

RESOLUTION NO. R-2025- 0523

RESOLUTION APPROVING ZONING APPLICATION DOA-2024-01246
(CONTROL NO. 2005-00346)
a Development Order Amendment
APPLICATION OF Cagigas Organization, Inc
BY Civil Design Engineering, LLC, AGENT
(The Cagigas Organization)

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 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA-2024-01246 was presented to the Board of County Commissioners at a public hearing conducted on April 24, 2025;

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 (Application Processes and 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 Processes) 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.B.6.C (Board Action) 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:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application DOA-2024-01246, the Application of Cagigas Organization, Inc, by Civil Design Engineering, LLC, Agent, for a Development Order Amendment to modify the overall Site Plan, relocate access point, and reconfigure the parking on 5.62 acres, 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 April 24, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Baxter moved for the approval of the Resolution.

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

| | |
|--------------------------------------|-------|
| Commissioner Maria G. Marino, Mayor | - Aye |
| Commissioner Sara Baxter, Vice Mayor | - Aye |
| Commissioner Gregg K. Weiss | - Aye |
| Commissioner Joel G. Flores | - Aye |
| Commissioner Marci Woodward | - Aye |
| Commissioner Maria Sachs | - Aye |
| Commissioner Bobby Powell, Jr. | - Aye |

The Mayor thereupon declared that the resolution was duly passed and adopted on April 24, 2025.

Filed with the Clerk of the Board of County Commissioners on April 24, 2025.

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

THE NORTH 260 FEET OF TRACTS 9 AND 10 OF THE SOUTHWEST QUARTER OF SECRION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 10, PUBLIC RECORDS OF PALM BEACH COUNTY, LESS THAT PORTION ON THE EAST BOUNDARY AQUIED FOR WIDENING IF MILITARY TRAIL.

NOW KNOW AS:

MIDLAND COMMONS TRACT 1, PLAT BOOK 111, PAGE 160, PALM BEACH COUNTY, FLORIDA. FORMERLY KNOWN AS: THE NORTH 260 FEET OF TRACTS 9 AND 10 OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 10, PUBLIC RECORDS OF PALM BEACH COUNTY, LESS THAT PORTION ON THE EAST BOUNDARY ACQUIRED FOR THE WIDENING OF MILITARY TRAIL.

CONTAINING 5.62 ACRES MORE OR LESS

EXHIBIT B

VICINITY SKETCH

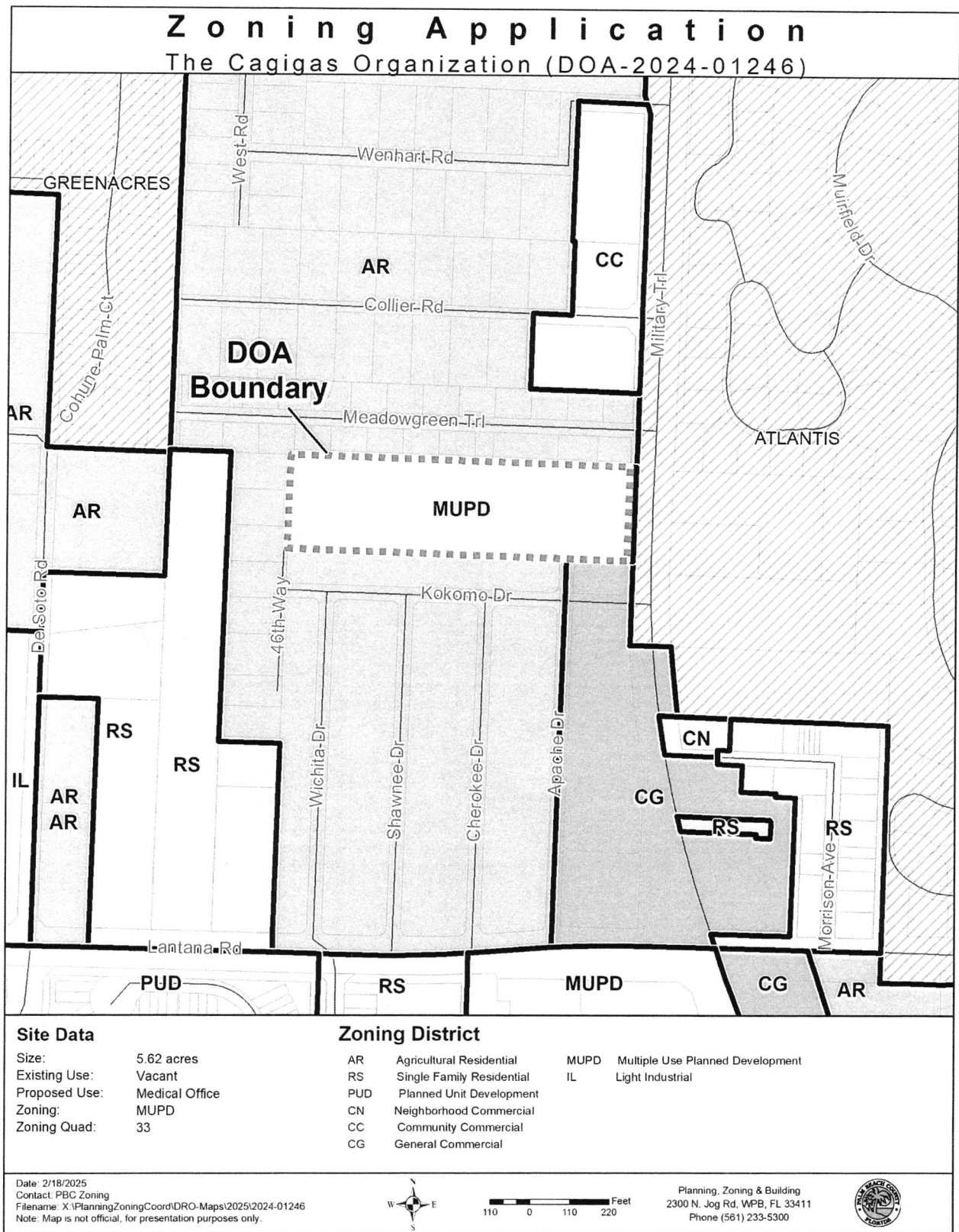


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2006-286, Control No.2005-00346, which currently states:

Development of the site is limited to the site design approved by the Board of County Commissioners. The approved site plan is dated December 13, 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.

Is hereby amended to read:

The approved site plan is dated February 19, 2025. 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. (ONGOING: ZONING - Zoning)

2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2006-286 (Control 2005-00346), 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 (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

3. The application is proposed to be developed in one phase. The Commencement of the Development Order shall start no later than December 31, 2028. (DATE: MONITORING - Zoning)

ARCHITECTURAL REVIEW

1. Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2006-286, Control No.2005-00346, which currently states:

At time of submittal for final Development Review Officer (DRO) approval, the architectural elevations for the two-story building shall be submitted 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 approved architectural elevations, the DRO approved plans, all applicable conditions of approval, and all ULDC requirements.

Is hereby amended to read:

At time of final approval by the Development Review Officer (DRO) approval, the architectural elevations shall be submitted 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 approved architectural elevations, the DRO approved plans, all applicable conditions of approval, and all ULDC requirements. (DRO: ZONING - Zoning)

2. The maximum height of the building shall be thirty-five (35) feet. All heights shall be measured from finished grade to the highest point of the building, including air conditioning, mechanical equipment, satellite dishes and architectural features. (BLDG/PMT/ONGOING: ZONING - Zoning) (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2006-286, Control No.2005-00346)

3. Previous ARCHITECTURAL REVIEW Condition 3 of Resolution R-2006-286, Control No.2005-00346, which currently states:

Windows on the north facade of the second story of the building, abutting the residential uses to the north, shall be an opaque equivalent such as glass block. (ONGOING: ZONING - Zoning)

Is hereby deleted. [REASON: The proposed development is one-story, the second story is removed.]

BUILDING AND SITE DESIGN

1. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall not be located within thirty (30) feet of the north and south property lines. Prior to final DRO approval the site plan shall be amended to relocate the dumpsters. (BLDGPMT/DRO/ONGOING: ZONING - Zoning) (Previous BUILDING AND SITE DESIGN Condition 1 of Resolution R-2006-286, Control No.2005-00346)

ENGINEERING

1. Previous ENGINEERING Condition 1 of Resolution R-2006-286, Control No.2005-00346, which currently states:

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

No Building Permits for the site may be issued after January 1, 2008. 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 Article 2 Section E of the Unified Land Development Code.

Is hereby amended to read:

This Development Order is based upon an approved Traffic Study projecting a Build-out date of December 31, 2028. No Building Permits for the site may be issued after December 31, 2028 unless the site meets the Build-out requirements pursuant to Art. 12, or the Build-out date is revised through a time extension pursuant to the requirements of Art. 2.E of the Unified Land Development Code. The County Engineer may approve an Art. 2.E time extension to the build out date based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. (DATE: MONITORING - Engineering)

2. Previous ENGINEERING Condition 2 of Resolution R-2006-286, Control No.2005-00346, which currently states:

The property owner shall construct:

- a) left turn lane south approach on Military Trail at the Project entrance;
- b) extend the existing median on Military Trail adjacent to Darthmouth Investment Building to the south, to this projects entrance to provide for a standard median opening. Construction shall be subject to the approval of the County Engineer; and,
- c) right turn lane north approach on Military Trail at the Project's entrance. (BLDGPMT: MONITORING - Engineering)

Is hereby deleted. [REASON: No longer applicable.]

3. All 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. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2006-286, Control No.2005-00346)

a) Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2006-286, Control No.2005-00346)

b) Construction for these improvements shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT: MONITORING - Engineering) (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2006-286, Control No.2005-00346)

4. 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 Military Trail at the project's entrance road. This right of way shall be a minimum of 170 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. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous

ENGINEERING Condition 4 of Resolution R-2006-286, Control No.2005-00346)

5. Prior to DRO approval of the final site plan the property owner shall complete a revised Drainage Study for this property identifying any historical drainage from the adjacent lots entering or exiting this site. The site plan for the site shall then be modified to reflect recommendations contained within the approved Drainage Study. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2006-286, Control No.2005-00346)

6. The Property Owner shall extend the median nose on Military Trail on the north side of the entrance farther south up to the existing Fire Station entrance, as approved by the County Engineer. This median modification may also involve associated work, e.g., signing and pavement markings, modification of the median opening in front of Kokomo Dr, all as approved by the County Engineer. 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.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

7. The Property Owner shall provide adequate signal easement, as approved by the County Engineer, at the southeast corner of the property for future modifications of the existing Fire Station signal. This easement must be shown on the Final Site plan. (DRO: MONITORING - Engineering)

ENVIRONMENTAL

1. Prior to final Development Review Officer (DRO) approval, the Tree Disposition plan shall be updated to reflect removal of any prohibited invasive non-native species in accordance with APPENDIX 5 PROHIBITED INVASIVE NON-NATIVE VEGETATION of Article 14 of the ULDC. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. Prior to final Development Review Officer Approval (DRO) approval, the Tree Disposition Plan shall be revised to indicate the correct species name and disposition for all on-site vegetation. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

HEALTH

1. 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) (Previous HEALTH Condition 1 of Resolution R-2006-286, Control No.2005-00346)

ZONING - LANDSCAPING-STANDARDS

1. Prior to the issuance of the first building permit, the property owner shall submit a Landscape Plan for the entire project to the Landscape Section for review and approval. The Plan shall be prepared in compliance with the conditions of approval as contained herein. (BLDGPMT: BUILDING DIVISION - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2006-286, Control No.2005-00346)

2. A minimum of sixty (60) percent of canopy trees to be planted in the landscape buffers shall be native and meet the following minimum standards at installation:

a. tree height: Fourteen (14) feet;

b. trunk diameter: three and one-half (3.5) inches measured at four and one-half (4.5) feet above grade;

c. canopy diameter: Seven (7) feet diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of three and one-half (3.5) feet in length; and,

d. credit may be given for existing or relocated trees provided they meet ULDC requirements.

(BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2006-286, Control No.2005-00346)

3. All palms required to be planted on the property by this approval 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. (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 3 of Resolution R-2006-286, Control No.2005-00346)

4. A group of three (3) or more palms may not supersede the requirement for a canopy tree in that location, unless specified herein. (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 4 of Resolution R-2006-286, Control No.2005-00346)

5. Field adjustment of plant material locations may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings and existing vegetation. (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 4 of Resolution R-2006-286, Control No.2005-00346)

ZONING - LANDSCAPING-ALONG THE NORTH, SOUTH AND WEST PROPERTY LINES (ABUTTING RESIDENTIAL)

6. In addition to the proposed landscaping and code requirements, landscaping along the north, south and west property line shall be upgraded to include:

- a. a minimum twenty (20) foot wide landscape buffer strip;
 - b. a six (6) foot high opaque concrete panel wall. 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. one (1) palm or pine for each thirty-five (35) linear feet; and,
 - d. required landscape materials are to be planted on both sides of the wall.
- (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2006-286, Control No.2005-00346)

ZONING - LANDSCAPING-INTERIOR

7. Landscaping for divider medians in any parking area shall consist of the following:

- a. one (1) flowering or canopy tree for each twenty-five (25) linear feet of the median;
- b. one (1) palm for each thirty-five (35) linear feet of the median; and,
- c. a continuous hedge between all trees and palms within the median, where applicable. Shrub or hedge materials and groundcover shall be maintained at a maximum height of thirty-six (36) inches.

(BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2006-286, Control No.2005-00346)

8. Special planting treatment shall be provided on both sides of the Military Trail access point. Planting shall consist of the following:

- a. a minimum of three (3) Royal Palms, Canary Palms, Phoenix Palms, Medjool Palms, or other specimen palm that is acceptable to the Landscape Section along each side of the access point(s); and,
- b. appropriate shrub or hedge materials on both sides of the access point(s).

(BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 3 of Resolution R-2006-286, Control No.2005-00346)

9. The main central walkway shall be paved with the following options:

- a. a minimum of seven hundred and twenty five (725) square feet of decorative pavers; or
 - b. concrete with a minimum of three (3) foot wide band of decorative pavers.
- (DRO: ZONING - Zoning) (Previous ZONING - LANDSCAPING INTERIOR Condition 3 as presented at the February 23, 2006 BCC Hearing)

LIGHTING

1. All outdoor, freestanding lighting fixtures shall not exceed twenty-five (25) feet in height measured from finished grade to highest point.

(BLDGPMT: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 1 of Resolution R-2006-286, Control No.2005-00346)

2. 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) (Previous LIGHTING Condition 2 of Resolution R-2006-286, Control No.2005-00346)

3. 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) (Previous LIGHTING Condition 3 of Resolution R-2006-286, Control No.2005-00346)

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 Master Plan and/or 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: ADDRESSING - Addressing) [Note: COMPLETED] (Previous MASS TRANSIT Condition 1 of Resolution R-2006-286, Control No.2005-00346)

2. Prior to issuance of the first Building Permit or recordation of the Plat, 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: ADDRESSING - Addressing) [Note: COMPLETED] (Previous MASS TRANSIT Condition 2 of Resolution R-2006-286, Control No.2005-00346)

PLANNING

1. Previous PLANNING Condition 1 of Resolution R-2006-286, Control No.2005-00346, which currently states:

Prior to final approval by the DRO, the site plan shall include a vehicular and pedestrian connection to the south in the location shown on the certified site plan, with a note that shall read proposed vehicular and pedestrian cross access to be paved to the property line." (DRO: PLANNING - Planning)

Is hereby deleted. [REASON: No longer applicable.]

2. Previous PLANNING Condition 2 of Resolution R-2006-286, Control No.2005-00346, which currently states:

Prior to the issuance of the Certificate of Occupancy or Certificate of Completion, the property owner shall pave the property to the edge of the southern property line at the location shown on the site plan that will read proposed vehicular and pedestrian cross access..."

Is hereby amended to read:

Prior to the release of the Certificate of Occupancy, the Property Owner shall grade, construct, and pave the access point for the cross access easement to the property line so that it is usable for both vehicular and pedestrian cross access from the adjacent property at the location(s) shown on the Site Plan. (CO: MONITORING - Planning)

3. Previous PLANNING Condition 3 of Resolution R-2006-286, Control No.2005-00346, which currently states:

Prior to final approval by the DRO, the property owner shall record a cross access easement from the subject property to the parcel to the south in a form acceptable to the County Attorney.

Is hereby amended to read:

Prior to Final Approval by the Development Review Officer (DRO), in a form approved by and acceptable to the County Attorney's Office, the Property Owner shall submit a recorded amendment to the Declaration of Cross Access Easement recorded on August 1, 2008, in Book 22788, Page 0673 of the Official Records of Palm Beach County, Florida showing the relocation of the easement. (DRO: MONITORING - Planning)

4. Previous PLANNING Condition 4 of Resolution R-2006-286, Control No.2005-00346, which currently states:

Prior to final approval by the DRO, the site plan shall include sidewalks within, and for the length of, the parking islands to the rear of the building, consistent with the certified site plan. (DRO:

PLANNING - Planning)

Is hereby deleted. [REASON: No longer applicable, covered by code.]

5. Previous PLANNING Condition 5 of Resolution R-2006-286, Control No.2005-00346, which currently states:

The westernmost 500 feet of the site shall be limited to at-grade parking, drainage and landscaping. (DRO/ONGOING:PLANNING-Planning)

Is hereby amended to read:

Per ordinance 2006-006 condition 1, the westernmost 500 feet of the site shall be limited to at-grade parking, drainage and landscaping. (DRO/ONGOING: PLANNING - Planning)

6. Prior to Final Approval by the Development Review Officer (DRO), the Property Owner shall revise the Preliminary Site Plan to add the Official records book and page number for the recorded cross access easement. (DRO: PLANNING - Planning)

SIGNS

1. Freestanding signs fronting on Military Trail shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point - ten (10) feet;
- b. maximum sign face area per side - sixty (60) square feet;
- c. maximum number of signs - one (1) for the overall site;
- d. style - monument style only; and,
- e. location - within one hundred (100) feet of the east access point of Military Trail. (BLDG/PMT: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-2006-286, Control No.2005-00346)

USE LIMITATIONS

1. Hours of business operation shall be limited to 8:00 a.m. to 7:00 p.m. Monday through Saturday. Business operations on Sundays shall not be permitted. (Previous USE LIMITATIONS Condition 1 of Resolution R-2006-286, Control No.2005-00346)

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: PBC WATER UTILITIES - PBC Water Utilities) [Note: COMPLETED] (Previous UTILITIES Condition 1 of Resolution R-2006-286, Control No.2005-00346)

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: 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; 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: MONITORING - Zoning)

DISCLOSURE

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