with the Clerk of the Board of County Commissioners on 24th day of April, 2008.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK



EXHIBIT A
LEGAL DESCRIPTION

PARCEL A:

All of Sections 23, 24, 25 and 36, Township 44 South, Range 35 East, Palm Beach County, Florida.

Together with Tracts 1 through 128, OKEECHOBEE FRUITLANDS COMPANY SUBDIVISION of Section 26. Township 44 south, Range 35 East, according to the plat thereof recorded in Plat book 1, page 154, Public Records of Palm Beach County. Florida.

And together with Tracts 1 through 32, Section 35, Township 44 South, Range 35 East, according to the plat entitled "Lands Offered for Sale in the Everglades by the Trustees of the Internal Improvement Fund, Tallahassee, Florida December 1, 1916."

And together with Sections 19, 20, 29 and 32, Township 44 South, Range 36 East, Palm Beach County, Florida.

PARCEL B

Sections 30 and 31, Township 44 South, Range 36 East, Palm Beach County, Florida.

LESS AND NOT INCLUDING: The right-of-way of the Bolles Canal (L-21) as recorded in Deed Book 887; Page 266 and in Deed Book 1059, Page 517 and the right-of-way Map of the Bolles Canal (L-21) according to the survey executed by GCY, Inc. No. 02-1010-16-01, sheets 1 through 7, dated 11-20-04.

EXHIBIT B
VICINITY SKETCH

EXHIBIT C

CONDITIONS OF APPROVAL

ALL PETITIONS

- 1. 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 May 25, 2007. 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)
- 2. Reconfiguration of the site plan necessary to comply with State or Federal permitting requirements or relocation of accessory concrete asphalt or batch plants shall be permitted subject to DRO approval. (DRO: ZONING - Zoning)

ACCESS

- 1. The site shall be limited to one access point on to County Road CR-827(Bolles Canal Road), which may be relocated upon implementation of the ancillary parcel Number 1 or ancillary Parcel Number 2. (ONGOING: CODE ENF - Zoning)

BLASTING REGULATIONS

- 1. The property owner shall comply with the following regulations:

METHOD	IMPACT
Processing of material	At Identified Rock Plant Sites pursuant to DEP Lime Rock Processing Permit
Storage of material	On site pursuant to plans
Hauling Operation	24 Hours 7 Days a week by Rail Only
Time of blast	Between 10 am 5 pm daily, excluding Saturday, Sunday and legal holidays
Blasting schedule	Subject to State Fire Marshall standards
Established noise and vibration	Subject to State Fire Marshall Standards
Compatibility Study by Consultant	N/A - Property surrounded by applicant-owned property and sugar cane fields. All required setbacks and separation provided as required by ULDC. (ONGOING: CODE ENF - Zoning)

DRI

- 1. No subphase shall exceed one-hundred (100) acres of land per year. (ONGOING: CODE ENF- Zoning)

ENGINEERING

- 1. No raw material mined from the site shall be removed by way of trucks. (ONGOING: CODE ENF -Zoning)
- 2. CORRIDOR CONVEYANCE OF ROAD RIGHT OF WAY

The property owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for Bolles Canal Road 200 feet north of the ultimate north right of way of the L-21 Canal.

All right of way deed(s) and associated documents shall be provided within 90 days of determination of need for the right of way by the County Engineer that the right of way is required.

Right of way conveyance shall be along the entire frontage (approximately 4 miles) and shall be free of all encroachments and encumbrances. 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. The Grantor further warrants that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the Grantee harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, Engineering or other expert witness fees including Attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right-of-way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate provisions for Expanded Intersection Details and "Corner Clips." The Property Owner shall not record these required deeds or related documents. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING:ENG-Eng)

3. The property owner shall provide a temporary roadway construction easement along Bolles Canal Road to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. Easement(s) shall be provided within 90 days of determination by the County Engineer that the temporary roadway construction is required (ONGOING: ENG-Eng)
4. The property owner shall provide to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Bolles Canal Road along the property frontage; and a maximum 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20-foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient retention/detention, Compensating storage within this projects retention system as required by all permitting agencies, and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment.

If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds

and documents.

Easement(s) shall be shown on the final site plan and shall be provided within 90 days of determination by the County Engineer that the drainage easements are required (ONGOING:ENG-Eng)

5. The Property owner shall construct:
 - a. left turn lane west approach on Bolles Canal Road at the projects facility entrance;
 - b. left turn lane west approach on Bolles Canal Road at US 27;
 - c. right turn lane north approach on US 27at Bolles Canal Road ; and,
 - d. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.
 - e. Permits required by Palm Beach County for Bolles Canal Road improvements and from the Florida Department of Transportation for the US 27 improvements shall be obtained prior to the issuance of the Building Permit of the office/shop area for Year one improvements as shown on the applicants' site plan (BLDG PERMIT: MONITORING-Eng)
 - f. Construction shall be completed prior to the issuance of the first Certificate of Completion of the office/shop area or Year one improvements as shown on the applicants' site plan. (MONITORING: ENG- Eng)
6. SIGNALIZATION REQUIRMENTS
 - a. The Property Owner shall fund all costs of signal installation if warranted as determined by the County Engineer and the Florida Department at Bolles Canal Road and US 27. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation. (ONGOING: ENG-Eng).

ENVIRONMENTAL

1. Prior to final plan approval by the Development Review Officer (DRO), the property owner and/or applicant shall provide a Phase I or Phase II Audit, for all portions of this application that may have stored or utilized regulated substances currently or have in the past. ERM shall determine whether a Phase 1 or Phase II Audit is deemed most appropriate. (DRO: ERM-ERM)
2. The property owner shall report to the Environmental Resources Management on January 31, 2009 and on an annual basis verifying that there will be no off site discharge from the property during a 25 year, three day storm event, either during or post construction into adjacent canal system. (DATE: MONITORING - ERM)
3. If the proposed excavation exceeds the depth standards of Article 4.D, the property owner shall provide request for a waiver pursuant to the requirements of Article 4.D.9 of the Unified Land Development Code prior to final approval by the Development Review Officer (DRO). (DRO: ERM-ERM)
4. Prior to final approval by the Development Review Officer (DRO), the property owner shall verify to Environmental Resources Management the complete separation of the farm field agricultural activities from the industrial mining/ excavation activities. (DRO: ERM-ERM)

5. Prior to final approval by the Development Review Officer (DRO), the property owner shall obtain an Environmental Resource Permit from the Florida Department of Environmental Protection. (DRO: ERM-ERM)
6. Commencing on April 30th, 2009, a natural resource extraction fee shall be provided annually for this mining operation from the operators of the mine or its successors. The basis for the extraction fee shall be calculated at \$.05 per ton of material sold from the mine. The tonnage shall be calculated at the end of each calendar year with the information provided to ERM by January 31 of the succeeding year with the payment of \$.05 per ton provided by February 15. To receive these funds, ERM shall set up a separate account for natural resource extraction fees.

The funds shall be used for environmental enhancement activities, which include, but are not limited to: Purchase land; restore land to a more natural state; and, enhance the flora and fauna of already preserved natural areas. The natural resources extraction fee shall escalate annually at the rate prescribed by Section 373.41492(5) as amended, of the Florida Statutes. In the event the legislature of the State of Florida or the County imposes, by legislation, ordinance, or other means, an extraction fee, tax, or charge, then this natural resources extraction fee shall be reduced by the same amount. (DATE: MONITORING-ERM)

7. During the Notice of Intent to Construct (NIC) application process, the property owner and or the operator of the mining facility shall provide a Chloride Monitoring Plan acceptable to ERM that includes exploratory monitoring, monitoring for lakes, and daily monitoring during construction.
 - a. Should chloride levels exceed 250 ppm in any one sample during exploratory monitoring, the operator shall submit to ERM within 30 days for review and approval, a plan to address the exceedance. The Chloride Management Plan may include increased monitoring prior to excavation to isolate areas with exceedances, not mining in the affected cell, not mining certain areas previously approved for mining or not mining certain areas to the depth previously approved.
 - b. As part of the Notice of Intent to Construct Approval (NIC), the operator is to monitor each lake to ensure that chlorides do not exceed 250 ppm. In the event that the monitoring data for the lake as evaluated by a mixing analysis, exceeds 250 ppm, the operator shall submit for ERM's review and approval within 30 days a remediation plan for the affected lake. The mixing analysis is to provide for reasonable assurances and shall be based on a protocol acceptable to ERM. Possible remedial actions may include, but is not limited to, additional monitoring at new locations, more frequent monitoring, restrictions on mining depth or on mining locations, cessation of mining in the affected lake or suspension or revocation of the NIC with restoration. The remediation plan shall include provisions for lowering the chloride level in the affected cell and/or isolating the affected cell from surface and subsurface movement of chlorides. (ONGOING: ERM-ERM)
8. If the DEP permit is not issued within 3 years (May 1, 2011) of the BCC approval the application shall be scheduled for a BCC hearing for consideration. (DATE: MONITORING/ERM-ERM)

HEALTH

1. Prior to final site plan approval by the Development Review Officer, the property owner shall apply for and obtain a construction permit for an onsite sewage treatment and disposal system, in accordance with Chapter 64E-6, FAC, and Palm Beach County ECR-I (DRO: HEALTH-Health)

2. Prior to issuance of the first building permit, the property owner shall submit an application and engineering plans for approval of an onsite drinking water system by the Palm Beach County health Department, in accordance with Chapter 64E-8, FAC, and Palm Beach County ECR-II (BLDG PERMIT: MONITORING-Health)
3. The property owner shall utilize Best Management Practices to minimize breeding of mosquitoes in the surface water management system. Management of the system shall include control methods that minimize the need for aerial spraying and reduce potential impacts of mosquito control activities on the surrounding natural areas. (ONGOING: CODE ENF-Health)

LANDSCAPING

1. The property owner shall submit a Landscape Plan or an Alternative Landscape Plan to the Landscape Section for review and approval. The Plans shall be prepared in compliance with all landscape related conditions of approval as contained herein:
 - a. the Landscape Plan shall be submitted within 90 days of determination of need for the road right of way for Bolles Canal Road, (200 feet north of the ultimate north right of way of the L-21 Canal) by the County Engineer, that the right of way is required. (ONGOING: ENG/ Zoning - Landscape)
2. In addition to the code requirements landscaping along the south property line abutting the Bolles Canal Road in sections 31, 32, 35, and 36, shall be upgraded to include:
 - a. a minimum fifty (50) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
 - b. a continuous minimum six (6) feet high berm;
 - c. double the quantity of the plant materials (trees and shrubs) required per ULDC; plant materials shall be designed to be installed in a naturalistic and meandering pattern; and,
 - d. the Landscape Plan shall be submitted within 90 days of determination of need for the road right of way for Bolles Canal Road, (200 feet north of the ultimate north right of way of the ultimate north right of way of the L-21 Canal) by
 - e. the County Engineer, that the right of way is required. (ONGOING: ENG/Zoning - Landscape)

LANDSCAPING ALONG THE PROPERTY LINE FOR ANCILLARY USE PARCELS NUMBER 1 AND ANCILLARY PARCEL NUMBER 2

3. The landscape buffer width along the above referenced parcels, except where other more restrictive conditions apply, shall be upgraded to include:
 - a. a minimum ten (10) foot wide compatibility landscape buffer strip. No width reduction or easement encroachment shall be permitted;
 - b. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; and,
 - c. perimeter landscaping shall be installed within 90 days of a determination that the agricultural uses adjacent to the ancillary use parcels no longer exist, a landscape buffer shall be installed between the ancillary use parcels and the new surrounding non-agriculture use. (ONGOING: Zoning - Landscape)

PERIMETER RECLAMATION AREA

4. Prior to final site plan approval by the Development Review Officer (DRO) the applicant shall provide a final reclamation plan with a 180-foot setback and upland buffer along the south, east and west property lines and a 250-foot setback and upland buffer along the north property line. (DRO: Zoning-Landscape)

MONITORING - ZONING

1. The Excavation Activity Monitoring Report required by Section 7.6.H.5.a. of the ULDC shall be submitted to the Zoning Division and Environmental Resources Management Department on or before June 1 annually. (DATE: ZONING/ERM - Zoning)
2. The property owner shall submit a five (5) year monitoring report setting forth the ongoing status of the project to ensure consistency with the Board of County Commissioners' approval, in a form to be determined by the Zoning Director. The report shall include the last five (5) year site activities, with the first such report due January 31st, 2012, and again every five years subsequent. The Zoning Director shall prepare a report to the BCC and, if deemed necessary, will schedule an Administrative Inquiry. (DATE: MONITORING - Zoning)
3. The Maintenance and Monitoring Report of Reclaimed Areas required by Article 4.D.8.E of the ULDC shall be submitted to the Environmental Resources Management Division starting on January 31, 2011 and submitted annually thereafter until completion of the excavation activity and reclamation of the site. The report shall include an "As Built" survey for the lake being excavated at the same scale as the approved site plan, delineating the excavation boundaries of the excavaton for the current year and previous year activity to verify compliance with the DRI Thresholds and Mining Phasing Plan. (DATE: MONITORING - ERM/Zoning)

MONITORING - PLANNING

4. Should any archaeological artifacts be uncovered during development or soil disturbing activity, excavation shall halt, the County Archaeologist contacted and allowed to comment on the significance of the find as provided for in Article 9 of the ULDC. (ONGOING: PLANNING-Planning)
5. All potential areas containing Calcrete shall be identified, with the findings provided to the County Archaeologist, prior to Final Site Plan approval. (DRO: PLANNING-Planning)
6. All areas with identified Calcrete shall adhere to the specific conditions outlined within the Certificate To Dig issued by the County Archaeologist. (ONGOING: PLANNING-Planning)
7. The property owner shall obtain the services of a professional archaeologist to monitor the mechanical removal of muck soils for any areas within phases identified in the approved Certificate to Dig. The County Archaeologist is to be notified in writing within two working days prior to removal of muck soils in those identified areas. (ONGOING: PLANNING-Planning)
8. Prior to issuance of building permits or commencement of excavation activities, the property owner shall provide a copy of applicable governmental permits associated with the proposed mining activities. (BLDGPERMIT: PLANNING-Planning)

9. Starting the year excavation activities commence, within 30 days of January 31st of that year, and every year thereafter, the property owner shall submit an annual report to the Planning Director and Development Review Officer (DRO) that shall demonstrate compliance with the requirements of Future land Use Element (FLUE) Policy 2.3-e.3 regarding permitted mining and excavation activities within the Agricultural Production (AP) Future land Use (FLU) designation. The document shall contain the following as applicable:
 - a) Status of each phase of the operation.
 - b) Total tonnage sold from the site and associated tonnage fee paid to ERM.
 - c) Documentation as to FDOT certification of quarry status and that the intended use of the material complies with the County requirements.
 - d) Status of compliance with conditions contained within Resolution
 - e) Status of compliance with SFWMD and DEP permits. Copies of all modifications to permits shall be submitted in their entirety to PBC Planning, Land Development and ERM. (ONGOING: PLANNING-Planning)
10. Upon completion of each phase submit the following documents where applicable:
 - a) Should the reclaimed mined area be used for agricultural activities associated with flood control or irrigation submit an executed binding agreement, or other such documentation as approved by the County Attorney's office, between the property owner and the lessee describing how the use of the area will be for agricultural purposes and submit a copy of the modified SFWMD Water Resource Permit demonstrating the use of the area for agricultural activities associated with flood control and or irrigation.
 - b) Should the mined reclamation area be used, with consent of the property owner, for water management projects associated with ecosystem restoration, regional water supply, flood protection or other such projects in direct association with the SFWMD, ACOE, DEP or other applicable governmental agency, submit either a copy of an executed binding agreement with the subsequent agency illustrating the use of the reclaimed areas within the proposed project or a copy of the deed transferring the reclaimed area to the subsequent agency. (ONGOING: MONITORING-Planning)
11. Should any permits associated with the requested mining operations be found in violation, revoked, suspended or otherwise nullified, the county shall be notified within 15 working days. Should compliance not be achieved or a consent/settlement agreement not be executed within 120 working days of notification, the Development Order shall be brought to the Board of County Commissioners for further review at which time they may require operations to cease or take other appropriate action. (ONGOING-MONITORING-Planning)

PHASING

1. A maximum of one (1) phase shall be in active excavation at any time. (ONGOING: CODE ENF- Zoning)

USE LIMITATIONS

1. All uses shall not exceed 50 dBA as measured in the Performance standards of Article 5.E.3. of the ULDC. Noise shall be measured from the residential property line closest to the area under excavation. (ONGOING: CODE ENF- Zoning)

2. Stock piles of rock or other material shall not exceed a maximum height of hundred (100) feet from the undisturbed average finished grade. (ONGOING: CODE ENF - Zoning)

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 Zoning Commission 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 the Code Enforcement Special Master to schedule a Status Report before the body which approved the Conditional Use, Type II Variance, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Departmental administrative actions made pursuant to this condition may be appealed as provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of a Conditional Use, Type II Variance, Development Order Amendment or other actions based on a Zoning Commission decision shall be by petition for writ of certiorari to the Circuit Court, Appellate Division, 15th Judicial Circuit of Florida. (ONGOING: MONITORING - Zoning)

This resolution is effective when filed with the Clerk of the Board of County Commissioners.