

RESOLUTION NO. R-2019- 0388

RESOLUTION APPROVING ZONING APPLICATION EAC/ABN-2018-01312  
(CONTROL NO. 2004-00006)  
an Expedited Application Consideration  
APPLICATION OF M2 Equity Group, LLC  
BY Schmidt Nichols, AGENT  
(JEM Interprises)

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, Supplement 24 (ULDC), have been satisfied;

WHEREAS, Zoning Application EAC/ABN-2018-01312 was presented to the Board of County Commissioners at a public hearing conducted on March 25, 2019;

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 an Expedited Application Consideration;

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 Zoning Application EAC/ABN-2018-01312, the Application of M2 Equity Group, LLC, by Schmidt Nichols, Agent, for an Expedited Application Consideration to delete Voluntary Commitments contained in Resolution R-2004-2251, 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 March 25, 2019, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner McKinlay moved for the approval of the Resolution.

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

Commissioner Mack Bernard, Mayor	-	Aye
Commissioner Dave Kerner, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Gregg K. Weiss	-	Aye
Commissioner Robert S. Weinroth	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Melissa McKinlay	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on March 25, 2019.

Filed with the Clerk of the Board of County Commissioners on April 4th, 2019.

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

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

SHARON R. BOCK,  
CLERK & COMPTROLLER

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK



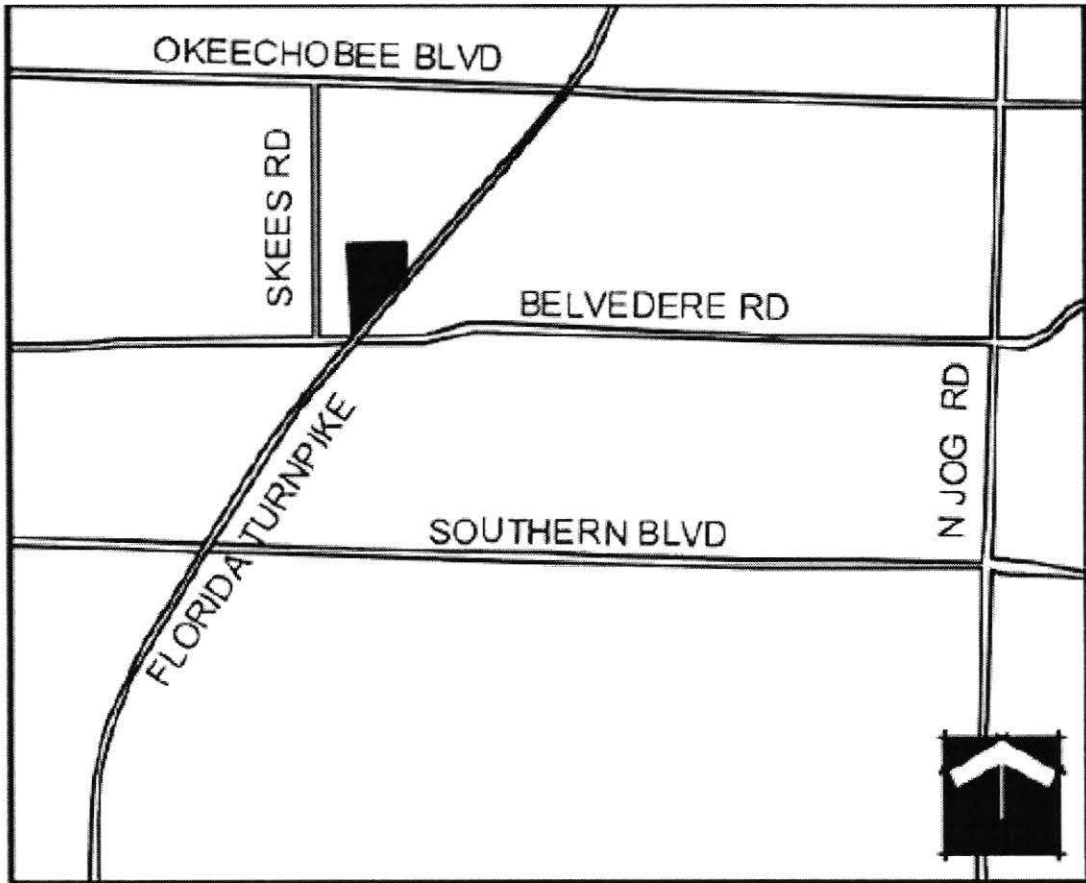
EXHIBIT A

LEGAL DESCRIPTION

THE EAST 5 ACRES OF THE WEST ½ OF TRACT 17, BLOCK 4, THE PALM BEACH FARMS CO. PLAT NO. 3, LESS COUNTY RIGHT OF WAY IN DEED BOOK 693, PAGE 176 AND LESS RIGHT OF WAY FOR SUNSHINE STATE PARKWAY AS IN DEED BOOK 1116, PAGE 560, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

CONTAINING 2.358 ACRES MORE OR LESS

EXHIBIT B  
VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### **Expedited Application Consideration**

##### **ENGINEERING**

1. Previous E Condition 1 of Resolution R-2004-2251, Control No.2004-00006, which currently states:

Prior to use of the site as a contractor's storage facility, parking areas and aisles shall be paved in accordance with the County Engineers approval. (ONGOING: ENGINEERING - Engineering)

**Is hereby deleted.** [REASON: Code requirement]

2. Previous E Condition 2 of Resolution R-2004-2251, Control No.2004-00006, which currently states:

The concurrency approval is subject to the project aggregation rule set forth in the Traffic Performance Standards Ordinance. (ONGOING: ENGINEERING - Engineering)

**Is hereby deleted.** [REASON: Code requirement]

##### **PLANNING**

1. Previous A Condition 1 of Resolution R-2004-2251, Control No.2004-00006, which currently states:

Prior to issuance of a building permit, in accordance with Recommendations A-1 and A-2 of the Skees Road Study, the building plans shall be revised to include an entrance at the northeast corner of the site. (BLDGPMT: MONITORING - Planning)

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

##### **DISCLOSURE**

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