



DATE: July 31, 2019  
TO: Members of the Planning and Zoning Board  
FROM: Alexis Rosenberg, Neighborhood Planner  
THRU: Kevin Fischer, AICP, Planning and Preservation Manager  
MEETING: August 7, 2019

SUBJECT: **PZB Project Number 19-00500004**: Request by Martin Arias of Kadassa Inc. for consideration of a Conditional Use Permit for a medium-intensity “fabrication services excluding retail display and sales” use at 1812 Aragon Avenue. The project is located within the Industrial Park of Commerce (I-POC) zoning district. The subject property’s PCN is 38-43-44-21-04-005-0170.

---

**SYNOPSIS:**

<b>Applicant</b>	Martin Arias of Kadassa Inc.
<b>Owner</b>	1812 Aragon Ave LLC (Consent Received)
<b>General Location</b>	Northeast of the Aragon Avenue and Barnett Drive intersection
<b>Existing PCN Numbers</b>	38-43-44-21-04-005-0170
<b>Existing Land Use</b>	Warehouse/Distribution
<b>Zoning</b>	Industrial Park of Commerce (I-POC)
<b>Future Land Use Designation</b>	Industrial

**BACKGROUND/PROPOSAL:**

The subject property is a large size lot (21,580 square feet), located northeast of the corner of Aragon Avenue and Barnett Drive. The existing site is occupied by Kadassa Inc, which provides fabricated stone countertops from granite, marble and quartz materials. The applicant was notified of the need for a conditional use to operate at this location upon submitting a business license application.

**ANALYSIS:*****Public Support/Opposition***

Staff has not received any letters of support or opposition.

**Consistency with the Comprehensive Plan and Strategic Plan**

The proposed manufacturing facility is compatible with the following portions of the City of Lake Worth's Comprehensive Plan:

**Policy 1.1.1.10: Industrial**

The Industrial land use category is intended to provide for the establishment and enlargement of office, manufacturing and light to moderate industrial uses that would be incompatible in other areas of the city due to increased traffic generation. The implementing zoning district is I-POC.

**Policy 1.1.2.12: Locational Strategy for the Industrial Designation**

The Industrial land use designation is intended for mapping the area located west of I-95, known as the Lake Worth Park of Commerce (LWPOC). This location offers parcels of vacant and under-utilized land that provide a logical setting for development of office, manufacturing and light to moderate industrial uses that have the potential for increased traffic generation. This location also enjoys direct access to I-95 via the 10th Avenue North highway interchange.

**Policy 11.1.2.16:**

The City shall maintain its unique urban character and charm by preserving historic sites and districts within the City as much as possible, **and direct economic development projects to existing mixed-use corridors and sites as well as to the Lake Worth Park of Commerce.**

**Strategic Plan Pillar 1: Positioning Lake Worth Beach to be a competitive viable location of choice**

- A. Ensure effective economic development incentives and zones
- B. Adopt and implement clear, concise, consistent, predictable and unified rules, regulations and processes
- C. Optimize business district traffic patterns and parking assessments
- D. Foster the assessment and planning for City owned assets including beach, golf and marina
- E. Provide superior public amenities and services to retain existing and entice new residents and businesses

**Section 23.2-29(d): General findings relating to harmony with LDRs and protection of public interest**

The project is in compliance with the general findings relating to harmony with the LDRs and protection of public interest, as follows:

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.

**Staff Response:** The site contains a zoning designation of I-POC, as due the surrounding parcels. This use is consistent with the types of industrial uses anticipated to occur within the I-POC district. Therefore, the proposed “fabrication services excluding retail display and sales” use is a denser style of development that will be 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.

**Staff Response:** The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Current Use
North	Industrial	Industrial Park of Commerce (I-POC)	Warehouse/Distribution
South	Industrial	(I-POC)	Warehouse/Distribution
East	Industrial	(I-POC)	Light Manufacturing
West	Industrial	(I-POC)	Warehouse/Distribution

Per the Palm Beach County Property Appraiser, the surrounding current uses are warehouse/distribution and light manufacturing. In addition, all of the surrounding properties contain a future land use designation of Industrial and a zoning designation of I-POC. The fabrication services use type is in harmony with the existing uses in the immediate area. **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.

**Staff Response:** The Conditional Use request at 1812 Aragon Avenue will not negatively affect the public benefit or cause greater harm than that of a use permitted by right in the I-POC zoning district. The area surrounding the subject site is industrial in nature, which is anticipated in the I-POC zoning district. The business is utilizing the existing building shell, with no proposed expansion. **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.

**Staff Response:** The Conditional Use request to allow a fabrication services on this site will not result in a more intensive development in advance of the Future Land Use Element of the City’s Comprehensive Plan. As mentioned, the Industrial land use designation is intended for uses of this nature. Additionally, the use is consistent with surrounding uses in this industrially designated area. **Meets Criterion.**

**Section 23.2-29(e): Specific standards for all conditional uses**

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.

**Staff Response:** At the medium intensity classification (2,500 to 7,500 square feet) uses are not permitted by right and require either a Conditional Use permit or Administrative Use permit. This use is consistent with allowable uses in the I-POC and will not generate higher trip generation rates than other uses that would be permitted in this zone. **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.

**Staff Response:** As mentioned, this use does not significantly affect the volumes of traffic expected on the City's roadway network. The through traffic on local streets will not be heavily increased as a result of the existing "fabrication services" use. **Meets Criterion.**

3. The proposed conditional use will not produce significant air pollution emissions, to a level compatible with that which would result from a development permitted by right.

**Staff Response:** The Conditional Use for a "fabrication services" use on the site will not produce any significant air pollution emission greater than that of a use permitted by right within the I-POC. **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.

**Staff Response:** Being an anticipated use in the I-POC zoning district, this use on the subject site will not result in a higher net public cost or earlier incursion of public cost than would result from a development permitted by right. The use is an anticipated type of use in this district. **Meets Criterion.**

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.

**Staff Response:** Due to there being no major alterations to the property, the Applicant is utilizing the existing infrastructure. 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.

**Staff Response:** As mentioned, being an anticipated use (that is currently existing) in the I-POC zoning district, this use will not place a demand on municipal police or fire protection services beyond capacity. **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.

**Staff Response:** Per Section 15-24.2, no person shall make, continue or cause to be made any unreasonable noise or disturbing noise. Unreasonable noise is defined as “any noise in or emanating from any property located within the corporate limits of the City of Lake Worth which equals or exceeds a measured sound level of sixty-five (65) dBA or dBC (whichever frequency is higher) between the hours of 11:00 p.m. and 8:00 a.m. Sunday through Thursday, a measured sound level in excess of eighty-five (85) dBA or dBC (whichever frequency is higher) between the hours of 8:00 a.m. and 11:00 p.m. Sunday through Thursday; and a measured sound level which equals or exceeds sixty-five (65) dBA or dBC between the hours of 12:00 a.m. and 8:00 a.m. Friday through Saturday and a measured sound level meeting or exceeding eighty-five (85) dBA or dBC (whichever frequency is higher) between the hours of 8:00 a.m. and 12:00 a.m. Friday through Saturday.”

It is also noted that the fabrication activities will take place inside of an enclosed building. **Meets Criterion.**

8. The proposed conditional use will not generate light or glare which encroaches onto any adjacent property in excess of that allowed in Section 23.4-3, Exterior lighting.

**Staff Response:** The subject site is surrounded by industrial uses. Additionally, there are no site changes proposed to the use that would create undesirable lighting that would impact surrounding areas. **Meets Criterion.**

**Section 23.4-13.7(B)(1): Industrial/manufacturing facilities Design and Performance Standards.**

The project is in compliance with the general findings relating to harmony with the LDRs and protection of public interest, as follows:

(a) Maximum lot size not to exceed five (5) acres.

**Staff Response:** The lot size is 0.495 acres, not in excess of the five acre maximum.

(b) Height: Maximum height of any industrial/manufacturing structure excluding office not to exceed thirty-five (35) feet including silos or building façades.

**Staff Response:** The building is a single story structure and does not exceed 35 feet.

(c) Silos: The number of silos shall not exceed four (4) within the site area and shall be effectively screened.

**Staff Response:** The site does not contain silos.

(d) Outdoor storage: Outdoor storage, commercial vehicle parking, display and sale of products shall be shielded from all public rights-of-way. See section 23.4-19 for additional outdoor storage regulations.

**Staff Response:** The applicant will be adding vinyl slats to the existing chain link fence and gate to obscure the view of the area of the property with outdoor storage (included as a condition of approval).

(e) All production and processing shall be restricted to an enclosed building.

**Staff Response:** Fabrication services will occur inside of an enclosed building, as noted on the Floor Plan (attachment B).

(f) Buffering requirements shall apply as required by existing ordinances, but may be increased based on a site specific review basis.

**Staff Response:** As previously noted, material will be added to the existing fence/gate to screen the outdoor storage area.

**Conclusion:**

The analysis has shown that the required findings can be made with respect to the Conditional Use Permit request. The use as proposed is in harmony with the underlying zoning district and surrounding areas, subject to compliance with staff's proposed conditions of approval.

**CONSEQUENT ACTION:**

The Planning & Zoning Board's decision will be final for the Conditional Use Permit. The Applicant may appeal the Board's decision to the City Commission.

**STAFF RECOMMENDATION:**

Staff has reviewed the documentation and materials provided, applying the applicable guidelines and standards found in the City of Lake Worth Zoning Code. The proposed use generally meets the criteria of the Comprehensive Plan and LDRs. Staff recommends that the Board review the application and the Code criteria outlined below in order to determine if the request is in compliance. Final approval shall be at the discretion of the Board.

**POTENTIAL MOTION:**

I MOVE TO APPROVE/DISAPPROVE PZB PROJECT NUMBER 19-00500004: Request for a **Conditional Use Permit** to allow for a medium-intensity "fabrication services excluding retail display and sales" use at 1812 Aragon Avenue, with the conditions recommended by staff included in Attachment C.

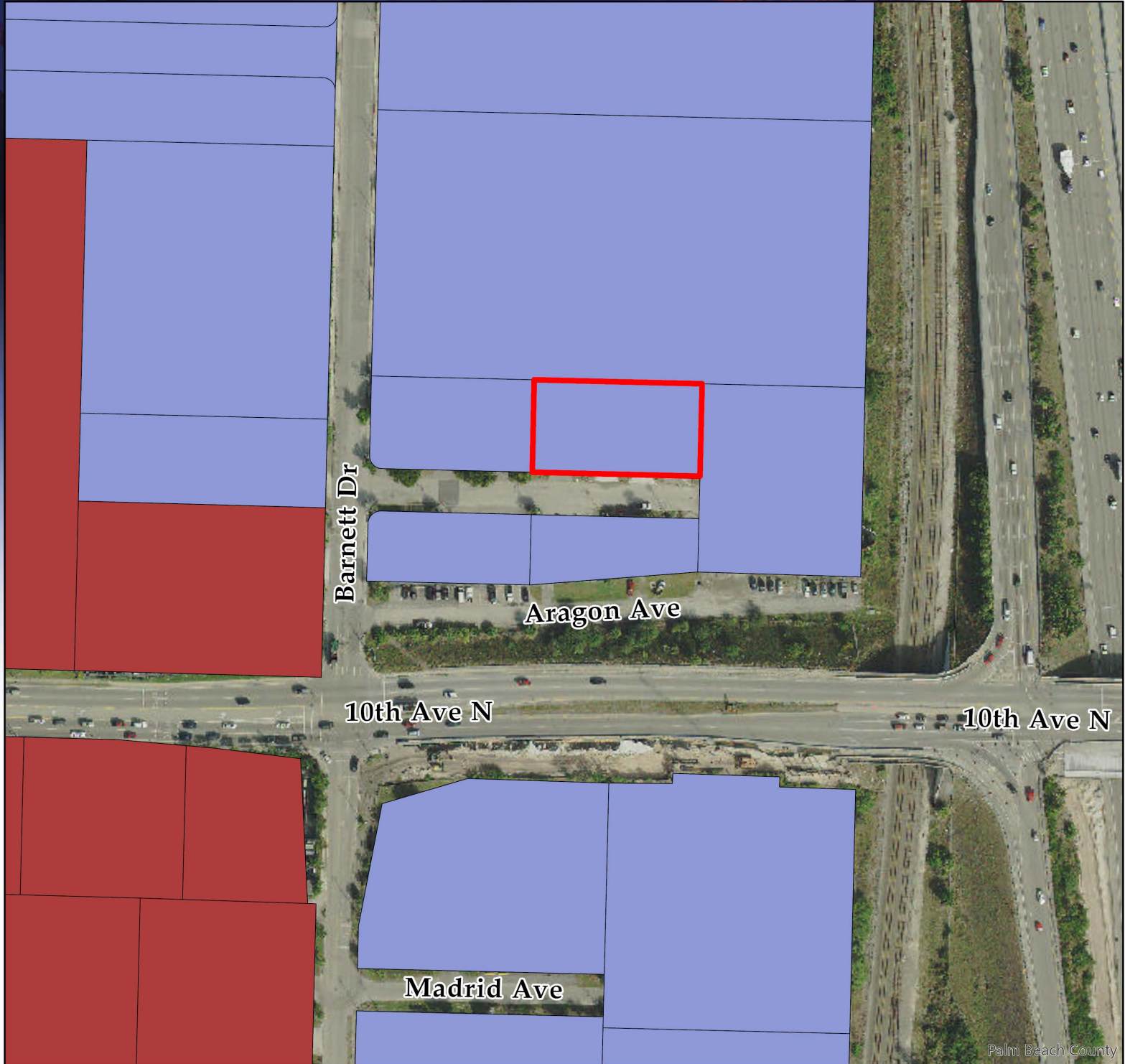
Attachments:

- A. Zoning Map
- B. Floor Plan
- C. Conditions of Approval
- D. Application Package



# Zoning Map: 1812 Aragon Avenue

Department for Community Sustainability  
Planning, Zoning & Historic Preservation



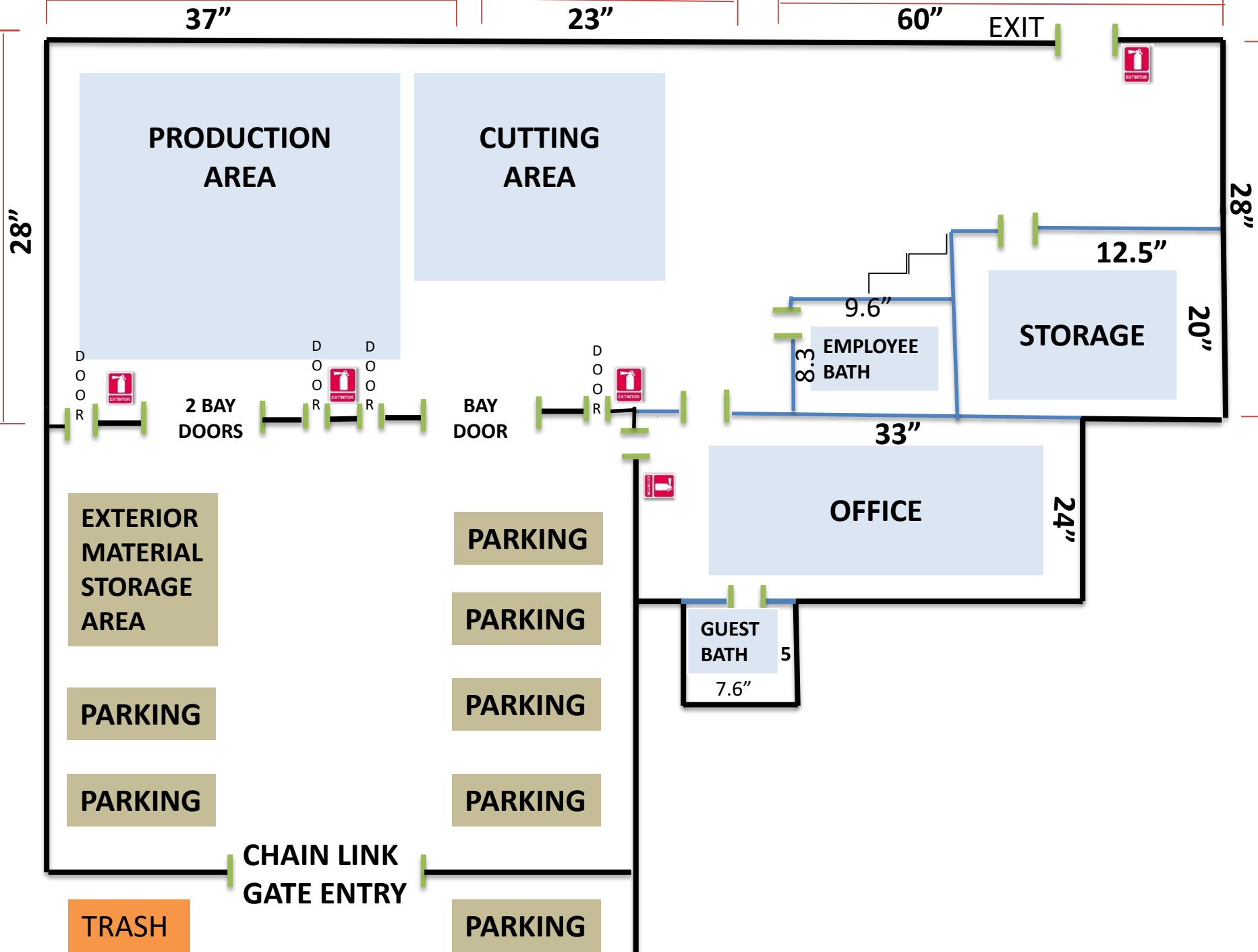
## Map Legend

- Mixed Use - West (MU-W)
- Industrial - Park of Commerce (I-POC)
- 1812 Aragon Avenue

0 87.5 175 350 Feet



Palm Beach County







DEPARTMENT FOR COMMUNITY SUSTAINABILITY  
Planning Zoning Historic Preservation Division  
1900 2<sup>ND</sup> Avenue North  
Lake Worth Beach, FL 33461  
561-586-1687

## EXHIBIT C

**DEPARTMENT FOR COMMUNITY SUSTAINABILITY  
PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION  
CONDITIONS OF APPROVAL FOR  
PZB CASE No. 19-00500004**

**Date of Preparation:** July 31, 2019  
**P&ZB Meeting Date:** August 7, 2019  
**Applicant:** Martin Arias  
**Location:** 1812 Aragon Avenue

---

**CONDITIONS OF APPROVAL  
PZB CASE No. 19-00500004**

1. Per LDR Section 23.4-19, outdoor storage in industrial district shall be screened from all public rights-of-way. Therefore, the existing fence and gates shall have screening material to screen the outdoor storage materials from Aragon Avenue.
2. The applicant shall have one year from the Planning & Zoning Board approval date to obtain a City business license. If more than one year from the Planning & Zoning Board approval date has elapsed, the Conditional Use approval shall expire.
3. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable Codes including but not limited to the Florida Building Code.
4. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
5. In the event of a legal challenge to this approval, the applicant shall be responsible for all costs to defend the action of the city in approving any and all permits related to this application. Should the applicant fail to enter into an agreement fund the costs of litigation, the city, at its discretion, may rescind this approval and revoke all permits issued.
6. All proposed signage shall require review and approval of a building permit per Section 23.5-1 (of the Land Development Regulations).
7. Per Section 15-24.2, no person shall make, continue or cause to be made any unreasonable noise or disturbing noise (defined in Section 15-24.2).



PLANNING & PRESERVATION DIVISION  
 DEPARTMENT FOR COMMUNITY SUSTAINABILITY  
 CITY OF LAKE WORTH  
 1900 2<sup>ND</sup> AVENUE NORTH  
 LAKE WORTH, FL 33461  
 561.586.1687

**UNIVERSAL DEVELOPMENT APPLICATION**

This application is required for **ALL** applications submitted to the Planning, Zoning and Historical Preservation Division. Planning staff can answer any questions you have regarding the applications and the processes during Planner On-Call hours (Monday – Friday, 9:00 – 10:30 a.m. and 3:00 – 4:00 p.m.). Please make an appointment with planning staff if you require more than 15 minutes with a staff member.

Application Type (select all that apply):

- Site Plan – Minor       Site Plan – Major       Planned Development       Variance
- Subdivision/Plat       Conditional Use       Administrative Use       Mural
- Alcoholic Beverage Distance Proximity Waiver       Community Residence Proximity Waiver
- Gaming Establishment Distance Proximity Waiver       Adult Use Distance Proximity Waiver
- Sustainable Bonus Incentive Program       Certificate of Appropriateness       Sign Variance
- Rezoning (Zoning Map Amendment)       Zoning Text Amendment       Annexation
- Other: \_\_\_\_\_

- Project Name: KA DASSA INC

- Project Location: 1812 A DRAGON AVE  
Barcelona Gardens

Legal Description: LOTS 17, thru 20, Block 5      Date Platted: \_\_\_\_\_

PCN: 38-43-44-21-04-005-0170 Existing Zoning: I-POC Proposed Zoning: I-POC

Existing FLU: INDUSTRIAL Proposed FLU: INDUSTRIAL

Proposed Use:  Residential; Density \_\_\_\_\_;  Commercial \_\_\_\_\_ SF;  Industrial \_\_\_\_\_ SF

Total Estimated Cost of the Project: \_\_\_\_\_

FOR OFFICE USE ONLY			
PZ Project No.			
Associated Project Nos.			
Submittal Date		Sufficiency Date	
Project Planner Assigned			
Total Fee Amount	\$ _____	<input type="checkbox"/> PAID _____	<input type="checkbox"/> DUE _____

Project Manager/Contact Person: Martin Arias

Company: Kadassa Inc.

Address: 1812-A Aragon Avenue Lake Worth FL 33460  
(Street Address) (City) (State) (Zip)

Phone No.: 954-684-8361 E-Mail Address: Kadassa.inc@hotmail.com

Applicant Name (if different from Project Manager): \_\_\_\_\_

Company: Kadassa Inc.

Address: 1812-A Aragon Avenue Lake Worth FL 33460  
(Street Address) (City) (State) (Zip)

Phone No.: 954-684-8361 E-Mail Address: Kadassa.inc@hotmail.com

Owner Name: 1812 Aragon Ave, LLC

Company: 1812 Aragon Ave, LLC

Address: 4361 Okeechobee Blvd., Ste. A7 West Palm Beach, FL 33409  
(Street Address) (City) (State) (Zip)

Phone No.: 561-315-8611 E-Mail Address: \_\_\_\_\_

**OWNER'S CONSENT**

1812 Aragon Ave, LLC ("Owner") certifies that it is the owner of the property located at 1812 Aragon Avenue, Lake Worth, FL 33460

("Subject Property") and expressly consents to the use of the Subject Property as described in this application and to all conditions that may be agreed to as a part of the approval of this application, which may be imposed by the decision making board.

Owner hereby authorizes Kadassa Inc. and Martin Arias <sup>Subject to Kadassa Inc. & Martin Arias being responsible for only and not all expenses related to this application and agreements.</sup> as agent, to file this application and represent Owner at any and all meetings and hearings required for the approval of this application.

Owner's Signature: [Signature] Date: Sept. 26, 2017

Name/Title of Signatory: WOLFGANG KEIL, Pres.

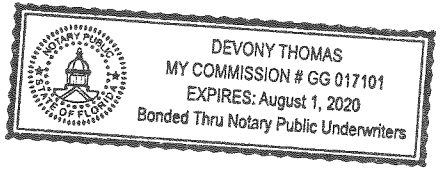
STATE OF Florida  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 26 day of September, 2017 by WOLFGANG S. KEIL who is personally known to me or who produced a PEDL as identification. He/she did not take an oath.

(NOTARY SEAL)

[Signature]  
(Signature of Notary Public)

DEVONY THOMAS  
(Name of Notary)



**PROJECT DATA**

**DESCRIPTION OF WORK:**

Provide a detailed description of work to be done as a result of this application (attach additional sheets if necessary).

fabrication of Countertop made of Stone

**PRIOR APPROVALS:**

Indicate any prior planning, zoning or building approvals that you are aware of for the property (attach additional sheets if necessary).

/

**ADJACENT PROPERTY INFORMATION:**

Complete the following table for all surrounding properties. Information located at [www.lakeworth.org/business/planning-zoning/](http://www.lakeworth.org/business/planning-zoning/).

Direction	Future Land Use	Zoning District	Current Use/ Name of Development
North	Industrial	IPOE	Warehouse
South	Industrial	IPOC	Granite Company
East	Industrial	IPOC	Warehouse - Land Keeper
West	Industrial	IPOC	Glass/Window. a Business

**DEVELOPMENT STANDARDS:**

Identify the applicable required and proposed development standards. If not applicable, enter "N/A". The "required" information can be located in Article 23 of the City's Code of Ordinances, Land Development Regulations, at [www.municode.com](http://www.municode.com).

Development Standard	Required	Provided
Lot Size (Acreage and SF)		
Lot Width (Frontage)		
Building Height	Primary	
	Accessory	
Setbacks	Front (____)	
	Rear (____)	
	Side (____)	
	Side (____)	
Living Area	Single-Family	
	Multi-Family	
Accessory Structure Limitation		
Impermeable Space Coverage		
Building Coverage		
Maximum Wall Height at Setback		
Floor Area Ratio Limitation		

**AFFIDAVIT OF COMPLETENESS AND ACCURACY**

**INSTRUCTIONS:** To be completed by the individual submitting the application (owner or authorized agent).

Project Name: KADASSA INC Submittal Date: 04/19/2017

**STATEMENT OF COMPLETENESS AND ACCURACY:**

I hereby certify all property owners have full knowledge the property they own is the subject of this application. I hereby certify that all owners and petitioners have been provided a complete copy of all material, attachments and documents submitted to the City of Lake Worth relating to this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related application material and all attachments become official records of the Planning, Zoning and Historic Preservation Division of Lake Worth, Florida, and will not be returned. I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I further acknowledge that additional information may be required by Palm Beach County to process this application. I further acknowledge that any plans that I have prepared or had prepared comply with the Fair Housing Standards. I further consent to the City of Lake Worth to publish, copy or reproduce any copyrighted documents submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Check (✓) one: I am the  property owner  authorized agent.

Martin Arias  
(Name - type, stamp or print clearly)  
KADASSA INC.  
(Name of Firm)

[Signature]  
(Signature)  
1812-A Aragon Ave  
Lake Worth, FL 33460  
(Address, City, State, Zip)

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

The foregoing instrument was acknowledged before me this 19TH day of April, 2017, by Martin Arias who is personally known to me or who produced a Florida Driver License as identification. He/she did not take an oath.

(NOTARY SEAL)

[Signature]  
(Signature of Notary Public)  
Ariel Belliard  
(Name of Notary)



**SIGN POSTING AGREEMENT**

(REQUIRED FOR ALL HISTORIC APPLICATIONS AND ALL PUBLIC HEARING ITEMS)

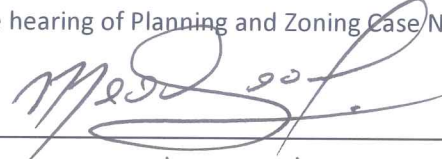
Applicant: KADASSA INC

Property Owner: 1812 ARAGON LLC

Contact Phone No.: (561) 588-1444 - (954) 684-8361

Property Location: 1812-A ARAGON AVE  
LAKE WORTH FL 33460

I, \_\_\_\_\_, hereby affirm that I will post the notification sign(s) provided to me for a minimum of ten (10) calendar days before the scheduled date of the hearing of Planning and Zoning Case No. \_\_\_\_\_.

Signature:  Date: 04/19/2017


Name/Title of Signatory: Martin Arias, President

STATE OF Florida )  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 19<sup>TH</sup> day of April, 2017, by Martin Arias who is personally known to me or who produced a Florida Driver License as identification. He/she did not take an oath.

(NOTARY SEAL)



  
 (Signature of Notary Public)  
Ariel Belliard  
 (Name of Notary)

Kadassa Inc  
1812 Aragon Avenue  
Suite A  
Lake Worth, Fl. 33411

July 1, 2019

Phone: (561) 588-1444

Fax: (561) 588-2467

Re: Kadassa Inc Justification Statement

#### Application Request

On behalf of Martin Arias this application requests approval of a conditional use permit. The nature of our business is to Fabricate Stone Countertops from Granite, Marble, and Quartz Slab Material

Landscaping is existing on the site, no changes are proposed.

#### Surrounding Property Information

The Property on the north of our site is Warehouse & Parking to the east is I-95, to the west is Barnett Dr. and to the south is Aragon Ave.

#### Harmonious and Efficient design

The existing buildings surrounding this site are similar in size and type to those industrial building located throughout the IPOC district immediately north of our site.

#### Preservation of Natural Conditions

The site has approximately 2 existing buildings and no changes are anticipated.

#### Screening and Buffering

All existing landscaping will not change, we will be adding a screening material to the existing chain link fence and gate to obscure the view of our operations and outdoor storage usage.

#### Emergency Access

Emergency access will be provided via Aragon Ave and Barnett Drive.

#### Access to Public Ways

Access will be provided via Aragon Avenue and Barnett Drive.

#### Pedestrian Circulation

Existing sidewalks are provided on the site around the existing buildings.

#### Design of ingress and Egress Drives

Ingress and egress are already provided and are existing.

#### Coordination of On-Site Circulation with Off-Site Circulation.

On site circulation is existing no new circulation is provided. All traffic flow is existing and well established.

#### Design of On- Site Public Right of Way

No on-site public right of ways are proposed for this development.

#### Off-Street Parking Loading and Vehicular Circulation Areas

Off Street Parking vehicular circulation and loading areas are existing, no changes proposed.

#### Refuse and Service Areas

Refuse and Service areas are existing

#### Protection and Property Values

This site has been arranged to enhance property values.

#### Transitional Development

The proposed site is located in an area that transitions from industrial to mixed use.

#### Consideration of Future Development

Future uses are projected to be industrial in use and type.

### **General Findings Relating to Harmony with LDRs and Protection of Public Interest-Conditional Uses**

- 1.- The conditional uses indicated on the proposed site plan will be in harmony with the uses which are most likely to occur in the immediate area where located. The proposed conditional uses are industrial in nature and similar to other uses located in the IPOC district.
- 2.- The proposed conditional uses are industrial in nature and will be in harmony with the existing industrial uses in the immediate area.
- 3.- The proposed conditional uses 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 as the area is already designated with an industrial future land base.
- 4.- The future land use designation for the surrounding area is industrial; therefore the proposed conditional uses are compatible with future development.



## Specific finding for All Conditional Uses

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.
2. The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would in a development permitted by right and is appropriately located with respect to collector and material streets.
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.
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.
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 than would result from development permitted by right.
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.
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.
8. The proposed Conditional Use will not generate light or glare which encroaches onto any residential property.

### **Additional Requirements:**

We understand and agree that:

Prior to approving any Conditional Use Permit, the decision making authority shall ensure that the following requirements have been met:

1.- Any and all outstanding code enforcements fees and fines related to the project site have been paid to the City.

2.- Any previously imposed conditions of approval for the use at the site have been met, if applicable, unless request for amendment of conditions is part of the current Conditional Use Permit application.

Where it is necessary to provide write notice to surrounding property owners, the planning Zoning & Preservation Department (PZHP) will provide a copy of the notice letter to the Applicant.

It is the responsibility of the Applicant to mail the required notice letters to property owners within a 40-ft. radius of the subject property. Letters shall be mailed a minimum of 10 days in advance of the scheduled meeting date.

The Applicant shall obtain, from the Palm Beach Country Property Appraiser's Office, a radius map and a list of property owners within a 400 ft. radius of the subject property.

A copy of the radius map and property owner list shall be provided to the City's PZHP Department along with an original certificate of mailing, such as the U.S. Postal Service or other company that offers mailing services would provide.

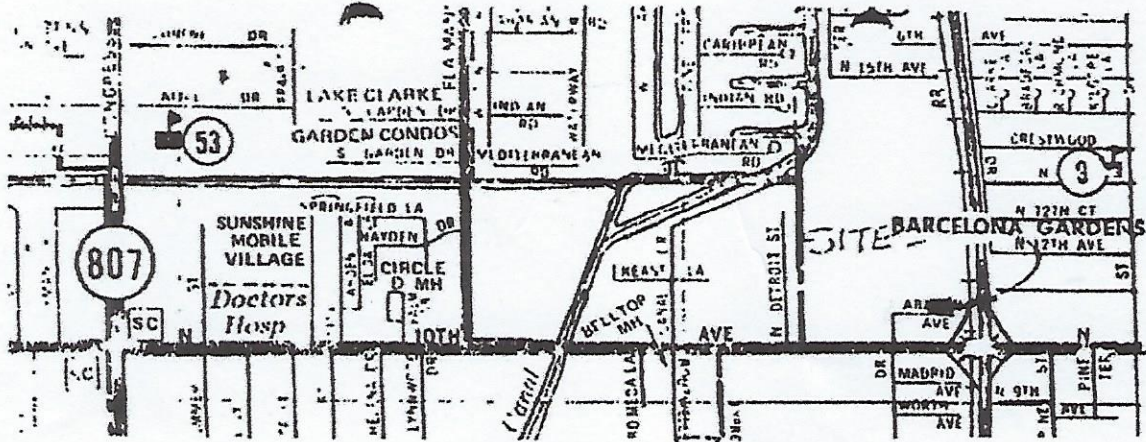
These documents are considered as part of an application and shall be provided to the PZHP Department prior to the public hearing date.

### **Attached Materials**

Survey (abstracted within 2 years of the date of the application)

Justification statement to address the conditional use criteria in section 23.2

Site/Floor plan (layout of leased space, outside & inside)

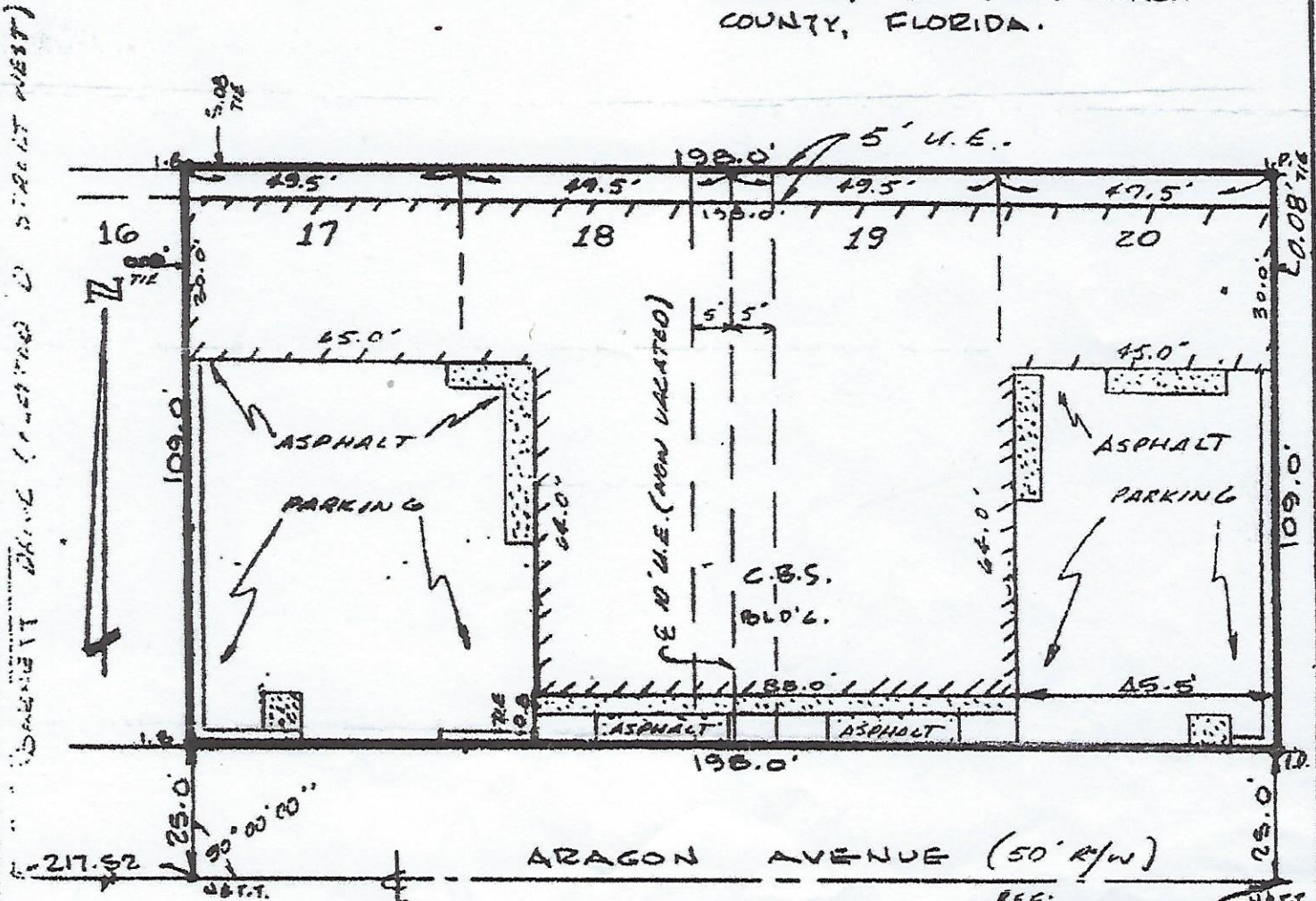


LOCATION MAP N. T. S.

LAND SURVEY OF:  
1800 - 1836 Aragon Avenue  
Lake Worth, Florida

CERTIFIED TO: H. James & Suzanne L. Carlin  
AND TO: Financial Security Savings & Loan  
AND TO: Commonwealth Land Title Insurance Co.

- DESCRIPTION -  
LOTS 17 THRU 20, BLOCK 5,  
BARCELONA GARDENS, ACCORDING  
TO THE PLAT THEREOF AS RECORDED  
IN PLAT BOOK 13, PAGE 19, PUBLIC  
RECORDS OF PALM BEACH  
COUNTY, FLORIDA.



NOTES: 1) Under-construction Tie-in 2/8/78.  
2) Re-surveyed & re-certified 6/19/86.

REC:  
B.M. = NAIL & T.Y.  
EL. 16.44 M.S.L.



Prepared by and Return to:  
 Daniel J. Shepherd, Esquire  
 Daniel J. Shepherd, P.A.  
 3896 Burns Road, Suite 101  
 Palm Beach Gardens, Florida 33410  
 (561) 624-3001

CFN 20100494708  
 OR BK 24281 PG 0255  
 RECORDED 12/28/2010 12:15:11  
 Palm Beach County, Florida  
 AMT 484,825.00  
 Doc Stamp 3,394.30  
 Sharon R. Bock, CLERK & COMPTROLLER  
 Pgs 0255 - 257; (3pgs)

Consideration: \$484,825.00

Property Appraisers Parcel Identification Number:  
 38-43-44-21-04-005-0170

----- [Space Above This Line For Recording Purposes] -----

**TRUSTEES DEED**

**THIS TRUSTEES DEED**, made effective the 16 day of **December, 2010**, by and between **Daniel J. Shepherd and John Farina, Successor Co-Land Trustees under the provisions of a certain Land Trust Agreement pursuant to Florida Statutes Section 689.071, dated December 5, 1996, and known as Land Trust No. 1015**, party of the first part, whose address is **3896 Burns Road, Suite 101, Palm Beach Gardens, Florida 33410**, and **1812 Aragon Ave., LLC, a Florida limited liability company**, party of the second part, and whose address is **4361 Okeechobee Boulevard, Unit A7, West Palm Beach, Florida 33409**.

**WITNESSETH:** That the party of the first part, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the party of the second part, all that certain land situate in **Palm Beach County, Florida**, to wit:

**Lots 17, 18, 19 and 20, Block 5, Barcelona Gardens according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 13, Page 19.**

**SUBJECT TO** restrictions, reservations, covenants, easements of record, zoning regulations, ordinances, any state of facts which an accurate survey would show and taxes for the year 2011 and subsequent years.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

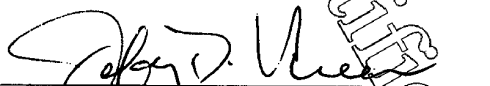
**TO HAVE AND TO HOLD**, the same in fee simple forever.

**AND** the party of the first part hereby covenants with said party of the second part that the party of the first part is lawfully seized of said land in fee simple; that the party of the first part has good right and lawful authority to sell and convey said land; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2010.

**IN WITNESS WHEREOF**, the party of the first part has signed and sealed these presents the day and year first above written.

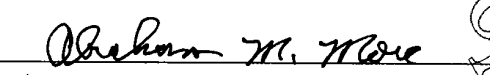
Signed in the presence of:

**Daniel J. Shepherd and John Farina, Successor Co-Land Trustees under the provisions of a certain Land Trust Agreement pursuant to Florida Statutes Section 689.071, dated December 5, 1996, and known as Land Trust No. 1015**

  
\_\_\_\_\_  
(1<sup>st</sup> Witness - Signature)

By:   
\_\_\_\_\_  
**Daniel J. Shepherd, Co-Land Trustee**

Jeffrey D. Kneen  
\_\_\_\_\_  
(1<sup>st</sup> Witness - Printed Name)

  
\_\_\_\_\_  
(2<sup>nd</sup> Witness - Signature)

By:   
\_\_\_\_\_  
**John Farina, Co-Land Trustee**

Abraham M. More  
\_\_\_\_\_  
(2<sup>nd</sup> Witness - Printed Name)

**State of Florida  
County of Palm Beach**

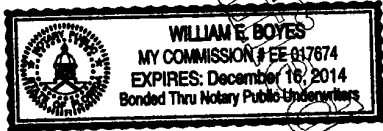
I hereby certify that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared **Daniel J. Shepherd and John Farina, Successor Co-Land Trustees**, to me well known and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily and that they did not take an oath and

\_\_\_\_\_ are personally known to me; or  
\_\_\_\_\_ have produced \_\_\_\_\_ as identification to me.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of **December, 2010**.

My Commission Expires:

\_\_\_\_\_  
Notary Public



{NOTE: THIS TRUSTEES DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH OR TITLE EXAMINATION AND NO OPINION OF TITLE IS EXPRESSED BY THE PREPARER WHATSOEVER.}