

RESOLUTION NO. R-2015- 1535

RESOLUTION APPROVING ZONING APPLICATION DOA-2015-00315
(CONTROL NO. 1998-00012)
a Development Order Amendment
APPLICATION OF Preparatory Wellington
BY Miller Land Planning, AGENT
(Wellington Preparatory 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, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA-2015-00315 was presented to the Board of County Commissioners at a public hearing conducted on October 22, 2015;

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 recommendation of the Zoning Commission;

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for a Development Order Amendment ; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County ULDC 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 DOA-2015-00315, the application of Preparatory Wellington, by Miller Land Planning, Agent, for a Development Order Amendment for the Elementary or Secondary School to reconfigure the Site Plan, add square footage, add students, and to delete Conditions of Approval (Architectural), on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on October 22, 2015, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Burdick moved for the approval of the Resolution.

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

Commissioner Shelley Vana, Mayor	-	Aye
Commissioner Mary Lou Berger, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Melissa McKinlay	-	Absent
Commissioner Priscilla A. Taylor	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on October 22, 2015.

Filed with the Clerk of the Board of County Commissioners on October 26th, 2015.

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

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

Tract A, PLANET KIDS NO. III, according to the Plat thereof, as recorded in Plat Book 91, Pages 98 and 99, of the Public Records of Palm Beach County, Florida.

PARCEL 2:

Commencing at the Northeast corner of Tract 55, Block 25, The Palm Beach Farms Co Plat No. 3, according to the plat thereof recorded in Plat Book 2, Pages 45-54, of the Public Records of Palm Beach County, Florida; running thence along the Northerly line of Tract 55, Block 25, South 89°04'24" West, 330 feet to the point and place of beginning; running thence South 00°55'36" East, 270.00 feet; running thence South 89°04'24" West, 35.00 feet; running thence North 00°55'36" West, 270.00 feet to the North line of Tract 55, Block 25 mentioned above; running thence North 89°04'24" East, 35.00 feet to the point and place of beginning.

PARCEL 3:

Commencing at the Northeast corner of Tract 55, Block 25, The Palm Beach Farms Co Plat No. 3, according to the plat thereof recorded in Plat Book 2, Pages 45-54, of the Public Records of Palm Beach County, Florida; running thence along the Northerly line of Tract 55, Block 25, South 89°04'24" West, 195.00 feet to the point and place of beginning; running thence South 89°04'24" West, 170.00 feet; running thence North 00°55'36" West, 85.00 feet; running thence North 89°04'24" East, 170.00 feet; running thence South 00°55'36" East, 85.00 feet to the point and place of beginning.

PARCEL 4:

Being a portion of Tract 44, Block 25, The Palm Beach Farms Co Plat No. 3, according to the map or plat thereof as recorded in Plat Book 2, Pages 45-54, of the Public Records of Palm Beach County, Florida, being described as follows:

Begin at the Southeast corner of said Tract 44; thence South 89°29'19" West, along the South line of said Tract 44, a distance of 194.75 feet; thence North 00°05'23" West, 85.00 feet; thence North 89°29'19" East, along a line parallel and 85.00 feet North of the said South line of Tract 44, 195.00 feet; thence South 00°04'43" East, along the East line of said Tract 44, 85.00 feet to the Point of Beginning.

Said lands lying and situate in Palm Beach County, containing 179,260 square feet (4.1152 acres), more or less.

EXHIBIT B
VICINITY SKETCH

Location Map

NTS

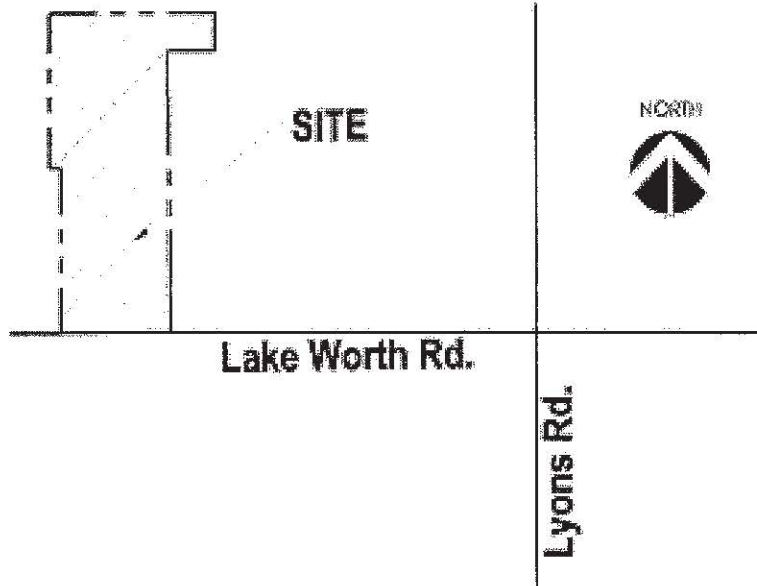


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment Elementary or Secondary School

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2013-646, Control No.1998-00012, which currently states:

The approved Preliminary Site Plan is dated March 4, 2013. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission.

Is hereby amended to read:

The approved Preliminary Site Plan is dated July 9, 2015. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2013-00645, R-2013-0646 and R-2014-375 (Control 1998-00012), 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 Unified Land Development Code and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

ARCHITECTURAL REVIEW

1. Similar architectural character and treatment, including but not limited to color (earth tones and pastel colors), material, fenestration and roof lines, shall be provided on all sides of the building (BLDG PERMIT: BLDG-Zoning) (Previous ARCHITECTURAL REVIEW 1 of Resolution R-2014-375 Control No 1998-00012)

2. Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2014-375, Control No.1998-00012, which currently states:

The maximum height for all structures, including all air conditioning and mechanical equipment, measured from finished grade to highest point, shall not exceed twenty five (25) feet.

Is hereby amended to read:

The maximum height for all structures, including all air conditioning and mechanical equipment, measured from finished grade to highest point, shall not exceed thirty-five (35) feet. (BLDG/PMT/DRO: ZONING - Zoning)

3. All air conditioning and mechanical equipment shall be screened from view on all sides by a visually opaque barrier consistent with the color, character and architectural style of the principal structure or equivalent landscape material. (BLDG/PMT/CO/ONGOING: ZONING - Zoning) (Previous ARCHITECTURAL REVIEW Condition 3 of Resolution R-2014-375, Control No.1998-00012)

4. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the School (Building 4) shall be submitted for review and

approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Architectural Elevations dated November 20, 2012. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 4 of Resolution R-2014-374, Control No.1998-00012)

5. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the School (Building 2) shall be submitted for review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Architectural Elevations dated April 27, 2015. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning)

BUILDING

1. Prior to the issuance of a Certificate of Occupancy for the School or November 23, 2013 whichever shall first occur, the unpermitted addition on the Security/Caretaker's Quarters shall be removed pursuant to an alteration building permit and a Certificate of Completion shall be issued for the Security/Caretaker's Quarters. (CO/DATE: BUILDING DIVISION - Building Division) [Note: COMPLETED] (Previous BUILDING Condition 1 of Resolution R-2014-375, Control No.1998-00012)

2. Prior to the issuance of a Certificate of Occupancy for the School or November 23, 2013 whichever shall first occur, the Property Owner shall remove or obtain a permit and Certificate of Completion for the portion of the Day Care building not included in Building Permit B-2001-007985 (B01015229). (CO/DATE: BUILDING DIVISION - Building Division) [Note: COMPLETED] (Previous BUILDING Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. Prior to the issuance of a Certificate of Occupancy for the School or November 23, 2013 whichever shall first occur, the Property Owner shall remove or obtain a permit and Certificate of Completion for the two (2) paver patio areas located at the rear of the Day Care building. (CO/DATE: BUILDING DIVISION - Building Division) [Note: COMPLETED] (Previous BUILDING Condition 3 of Resolution R-2014-375, Control No.1998-00012)

ENGINEERING

1. Prior to issuance of a Drainage Review or Building Permit for the additional parking area, the Property Owner shall create the revised legal lot of record in accordance with Article 11 of the Unified Land Development Code. (BLDGPM: MONITORING - Engineering) (Previous ENGINEERING Condition 1 of Resolution R-2014-375, Control No.1998-00012)

2. Landscaping in adjacent median

a. Prior to issuance of a building permit, the Property Owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median of all Lake Worth Road Right-of-Way. This permit, to be completed by the Property Owner, shall name Palm Beach County as the applicant.

As part of this permit process, the Property Owner shall enter into a Right of Way, Landscape Maintenance, Removal, and Indemnification Agreement. When landscaping is permitted by the Florida Department of Transportation, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. The Property Owner shall also be responsible to supplement any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the Property Owner. Alternative species other than those listed in

the County standards may be allowed subject to approval by the County Engineer. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]

- b. All required median landscaping, including an irrigation system if required, shall be installed at the Property Owner's expense. All existing landscape material shall also be the perpetual maintenance obligation of the Property Owner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed prior to the issuance of a Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED]
- c. Declaration of Covenants and Restriction Documents evidencing this obligation shall be established or amended as required and shall be approved and recorded prior to the issuance of a Building Permit. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. Prior to final approval of the Site Plan by the DRO, the Property Owner shall clearly delineate the limits of the detention areas. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2014-375, Control No.1998-00012)

4. The Property Owner shall obtain written permission from the easement beneficiary for encroachments at the east side of the building prior to issuance of the first Building Permit. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2014-375, Control No. 1998-012)

5. Prior to issuance of the first Certificate of Occupancy, the Property Owner shall construct a right turn lane east approach on Lake Worth Road at the project's entrance driveway. 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. (BLDGPMT/CO: MONITORING - Engineering)

6. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

- a. No Building Permits for the site may be issued after December 31, 2016. A time extension for this condition may be approved 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. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

7. Prior to the issuance of the first building permit, the property owner shall provide to Florida Department of Transportation (FDOT) by deed additional right of way for the construction of a right turn lane on Lake Worth Road at the project's entrance road. This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet or as approved by FDOT. The right of way should be continued across the project entrance and shall be free and clear of all encumbrances and encroachments. Property owner shall provide FDOT with sufficient documentation, which may include at minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from tax collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Grantor must warrant that the property being conveyed to FDOT 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 County and FDOT 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, as determined by the County Engineer, additional right of way for Expanded Intersections and corner clips. The Property Owner shall coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDGPM: MONITORING - Engineering)

LANDSCAPE - GENERAL

1. All canopy trees required to be planted on site by this approval shall meet the following minimum standards at installation:

- a. Tree height: twelve (12) 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. (BLDGPM/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-2014-375, Control No.1998-00012)

2. All palms required to be planted on site by this approval, except on individual residential lots, shall meet the following minimum standards at installation:

- a. Palm heights: twelve (12) feet clear trunk;
- b. Clusters: staggered heights twelve (12) to eighteen (18) feet; and,
- c. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (BLDGPM/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location. (BLDGPM/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 3 of Resolution R-2014-375, Control No.1998-00012)

4. Previous LANDSCAPE - GENERAL Condition 4 of Resolution R-2014-375, Control No.1998-00012, which currently states:

Prior to final approval by the Development Review Officer, the Property Owner shall submit an Alternative Landscape Plan (ALP) to the Landscape Section for review and approval to preserve or incorporate existing native vegetation in the off-street parking area and interior vehicular use area. The ALP shall be prepared in compliance with all landscape related Conditions of Approval as contained herein.

Is hereby amended to read:

Prior to final approval by the Development Review Officer, the Property Owner shall submit a revised Alternative Landscape Plan (ALP) to the Landscape Section for review and approval, to preserve or incorporate existing native vegetation in the off-street parking area and interior vehicular use area, and the new land area and proposed structures. The ALP shall be prepared in compliance with all landscape related Conditions of Approval as contained herein. (DRO: ZONING - Zoning)

LANDSCAPE - INTERIOR

5. Foundation planting or grade level planters shall be provided along the front and side facades of all structures to consist of the following:

- a. The minimum width of the required landscape areas shall be five (5) feet;
- b. The length of the required landscaped areas shall be no less than 50% of the total length of the applicable exterior side of the structure; and,
- c. Landscape areas shall be planted with a minimum of one (1) tree or palm every twenty (20) linear foot of building facade and appropriate ground cover. (DRO/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - INTERIOR Condition 5

of Resolution R-2014-375, Control No.1998-00012)

6. Previous LANDSCAPE-PERIMETER-LANDSCAPING ALONG THE NORTH, EAST AND WEST PROPERTY LINES Condition 10 of Resolution R-2014-375, Control No.1998-00012, which currently states:

LANDSCAPE - PERIMETER-LANDSCAPING ALONG NORTH, EAST AND WEST PROPERTY LINES (ABUTTING RESIDENTIAL)

Landscaping and buffering along the above property lines shall include:

- a. A minimum ten (10) foot wide landscape buffer strip; and
- b. One (1) native canopy tree planted every twenty (20) feet on center;
- c. One (1) palm or pine tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location; and
- d. Thirty six (36) 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 seventy-two (72) inches.
- e. Canopy trees around outdoor play area to be a minimum height of fourteen (14) feet at installation.

Is hereby amended to read:

LANDSCAPE - PERIMETER-LANDSCAPING ALONG WEST PROPERTY LINE (ABUTTING RESIDENTIAL)

Landscaping and buffering along the above property lines shall include:

- a. A minimum ten (10) foot wide landscape buffer strip; and
- b. One (1) native canopy tree planted every twenty (20) feet on center;
- c. One (1) palm or pine tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location; and
- d. Thirty six (36) 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 seventy-two (72) inches.
- e. Canopy trees around outdoor play area to be a minimum height of fourteen (14) feet at installation. (ONGOING: ZONING - Zoning)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG NORTH AND EAST PROPERTY LINES (ABUTTING RESIDENTIAL)

7. Landscaping and buffering along the above property lines shall include:

- a. A minimum fifteen (15) foot wide landscape buffer strip along the eastern 85 foot property line that abuts residential and the eastern 240 feet of the north property line;
- b. One (1) native canopy tree planted every twenty (20) feet on center;
- c. One (1) palm or pine tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location; and
- d. Thirty six (36) 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 seventy-two (72) inches.
- e. Canopy trees around outdoor play area to be a minimum height of fourteen (14) feet at installation. (ONGOING: ZONING - Zoning)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG SOUTH PROPERTY LINE (ABUTTING LAKE WORTH ROAD)

8. Landscaping and buffering along the south property line shall include:

- a. A minimum twenty (20) foot wide landscape buffer strip; and
- b. An undulating berm with an average height of three foot high measured from finished grade to top of berm; and
- c. One (1) native canopy tree planted every thirty (30) feet on center;
- d. 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 not supersede the requirement for a canopy tree in that location; and

e. Twenty four (24) inch high shrub or hedge material shall be planted at the plateau of the berm , spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36)inches. (ONGOING: ZONING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 11 of Resolution R-2014-375, Control No.1998-00012)

LIGHTING

1. All outdoor lighting and security 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. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 1 of Resolution R-2014-375, Control No.1998-00012)

2. All outdoor lighting fixtures shall not exceed twenty (20) feet in height, measured from finished grade to highest point. (BLDGPMT/ONGOING: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. All outdoor lighting shall be extinguished no later than 10:00 p.m., excluding security lighting only. (ONGOING: CODE ENF - Code Enforcement) (Previous LIGHTING Condition 3 of Resolution R-2014-375, Control No.1998-00012)

4. The lighting conditions contained in Conditions L. 2 and L.3 shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: ZONING - Zoning) (Previous LIGHTING Condition 4 of Resolution R-2014-375, Control No.1998-00012)

PARKING

1. Bus parking is permitted in designated Bus parking spaces only. (ONGOING: CODE ENF - Code Enforcement) (Previous PARKING Condition 1 of Resolution R-2014-375, Control No.1998-00012)

SIGNS

1. Freestanding sign fronting on Lake Worth Road shall be limited as follows:
a. Maximum sign height, measured from finished grade to highest point - eight (8) feet;
b. Maximum sign face area per side - 80 square feet;
c. Maximum number of signs - one (1); and
d. Style - monument style only. (BLDGPMT/ONGOING: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-2014-375, Control No.1998-00012)

2. No off-premise signs or relocated billboards shall be permitted on the site. (ONGOING: ZONING - Zoning) (Previous SIGNS Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. Previous SIGNS Condition 3 of Resolution R-2014-375, Control No.1998-00012, which currently states:

Wall signs shall be limited to the south and west facades of the Day Care building and the south facade of the School building only.

Is hereby amended to read:

Wall signs shall be limited to the south facade of the buildings . (BLDGPMT/ONGOING: BUILDING DIVISION - Zoning)

USE LIMITATIONS-SCHOOL

1. Previous USE LIMITATIONS Condition 1 of Resolution R-2013-646, Control No.1998-00012, which currently states:

The School shall be limited to a maximum of ninety (90) students.

Is hereby amended to read:

The School shall be limited to a maximum of two hundred and ten (210) students. (ONGOING: HEALTH DEPARTMENT - Zoning)

2. Outdoor speakers or public address systems shall not be permitted on site. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2014-375, Control No. 1998-00012)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant 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: ZONING - 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; the 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 Unified Land Development Code 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 of Approval; 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 Official Zoning Map Amendment, Conditional Use, Requested Use, 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. (ONGOING: ZONING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.