

RESOLUTION NO. R-2017- 1766

RESOLUTION APPROVING ZONING APPLICATION DOA/R-2016-02009
(CONTROL NO. 1973-00039)

a Development Order Amendment
APPLICATION OF Oriole RLV

BY Holland & Knight LLP, Charles Putman & Associates, AGENT
(The Reserve Self-Storage at Oriole Plaza)

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 pursuant to 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/R-2016-02009 was presented to the Board of County Commissioners at a public hearing conducted on November 30, 2017;

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 ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for a Development Order Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the 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 Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the 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/R-2016-02009, the Application of Oriole RLV, by Holland & Knight LLP, Charles Putman & Associates, Agent, for a Development Order Amendment to reconfigure the Site Plan; modify uses; and, modify and delete Conditions of Approval (Engineering, Landscape, Lighting, Signage, Site Design, Dumpster, Solid Waste), on a parcel of land generally described as shown on the legal description 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 November 30, 2017, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Berger moved for the approval of the Resolution.

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

Commissioner Melissa McKinlay, Mayor	- Aye
Commissioner Mack Bernard, Vice Mayor	- Aye
Commissioner Hal R. Valeche	- Aye
Commissioner Paulette Burdick	- Aye
Commissioner Dave Kerner	- Aye
Commissioner Steven L. Abrams	- Aye
Commissioner Mary Lou Berger	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on November 30, 2017.

Filed with the Clerk of the Board of County Commissioners on December 11th, 2017.


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 FLORIDA




EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION – OVERALL MUPD

PARCEL C-1 OF "VILLAGES OF ORIOLE SHOPS", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 35, AT PAGES 9 AND 10, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE SOUTH 200.00 FEET OF THE EAST 218.00 FEET THEREOF, AND LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND AS ACQUIRED BY PALM BEACH COUNTY, FLORIDA IN THAT ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 12313, PAGE 1550 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 124:

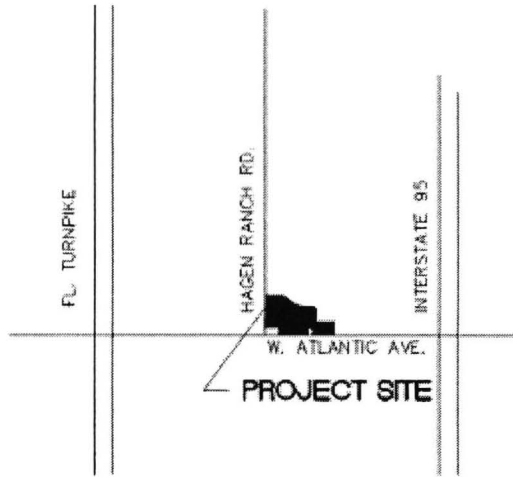
A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF PARCEL C-1 OF THE PLAT OF "VILLAGES OF ORIOLE SHOPS", RECORDED IN PLAT BOOK 35, PAGE 10, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF SAID PARCEL C-1; THENCE ALONG THE WEST BOUNDARY OF SAID PARCEL C-1, NORTH 00 DEGREES 14'48" EAST FOR 357.08 FEET; THENCE DEPARTING SAID BOUNDARY, SOUTH 01 DEGREE 45'12" EAST FOR 53.90 FEET; THENCE SOUTH 00 DEGREES 14'48" WEST FOR 303.17 FEET TO THE SOUTH BOUNDARY OF SAID PARCEL C-1; THENCE ALONG SAID SOUTHERLY BOUNDARY, SOUTH 89 DEGREES 18'02" WEST FOR 1.88 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

ALL OF "VILLAGES OF ORIOLE SHOPS PLAT NO. TWO", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 43, AT PAGE 104 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 1,108,822 SQUARE FEET (25.4550 ACRES), MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



LOCATION MAP
SCALE: N.T.S.

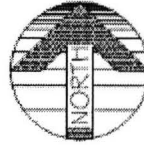


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment

ALL PETITIONS

1. Previous Condition 1 of Resolution R-1981-1072, Control No.1973-00039, which currently states:

Prior to any specific development, the petitioner will file for an amended Planned Commercial Development for a specific use.

Is hereby deleted. [REASON: Superseded by current Code Requirements]

2. Previous Condition 1 of Resolution R-1991-365, Control No.1973-00039, which currently states:

The petitioner shall comply with all previous conditions of approval, unless expressly modified herein.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-1973-0396(Control 1973-00039); Resolution R-1980-0835 (Control 1980-00082); Resolution R-1981-1071(Control 1981-000140); Resolution R-1981-1072 (Control 1981-00140); Resolution R-1983-136 (Control 1982-00128), Resolution R-1984-051 (Control 1973-00039(A); Resolution R-1991-0365 (Control 1973-00039(C); R-1991-0376 (Control 1973-00039(D); 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.

3. Previous Condition 3 of Resolution R-1991-365, Control No.1973-00039, which currently states:

Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners. Any modifications must be approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Section 402.7 (E) 2 (b) (Site Plan Review Committee Powers and Standards of Review).

Is hereby amended to read:

The approved Preliminary Site Plan is dated August 28, 2017. 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)

4. Previous A Condition 1 of Resolution R-1991-376, Control No.1973-00039, which currently states:

The petitioner shall comply with all previous conditions of approval, unless expressly modified herein.

Is hereby deleted. [REASON: Code Requirement.]

5. Previous A Condition 3 of Resolution R-1991-376, Control No.1973-00039, which

currently states:

Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners. Any modifications must be approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Section 402.7 (E) 2 (b) (Site Plan Review Committee Powers and Standards of Review).

Is hereby deleted. [REASON: Redundant condition.]

ENGINEERING

1. Previous Condition 1 of Resolution R-1984-51, Control No.1973-00039, which currently states:

This site shall be permitted direct access only from Delray West Road in an alignment to be specified by the County Engineer.

Is hereby deleted. [REASON: No longer needed]

2. Concurrent with on-site paving and drainage improvements the developer shall construct on Delray West Road at its intersection with the project's entrance, a right turn lane, east approach as specified by the paving and drainage permit issued from the office of the County Engineer. [Note: COMPLETED] (Previous Condition 2 of Resolution R-1984-51, Control No.1973-00039)

3. The developer shall contribute Fifteen Thousand Nine Hundred and Seventy-five Dollars (\$15,975.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the issuance of the building permit. [Note: COMPLETED] (Previous Condition 3 of Resolution R-1984-51, Control No.1973-00039)

4. Within 90 days of this approval, the property owner shall convey to Palm Beach County the ultimate right-of-way necessary to provide for an 80 foot section for Hagen Ranch Road. [Note: COMPLETED] (Previous Condition 4 of Resolution R-1984-51, Control No.1973-00039)

5. Previous Condition 5 of Resolution R-1984-51, Control No.1973-00039, which currently states:

This development shall retain onsite 85% of the storm water runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.

Is hereby deleted. [REASON: Code requirement]

6. Previous D Condition 1 of Resolution R-1991-376, Control No.1973-00039, which currently states:

The Developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.

Is hereby deleted. [REASON: Code requirement]

7. Prior to June 1, 1991 or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to the Florida Department of Transportation, a

10 foot construction easement for the 6 laning of West Atlantic Avenue. (BLDG/PMT/DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous D Condition 2 of Resolution R-1991-376, Control No.1973-00039)

8. Previous D Condition 3 of Resolution R-1991-376, Control No.1973-00039, which currently states:

The developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance". (ONGOING: ENGINEERING - Engineering)

Is hereby deleted. [REASON: Replaced by Impact Fee Ordinance.]

9. The Developer shall re-plat the subject property in accordance with provisions of Palm Beach County's Subdivision and Required Improvements Regulations 90-8 as amended. (BLDG/PMT: ENGINEERING - Engineering) [Note: COMPLETED] (Previous D Condition 4 of Resolution R-1991-376, Control No.1973-00039)

10. 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, 2020. 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)

HEALTH

1. Previous D Condition 1 of Resolution R-1991-365, Control No.1973-00039, which currently states:

Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents.

Is hereby amended to read:

Owners and operators of facilities that generate industrial, toxic, or hazardous waste shall not deposit or cause to be deposited any such wastes into the sanitary sewer system unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection (FDEP), the Florida Department of Health (FDOH), and the agency responsible for sewage works are constructed and used. (ONGOING; CODE ENF-Health)

2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. (ONGOING: HEALTH-Health) (Previous D Condition 2 of Resolution R-1991-365, Control No.1973-00039)

3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING: HEALTH-Health) (Previous D Condition 3 of Resolution R-1991-365, Control No.1973-00039)

4. The owner, occupant or tenant of the facility shall participate in an oil recycling program which insures proper re-use or disposal of waste oil. (ONGOING: HEALTH-Health) (Previous D Condition 4 of Resolution R-1991-365, Control No.1973-00039)

5. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties. (ONGOING: HEALTH-Health) (Previous Condition 6 of Resolution R-1984-51, Control No.1973-00039)

6. Previous Condition 7 of Resolution R-1984-51, Control No.1973-00039, which currently states:

The developer shall take necessary measures during the development of this property to prevent pollutant runoff to the neighboring and nearby surface waters.

Is hereby deleted. [REASON: Code Requirement]

LANDSCAPE - GENERAL

1. Previous E Condition 4 of Resolution R-1991-365, Control No.1973-00039, which currently states:

All plant material shall be fully irrigated and maintained in a healthy viable condition.

Is hereby deleted. [REASON: Code requirement]

2. Previous E Condition 5 of Resolution R-1991-365, Control No.1973-00039, which currently states:

Trees shall be allowed to reach a minimum height of fifteen (15) feet and shall be maintained according to Arbor Society Standards.

Is hereby deleted. [REASON: Superseded by Code requirement]

3. Previous F Condition 3 of Resolution R-1991-376, Control No.1973-00039, which currently states:

All plant material shall be fully irrigated and maintained in a healthy and viable condition.

Is hereby deleted. [REASON: Redundant Condition]

4. Previous F Condition 4 of Resolution R-1991-376, Control No.1973-00039, which currently states:

Trees shall be allowed to reach a minimum height of fifteen (15) feet and shall be maintained according to Arbor Society Standards.

Is hereby deleted. [REASON: Redundant condition.]

LANDSCAPE - PERIMETER

5. Landscaping shall be upgraded along the north perimeter to include:

- a. A continuous six (6) foot high wooden fence or solid wall.
- b. Fourteen (14) foot tall native canopy trees at planting, placed fifteen (15) feet on center and a continuous thirty-six (36) inch tall hedge along the interior side of the required wooden fence or solid wall.

(ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous E Condition 1 of Resolution R-1991-365, Control No.1973-00039)

6. Landscaping along the east property line shall be upgraded to include fourteen (14) foot tall native canopy trees placed fifteen (15) feet on center and a continuous hedge a minimum of thirty-six (36) inches tall. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous E Condition 2 of Resolution R-1991-365, Control No.1973-00039)

7. Landscaping along the south and west perimeters shall include native canopy trees a minimum of fourteen (14) feet tall spaced twenty (20) feet on center with a continuous hedge a minimum of thirty-six (36) inches tall. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous E Condition 3 of Resolution R-1991-365, Control No.1973-00039)

8. Previous F Condition 1 of Resolution R-1991-376, Control No.1973-00039, which currently states:

Landscaping along east, south and west perimeters of the subject property shall be upgraded to include:

- a. A continuous thirty six (36) inch tall hedge.
- b. Twelve (12) foot tall native

Is hereby deleted. [REASON: Redundant condition.]

9. Landscaping along the north perimeter shall be upgraded to include fourteen (14) foot tall native canopy trees at planting, placed fifteen (15) feet on center and a continuous thirty-six (36) inch tall hedge. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous F Condition 2 of Resolution R-1991-376, Control No.1973-00039)

LIGHTING

1. Previous F Condition 1 of Resolution R-1991-365, Control No.1973-00039, which currently states:

Outdoor lighting used to illuminate the premises shall be low intensity, shielded and directed away from adjacent properties and streets.

Is hereby deleted. [REASON: Code requirement.]

2. Previous G Condition 1 of Resolution R-1991-376, Control No.1973-00039, which currently states:

Outdoor lighting used to illuminate the premises shall be low intensity, shielded and directed away from adjacent properties and streets.

Is hereby deleted. [REASON: Redundant condition.]

SIGNS

1. If prior to the issuance of a building permit for the project, the Sign Code is amended to be more restrictive than the conditions of approval, the regulations of the amended Sign Code shall supersede the sign related conditions of approval. (ONGOING: ZONING - Zoning) (Previous A Condition 1 of Resolution R-1991-365, Control No.1973-00039)

2. Previous A Condition 2 of Resolution R-1991-365, Control No.1973-00039, which currently states:

Prior to Site Plan Certification, the petitioner shall submit a Master Sign Program which specifies sign location, site, color and graphic representation for the subject out parcel only.

Is hereby deleted. [REASON: Code requirement.]

3. No freestanding signs shall be permitted on any outparcel of the PCD over the number permitted by the sign code. Any new or replaced freestanding signs shall conform to the following standard:

Maximum number of signs: 1 (one)

Maximum square footage of total sign face area: 100 square feet

Maximum height: 15 feet

(ONGOING: ZONING - Zoning) (Previous B Condition 1 of Resolution R-1991-376, Control No.1973-00039)

4. Previous B Condition 2 of Resolution R-1991-376, Control No.1973-00039, which currently states:

Prior to Site Plan Certification, the petitioner shall submit a Master Sign Program which specifies sign location, size, color and graphic representation for the subject site.

Is hereby deleted. [REASON: Redundant condition.]

5. Previous B Condition 3 of Resolution R-1991-376, Control No.1973-00039, which currently states:

If, prior to the issuance of a building permit for the project, the Sign Code is amended to be more restrictive than the conditions of approval, the regulations of the amended Sign Code shall supersede the sign related conditions of approval.

Is hereby deleted. [REASON: Redundant Condition.]

SITE DESIGN

1. Previous Condition 8 of Resolution R-1984-51, Control No.1973-00039, which currently states:

Prior to site plan certification, the site plan shall be amended to reflect the ultimate right-of-way for Hagen Ranch Road and to reflect all required setbacks.

Is hereby deleted. [REASON: Code Requirement.]

2. Previous Condition 2 of Resolution R-1991-365, Control No.1973-00039, which currently states:

The site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements.

Is hereby deleted. [REASON: Code Requirement.]

3. Previous A Condition 2 of Resolution R-1991-376, Control No.1973-00039, which currently states:

The site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements.

Is hereby deleted. [REASON: Redundant Condition.]

SITE DESIGN-DUMSPTER

4. All garbage and refuse receptacles shall be confined to a designated area. Dumpsters or other trash collection devices shall be concealed behind an enclosure having an architectural treatment compatible with the principal building. The open end of the enclosure shall have an obscuring, opaque gate. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous B Condition 1 of Resolution R-1991-365, Control No.1973-00039)

5. Previous C Condition 1 of Resolution R-1991-376, Control No.1973-00039, which currently states:

All garbage and refuse receptacles shall be confined to a designated area. Dumpsters or other trash collection devices shall be concealed behind an enclosure having an architectural treatment compatible with the principal building. The open end of the enclosure shall have an obscuring, opaque gate.

Is hereby deleted. [REASON: Redundant Condition.]

SITE DESIGN

6. Previous I Condition 1 of Resolution R-1991-376, Control No.1973-00039, which

currently states:

Prior to Site Plan Review, the site plan shall be revised to indicate:

- a. All parking stalls with a 18.5 foot depth.
- b. The by-pass curb cut along the north property boundary shall be relocated to the east and identified by an above grade sign as an exit only.
- c. The maximum width of the curb cut shall be fifteen (15) feet.
- d. The Master Plan shall be revised to reflect the final approvals for the total Planned Commercial Development.

Is hereby deleted. [REASON: Code Requirement.]

7. No outdoor speaker or public address systems which are audible off of the subject site shall be permitted. (ONGOING: ZONING - Zoning) (Previous J Condition 1 of Resolution R-1991-376, Control No.1973-00039)

8. Vehicle parking shall be limited to the parking areas designated on the approved site plan. No parking of vehicles is to be allowed in landscaped areas, access easements or interior drives. (Previous J Condition 2 of Resolution R-1991-376, Control No.1973-00039)

SOLID WASTE AUTHORITY

1. The property owner shall participate in a recycling program when available in the area. The program shall include paper, plastic, metal and glass products, as programs are available. (ONGOING: ZONING - Zoning) (Previous G Condition 1 of Resolution R-1991-365, Control No.1973-00039)

2. Previous H Condition 1 of Resolution R-1991-376, Control No.1973-00039, which currently states:

The property owner shall participate in a recycling program when available in the area. The program shall include paper, plastic, metal and glass products, as programs are available.

Is hereby deleted. [REASON: Redundant Condition.]

USE LIMITATIONS-FUNERAL HOME

1. Prior to Site Plan Certification, the site plan shall be revised to indicate:

a. The name of the State Road 806 shall be revised to West Atlantic Avenue.
b. The first access point to the funeral home site, north of the access driveway from West Atlantic Avenue for the whole Planned Commercial Development, shall be an entrance only. (Previous H Condition 1 of Resolution R-1991-365, Control No.1973-00039)

2. Funeral home personnel shall supervise the arrival and departure of all customers to ensure orderly parking and stacking operations for funeral services. (ONGOING: ZONING - Zoning) (Previous H Condition 2 of Resolution R-1991-365, Control No.1973-00039)

3. All delivery or unloading of caskets or any other items shall occur in a fully enclosed structures. (ONGOING: ZONING - Zoning) (Previous H Condition 3 of Resolution R-1991-365, Control No.1973-00039)

4. No medical preparation or embalming shall occur on site. (ONGOING: ZONING - Zoning) (Previous H Condition 4 of Resolution R-1991-365, Control No.1973-00039)

5. Hours of operations for funeral services shall be limited to 8 a.m. to 5 p.m. (ONGOING: ZONING - Zoning) (Previous H Condition 5 of Resolution R-1991-365, Control No.1973-00039)

6. The capacity of the facility shall be limited to 195 seats and 7,200 square feet. (ONGOING: ZONING - Zoning) (Previous I Condition 1 of Resolution R-1991-365, Control

No.1973-00039)

7. Previous I Condition 2 of Resolution R-1991-365, Control No.1973-00039, which currently states:

No outdoor speaker or public address systems which are audible from the exterior of the site shall be permitted.

Is hereby deleted. [REASON: Redundant Condition.]

8. Previous I Condition 3 of Resolution R-1991-365, Control No.1973-00039, which currently states:

Vehicle parking shall be limited to the parking areas designated on the approved site plan. No parking of vehicles is to be allowed in landscaped areas, access easements or interior drives.

Is hereby deleted. [REASON: Redundant Condition.]

USE LIMITATIONS-FUNERAL HOME- SIGN

9. Only one (1) sign shall be permitted on this out parcel, as follows:

- a. The sign shall be limited to six (6) feet in height.
- b. Maximum sign area shall be one-hundred (100) square feet ,
- c. No roof or pole signs shall be permitted on this out parcel, only a monument sign shall be allowed,
- d. Lettering on the sign shall read as follows: Riverside - Gordon Memorial Chapel. No other advertising copy shall be allowed on the sign.
(ONGOING: ZONING - Zoning) (Previous A Condition 3 of Resolution R-1991-365, Control No.1973-00039)

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.