



**ORDER OF THE PLANNING AND ZONING BOARD
OF THE CITY OF LAKE WORTH, FLORIDA**

PROJECT NAME: Kadassa Inc. PZB 19-00500004

APPLICANT/CONTACT: Martin Arias of Kadassa Inc.

APPLICANT'S ADDRESS: 1812 Aragon Avenue, Unit A, Lake Worth Beach, FL 33460

DATE OF HEARING: October 2, 2019

APPROVAL SOUGHT: Conditional Use Permit to allow the use of a medium-intensity "fabrication services excluding retail display and sales" use at 1812 Aragon Avenue, Unit A, within the Industrial Park of Commerce (I-POC) zoning district.

LOCATION OF PROPERTY: 1812 Aragon Avenue, Unit A

PCNs: 38-43-44-21-04-005-0170

 X THIS MATTER came to be heard before the Planning and Zoning Board of the City of Lake Worth, Florida, on the date of hearing stated above. The Board, having considered the application by the Applicant, the materials submitted by the Applicant, the staff reports and having heard testimony from the Applicant, members of city administrative staff, and the public, finds as follows:

1. Application for the Conditional Use Permit was made by the Applicant in a manner consistent with the requirements of the City's Land Development Regulations.

2. The Applicant

 X HAS

 — HAS NOT

established by substantial competent evidence a basis for the approval requested.

3. The conditions for the Conditional Use as presented by administrative staff, or suggested by the public and supported by substantial competent evidence are set forth in the CONDITIONS OF APPROVAL, attached.

4. The Applicant's application for a Conditional Use is hereby

 X GRANTED subject to the conditions referenced in paragraph 3 hereof.

 — DENIED

5. This Order shall take effect as of the date of hearing, October 2, 2019.

6. All further development on the property shall be made in accordance with the terms and conditions of this Order.

7. Other CONDITIONS OF APPROVAL

CHAIRMAN on behalf of the BOARD 

BOARD SECRETARY 

DATE: November 7, 2019

CONDITIONS OF APPROVAL

PZB CASE No. 19-00500004

1. The business shall have 60 days from the date of the Board approval to obtain a City of Lake Worth Beach Business License. Per LDR Section 23.2-29(k), a conditional use permit granted by the Planning and Zoning Board shall be void after one year from the date of the approval unless a building permit has been issued for the construction of all facilities provided in the site plan associated with the conditional use or otherwise needed to house the use, and construction is diligently pursued. However, based on the meeting minutes from the August 7, 2019 Planning and Zoning Board meeting, it was discussed to place the 60 day condition on this particular business because they had been operating without a business license since 2017.
2. Per LDR Section 23.2-29(g)(1), prior to obtaining a City business license, all outstanding code enforcement fees and fines related to the project site shall have been paid to the City.
3. Per LDR Section 23.4-19, all outdoor storage shall be completely screened from all public rights-of-way and any adjacent property that is zoned for residential or mixed use. Therefore, screening shall be maintained to ensure that the outdoor storage is not visible from Aragon Avenue. The gate shall only be open when vehicles are pulling in and out of the site. At all other times the gate shall be closed in order to minimize the visibility of the outdoor storage.
4. Per LDR Section 23.4-10(b)(3), unless a Unity of Title is recorded with another parcel, all parking spaces shall be located on-site, at 1812 Aragon Avenue.
5. Per LDR Section 23.4-13(c)(7)(B)(e), all fabrication, including cutting and polishing of the materials, shall take place within the building.
6. The roll-off container shall remain within the property lines of 1812 Aragon Avenue. While Code Section 12-2(b)(4) states that permanent roll-off containers can be located in the right-of-way, it was discussed at the August 7, 2019 Planning and Zoning meeting to keep the container on site.
7. The roll-off container shall have a continuous landscape screen along the west and south sides to minimize visibility from Aragon Avenue.
8. The applicant shall continuously ensure compliance with Chapter Two, Article Seven, Division Two, Prohibited Discharge Standards, of the City's Code.
9. Per the Florida Department of Health, all businesses shall comply with the General Pollutant Emission Limiting Standards (Section 62-296.320 F.A.C.).
10. The wet curtains that have been installed to mitigate dust pollution shall be maintained for the duration of the fabrication services use, and replaced when necessary.
11. Per LDR Section 23.2-29(j), conditions and requirements stated as part of the approval of a conditional use shall be a continuing obligation of the property owner unless and until the conditional use shall expire.
12. 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.
13. Per LDR Section 23.5-1(b), all proposed signage shall require review and approval of a building permit.

14. Per LDR Section 15-24.2, no person shall make, continue or cause to be made any unreasonable noise or disturbing noise. [Section 15-24.2]