

RESOLUTION NO. ZR-2002-008

RESOLUTION APPROVING ZONING PETITION DOA1997-012C
DEVELOPMENT ORDER AMENDMENT
PETITION OF PALM BEACH COUNTY
BY JURAN CONSULTING, INC, AGENT
(TRUMP INTERNATIONAL GOLF COURSE (AKA PBI A GOLF COURSE))

WHEREAS, the Palm Beach County Zoning Commission, pursuant to Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20) is authorized and empowered to consider, approve, approve with conditions or deny Development Order Amendments for Class 6 Conditional Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA1997-012C was presented to the Zoning Commission at a public hearing conducted on August 1, 2002; and

WHEREAS, the Zoning Commission has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Zoning Commission made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code requires that the action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition DOA1997-012C, the petition of Palm Beach County, by Juran Consulting, Inc, agent, for a Development Order Amendment to modify/delete conditions of approval on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on August 1, 2002, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Foley moved for the approval of the Resolution.

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

Frank A. Barbieri, Jr., Chair	--	Aye
Allan Kaplan, Vice Chair	--	Aye
William Anderson	--	Aye
Kevin Foley	--	Aye
Sherry Hyman	--	Aye
Peter Carney	--	Aye
Wayne M. Richards	--	Absent
Kelley Armitage	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on August 1, 2002.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY: 
COUNTY ATTORNEY

BY: 
CHAIR

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1

A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA BEING A PORTION OF BLOCKS 3 & 4 OF THE PALM BEACH PLANTATIONS PLAT NO. 1, MODEL LAND COMPANY AS RECORDED IN PLAT BOOK 10 AT PAGE 20 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 6 WHICH IS COMMON WITH THE SOUTHWEST CORNER OF BLOCK 3 OF SAID PALM BEACH PLANTATIONS PLAT 1; THENCE N 1E 28' 45" E ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, 122.55 FEET; THENCE AT RIGHT ANGLES TO THE PRECEDING COURSE S 88E 31' 15" E, 3.68 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF KIRK ROAD AS SHOWN IN ROAD PLAT BOOK 3 AT PAGE 181 AND AS DEPICTED IN PALM BEACH COUNTY RIGHT-OF-WAY MAP FOR KIRK ROAD - FOREST HILL BOULEVARD TO SOUTHERN BOULEVARD PROJECT #88564 ON FILE IN THE OFFICE OF THE COUNTY ENGINEER, PALM BEACH COUNTY, AND THE POINT OF BEGINNING; THENCE S 26E 45' 14" E ALONG SAID EAST RIGHT-OF-WAY TO THE NORTH RIGHT-OF-WAY LINE OF SUMMIT BOULEVARD AS SHOWN ON ROAD PLAT BOOK 3 AT PAGE 181 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND REVISED AND CONSTRUCTED ACCORDING TO PALM BEACH COUNTY RIGHT-OF-WAY MAP - PROJECT #84124 ON RECORD IN THE OFFICE OF COUNTY ENGINEER FOR PALM BEACH COUNTY, 38.06 FEET; THENCE, ALONG SAID NORTH RIGHT-OF-WAY LINE FOR THE NEXT EIGHT COURSES, S 88E 31' 41" E, 200.0 FEET; THENCE S 85E 39' 30" E, 180.23 FEET; THENCE S 88E 31' 41" E, 394.78 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1870.08 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF THE CURVE THRU A CENTRAL ANGLE OF 30E 46' 39", 1004.55 FEET TO THE POINT OF TANGENCY; THENCE N 60E 41' 40" E ALONG THE TANGENT, 2023.30 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1950.08 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF THE CURVE THRU A CENTRAL ANGLE OF 30E 40' 44", 1044.16 FEET TO THE POINT OF TANGENCY; THENCE S 88E 37' 36" E ALONG THE TANGENT, 726.32 FEET; THENCE N 49E 43' 22" E, 44.18 FEET; THENCE N 2E 31' 04" E, 200.00 FEET; THENCE N 6E 25' 37" E, 150.35 FEET; THENCE N 2E 31' 04" E TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT CANAL L-5 AS SHOWN OFFICIAL RECORD BOOK 3538, PAGE 1616 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AT THE WEST RIGHT-OF-WAY LINE OF CONGRESS AVENUE AS SHOWN IN ROAD PLAT BOOK 3 AT PAGE 181 AND ROAD PLAT BOOK 5, PAGE 49 OF SAID PUBLIC RECORDS AND AS LAID OUT AND IN USE, 601.32 FEET; THENCE N 88E 38' 58" W ALONG SAID RIGHT-OF-WAY LINE (LYING 40.0' SOUTH OF AND PARALLEL WITH THE EAST/WEST QUARTER SECTION LINE OF SAID SECTION 6), 5194.0 FEET; THENCE S 3E 12' 00" W ALONG THE WEST RIGHT-OF-WAY LINE OF KIRK ROAD AS ABOVE REFERENCED, TO THE POINT OF BEGINNING 2,502.58 FEET.

PARCEL CONTAINS 210.521 ACRES

LESS

FIRE DEPARTMENT PARCEL

A PARCEL OF LAND LYING WITHIN TRACT 5, BLOCK 3, SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH PLANTATIONS, PLAT NO. 1, PALM BEACH COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 10, PAGE 20, PALM BEACH COUNTY PUBLIC RECORDS, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 6, THENCE RUN N 01E 28' 45" E ALONG THE WEST LINE OF SAID SECTION 6 A DISTANCE OF 680.00 FEET; THENCE RUN S 88E 31' 41" E ON A LINE PARALLEL WITH THE SOUTH LINE OF SAID SECTION 6 A DISTANCE OF 20.41 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF KIRK ROAD AS SHOWN ON RIGHT-OF-WAY MAP FOR COUNTY ROADS WITHIN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, AS RECORDED IN ROAD PLAT BOOK 3, PAGE 181 AND 182, PALM BEACH COUNTY PUBLIC RECORDS, AND THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUE S 88E 31' 41" E A DISTANCE OF 225.00 FEET; THENCE RUN N 03E 12' 00" E PARALLEL WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID KIRK ROAD A DISTANCE OF 385.00 FEET; THENCE RUN N 88E 31' 41" W A DISTANCE OF 225.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID KIRK ROAD RIGHT-OF-WAY; THENCE RUN S 03E 12' 00" W ALONG THE EASTERLY RIGHT-OF-WAY OF SAID KIRK ROAD A DISTANCE OF 385.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.988 ACRES

ALSO LESS

CREDIT UNION PARCEL

A PARCEL OF LAND IN TRACT 5, BLOCK 4, SECTION 6, PLAT NO. 1, SHEET 1, PALM BEACH PLANTATIONS AS RECORDED IN PLAT BOOK 10, AT PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING AND BEING IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 5, SAID POINT ALSO BEING ON THE CENTERLINE OF THE 80 FOOT WIDE DAVIS ROAD RIGHT-OF-WAY; THENCE SOUTH 88E 35' 21" EAST ALONG THE NORTH LINE OF SAID TRACT 5; A DISTANCE OF 40.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID DAVIS ROAD AND THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 88E 35' 21" EAST ALONG THE NORTH LINE OF SAID TRACT 5; A DISTANCE OF 535.56 FEET; THENCE SOUTH 29E 19' 55" EAST, A DISTANCE OF 94.73 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 80.00 FEET WIDE SUMMIT BOULEVARD; THENCE SOUTH 60E 40' 05" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SUMMIT BOULEVARD. A DISTANCE OF 640.21 FEET TO A POINT OF CURVATURE OF CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHWESTERLY, WESTERLY, NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CIRCULAR CURVE HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 121E 20' 22", A DISTANCE OF 52.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID DAVIS ROAD, SAID POINT ALSO BEING 40.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID TRACT 5; THENCE NORTH 02E 00' 27" EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID DAVIS ROAD AND ALONG A LINE OF 40.00 FEET EAST OF AND PARALLEL WITH AS MEASURED RIGHT ANGLES TO, THE WEST LINE OF SAID TRACT 5, A DISTANCE OF 386.96 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 3.386 ACRES

LESS THAT PORTION OF SAID PARCEL LYING SOUTH OF NORTHERLY RIGHT-OF-WAY LINE OF SUMMIT BOULEVARD AS LAID OUT AND IN USE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL SAID TO BE LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SUMMIT BOULEVARD (ROAD-PLAT BOOK 3, PAGE 181 - PALM BEACH COUNTY PUBLIC RECORDS); THENCE N 29E 19' 55" W (N 29E 20' 02" W MEASURED) TO THE NORTHERLY RIGHT-OF-WAY LINE OF SUMMIT BOULEVARD AS NOW LAID OUT AND IN USE (PALM BEACH COUNTY RIGHT-OF-WAY MAP PROJECT #84124), 0.47(M) 0.35(D) FEET; THENCE S 60E 41' 40" W ALONG SAID RIGHT-OF-WAY 645.80 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.0 FEET, WHOSE RADIUS AT THIS POINT BEARS N 62E 52' 25" E; THENCE SOUTHEASTERLY ALONG THE ARC OF THE CURVE THRU A CENTRAL ANGLE 13E 02' 32", 5.69 FEET TO THE POINT OF TANGENCY; THENCE N 60E 40' 05" E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF SUMMIT BOULEVARD (ROAD PLAT BOOK 3, PAGE 181) (N 60E 40' 42" E - MEASURED) 640.16 (MEASURED: 640.21 DEED) TO THE POINT OF BEGINNING.

CONTAINING 358.92 SQUARE FEET
NET PARCEL CONTAINS 3.378 ACRES

ALSO LESS

DAVIS ROAD SEGMENT

A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING PORTIONS OF TRACT 8, BLOCK 3 AND TRACT 5, BLOCK 4 OF PLAT BOOK 10, PAGE 20 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED **AS** FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TRACT 5, BLOCK 4 OF SAID PALM BEACH PLANTATIONS; THENCE S 88E 35' 06" E ALONG THE NORTH LINE OF TRACT 5, TO AN IRON ROD, 40.05 FEET; THENCE S 2°01'06" W TO AN IRON ROD, 386.96 FEET AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 25.0 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF THE CURVE THRU A CENTRAL ANGLE OF 108E 20' 03", 47.27 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SUMMIT BOULEVARD AS LAID OUT AND IN USE ACCORDING TO PALM BEACH COUNTY RIGHT-OF-WAY MAP, PROJECT #84124 ON RECORD IN THE OFFICE OF THE COUNTY ENGINEER FOR SAID PALM BEACH COUNTY; THENCE S 60" 41' 40" W ALONG SAID NORTHERLY RIGHT-OF-WAY, 160.18 FEET TO A POINT OF CUSP OF A CURVE CONCAVE NORTHWEST HAVING A RADIUS 50.0 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF THE CURVE THRU A CENTRAL ANGLE OR 58" 41' 22", 51.22 FEET TO A POINT OF TANGENCY; THENCE N. 2" 00' 27" E TO THE NORTH LINE OF TRACT 8, BLOCK 3 OF SAID PALM BEACH PLANTATIONS PLAT 1, 450.34 FEET; THENCE S 88° 35' 06" E ALONG SAID NORTH LINE TO THE POINT OF BEGINNING 40.00 FEET

ALSO LESS

CRIMINAL JUSTICE COMPLEX ANNEX

A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACTS 2 & 3, BLOCK 4, PALM BEACH PLANTATIONS, PLAT 1, MODEL LAND COMPANY, AS RECORDED IN PLAT BOOK 10 AT PAGE 20 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF BLOCK 4 OF SAID PALM BEACH PLANTATIONS PLAT 1, SAID CORNER BEING COMMON WITH THE EAST

QUARTER CORNER OF SAID SECTION 6; THENCE S 2" 31' 04" E ALONG THE EAST LINE OF SECTION 6; A DISTANCE OF 40.01 FEET; THENCE N 88" 38' 58" W ALONG A LINE 40.0 FEET SOUTH OF AND PARALLEL WITH THE EAST-WEST QUARTER SECTION LINE OF SECTION 6 (SAID LINE LYING 40.0 FEET SOUTH IS THE SOUTH LINE OF THE LAKE WORTH DRAINAGE DISTRICT CANAL L-5 PER OFFICIAL RECORD BOOK 3538, PAGE 1616 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY). 936.56 FEET TO THE POINT OF BEGINNING; THENCE S 30" 06' 40" W, 393.55 FEET; THENCE N 88" 38' 58" W, 617.0 FEET; THENCE N 27" 24' 36" W TO A POINT ON A LINE 40.0' SOUTH OF AND PARALLEL WITH THE EAST-WEST QUARTERSECTION LINE OF SECTION 6, 393.55 FEET; THENCE S 88" 38' 58" E TO THE POINT OF BEGINNING, 995.71 FEET.

SUBJECT TO AN EASEMENT OVER THE NORTH 20 FEET THEREOF IN FAVOR OF FLORIDA POWER & LIGHT COMPANY PER OFFICIAL RECORD BOOK 1058 AT PAGE 250 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY.

TOGETHER WITH

PARCEL 2

A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF BLOCK 1 OF THE PALM BEACH PLANTATIONS PLAT 1, MODEL LAND COMPANY, AS RECORDED IN PLAT BOOK 10 AT PAGE 20 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT 8 OF BLOCK 1 OF SAID PALM BEACH PLANTATIONS PLAT 1, SAID CORNER BEING COMMON WITH THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE N 88" 38' 58" W ALONG THE SOUTH LINE OF SAID BLOCK 1 AND THE NORTHEAST QUARTER OF SAID SECTION 6 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CONGRESS AVENUE AS DEPICTED IN ROAD PLAT BOOK 3 AT PAGE 181 OF SAID PUBLIC RECORDS AND AS LAID OUT AND IN USE, 67.01 FEET; THENCE N 2" 30' 50" E ALONG SAID WEST RIGHT-OF-WAY LINE, SAID LINE LYING 67.0 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, 40.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 2" 30' 50" E, 979.15 TO A POINT ON THE PROPOSED SOUTH RIGHT-OF-WAY LINE OF GUN CLUB ROAD AS DEPICTED ON PALM BEACH COUNTY DRAWING C-3-89-017 ON FILE IN THE OFFICE OF THE COUNTY ENGINEER FOR PALM BEACH COUNTY; THENCE ALONG SAID PROPOSED SOUTH RIGHT-OF-WAY LINE FOLLOWING SIX COURSES, N 87" 29' 10" W, 28.0 FEET; THENCE N 42" 29' 11" W, 56.57 FEET; THENCE N 87" 29' 12" W, 115.0 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 984.08 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF THE CURVE THRU A CENTRAL ANGLE OF 19" 20' 18", 332.14 FEET TO AN EXHIBIT A INTERSECTION WITH A NON-TANGENT LINE; THENCE N 64" 39' 05" W ALONG SAID NON-TANGENT LINE 180.34 FEET; THENCE N 68" 08' 54" W, 5.91 FEET; THENCE, S 2" 30' 50" W, DEPARTING SAID PROPOSED RIGHT-OF-WAY LINE, TO THE NORTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT

CANAL L-5 AS RECORDED IN OFFICIAL RECORD BOOK 3538 AT PAGE 1616 OF SAID PUBLIC RECORDS 1160.43 FEET; THENCE S 88" 38' 58" E ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, 680.79 FEET.

TOGETHER WITH

DESCRIPTION
PARCEL "B"

A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACT 3, BLOCK 4,

"PALM BEACH PLANTATIONS PLAT 1 (MODEL LAND COMPANY)", AS RECORDED IN PLAT BOOK 10, PAGE 20 OF THE PUBLIC RECORDS IN AND FOR PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF BLOCK 4 OF SAID "PALM BEACH PLANTATIONS PLAT 1 (MODEL LAND COMPANY) SAID CORNER BEING COMMON WITH THE EAST QUARTER-CORNER OF SAID SECTION 6; THENCE SOUTH 02E31'04" WEST, ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 6, FOR 40.01 FEET; THENCE NORTH 88E38'58" WEST ALONG A LINE 40.00 FEET SOUTH OF AND PARALLEL WITH THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 6, FOR 67.01 FEET; THENCE CONTINUING NORTH 88E38'58" WEST, ALONG SAID PARALLEL LINE (SAID LINE ALSO BEING THE SOUTH LINE OF THE LAKE WORTH DRAINAGE DISTRICT CANAL L-5 PER OFFICIAL RECORD BOOK 3538, PAGE 1616 OF THE SAID PUBLIC RECORDS OF PALM BEACH COUNTY), FOR 936.56 FEET; THENCE SOUTH 30E06'40" WEST, FOR 393.55 FEET; THENCE NORTH 88E38'58" WEST, FOR 297.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

THENCE NORTH 88E38'58" WEST, FOR 320.00 FEET;

THENCE NORTH 27E24'36" WEST, FOR 68.44 FEET;

THENCE SOUTH 88E38'58" EAST, FOR 352.93 FEET;

THENCE SOUTH 01E21'02" WEST, FOR 60.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 0.46 ACRES, MORE OR LESS.

TOGETHER WITH

DESCRIPTION
PARCEL "C"

A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACTS 2 & 3, BLOCK 4, "PALM BEACH PLANTATIONS PLAT 1 (MODEL LAND COMPANY)", AS RECORDED IN PLAT BOOK 10, PAGE 20 OF THE PUBLIC RECORDS IN AND FOR PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF BLOCK 4 OF SAID "PALM BEACH PLANTATIONS PLAT 1 (MODEL LAND COMPANY)" SAID CORNER BEING COMMON WITH THE EAST QUARTER-CORNER OF SAID SECTION 6; THENCE SOUTH 02E31'04" WEST, ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 6, FOR 40.01 FEET; THENCE NORTH 88E38'58" WEST ALONG A LINE 40.00 FEET SOUTH OF AND PARALLEL WITH THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 6, FOR 67.01 FEET; THENCE CONTINUING NORTH 88E38'58" WEST, ALONG SAID PARALLEL LINE (SAID LINE ALSO BEING THE SOUTH LINE OF THE LAKE WORTH DRAINAGE DISTRICT CANAL L-5 PER OFFICIAL RECORD BOOK 3538, PAGE 1616 OF THE SAID PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA), FOR 936.56 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

THENCE SOUTH 30E06'40" WEST, FOR 393.55 FEET;

THENCE NORTH 88E38'58" WEST, FOR 297.00 FEET;

THENCE NORTH 01E21'02" EAST, FOR 345.00 FEET;

THENCE SOUTH 88E38'58" EAST, ALONG SAID LINE BEING 40.00 FEET SOUTH OF AND PARALLEL WITH THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 6, FOR 486.36 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 3.10 ACRES, MORE OR LESS.

LESS

CONGRESS AVENUE
ADDITIONAL RIGHT-OF-WAY PARCEL DESCRIPTION AND SKETCH

A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACT 8, BLOCK 1, OF THE PALM BEACH PLANTATIONS PLAT NO. 1, MODEL LAND COMPANY AS RECORDED IN PLAT BOOK 10, PAGE 20 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE NORTH 88E38'58" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CONGRESS AVENUE AS DEPICTED IN ROAD PLAT BOOK 3 AT PAGE 181 OF SAID PUBLIC RECORDS AND AS LAID OUT AND IN USE, A DISTANCE OF 67.01 FEET; THENCE NORTH 2E30'50" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, SAID LINE LYING 67.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING (SAID POINT OF BEGINNING BEING ON THE NORTH RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL L-5 PER OFFICIAL RECORD BOOK 3538, PAGE 1616 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY); THENCE CONTINUE NORTH 2E30'50" EAST TO A POINT ON THE PROPOSED SOUTH RIGHT-OF-WAY LINE OF GUN CLUB ROAD AS DEPICTED ON PALM BEACH COUNTY DRAWING NO. C-3-89-01 7 ON FILE IN THE OFFICE OF THE COUNTY ENGINEER, A DISTANCE OF 979.15 FEET; THENCE NORTH 87E29'10" WEST ALONG THE SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 24.11 FEET; THENCE SOUTH 1E14'15" WEST (DEPARTING SAID SOUTH RIGHT-OF-WAY) TO THE NORTH RIGHT-OF-WAY LINE OF THE ABOVE MENTIONED CANAL L-5, A DISTANCE OF 979.44 FEET; THENCE SOUTH 88E38'58" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 2.29 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 12,922 SQUARE FEET OR 0.2967 ACRES MORE OR LESS.

NET PARCEL CONTAINS 218.525 ACRES MORE OR LESS (9,518,960.18 SQUARE FEET)

EXHIBIT C

CONDITIONS OF APPROVAL

NOTE: All previous conditions of approval are shown in BOLD and will be carried forward with this petition unless expressly modified.

A. ALL PETITIONS

1. Condition A.1 of Resolution ZR-99-0011, Petition 1997-012(B), which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution ZR-98-003 (Petition 97-012(A)) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Zoning Commission unless expressly modified.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions ZR-99-0011 and R-2000-1580, Petition 97-012(B) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Zoning Commission unless expressly modified. (ONGOING: MONITORING – Zoning)

2. Condition A.2 of Resolution ZR-99-0011, Petition 1997-012(B), which currently states:

Development of the site is limited to the uses and site design as approved by the Zoning Commission. The approved site plan is dated July 29, 1999. All modifications must be approved by the Zoning Commission unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING – Zoning)

Is hereby amended to read:

Development of the site is limited to the uses and site design as approved by the Zoning commission. The approved site plan is dated January 02, 2002. All modifications must be approved by the Zoning Commission unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING – Zoning)

3. Condition A.3 of Resolution ZR-99-0011, Petition 1997-012(B), which currently states:

This approval is contingent on the approval of Zoning Petition **DOA82-190(A)** by the Board of County Commissioners.

Is hereby deleted. [REASON: Completed.]

4. Condition A.1 of Resolution R-2000-1580, Petition 1997-012(B), which currently states:

All conditions of approval contained in Resolution ZR-99-001 **■**, Petition DOA 1997-012(B) shall remain in full force and effect unless modified herein.

Is hereby deleted. [REASON: Superseded by condition A.1]

B. ACCESS

1. Condition B.I of Resolution ZR-99-0011 Petition 1997-012(B) which currently states:

Vehicular access to the site shall be prohibited from Kirk Road.

Is hereby amended to read:

Vehicular access from Kirk Road shall be limited, as follows:

- a. Timing: No more than two (2) periods annually in conjunction with special events at the site. Each period shall be no more than twenty (20) days in length;
- b. Use: Media and tournament personnel only;
- c. Maintenance: The portion of the drive at the right-of-way shall be maintained by the golf course as a shell rock surface, or other surfacing if required by the Palm Beach County Engineering Department;
- d. Security: The access gate shall be manned when in use;
- e. Hours of operation: 6:00 a.m. to 10:00 p.m., with exception to vehicles exiting the site; and
- f. Access from Kirk Road shall cease at such time as the construction commences for the widening of Kirk Road or the proposed nine (9) hole expansion is operational, whichever shall occur first. (ONGOING: CODE ENF/ENG – Zoning)

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. All existing native vegetation depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation has been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. (DRC/ONGOING: ZONING/ERM – ERM)
2. Barricade style fencing shall be placed in a location that is twice the drip-line of the existing native vegetation, or other line as determined by ERM, to prevent damage to the root zone. Fencing shall include a permanent alignment, such as chain link or hog-wire that cannot be easily relocated. Fencing shall not include railroad ties. (ONGOING: ERM – ERM)

D. HEALTH

1. Reasonable precautions shall be taken during development to insure that unconfined particulates (dust particles) from the property do not become a nuisance to neighboring properties. (ONGOING: HEALTH/CODE ENF – Health) (Previously Condition D.I of Resolution ZR-99-0011, Petition 1997-012(B))
2. All necessary precautions will be taken to prevent leaching into the soil or ground water of any toxic or hazardous material such as pesticides, fertilizers and herbicides. Any such materials shall be stored on an impervious surface sufficiently bermed to prevent runoff. (ONGOING: HEALTH/CODE ENF – Health) (Previously Condition D.2 of Resolution ZR-99-0011, Petition 1997-012(B))
3. Application and engineering plans to construct the OSTDS for the golf rest areas in accordance with Rule IOD-6FAC and Palm Beach County ECR-I must be submitted to the Palm Beach County Health Department prior to final site plan approval. (DRC: HEALTH – Health) (Previously Condition D.3 of Resolution ZR-99-0011, Petition 1997-012(B))

E. ENGINEERING

1. Condition E.I of Zoning Resolution ZR-99-0011, Petition 1997-012(B), which currently states:

The property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for:

- a. Summit Boulevard to accommodate an expanded intersection at Congress Avenue and Summit Boulevard.
- b) The Congress Avenue/Australian Avenue overpass. This anticipates the dedication of a triangular section of property starting at the northeast corner of the property and extending west along the new Gun Club Road approximately 24 feet, then extending on a straight line in a southeasterly direction, intersecting the existing Congress Avenue right of way at the north side of the canal, approximately 1000 feet south of the starting point. Any required landscaping, buffering, berming, etc. shall be designed using the new right of way as the appropriate reference point.

All right of way shall be conveyed on or before January 1, 1998 or prior to the issuance of the first Building Permit whichever shall first occur. The 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. Right-of-way conveyances shall also include "Corner Clips" where appropriate as determined by the County Engineer.

Is hereby amended to read:

The property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for the Congress Avenue/Australian Avenue overpass. This anticipates the dedication of a triangular section of property starting at the northeast corner of the property and extending west along the new Gun Club Road approximately 24 feet, then extending on a straight line in a southeasterly direction, intersecting the existing Congress Avenue right of way at the north side of the canal, approximately 1,000 feet south of the starting point. Any required landscaping, buffering, berming, etc. shall be designed using the new right of way as the appropriate reference point. [NOTE: Condition completed.]

All right of way shall be conveyed on or before January 1, 1998 or prior to the issuance of the first Building Permit whichever shall first occur. The 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. Right-of-way conveyances shall also include "Corner Clips" where appropriate as determined by the County Engineer. (DATE/BLDG PRMT: MONITORING/ENG – Eng)

2. On or before January 1, 1998, the property owner shall convey 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:
 - a. The expanded intersection at Congress Avenue and Summit Boulevard [NOTE: Condition completed.]

- b. Kirk Road along the property frontage; and a maximum 800 feet of these adjacent roadways [NOTE: Condition completed.]
 - c. Gun Club Road along the property frontage; and a maximum 800 feet of these adjacent roadways (DATE: MONITORING – Eng) (Previously Condition E.2 of Resolution ZR-99-0011, Petition 1997-012(B)) [NOTE: Condition completed.]
3. Prior to site/master plan approval the property owner and lessee shall enter into and record in the public records, the Temporary Construction Restoration Agreement as approved by the Board of County Commissioners. This agreement shall grant to the County or the FDOT an area 10 foot wide measured from the right of way line into the property for construction purposes. The agreement shall cover the areas along Summit Boulevard, Gun Club Road, Congress Avenue and Kirk Road. (DRC: ENG – Eng) (Previously Condition E.3 of Resolution ZR-99-0011, Petition 1997-012(B)) [NOTE: Condition completed.]
4. Prior to Site Plan approval by the Development Review Committee, the property owner shall revise the site plan to:
- a) Reflect a cul-de-sac at the termination of Davis Road right-of-way or have completed the abandonment process for Davis Road north of Summit Boulevard. (DRC: ENG – Eng) (Previously Condition E.4 of Resolution ZR-99-0011, Petition 1997-012(B)) [NOTE: Condition has been satisfied.]
5. Landscape within Median
- a. Prior to issuance of a building permit, the property owner shall apply to the Land Development Division, Permit Section, of the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way. When permitted by the Land Development Division Palm Beach County Department of Engineering and Public Works, 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 and shall be consistent with the landscaping theme adopted for this roadway. Also, any existing trees within the median shall be incorporated into this projects overall design. 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. (BLDG PERMIT: MONITORING – Eng) (Previously Condition E.5. A of Resolution ZR-99-0011, Petition 1997-012(B)) [NOTE: Condition completed.]
 - b. All required median landscaping, including an irrigation system if required shall be installed at the property owners expense. All landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's 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. The maintenance responsibility of any existing trees within the median shall also become the responsibility of this property owner. All landscape material shall be installed on or before the issuance of a Certificate of Occupancy. (CO: MONITORING – Eng) (Previously Condition E.5.B of Resolution ZR-99-0011, Petition 1997-012(B))

- c. Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to issuance of a certificate of occupancy to reflect this obligation. (CO: MONITORING – Eng) (Previously Condition E.5.C of Resolution ZR-99-0011, Petition 1997-012(B))

6. Landscape within Median of Congress Avenue:

- a. Prior to January 1, **2002**, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median of Congress Avenue from the LWDD L-5 Canal north to the proposed bridge over the C51 Canal. 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. The Property Owner shall be required to expend the minimum amount of \$159,017 to satisfy this condition of approval. All costs shall be approved by the Engineering Department. 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. (BLDG PERMIT: MONITORING – Eng)
- b. All required median landscaping, including an irrigation system, shall be installed at the property owners expense. All landscaping, and similar materials shall be the perpetual maintenance obligation of the petitioner and its successors, or assigns or maintenance may be assumed by the County upon payment equal to the long term maintenance cost, in accordance with the adopted policy approved by the Board of County Commissioners. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's 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 October 1, **2002**. (CO: MONITORING – Eng)
- c. If the County does not assume maintenance responsibility, then the appropriate property owners documents or other restrictive covenant documents evidencing the maintenance obligation shall be established or amended as required and shall be approved and recorded prior to January 1, **2002**. (BLDG PERMIT: MONITORING – Eng)

- d. Prior to November 1, 2000 the property owner shall coordinate with the Florida Department of Transportation any required Change Orders for the Australian Avenue/Southern Boulevard Overpass to permit:
 - installation of sleeves to allow irrigation pipes for the purpose of irrigating the landscape material by the property owner as required in the condition above (and)
 - backfilling of the proposed medians to be landscaped with approved soil. (DATE: MONITORING – Eng) (Previously Condition E.6 of Resolution R-2000-1580, Petition 1997-012(B))
8. The Department of Airports shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for an expanded intersection on Summit Boulevard at Congress Avenue to permit the construction of dual left turn lanes south approach on Congress Avenue at Summit Boulevard. Right of way shall be conveyed on or before September 15, 2002. Right of way conveyance shall be a minimum of 6 feet of width plus the appropriate taper. (DATE: MONITORING – Eng)
9. Vehicular access from Kirk Road to the site shall be prohibited except for two periods each year. Each period shall be no more than 20 days in length, and only in connection with special events at the site. At such time as the construction commences for the widening of Kirk Road or the new 9 hole golf course is complete, whichever shall first occur, access to the site from this particular location shall cease. That portion of the drive at the right of way shall be maintained by the golf course as a shell rock surface. The gate shall also be manned during access events. (ONGOING: ENG – Eng)

F. LANDSCAPING - STANDARD

1. All canopy trees required to be planted on site by this approval shall meet the following minimum standards at installation:
 - a. Tree height: fourteen (14) feet.
 - b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
 - c. Canopy diameter: seven (7) feet. Diameter will be determined by the average canopy radius, at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length. (CO: LANDSCAPE – Zoning) (Previously Condition F.1 of Resolution ZR-99-0011, Petition 1997-012(B))
2. Chain link fence used or installed in the perimeter landscape buffers along Gun Club Road, Congress Avenue, Summit Boulevard or Kirk Road shall be black vinyl coated. (CO: LANDSCAPE) (Previously Condition F.5 of Resolution ZR-99-0011, Petition 1997-012(B))

G. LANDSCAPING ALONG NORTH, SOUTH, EAST AND WEST RIGHT-OF-WAY FRONTAGES

1. Landscaping and buffering along Congress Avenue, Summit Boulevard and the south 558 feet of Kirk Road shall include:
 - a. A minimum twenty (20) foot wide landscape buffer;
 - b. One (1) Royal Palm planted a maximum twenty-five (25) feet on center;

- c. Twenty-four **(24)** inch high Ficus hedge spaced no more than thirty-six (36) inches on center at installation, to be maintained at a minimum height of forty-eight **(48)** inches. (CO: LANDSCAPE – Zoning) (Previously Condition F.2 of Resolution ZR-99-0011, Petition 1997-012(B))
2. Landscaping and buffering along Gun Club Road, Kirk Road excluding the south **558** feet shall include:
 - a. A minimum twenty **(20)** foot wide landscape buffer;
 - b. One (1) 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 palms or pine trees may supersede the requirement for a canopy tree; and
 - d. Twenty four **(24)** inch high shrub, understory or hedge material spaced no more than twenty four **(24)** inches on center at installation, to be maintained at a minimum height of **forty-eight (48)** inches. (CO: LANDSCAPE – Zoning) (Previously Condition F.3 of Resolution ZR-99-0011, Petition 1997-012(B))
 3. The landscape requirements above shall be planted on the exterior side of any fence, wall, or berm installed within the buffer. Any wall installed within the landscape buffer shall be setback a minimum of 10 feet from the ultimate right-of-way. (CO: LANDSCAPE – Zoning) (Previously Condition F.4 of Resolution ZR-99-0011, Petition 1997-012(B))

H. LIGHTING

1. All outdoor 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. This condition shall not apply to security lighting, lighting to illuminate the driving range or low voltage landscape lights used to emphasize or accent plant material. (CO: BLDG – Zoning) (Previously Condition G.1 of Resolution ZR-99-0011, Petition 1997-012(B))

I. PROTECTION OF RESIDENTIAL AREAS

1. Development and construction of the golf course, clubhouse, and facilities shall be limited to the following hours: Monday through Saturday from 7 am to 9 pm, and Sunday from **10** am to **8** pm. (ONGOING: CODE ENF – Zoning) (Previously Condition H.1 of Resolution ZR-99-0011, Petition 1997-012(B))
2. Best management practices, acceptable to the Health Department, shall be utilized during construction to alleviate dust and dirt caused by land clearing operations. (ONGOING: HEALTH) (Previously Condition H.2 of Resolution ZR-99-0011, Petition 1997-012(B))
3. Prior to initiation of land clearing or development on the site, the petitioner shall install a temporary four **(4)** foot high fence along the west boundary of the site. (VEG REMOVAL: ERM – Zoning) (Previously Condition H.3 of Resolution ZR-99-0011, Petition 1997-012(B))

J. SIGNS

1. Freestanding signs 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 - 60 square feet;
 - c. Maximum number of signs -three (3),
 - d. Location - Summit Boulevard only; and
 - e. Style - monument style only. (CO: BLDG – Zoning) (Previously Condition 1.1 of Resolution ZR-99-0011, Petition 1997-012(B))
2. Condition H.1. shall not apply to directional signs. (CO: BLDG – Zoning) (Previously Condition 12 of Resolution ZR-99-0011, Petition 1997-012(B))

K. COMPLIANCE

1. In granting this approval, the Zoning Commission 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) (Previously Condition J.1 of Resolution R-2000-1580, Petition 1997-012(B))
2. Condition J.2 of Resolution R-2000-1580, Petition 1997-012(B), which currently states:

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 reasonable related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a majority vote of the Code Enforcement Board 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 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Pam Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit.

Is hereby amended to read:

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 Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (ONGOING: MONITORING – Zoning)