



Umdasch Real Estate USA, Ltd. 2209 7th Avenue North Lake Worth Beach, Florida



Kimley»Horn



SAUL EWING
ARNSTEIN
& LEHR^{LLP}

Louis Goldberg, Senior Facilities and Property Project Manager

Jared Wright, Southeast Regional Manager

George Balaban, P.E.

Adam Kerr, Traffic Engineer

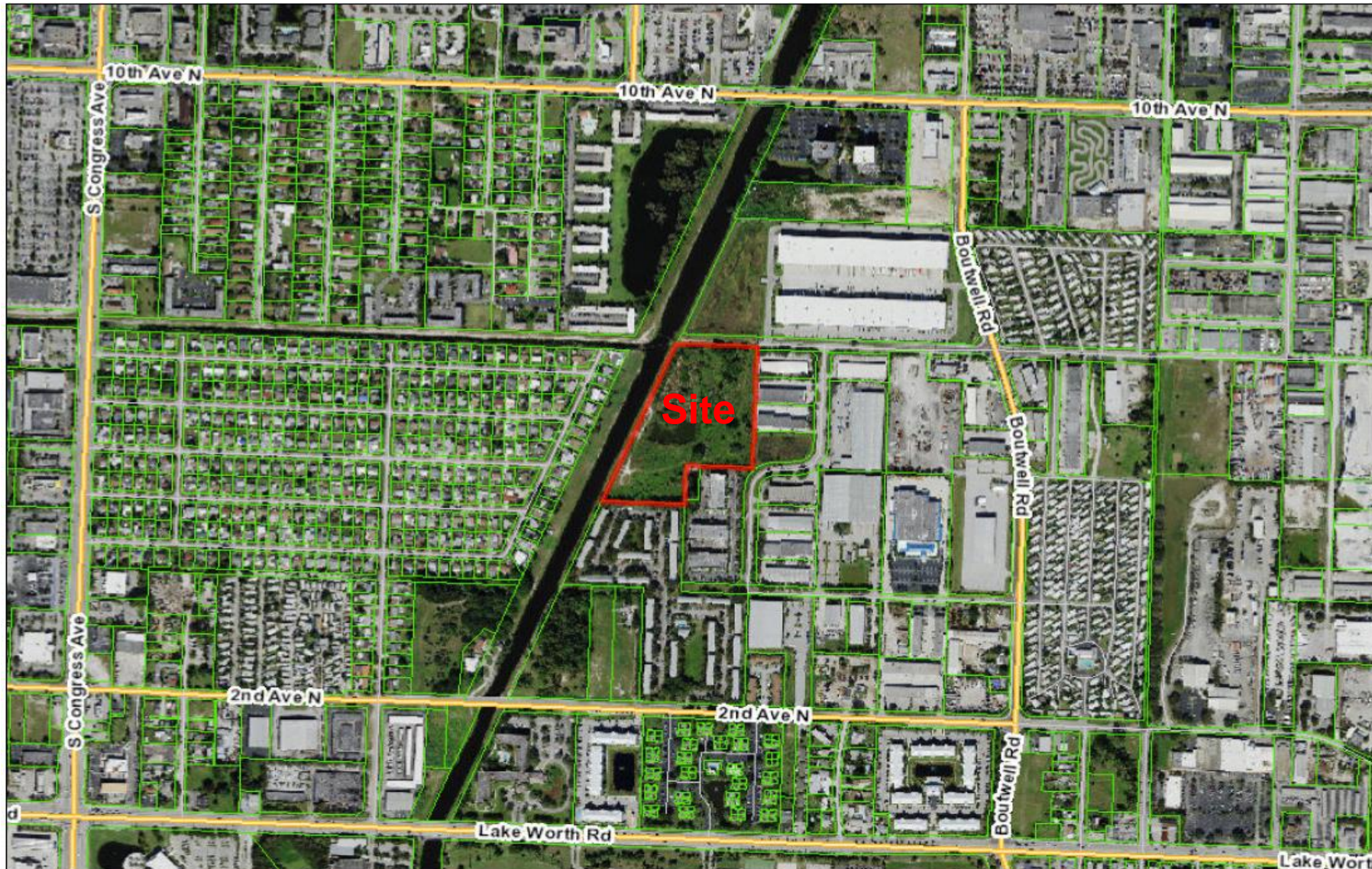
Johnathan Haigh, PLA, ASLA Landscape Architect

Jaime Mayo, Architect

Manuel Rodriguez, Project Manager

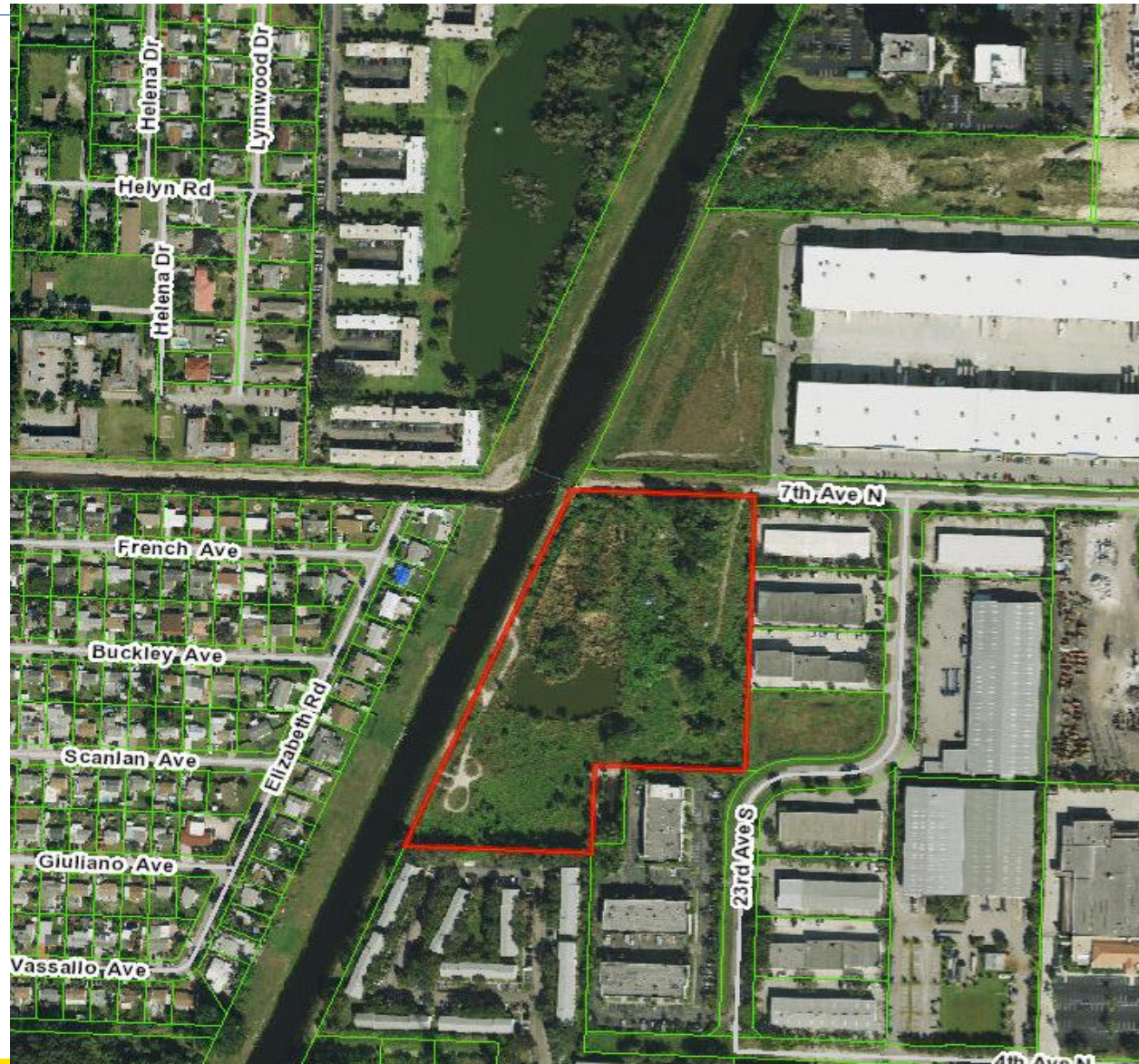
Lisa Reves, Esq.

Boutwell Industrial Park of Commerce



9.79 Acre Site

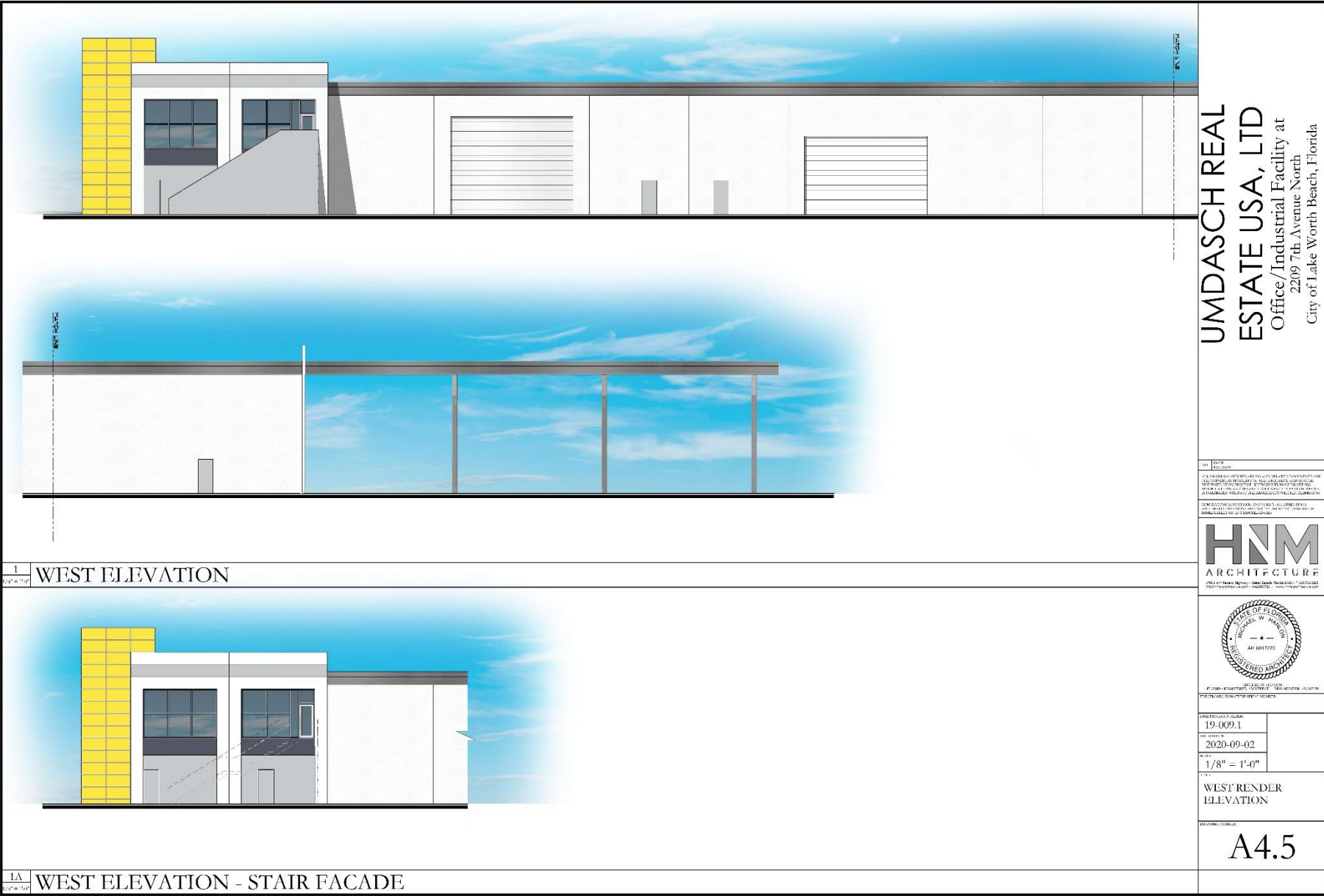
Zoned I-POC with Industrial Future Land Use



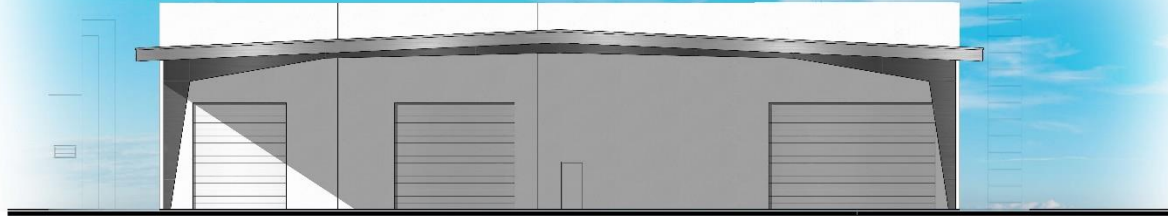
Main Entrance



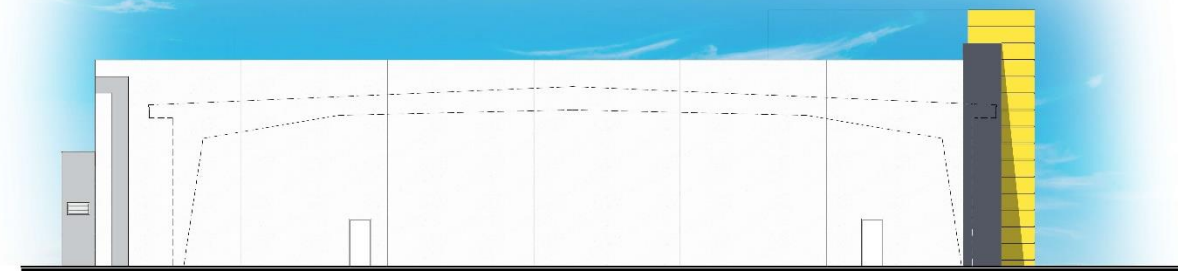
West Elevation



South Elevation



1	SOUTH ELEVATION
1/8" = 1'-0"	



2	SOUTH ELEVATION @ OFFICE AREA
7/9" x 11/4"	

**UMDASCH REAL
ESTATE USA, LTD**
Office/Industrial Facility at
2209 7th Avenue North
City of Lake Worth Beach, Florida

NO	DATE 22-03-2020
<p>1. I HAVE BEEN INFORMED THAT THE FOLLOWING PERSONS ARE ALL INFORMATION RECEIVED FROM THE ABOVE NAMED PERSONS IN THE PAST 12 MONTHS OF THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE NOT BEEN INFORMED OF ANY OTHER INFORMATION THAT MAY BE RELEVANT TO THE MATTER.</p> <p>2. I HAVE BEEN INFORMED THAT THE FOLLOWING PERSONS ARE ALL INFORMATION RECEIVED FROM THE ABOVE NAMED PERSONS IN THE PAST 12 MONTHS OF THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE NOT BEEN INFORMED OF ANY OTHER INFORMATION THAT MAY BE RELEVANT TO THE MATTER.</p>	



THE UNIVERSITY OF CHICAGO
 5408 S. UNIVERSITY AVE. CHICAGO, ILL. 60637
 TEL: 773/936-5000 FAX: 773/936-5001

10061727-0000-7-2006

19-009.1

2020-09-0

Notes:

SOUTH RENDER
ELEVATION

A4.6

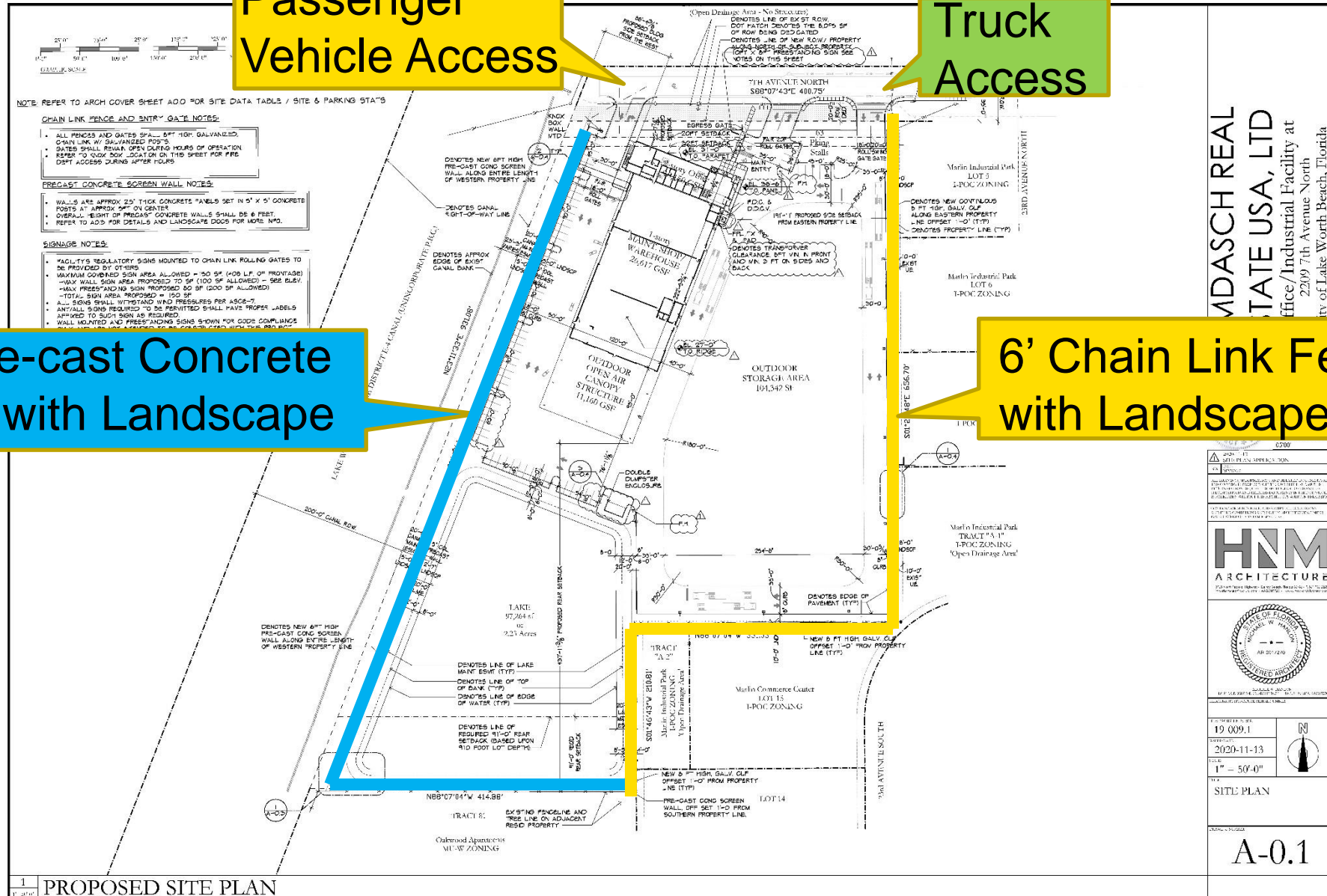
Access/Buffers

Passenger
Vehicle Access

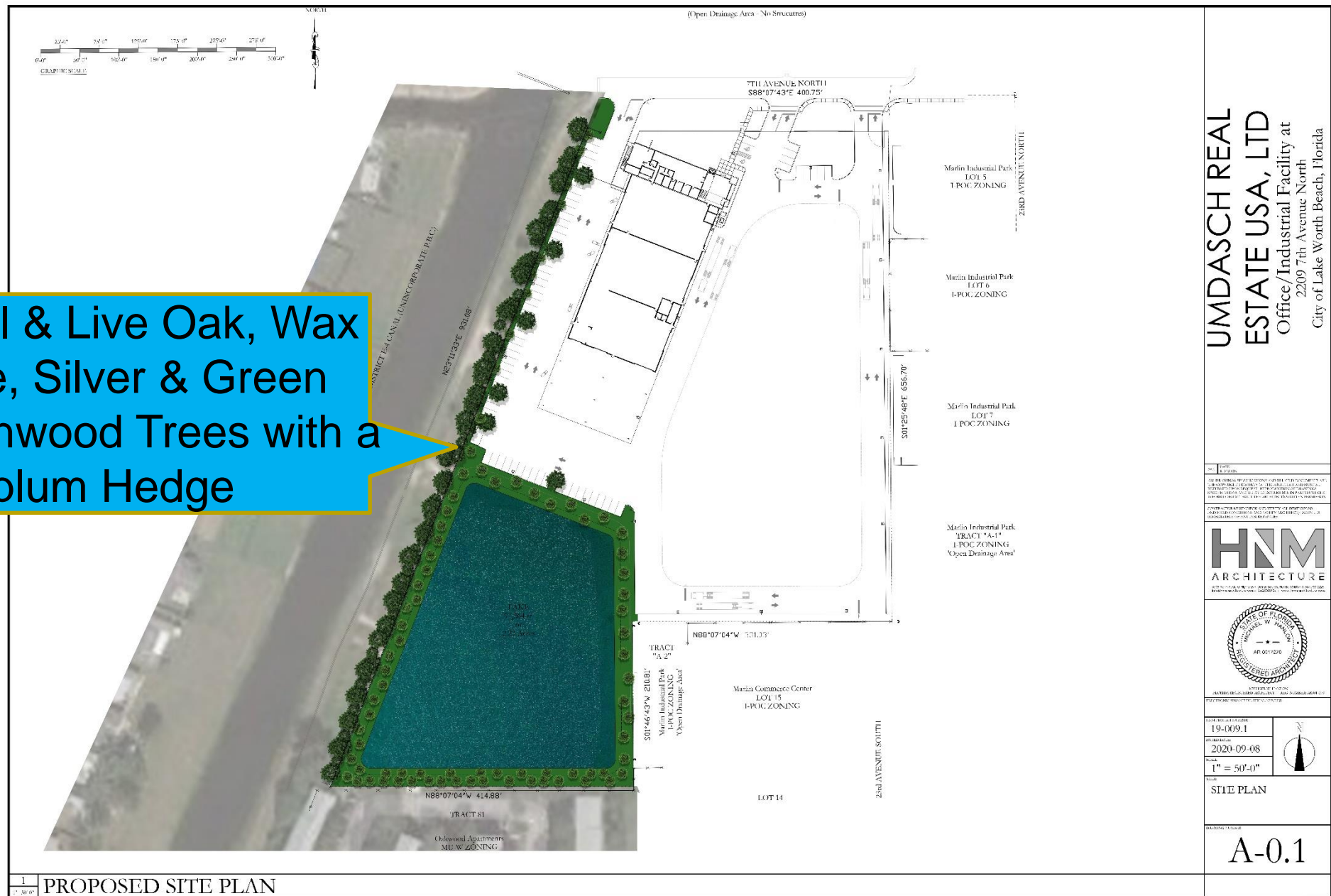
Truck
Access

6' Pre-cast Concrete
Wall with Landscape

6' Chain Link Fence
with Landscape



Laurel & Live Oak, Wax
Myrtle, Silver & Green
Buttonwood Trees with a
Cocoplum Hedge



Request

- Major Site Plan Approval for Industrial Building.
- Conditional Use Approval to Construct:
 - 26, 617 SF Warehouse/Maintenance Shop
 - 10,150 SF Two (2) Story Office
 - 11,160 SF Outdoor Open Canopy
 - 104,342 SF Outdoor Storage Area
- Sustainable Bonus Incentive Program to Increase Building Height from 30' to 31' in Height for the Office Space (5,565 SF).

Required Findings - Section 23.2-29(e) Conditional Use Criteria Items 1-8

Criteria	Applicant Response	Staff Response
1. The proposed conditional use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.	Palm Beach County TPS letter indicates exemption from Traffic Performance Standards.	Meets Criterion.
2. The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets.	The traffic generated from the proposed mixed-use development will not be significantly greater than that of adjacent uses and other anticipated uses in this area.	Meets Criterion.
3. The proposed conditional use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.	The distribution facility, repair and maintenance do not pose a pollution hazard to the nearby properties.	Meets Criterion.
4. The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.	The project is not anticipated to cause a higher net public cost or earlier incursion of public cost than what would result from a development permitted by right.	Meets Criterion.

Criteria	Applicant Response	Staff Response
5. The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.	No adverse impact to infrastructure or public utilities is anticipated to occur as a result of this request.	Meets Criterion.
6. The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.	The proposed development is not anticipated to place a demand on municipal police or fire protection service beyond the capacity of those services.	Meets Criterion.
7. The proposed conditional use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in Section 15.24, Noise control.	The proposed development is not anticipated to generate noise in excess of the noise control ordinance.	Meets Criterion.
8. The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in Section 23.4-10, Exterior lighting.	Photometric plan shows compliance with Section 23.4-3.	Meets Criterion.

Required Findings - Section 23.2-29(d) General Findings Relating to Harmony with LDRs and Protection of Public Interest Items 1-4

Criteria	Applicant Response	Staff Response
1. The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.	The site contains a base zoning designation of I-POC and is adjacent to I-POC zoned property to the north and east, Mixed-Use West (MU-W) zoned property to the south, and residential land use to the west on the opposite side of the E-4 canal. Based on the intent of the I-POC zoning district, the types of uses most likely to occur in this district are the establishment and enlargement of office, manufacturing and light industrial uses. The subject proposal is consistent with the types of uses anticipated to occur within the I-POC district. In addition, the site is designed with features to help buffer the site from nearby incompatible uses; these are described in the below criterion. Therefore, the proposed project is compatible and harmonious with the existing and anticipated surrounding uses.	Meets Criterion.
2. The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.	The subject site is surrounded by a mixture of warehouse, single-family, multi-family, and office uses. The property locates the warehouse building to the north of the site and away from the multi-family uses to the south of the site, reducing its impact on those properties.	Meets Criterion.
3. The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the property for some use permitted by right or some other conditional use permitted on the property.	The approval of this conditional use will provide urban infill development that is consistent with the intent of the I-POC zoning district and I future land use category and is not anticipated to result in less public benefit than other permitted or conditional uses.	Meets Criterion.
4. The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the Comprehensive Plan.	The proposed project is utilizing the City's SBIP bonuses for an additional one (1) foot of building height. The increase in building height will allow for the screening of rooftop equipment located above the office portion of the proposed building. Staff's analysis of the SBIP can be found on page 8. The project is consistent with the goals, objectives, and polices of the City of Lake Worth Beach's Comprehensive Plan and will not result in a more intensive development than what the Plan anticipates.	Meets Criterion.

Required Findings - Section 23.2-31 (c) Qualitative Development Standards Items 1-15

Criteria	Applicant Response	Staff Response
1. <i>Harmonious and efficient organization.</i> All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of plot, the character of adjoining property and the type and size of buildings. The site shall be developed so as to not impede the normal and orderly development or improvement of surrounding property for uses permitted in these LDRs.	The site is organized so the most intense uses are oriented toward the industrial uses.	Meets Criterion.
2. <i>Preservation of natural conditions.</i> The natural (refer to landscape code, Article 6 of these LDRs) landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal and by such other site planning approaches as are appropriate. Terrain and vegetation shall not be disturbed in a manner likely to significantly increase either wind or water erosion within or adjacent to a development site. Natural detention areas and other means of natural vegetative filtration of stormwater runoff shall be used to minimize ground and surface water pollution, particularly adjacent to major waterbodies as specified in Part II, Chapter 12 , Health and Sanitation, Article VIII, Fertilizer Friendly Use Regulations. Fertilizer/pesticide conditions may be attached to development adjacent to waterbodies. Marinas shall be permitted only in water with a mean low tide depth of four (4) feet or more.	The site is a designated Brownfield area which Umdasch Real Estate USA, Ltd intends to rehabilitate.	Meets Criterion.
3. <i>Screening and buffering.</i> Fences, walls or vegetative screening shall be provided where needed and practical to protect residents and users from undesirable views, lighting, noise, odors or other adverse off-site effects, and to protect residents and users of off-site development from on-site adverse effects. This section may be interpreted to require screening and buffering in addition to that specifically required by other sections of these LDRs, but not less.	The project proposes landscaping and perimeter wall along the western and southern property line. Chain link with landscaping is proposed for the remaining property lines.	Meets Criterion.
4. <i>Enhancement of residential privacy.</i> The site plan shall provide reasonable, visual and acoustical privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers and vegetation shall be arranged for the protection and enhancement of property and to enhance the privacy of the occupants.	The site provides a 6' wall with vegetation to buffer the site's impacts and provide additional residential privacy.	Meets Criterion.
5. <i>Emergency access.</i> Structures and other site features shall be so arranged as to permit emergency vehicle access by some practical means to all sides of all buildings.	The building is oriented adjacent to the right-of-way for easy access by emergency vehicles.	Meets Criterion.

Criteria	Applicant Response	Staff Response
6. <i>Access to public ways.</i> All buildings, dwelling units and other facilities shall have safe and convenient access to a public street, walkway or other area dedicated to common use; curb cuts close to railroad crossings shall be avoided.	The building fronts 7 th Avenue North and the site has three (3) access points from the right-of-way.	Meets Criterion.
7. <i>Pedestrian circulation.</i> There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.	The pedestrian circulation from the right-of-way to the office entrance avoids as much conflict with vehicular circulation as possible, with the pedestrian crossings located at the point where vehicles stop to turn on/off of 7 th Avenue North. The pedestrian circulation does not cross through any vehicular circulation areas within the site and provides direct access to the building.	Meets Criterion.
8. <i>Design of ingress and egress drives.</i> The location, size and numbers of ingress and egress drives to the site will be arranged to minimize the negative impacts on public and private ways and on adjacent private property. Merging and turnout lanes traffic dividers shall be provided where they would significantly improve safety for vehicles and pedestrians.	The project proposes accerss from 7 th Avenue North and no negative impacts on adjacent properties are anticipated.	Meets Criterion.
9. <i>Coordination of on-site circulation with off-site circulation.</i> The arrangement of public or common ways for vehicular and pedestrian circulation shall be coordinated with the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Minor streets shall not be connected to major streets in such a way as to facilitate improper utilization.	All common ways off the project site will circulate traffic internally on the site and will not connect with any other right-of-way as no such other rights-of-ways exist adjacent to the property.	Meets Criterion.
10. <i>Design of on-site public right-of-way.</i> On-site public street and rights-of-way shall be designed for maximum efficiency. They shall occupy no more land than is required to provide access, nor shall they unnecessarily fragment development into small blocks. Large developments containing extensive public rights-of-way shall have said rights-of-way arranged in a hierarchy with local streets providing direct access to parcels and other streets providing no or limited direct access to parcels.	Right-of-way dedication for 7 th Avenue North is depicted on the site plan along the property's northern boundary to the E-4 Canal. Based on the nature of use and proposed traffic circulation on the site, no other on-site right-of-way is being dedicated. Therefore, this criterion does not apply.	Meets Criterion.

Criteria	Applicant Response	Staff Response
11. <i>Off-street parking, loading and vehicular circulation areas.</i> Off-street parking, loading and vehicular circulation areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property.	The site proposes three (3) points of ingress/egress. The western most ingress/egress point is for personal and regular-sized vehicles. The two (2) easterly points of ingress/egress will be for larger truck traffic. These have been located away from the single-family and multi-family residences to the west and south to minimize the impact of noise, glare and odor to these properties.	Meets Criterion.
12. <i>Refuse and service areas.</i> Refuse and service areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property.	The site plan shows the refuse area is located toward the middle of the site and away from any existing property lines. The dumpster enclosure is also screened and opens toward the building and away from any adjacent properties, minimizing the impact of noise, glare and odor on adjacent property.	Meets Criterion.
13. <i>Protection of property values.</i> The elements of the site plan shall be arranged so as to have minimum negative impact on the property values of adjoining property.	The elements of the site plan are arranged insofar as feasible to minimize negative impacts to property values of adjoining properties. The site provides landscaping and buffering from adjacent properties, orients building and site activities and circulation away from adjacent properties.	Meets Criterion.
14. <i>Transitional development.</i> Where the property being developed is located on the edge of the zoning district, the site plan shall be designed to provide for a harmonious transition between districts. Building exteriors shall complement other buildings in the vicinity in size, scale, mass, bulk, rhythm of openings and character. Consideration shall be given to a harmonious transition in height and design style so that the change in zoning districts is not accentuated. Additional consideration shall be given to complementary setbacks between the existing and proposed development.	The project is located on the western edge of the Industrial Park of Commerce zoning district and along the city's western boundary following the E-4 Keller Canal. The project provides for a 6' pre-cast concrete wall and landscaping on the edge of the zoning district's boundaries with adjacent mixed-use and residential zoning districts. Yard operations and circulations are located away from these properties and setbacks are provided to minimize the impact.	Meets Criterion.
15. <i>Consideration of future development.</i> In finding whether or not the above standards are met, the review authority shall consider likely future development as well as existing development.	The project as proposed does not anticipate any future development at the site. Any future proposed development not included as part of this application must go through the applicable land development process for full review. Overall, the project meets the intent of the Land Development Regulations and Comprehensive Plan.	Meets Criterion.

Required Findings - Section 23.2-31 (I) Community Appearance Criteria Items 1-4

Criteria	Applicant Response	Staff Response
1. The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the city as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.	The design of the project reflects modern architectural styles generally associated with good taste and design. The office portion has large windows that face the right-of-way and allow natural light into the space, with more intense uses oriented toward the rear of the site, away from the right-of-way. The project provides architectural embellishments that are colored to match the business branding, however these are kept to a minimum and are in good taste and design.	Meets Criterion.
2. The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.	The project utilizes industry standard materials that are neutral and generally compatible with the local environment.	Meets Criterion.
3. The proposed structure or project is in harmony with the proposed developments in the general area, with code requirements pertaining to site plan, signage and landscaping, and the comprehensive plan for the city, and with the criteria set forth herein.	The project uses a modern design aesthetic which is similar to and appropriate with other existing buildings and proposed projects which have been approved in the surrounding area.	Meets Criterion.
4. The proposed structure or project is in compliance with this Section and 23.2-29 , as applicable.	The project's compliance with the community appearance and conditional use criteria is detailed above.	Meets Criterion.

Required Findings - Section 23.2-33 (c)(2) Sustainable Bonus Incentive Program Items a-d

Criteria	Applicant Response	Staff Response
(a) Is the award calculated correctly, consistent with the square footage and height requested and the value of the features and improvements included in the development proposal?	The development proposal is consistent with the increase in height requested. The Applicant is asking for a bonus height of one (1) foot, for a total building height of thirty one (31) feet. The total square footage of bonus area is 5,565 square feet. Therefore, the total value of required improvements is \$8,347.50. The Applicant will be providing improvements above the code required minimums equivalent to \$97,500, which exceeds the requirements of the Sustainable Bonus and Planned Development Program.	Meets Criterion.
(b) Do the proposed on-site features or improvements adequately provide sustainable project enhancements beyond those otherwise required by these LDRs for the development proposal that are attainable and reasonable in the context of the proposed project?	The proposed on-site features and improvements provide enhancements that exceed the base requirements of the LDRs. The project will provide a wall on the west and south side of the property, which is above and beyond the minimum requirements of the code, and the difference in value between the fence and the wall meets the required valuation of the SBIP.	Meets Criterion.
(c) Do the proposed off-site improvements meet the priorities of the City for community sustainability?	The project is not including off-site improvements toward the SBIP credit.	Meets Criterion.
(d) Do the proposed features, improvements or fees-in-lieu meet the intent of the SBIP?	The proposed features and improvements are beyond the base requirements of the LDRs and provide additional amenities and an aesthetic improvement. Thus, the proposed development meets the intent of the SBIP.	Meets Criterion.

Required Findings - Section 23.4-19 Outdoor Storage Items 1-5

Criteria	Applicant Response	Staff Response
1. Outdoor storage in residential districts. Outdoor storage in residential districts for residential purposes shall be limited to domestic equipment and normal supplies necessary for residents. Storage shall not be permitted in any front yard.	This project is not located in a residential district, therefore this criterion does not apply.	Not Applicable.
2. Outdoor storage industrial. Outdoor storage in the I-POC industrial district shall be permitted only as accessory to an approved principal use. All such storage shall be completely screened from all public rights-of-way and any adjacent property that is zoned for residential or mixed use. Outdoor storage of equipment, vehicles, boats, parts, materials, or chemicals are required to be stored on an impervious paved surface to reduce pollutants in storm water runoff.	The outdoor storage is accessory to the distribution facility, repair and maintenance uses. The outdoor storage areas are screened from the residential areas to the south and west.	Meets Criterion.
3. Outdoor storage in planned development and mixed use districts. Outdoor storage facilities shall be limited to the following: <ul style="list-style-type: none"> a. Outdoor storage of merchandise for sale within the establishment located on the site shall be limited to the area located between the front façade and the public right-of-way and shall only be outside of the building during hours of operation. However, this does not apply to the outdoor display of vehicles for sale or rent. b. In any commercial planned development, all outdoor storage shall be expressly approved by the City Commission as part of the ordinance adopting the commercial planned development. c. Approval of outdoor storage in a commercial planned development or mixed use district shall include mitigation measures to protect adjacent properties from the impacts of the outdoor storage. 	The proposed project is not located within a planned development or mixed-use district, therefore this criterion does not apply.	Not Applicable.
4. The outdoor storage of all licensed vehicles that are being repaired must be screened from all public rights-of-way or stored completely within an enclosed structure. There shall be no storage of junk or unlicensed vehicles within the public right-of way at any time.	There are no vehicle repair uses associated with the operations of the site, therefore this criterion does not apply.	Not Applicable.
5. The outdoor storage of unlicensed vehicles and/or junked vehicles, boats, machinery, trucks, trailers, mobile homes and heavy equipment vehicles is prohibited, except in approved junk yards or the temporary storage of such vehicles on a lot or parcel approved and containing an active business license for vehicle towing.	There will be no unlicensed and/or junked vehicles stored on-site, therefore this criterion does not apply.	Not Applicable.

Meet the Required Findings and Request Approval

- ✓ Section 23.2-29(e) Conditional Use Criteria
- ✓ Section 23.2-29 (d) General Findings Relating to Harmony with LDRs and Protection of Public Interest
- ✓ Section 23.2-31 (c) Qualitative Development Standards
- ✓ Section 23.2-31 (l) Community Appearance Criteria
- ✓ Section 23.2-33 (c)(2) Sustainable Bonus Incentive Program
- ✓ Section 23.4-19(b) Outdoor Storage Industrial

Development Team



Louis Goldberg, Senior Facilities and Property Project Manager
Jared Wright, Southeast Regional Manager



George Balaban, P.E.
Adam Kerr, Traffic Engineer
Johnathan Haigh, PLA, ASLA Landscape Architect



Jaime Mayo, Architect
Manuel Rodriguez, Project Manager



Lisa Reves, Esq.



doka

The Formwork Experts.

Seminole Hardrock Guitar Hotel

October 19, 2020 Conversation with Mr. Hiatt

From: Reves, Lisa <Lisa.Reves@saul.com>
Sent: Monday, October 19, 2020 2:36 PM
To: Goldberg Louis <louis.goldberg@doka.com>
Cc: Daniels, Steven L. <steven.daniels@saul.com>
Subject: [EXT] RE: Lake Worth Site Plan Application - Possible Opposition

Louis,

I spoke with Mr. Daniel Hiatt he owns 2 properties to the east of our site and is the Vice president of Marlin Industrial Park Owners Association. I have attached 2 aerial and the sunbiz listing for your use. He raised a number of issues and I thought I had won him over but, he closed the conversation with I will never support this project. I will try again at a later date. Mr. Hiatt raised:

1. he was the primary developer of the industrial park (would like respect);
2. there is limited site access;
3. organic material on site;
4. He thinks you should pay more for the property (then asked how much you are paying);
5. You need to develop a larger project so you will pay more taxes.
6. He would like a project such as the one on the NW corner of Boutwell & 7th, a multi-bay warehouse with 125,746 SF valued in excess of \$27 million.

The bottom line is he wants his property values to increase.

I will call to discuss this issue.

Thank you,
Lisa

**SAUL EWING
ARNSTEIN
& LEHR** ^{LLP}

Lisa A. Reves, Esq. | Attorney at Law
SAUL EWING ARNSTEIN & LEHR LLP
515 N. Flagler Drive , Suite 1400 | West Palm Beach , FL 33401
Tel: 561.650.8465 | Fax: 561.828.6381
Lisa.Reves@saul.com | www.saul.com

December 4, 2020 E-mail to Mr. Hiatt

From: [Reves, Lisa](#)
To: ["danielhiatt@bellsouth.net"](mailto:danielhiatt@bellsouth.net)
Bcc: ["DOKA USA LTD DOKA USA PURCHASE OF BROWARD COUNTY PROPERTY 377833 00001 Email"](#)
Subject: FW: Umdasch/Doka
Date: Friday, December 4, 2020 4:02:27 PM

Good Afternoon,

It is my understanding that you have objected to my clients project at 2209 7th Avenue North.

Would you please advise me of the nature of your objection?

Thank you,

SAUL EWING
ARNSTEIN
& LEHR^{LLP}

Lisa A. Reves | Attorney at Law

SAUL EWING ARNSTEIN & LEHR LLP

515 N. Flagler Drive , Suite 1400 | West Palm Beach , FL 33401

Tel: 561.650.8465 | Fax: 561.828.6381

Lisa.Reves@saul.com | www.saul.com

December 5, 2020 E-mail from Mr. Hiatt

From: [Daniel Hiatt](#)
To: [Reves, Lisa](#)
Subject: RE: Umdasch/Doka
Date: Saturday, December 5, 2020 1:32:28 PM

****EXTERNAL EMAIL** - This message originates from outside our Firm. Please consider carefully before responding or clicking links/attachments.**

Good Afternoon.

We sent one of our members to inspect one of your clients operations. We do not want that type of mess on our western border.

Thank You, Daniel Hiatt (561-389-1989)

Sent from [Mail](#) for Windows 10

December 30, 2020 E-mail from Mr. Baird

From: [Baird, Thomas J.](#)
To: [Reves, Lisa](#)
Cc: ["Daniel Hiatt"](#)
Subject: Umdasch/Doka/Project #20-01400035
Date: Wednesday, December 30, 2020 11:07:15 AM
Attachments: [jmsae001.png](#)

****EXTERNAL EMAIL**** - This message originates from outside our Firm. Please consider carefully before responding or clicking links/attachments.

Good morning, I hope you are well and are enjoying the holidays. I have been speaking with Dan Hiatt, who is retaining me to represent the Marlin Industrial Park POA. He is a Director of the POA. The POA and the owners/tenants in the Park are affected parties with respect to your client's Property. Dan forwarded to me your email of December 4 where you inquired as to the "nature of his objections." I've read the LWB staff report and discussed Dan, and the POA's objections with him. In my experience, and probably yours, the Planning & Zoning Boards and City Commissions prefer that the parties confer in advance of a hearing to see if objections can be eliminated, or at least narrowed so that such a dialogue doesn't have to occur at the public hearings. I believe given the number of objectors and their objections, a meeting between your client and mine before the January 6 might be of benefit to both parties. Please give me a call at 650-8232 (my direct line) so that we might discuss a postponement by the developer and a meeting with the POA in January.

6 might be of benefit to both parties. Please give me a call at 650-8232 (my direct line) so that we might discuss a postponement by the developer and a meeting with the POA in January.

Thomas J. Baird

Florida Bar Board Certified City, County and Local Government Attorney
Jones Foster P.A.

561 650 8233 – D
561 650 5300 – F
561 659 3000 – O

tbaird@jonesfoster.com

J O N E S F O S T E R

4741 Military Trail, Suite 200
Jupiter, Florida 33458
jonesfoster.com

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Hiatt 3599 23rd Avenue South



- Limited Site Access
- Organic Material Onsite
- Pay More for Site
- Larger Building
 - Similar to 7th & Boutwell
- Increase Boutwell Tax Base
- Increase His Property Value

Hiatt 3694 23rd Avenue South



Notice of Special Magistrate Hearing

Lake Worth Beach, Florida, The Art of Florida Living.sm
DEPARTMENT FOR COMMUNITY SUSTAINABILITY
CODE COMPLIANCE DIVISION
1900 Second Avenue North
Lake Worth Beach, FL 33461
561.586.1652

CODE ENFORCEMENT SPECIAL MAGISTRATE NOTICE OF VIOLATION AND NOTICE OF HEARING

9/24/2020

DANIEL HIATT
SNED WILLIAM H JR
3030 S DIXIE HWY STE 5
WEST PALM BEACH, FL 33405

Case No: 20-00000390

RE: 3694 23RD AVE S, LAKE WORTH FL 33461

Legal Description: MARLIN IND PARK LT 10

Parcel Control Number: 38-43-44-20-19-000-0100

Dear Property Owner:

An investigation of your property was conducted and violation(s) of the City of Lake Worth Beach Code(s), listed on page (3) of this notice, were witnessed on the property. Pursuant to Chapter 2, Article VI, of the City of Lake Worth Beach Code of Ordinances, we request that you correct the violation(s) within 90 day(s) from receipt of this notice, and contact the undersigned Code Compliance Officer, to verify compliance, on or before that date. If you do not understand what is required; or need additional time to correct the violation(s), please contact the Code Compliance Officer to schedule an inspection of the property.

If you FAIL to correct the violation(s), by the time set for compliance above, a public hearing before the Code Enforcement Special Magistrate, which you are required to attend, will be held on January 28, 2021, at 9:00 AM in the City Commission Chambers located at 7 North Dixie Highway, Lake Worth Beach, Florida. If the violation(s) is/are corrected and then re-occurs; the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Hearing. If you fail to attend the hearing, the Special Magistrate may base the findings solely upon the testimony of the Code Compliance Officer. If you cannot attend the hearing and wish to have someone else appear on your behalf, you must complete and submit a Designation of Agent form, available from the Code Compliance Secretary, before the date of your hearing.

Violation Detail
00010 BUS LIC REQ'D-UTILITY SVC LWCO 14-32
Date Est: February 06, 2020 Location: Qty: 001

Violation Text
Please apply for and obtain a City of Lake Worth Beach Business License. Applications may be submitted to the Building Division located at: 1900 2nd Avenue North, Lake Worth Beach, Florida 33461 or you may contact the Building Division directly at 561-586-1647. Please dial 561-586-1782 to schedule the required use & occupancy inspection. To achieve compliance, an approved use & occupancy inspection must be obtained.
DANIEL HIATT

Violation Detail
00020 USE AND OCCUPANCY CERTIFI LWCO 14-35
Date Est: February 06, 2020 Location: Qty: 001

Violation Text
Please apply for and obtain a City of Lake Worth Beach Business License. Applications may be submitted to the Building Division located at: 1900 2nd Avenue North, Lake Worth Beach, Florida 33461 or you may contact the Building Division directly at 561-586-1647. Please dial 561-586-1782 to schedule the required use & occupancy inspection. To achieve compliance, an approved use & occupancy inspection must be obtained.
DANIEL HIATT

Violation Detail
00030 GEN. REQUIREMENTS LWCO 2-75.6.2
Date Est: February 06, 2020 Location: Qty: 001

Violation Text
PLACE UNIT NUMBERS ON ALL BACK DOORS
REMOVE COUCH AT BACK OF PROPERTY

Violation Detail
00040 LANDSCAPING LWCO 2-75.9
Date Est: February 06, 2020 Location: Qty: 001

Violation Text
REMOVE / REPLACE DEAD PLANTS AT FRONT OF PROPERTY
PLACE GROUND COVER IN DIRT AREA AROUND PLANTS AT FRONT OF THE PROPERTY

Violation Detail
00050 DUMPSTER REQMNTS LWCO 12-7
Date Est: February 06, 2020 Location: Qty: 001

Violation Text
REMOVE OR PLACE DUMPSTER ENCLOSURE FOR THE TWO EXTRA TRASH CANS AT PROPERTY. IF PLACING DUMPSTER ENCLOSURE, OBTAIN PERMIT AND PASS ALL INSPECTIONS

Violation Detail
00060 WHEEL STOPS ANCHORED LWCO 23.4-7(3)
Date Est: February 06, 2020 Location: Qty: 001

Violation Text
PLACE WHEEL STOPS FOR ALL PARKING SPACES.

Violation Detail
00070 PARK'G LOT ARROWS/STRIP LWCO 23.4-7(4)
Date Est: February 06, 2020 Location: Qty: 001

Violation Text
PLACE PARKING LINES IN PARKING AREA.
OBTAIN PERMIT AND PASS ALL INSPECTIONS.

**7 CODE VIOLATIONS
MAGISTRATE HEARING
JANUARY 28, 2021**

Officer Hicks' Confirmation Outstanding Violations

From: Bobby Hicks <bhicks@lakeworthbeachfl.gov>
Sent: Tuesday, January 5, 2021 3:05 PM
To: Brown, Susan M. <Susan.Brown@saul.com>
Subject: RE: Case No: 20-00000390

****EXTERNAL EMAIL** - This message originates from outside our Firm. Please consider carefully before responding or clicking links/attachments.**

The following businesses need either need businesses licenses or inspection.

Daniel Hiatt needs inspection.

Unit 1 Renegade needs businesses licenses.

Unit 11 Flooring Dimensions needs Inspection.

Unit 4 Rodrigo Upholstery needs inspection.

Unit 6 Paul Bange roofing needs inspection.

Unit 7 Most Excellent Design businesses licenses.

If the tenants schedule their inspections at the same time, the inspector can do them all at once. We will only be inspecting the exterior at this time due to COVID.

If any of the businesses are no longer in business please let me know so we can remove them from our system.

There are three dumpsters on the property and only one has an enclosure. You will need to remove two dumpsters or have to dumpster enclosures installed, permits will be required. The one enclosure that is on the property will need to have doors installed at your convenience.

All the other violations have been corrected and are compiled in our system.

If you have any other questions call.

Bobby Hicks.

Request for Affected Party Status

From: Daniel Hiatt <danielhiatt@bellsouth.net>
Sent: Wednesday, December 2, 2020 4:47 PM
To: Erin Sita <esita@LakeWorthBeachfl.gov>
Subject: PBZ PROJECT #20-01400035

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Dear Ms Sita

I would like to apply for affected party status on the above named project (PZB # 20-01400035)

I also would like to request a minimum of a 30 day postponement on this matter.

My property is directly east of the subject property. Located @ 3599 23rd Ave South, Lake Worth Fl.

LOT # 7 MARLIN INDUSTRIAL PARK.

Thank You Daniel W. Hiatt. 561-389-1989

Sent from [Mail](#) for Windows 10

STAMPED CERTIFICATION OF MAILING

3694 23rd Avenue South

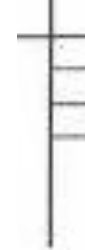
3599 23rd Avenue South

Address (Name, Street, City, State, & ZIP Code ***)

384344201900000100

SNED WILLIAM H JR &
3030 S DIXIE HWY STE 5
WEST PALM BEACH FL 33405 1539

400



384344201900000070

SNED WILLIAM H JR TR &
3030 S DIXIE HWY STE 5
WEST PALM BEACH FL 33405 1539

400



PAPA Banner

Location Address 3694 23RD AVE S

Municipality LAKE WORTH BEACH

Parcel Control Number 38-43-44-20-19-000-0100

Subdivision MARLIN IND PARK

Official Records Book 05420 **Page** 1532

Sale Date SEP-1987

Legal Description MARLIN IND PARK LT 10

Owners

HIATT DANIEL
SNED WILLIAM H JR &

Mailing address

3030 S DIXIE HWY STE 5
WEST PALM BEACH FL 33405 1539

PAPA Banner

Location Address 3599 23RD AVE S 1

Municipality LAKE WORTH BEACH

Parcel Control Number 38-43-44-20-19-000-0070

Subdivision MARLIN IND PARK

Official Records Book 05012 **Page** 1404

Sale Date JUL-1986

Legal Description MARLIN IND PARK LT 7

Owners

HIATT DANIEL TR
SNED WILLIAM H JR TR &

Mailing address

3030 S DIXIE HWY STE 5
WEST PALM BEACH FL 33405 1539

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-1986	\$130,700	05012 / 01404	WARRANTY DEED	SNED WILLIAM H JR TR &

Garamy 3550 23rd Avenue South

- Traffic – Approximately 10-15 trucks a day; PBC TPS New Peak Hour Trips 40 AM 23 PM
- Under Utilization of Parcel – More onsite development, will incur more taxes and keep his taxes down
- Cement Dust –Dirt on the Ground



Elise Crohn 402 Elizabeth Road



- Hours of Operation – M-F 7:30 a.m. until 4:00 p.m. Saturday until 12:00 p.m. if necessary.
- Location of Similar Facility – 3665 Benson Ave., Baltimore, MD 21227.
- Site Plan/Building Height Warehouse 27' HT.
- Landscaping 6' pre-cast concrete wall screened with a combination of Laurel Oaks, Silver Buttonwood, Wax Myrtle, and Green Buttonwood trees accented by a cocoplum hedge.



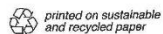
Department of Engineering
and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

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

County Administrator
Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



November 19, 2020

Stephanie A. Kinlen, P.E.
Kimley-Horn and Associates, Inc.
1920 Wekiva Way, Suite 200
West Palm Beach, FL 33411

RE: 2209 7th Avenue N
Project #: 201107
Traffic Performance Standards Review

Dear Ms. Kinlen:

The Palm Beach County Traffic Division has reviewed the **2209 7th Avenue N** Traffic Impact Statement, dated November 13, 2020, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality: Lake Worth Beach
Location: South side of 7th Ave N, west of 23rd Ave S
PCN: 38-43-44-20-01-066-0010
Access: Two access driveway connections onto 7th Avenue N
(As used in the study and is NOT necessarily an approval by the County through this TPS letter)
Existing Uses: Vacant
Proposed Uses: Gen. Office = 10,042 SF
Warehouse = 26,743 SF
Outdoor Storage = 2.4 Acres
New Daily Trips: 221
New Peak Hour Trips: 40 (35/5) AM; 23 (7/16) PM
Build-out: December 31, 2021

Based on our review, the Traffic Division has determined the proposed development is located within the Lake Worth Park of Commerce Traffic Concurrence Exception Area (TCEA) and therefore, exempt from the Traffic Performance Standards of Palm Beach County.

Please note the receipt of a Traffic Performance Standards (TPS) approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the City after the build-out date specified above. The County traffic concurrence approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.



Stephanie A. Kinlen, P.E.
November 19, 2020
Page 2

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email QBari@pbcgov.org.

Sincerely,

Quazi Bari, P.E., PTOE
Manager – Growth Management
Traffic Division

QB:HA:rb
cc: Addressee
Erin Fitzhugh Sita, AICP, Assistant Director-Planning, Zoning, & Preservation Community Sustainability Department, City of Lake Worth Beach
Hanane Akif, E.I., Project Coordinator II, Traffic Division
Steve Bohovsky, Technical Assistant III, Traffic Division

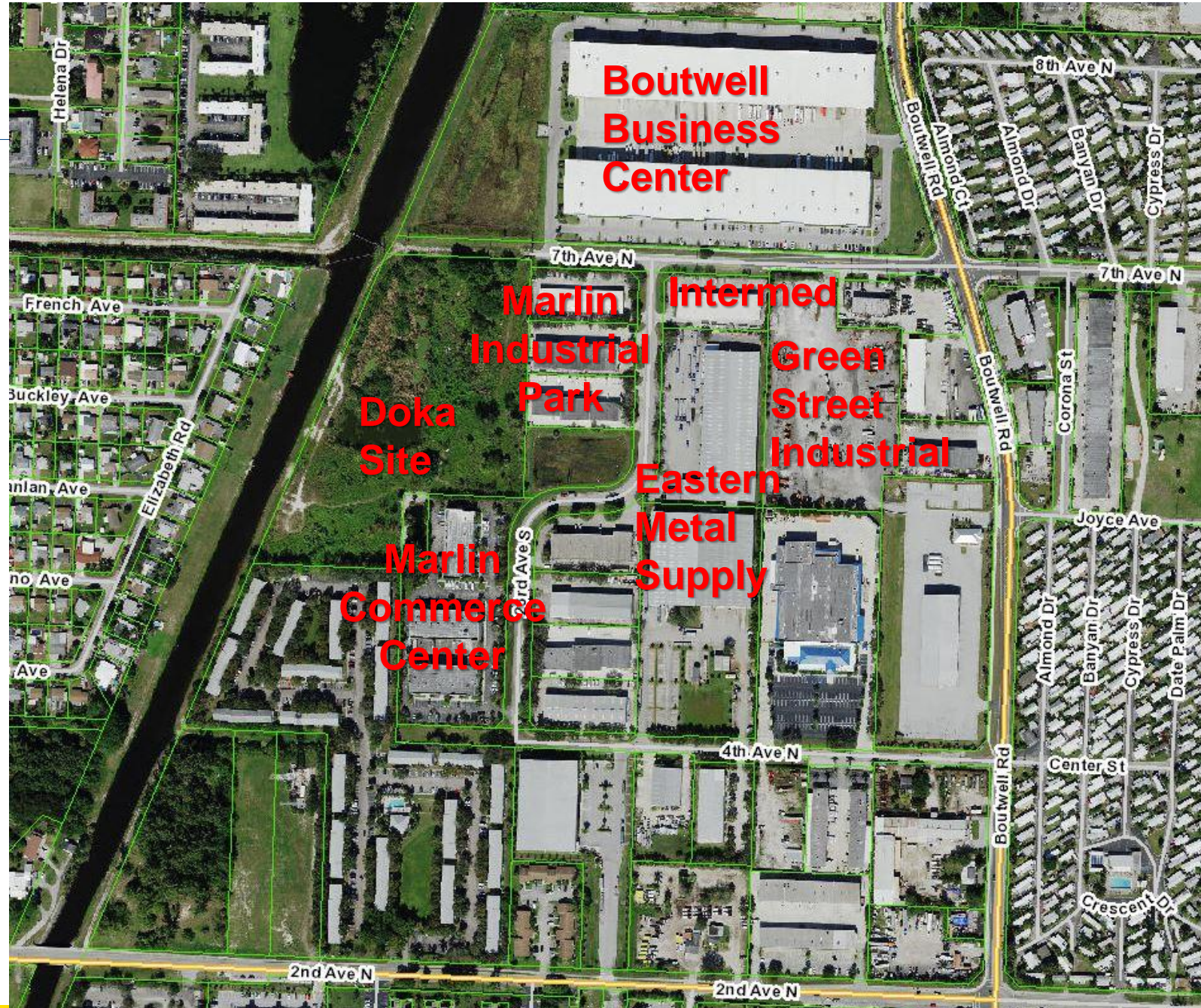
File: General - TPS - Man - Traffic Study Review
F:\TRAFFIC\H\MUNICIPALITIES\APPROVALS\2020\201107 - 2209 7TH AVE.DOCXN

New Peak Hour Trips: 40 (35/5) AM; 23 (7/16) PM
Build-out: December 31, 2021

7th Avenue Frontage







Boutwell Business Center



Eastern Metal Supply



Green Street Industrial

