

Agenda Item # R - 7

Village of Royal Palm Beach
Village Council
Agenda Item Summary

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 23-054 (SE) AN APPLICATION BY FERNANDO OSORIO OF MILESTONE MOTORS AND ADOPTION OF RESOLUTION NO. 23-36 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING SPECIAL EXCEPTION USE APPROVAL FOR A 2,072 SQUARE FOOT “AUTOMOBILE AND/OR WATER CRAFT REPAIR AND/OR SERVICES” WITHIN THE INDUSTRIAL GENERAL (IG) ZONING DISTRICT, FOR A PROPERTY LOCATED AT 530 BUSINESS PARKWAY, BAYS 2 AND 3.

Issue:

The applicant is seeking Special Exception Use Approval to permit an “Automobile and/or water craft repair and/or services” for Milestone Motors which is located in the Industrial General (IG) Zoning District. Milestone Motors is seeking to occupy 2,072 square feet within Bays 2 and 3 at 530 Business Parkway.

1. The proposed Special Exception is consistent with the policies and standards of the village comprehensive plan; or

The Applicant states: “It falls under industrial – special exception.”

2. The proposed Special Exception complies with all applicable development regulations of the Village Code; or

The Applicant states: “It complies under Royal Palm Beach Special Exception”

3. The proposed Special Exception does not have adverse environmental impacts which cannot be prevented by the imposition of conditions; or

The Applicant states: “Negative, no environmental impacts.”

4. The proposed Special Exception does not have adverse vehicular or pedestrian traffic impacts which cannot be prevented by the imposition of conditions; or

The Applicant states: “None.”

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	9-21-23	Action

P:\Business Parkway\23-054 (SE) Milestone Motors\Board Documents\AIS & Staff Report\Agenda Item Summary\23-054 (SE) Milestone Motors AIS VC.doc

5. The proposed Special Exception does not have an adverse impact upon public facilities, including, but not limited to, impacts on police and fire protection, drainage systems, refuse disposal, water, sewers, and schools, which cannot be prevented by the imposition of conditions; or

The Applicant states: "None."

6. The design of the proposed Special Exception does not have adverse impacts on adjacent properties or is detrimental to their use and peaceful enjoyment and will cause objectionable noise, vibrations, [and/or] fumes; or

The Applicant states: "It is not detrimental as our neighbors are industrial zone."

7. The proposed Special Exception is compatible with the character and living conditions of the existing neighborhood in which it is to be located; or

The Applicant states: "We are industrially zoned our neighbors are repair shops & auto sales, etc."

8. The proposed Special Exception does not have an adverse impact on property values in adjacent areas which cannot be prevented by the imposition of conditions; or

The Applicant states: "No adverse impact, we are requesting approval for a listed special exception."

9. The proposed Special Exception is not a deterrent to the improvement or development of adjacent property, in accordance with applicable Village Code development regulations, which cannot be prevented by the imposition of conditions; or

The Applicant states: "It will not deter improvement in any way shape or form, we are in the property zoned area."

10. The proposed Special Exception will not seriously reduce the quality or quantity of light and air available to adjacent properties which cannot be prevented by the imposition of conditions.

The Applicant states: "Negative, not relevant."

The Planning and Zoning Commission considered this application on September 18, 2023 and recommended _____ by a vote of X-X.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	9-21-23	Action

Recommended Action:

Staff is recommending Approval of Application No. 23-054 (SE) and Resolution No. 23-36.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	9-21-23	Action

Attachment A
Conditions of Approval
Application No. 23-054 (SE)
Milestone Motors

1. Development Order:

This development order constitutes approval for:

- A. Special Exception Use Approval to permit an “Automobile and/or water craft repair and/or services” for Milestone Motors. Milestone Motors is seeking to occupy 2,072 square feet within Bays 2 and 3 at 530 Business Parkway. Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied.

2. Site Specific Conditions:

- A. The “Automobile and/or watercraft repair and/or service” and supporting parking shall be located only in the area designated on the accompanying site plan.
- B. The site shall be maintained free of all trash at all times.
- C. No outdoor storage of any automobiles waiting to be repaired, and any automobiles being kept overnight shall be stored within the building.
- D. No outdoor storage of any materials of any kind shall be permitted on site including but not limited to chemicals or waste products.
- E. No repair activities shall be permitted outside of any bay.
- F. This Special Exception use approval shall be limited to the repair of automobiles only.
- G. The applicant shall comply with all federal state and local environmental regulations.
- H. There shall be no wet washing of the garage bays at any time.
- I. Failure of the applicant to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village issued permits or approvals.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	9-21-23	Action

RESOLUTION NO. 23-36

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 23-054 (SE) – THE APPLICATION OF FERNANDO OSORIO - PERTAINING TO APPROVAL OF A SPECIAL EXCEPTION USE FOR A “AUTOMOBILE AND/OR WATER CRAFT REPAIR AND/OR SERVICES” WITHIN THE INDUSTRIAL GENERAL (IG) ZONING DISTRICT, FOR A PROPERTY LOCATED AT 530 BUSINESS PARKWAY, BAYS 2 AND 3; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council of the Village of Royal Palm Beach, Florida (“Village”), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

WHEREAS, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

WHEREAS, Application No. 23-054 (SE) was presented to the Village Council at its public hearing conducted on September 21, 2023; and

WHEREAS, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

WHEREAS, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPLICATION NO. 23-054 (SE), THE APPLICATION OF FERNANDO OSORIO, ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT ‘A’ ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved, subject to the following conditions:

PLEASE SEE EXHIBIT ‘B’ ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 21st day of September, 2023.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Milestone Motors @ 530 Business Parkway, Bays 2 & 3
Application No. 23-054 (SE)
Resolution No. 23-36

LEGAL DESCRIPTION:

Lots 24 and 25, of PLAT OF ROYAL PALM BEACH BUSINESS PARK, according to the plat thereof as recorded in Plat Book 52, Page 71, of the Public Records of Palm Beach County, Florida.

Exhibit B
Conditions of Approval
Milestone Motors @ 530 Business Parkway, Bays 2 & 3
Application No. 23-054 (SE)
Resolution No. 23-36

1. Development Order:

This development order constitutes approval for:

- A. Special Exception Use Approval to permit an “Automobile and/or water craft repair and/or services” for Milestone Motors. Milestone Motors is seeking to occupy 2,072 square feet within Bays 2 and 3 at 530 Business Parkway. Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied.

2. Site Specific Conditions:

- A. The “Automobile and/or watercraft repair and/or service” and supporting parking shall be located only in the area designated on the accompanying site plan.
- B. The site shall be maintained free of all trash at all times.
- C. No outdoor storage of any automobiles waiting to be repaired, and any automobiles being kept overnight shall be stored within the building.
- D. No outdoor storage of any materials of any kind shall be permitted on site including but not limited to chemicals or waste products.
- E. No repair activities shall be permitted outside of any bay.
- F. This Special Exception use approval shall be limited to the repair of automobiles only.
- G. The applicant shall comply with all federal state and local environmental regulations.
- H. There shall be no wet washing of the garage bays at any time.
- I. Failure of the applicant to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village issued permits or approvals.