

**Village of Royal Palm Beach  
Village Council  
Agenda Item Summary**

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER APPLICATION NO. 23-045 (SE), AN APPLICATION BY VINCENT KAHER, OF HM2V, INC., ON BEHALF OF AMG BUSINESS ENTERPRISES, LLC, AND ADOPTION OF RESOLUTION NO. 23-37 CONFIRMING COUNCIL ACTION. THE APPLICANT IS REQUESTING SPECIAL EXCEPTION USE APPROVAL FOR AN “AUTOMOBILE AND/OR WATERCRAFT REPAIR AND/OR SERVICE” WITHIN THE INDUSTRIAL GENERAL (IG) ZONING DISTRICT TO EXPAND THE CURRENT OPERATION TO THE NEWLY ACQUIRED 0.235± ACRE PARCEL, FOR A PROPERTY LOCATED AT 6846 SEMINOLE PALMS DRIVE.**

**Issue:**

The Applicant is requesting Special Exception Use Approval for an “Automobile and/or watercraft repair and/or service” within the Industrial General (IG) Zoning District to expand the current operation to the newly acquired 0.235± acre parcel. The property is situated within the Royal Commerce Park Planned Industrial District (PID) and located at 6846 Seminole Palms Drive.

In reviewing this petition, Village Staff considered conformity with the Village of Royal Palm Beach Code of Ordinances, Section 26-32 (f) (4) *Special exception applications*. Please find below the criteria for approving Special Exceptions as well as the Applicant’s responses:

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

The Applicant states: “The proposed Industrial General is consistent with the surrounding properties. The subject site is surrounded on three (3) sides by Industrial General and one (1) side by General Commercial. The industrial development components of the proposed IG fit into the intensity and scale of the surrounding area, as the proposed development is consistent with the Future Land Use Element of the Comprehensive Plan. Similar industrial developments have been approved and/or developed in the direct vicinity of the area over the past years. The designation of the subject site with IG category will not negatively impact the area and will further enhance the development of the area.”

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

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Initiator:	Village Manager	Agenda Date	Village Council
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The Applicant states: "The proposed special exception, General Industrial, will comply with all applicable development regulations of the Village of Royal Palm Beach, Palm beach County, and the State of Florida."

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

The applicant states: "The proposed special exception use, General Industrial, has no adverse environmental impacts. It will have an almost identical use to the neighboring sites."

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: "The proposed special exception use, General Industrial, has no adverse vehicular or pedestrian impact which cannot be prevented by the imposition of condition. A Traffic Study was submitted to Palm Beach County. Based on the review, the Traffic Division has determined the proposed development generates less than 20 peak hours trips; therefore, the proposed development project meets the TPS of Palm Beach County. The applicant will provide a new pedestrian access to the existing development from Seminole Palms Drive by an accessible concrete sidewalk and ramp."

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: "The proposed special exception use, General Industrial, will be used for a parking lot and no sanitary sewer and solid wastewater improvements are needed. However, there are existing sanitary sewer and solid wastewater facilities nearby that are provided at the 500 Royal Plaza Road building and can provide sanitary sewer and solid wastewater if needed for the parking lot addition. The proposed drainage control structure will be utilized to provide the necessary detention prior to outfall to the existing main. The proposed improvements will increase safety and harmony with Pedestrian and vehicles traffic, embellish the area to the public, impacting positively on public facilities as well."

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: "The proposed special exception use, General Industrial, does not have adverse impacts on adjacent properties, as it will be mainly used for parking lots, no storage of any material and equipment, disabled vehicles of any kind will be allowed in the new land development because of this request."

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

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The Applicant states: "The proposed special exception use, General Industrial, is compatible with the character and living conditions of the existing neighborhood."

- 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: "The proposed special exception use, General Industrial, is compatible with the surrounding neighborhood buildings and parking areas and will be improved harmonically with the existing facility character, which will contribute to Increase the property value."

- 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: "The proposed special exception use, General Industrial, will not deter the improvement of development of adjacent property by the proposed use nature as a parking lot."

- 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: "The proposed special exception use, General Industrial, will be developed horizontally, not vertically, with landscaping at the property boundaries. It will not reduce light/air flow throughout adjacent properties."

In reviewing the proposed Special Exception Use application, Village Staff considered compatibility with adjacent land uses, consistency with the Village's Comprehensive Plan and conformance with the Village's Development Standards for the Industrial General (IG) Zoning District. Staff has determined that the proposed Special Exception conforms to Village Standards.

The Planning and Zoning Commission considered the application on July 23, 2024, and recommended Approval by a vote of 5-0.

**Recommended Action:**

Staff is recommending Approval of Application No. 23-045 (SE) and Resolution No. 23-37.

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**RESOLUTION NO. 23-37**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 23-045(SE) – THE APPLICATION OF HM2V, INC ON BEHALF OF AMG BUSINESS ENTERPRISES, LLC - PERTAINING TO APPROVAL OF A SPECIAL EXCEPTION USE FOR “AUTOMOBILE AND/OR WATERCRAFT REPAIR AND/OR SERVICE” LOCATED AT 6848 SEMINOLE PALMS DRIVE, IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; 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. 23-045(SE) was presented to the Village Council at its public hearing conducted on August 15, 2024; 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. 23-045(SE), THE APPLICATION OF HM2V, INC ON BEHALF OF AMG BUSINESS ENTERPRISES, LLC, 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 15th day of August, 2024.

VILLAGE OF ROYAL PALM BEACH

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MAYOR FRED PINTO

ATTEST:

(SEAL)

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DIANE DISANTO, VILLAGE CLERK

**Exhibit A**  
**Legal Description**  
**Paint Lux Autobody Parking Lot @ 6846 Seminole Palms Drive**  
**Application 23-045(SE)**  
**Res. No. 23-37**

**LEGAL DESCRIPTION:**

All that piece and parcel of land lying in Section 35, Township 43 South, Range 41 East, Palm Beach County, Florida and further described as follows:

Commencing at the North quarter corner of said Section 35; thence along the quarter section line of said Section 35, South 00°11'48" West a distance of 2481.25 feet to a point at the Southeast corner of Block 11 of the partial re-plat of Section 2 of Palm Beach Colony as described in Plat Book 28, pages 211 through 213, of the Public Records of Palm Beach County, Florida; thence along the South line of said Plat, South 90°00'00" West a distance of 480.50 feet to a point; thence departing south line of said plat South 00°00'00" East a distance of 538.45 feet to a point on the apparent Southerly right of way of Seminole Palms Drive and the Point of Beginning; thence South 00°00'00" East a distance of 141.97 feet to a point; thence South 64°31'55" East a distance of 18.76 feet to a point; thence North 89°56'43" East a distance of 51.73 feet to a point; thence North 00°00'00" West a distance of 149.99 feet to a point on the said apparent Southerly right of way of Seminole Palms Drive; thence along said apparent Southerly right of way of Seminole Palms Drive North 90°00'00" West a distance of 68.67 feet to the Point of Beginning.

**Attachment B**  
**Conditions of Approval**  
**Paint Lux Autobody Parking Lot @ 6846 Seminole Palms Drive**  
**Application 23-045(SE)**  
**Res. No. 23-37**

**1. Development Order:**

This development order constitutes approval for:

A Special Exception Use for an “Automobile and/or watercraft repair and/or service” on the newly acquired 0.235± acre parcel located at 6846 Seminole Palms Drive.

This constitutes the only approval granted by this resolution. Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied.

**2. Site Specific Conditions:**

- A. This Special Exception use approval shall become null and void should the operator, Paint Lux, cease operations at this location.

**3. Standard Conditions:**

- A. This Special Exception approval shall expire one (1) year from the date of council approval unless development is commenced within that time frame or appropriate applications for extensions are submitted pursuant to Section 26-66 of the Village Code or Ordinances. In no case shall the approval be extended beyond code-established time frames.
- B. Failure of the developer 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. Failure to commence development in a timely manner may also result in the revocation of development approval.
- C. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
- D. There shall be no outside storage of any equipment or materials related to the operations of Paint Lux, including vehicles requiring paint and/or collision repair services.
- E. The 0.235± acre parcel shall not be fenced off from the main Paint Lux facility and shall at all times be incorporated into the main Paint Lux operation.

- F. All advertising, legal documents, and correspondence shall refer to this location as being located within the Village of Royal Palm Beach.