



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

DATE: September 25, 2019
TO: Members of the Planning and Zoning Board
FROM: Alexis Rosenberg, Neighborhood Planner
THRU: Mark Stivers, AICP, Deputy Director for Community Sustainability
MEETING: October 2, 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, Unit A. 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:

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

HISTORY

This item was originally heard at the August 7, 2019 Planning and Zoning Board. At the meeting, the Board motioned to continue the item to the next available meeting date.

Per the City’s records and per Palm Beach Property Appraiser’s records, the original buildings were constructed in 1978. Building A, the south structure, was a 5,940 square foot structure, and Building B, the north structure, was

a 3,520 square foot structure. In 1981, a building permit was approved to construct a 2,112 square foot structure that connected Building A and Building B. Furthermore, in 2010, there was an approved building permit to remodel Unit A, a 4,300 square foot space, into a wholesale bakery. The bakery had a City business license from 2014 to 2017. While there is no active business license at this time for 1812 Aragon Avenue, Unit A, the proposed business, Kadassa Inc., has been operating at this location since 2017.

Based on the questions posed by the Planning and Zoning Board on the original August 7, 2019 public hearing, the following information has been collected:

- As it stands, the draft Ordinance proposing changes to the City's Use Table proposes a medium-intensity "fabrication services excluding retail display and sales" use permitted by right in the I-POC zoning district.
- In speaking with Public Services, the waste collection bin on the site is not classified as a dumpster, but is classified as a permanent roll-off container, which is defined differently from a dumpster in Section 12-1. On June 28, 2019 Karen Stokes, Community Code Officer complied the portion of the code case regarding the South Florida Waste Management roll-off container because, per Jason Yaeger of Public Services, the owner was granted approval to have the South Florida Waste Management roll-off container at the property. It has also been confirmed that the City has a franchisee with South Florida Waste Management for the allowance to transport the waste through the City, which is a requirement per Section 12-3.
- The City's Code for roll-off containers (Section 12-2) does not reference required screening for roll-off containers.
- Per LDR Section 23.4-4(f), fences shall be set back to the minimum building setback line on the front of the lot. The building is set back 10 feet from the front property line and the existing fence and gate is setback 14 feet from the property line.
- Based on the total building size of 11,824 square feet, the entire building is required to provide 12 parking spaces under the industrial or manufacturing category. The property has a total of about 16 parking spaces. For Bay A specifically, which is a 4,300 square foot space, five parking spaces are required. Based on a site visit and the applicant's floorplan, there are seven parking spaces provided for Bay A (this does not include the driveways).
- The current active code violation(Case #19-2384), per Karen Stokes' notes, resulted from a complaint. In speaking with Karen Stokes on September 18, 2019, all items, except for the business license, on the active code violation have been resolved.
- The applicant stated that they have purchased new wet saws and wet curtains to mitigate dust pollution. The wet curtains are in Attachment I.
- The applicant has installed the vinyl slats within the existing chain-link fence in order to visually screen the outdoor storage from the public right of way. Pictures of the screening is in Attachment J.
- The Florida Department of Environmental Protection (FDEP) was contacted to verify if there are any additional regulations for a business that is conducting stone/granite/quartz fabrication. While they have not provided a response, staff is including a condition that requires the applicant to obtain any required state licensing prior to obtaining a City business license.
- The Florida Department of Health office in Palm Beach County was contacted to verify if there are any additional regulations for a business that is conducting stone/granite/quartz fabrication. It was stated that a Florida Department of Health permit may be required if the facility will be served by a septic system or private drinking water well, or if installation of a new well is needed to supply the wet saw. Based on the proposal, the property is served by City of Lake Worth Beach water and sewer service;

therefore, this condition is not applicable. However, per the Florida Department of Health, all businesses shall comply with the General Pollutant Emission Limiting Standards (Section 62-296.320 F.A.C). This provision has been added as a condition of approval.

- An inspection done on the premises on September 26, 2019 by Judy Love of the Water Utilities Division confirmed that the subject property is compliant with Section 18-84, Discharge Prohibited To Stormwater System.

Additional conditions of approval prepared by staff include:

1. The business shall have 60 days from the date of 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.
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 so that it is not visible from Aragon Avenue. While Section 12-2 does not cite buffer criteria for roll-off containers, screening was discussed at the August 7, 2019 Planning and Zoning Board meeting, and therefore has been recommended as a condition.
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 a fabrication services use, and replaced when necessary.

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 and Strategic 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.

Pillar IV.A of the City's Strategic Plan

Achieve economic and financial sustainability through a versatile and stable tax base.

Pillar IV.D of the City's Strategic Plan

Influence the supply and expansion of jobs.

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. In addition, the applicant has installed wet curtains over the overhead doors and purchased new wet saws in order to limit dust pollution. **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 service 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, and per the City’s Use Table in LDR Section 23.3-6, it is an anticipated use in the I-POC zoning district. 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: Per the City's Use Table in LDR Section 23.3-6, a low intensity, which is a building size less than 2,500 square feet, fabrication service use is permitted by right in the I-POC zoning district. Therefore, with a slightly larger building, the nature of the business remains the same as that of a smaller building. The applicant has taken measures to further reduce dust pollution such as installing wet curtains over the overhang doors and purchasing new wet saws which reduce the level of dust production. This use at a medium intensity is subject to the same State regulations as that of a fabrication service at a low intensity level. Thus, the Conditional Use for a "fabrication service" 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 measures 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 the building, enclosed with wet curtains over the overhead doors when performing the fabrication. **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 has added vinyl slats to the existing chain link fence and rolling 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 the building, as noted on the Floor Plan (attachment B). The overhead doors, when open, will be covered with wet curtains in order to limit dust pollution.

(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 has been added to the existing fence and 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:

Approval of the Conditional Use Permit application; approval with conditions; continue the hearing to a date certain to request additional information; or deny the Conditional Use Permit application. 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.

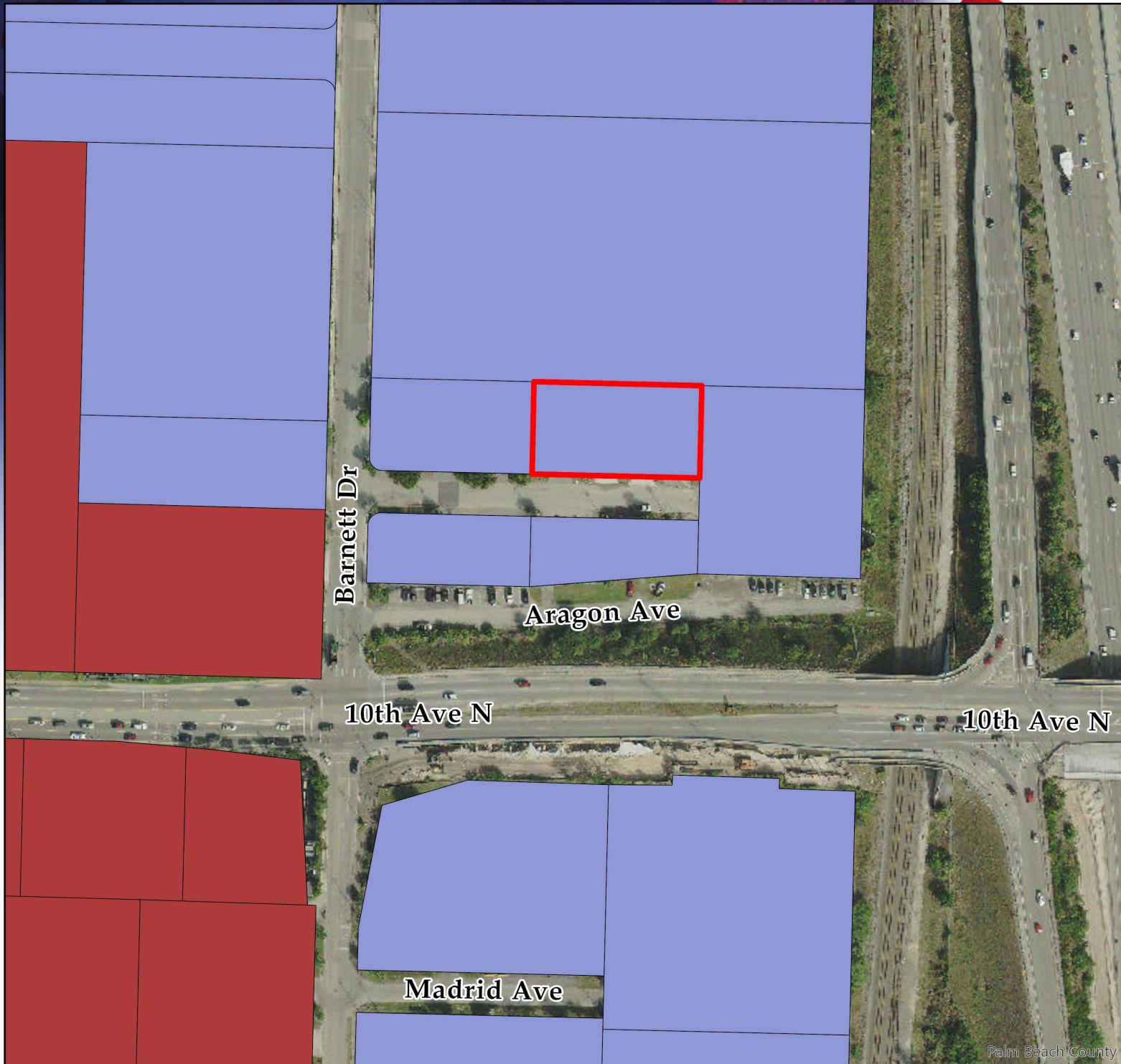
Attachments:

- A. Zoning Map
- B. Floor Plan/Site Plan
- C. Conditions of Approval
- D. Application Package
- E. Permit for Original Construction
- F. Permit for Addition
- G. Permit for Renovation
- H. Florida Department of Health Environmental Regulations
- I. Wet Curtains
- J. Vinyl Screening






Zoning Map: 1812 Aragon Avenue

Department for Community Sustainability
Planning, Zoning & Historic Preservation



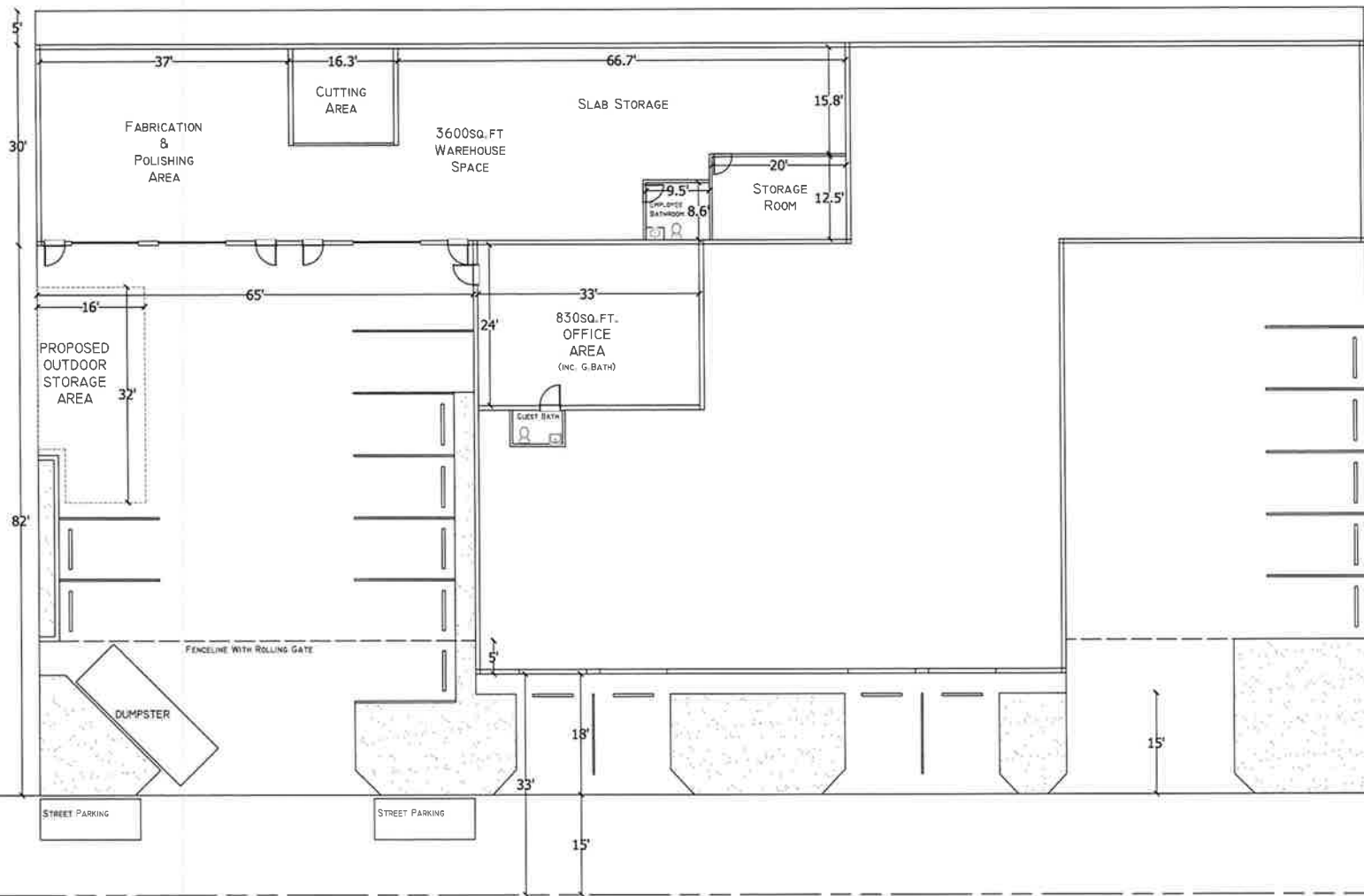
Map Legend

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

0 87.5 175 350 Feet



Palm Beach County



Integrity 1st Construction Group 1812 Aragon Ave. Suite A Lake Worth, FL 33461 (772) 828-9891 CGC-1527348	
Jobsite Location	Kadassa Inc. 1812 Aragon Ave Suite A Lake Worth, FL 33461
Description	Existing Floorplan
Single Story Comm. Warehouse	
Scale: 1/16" = 1'-0"	
Rev.	1
Date	08-12-19
SHEET	
A1	
Drawn & Designed by Jayson Bono	



DEPARTMENT FOR COMMUNITY SUSTAINABILITY
Planning Zoning Historic Preservation Division
1900 2ND 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: September 25, 2019
P&ZB Meeting Date: October 2, 2019
Applicant: Martin Arias
Location: 1812 Aragon Avenue

**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.
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 so that it is not visible from Aragon Avenue. While Section 12-2 does not cite buffer criteria for roll-off containers, screening was discussed at

the August 7, 2019 Planning and Zoning Board meeting, and therefore has been recommended as a condition.

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]



PLANNING & PRESERVATION DIVISION
 DEPARTMENT FOR COMMUNITY SUSTAINABILITY
 CITY OF LAKE WORTH
 1900 2ND 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 ^{Subject to Kadassa Inc. & Martin Arias being responsible for only and not all expenses related to this application and agreements.} 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.

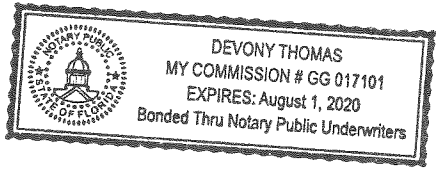
STATE OF Florida
COUNTY OF Palm Beach

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/.

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.

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: *[Handwritten 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 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)



[Handwritten Signature]
(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.

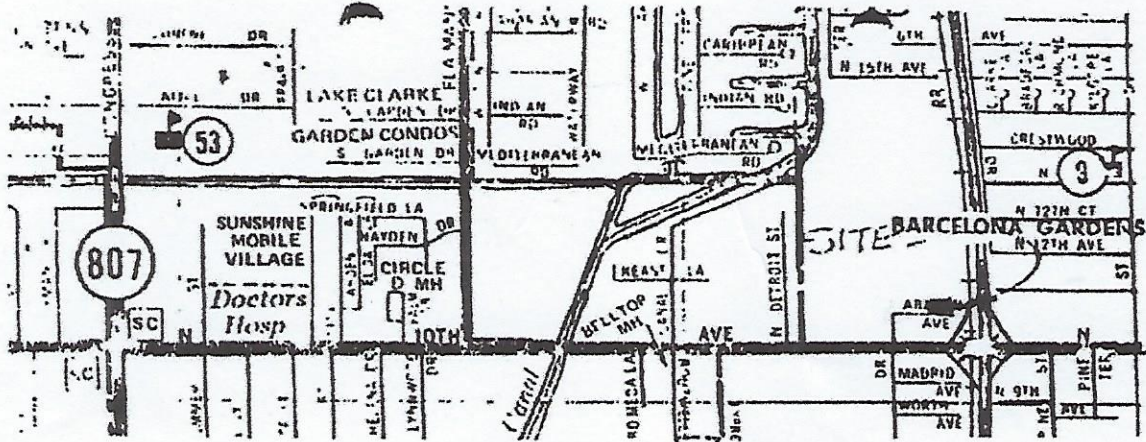
These documents are considered as part of an application and shall be provided to the PZHP Department prior to the public hearing date.

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)

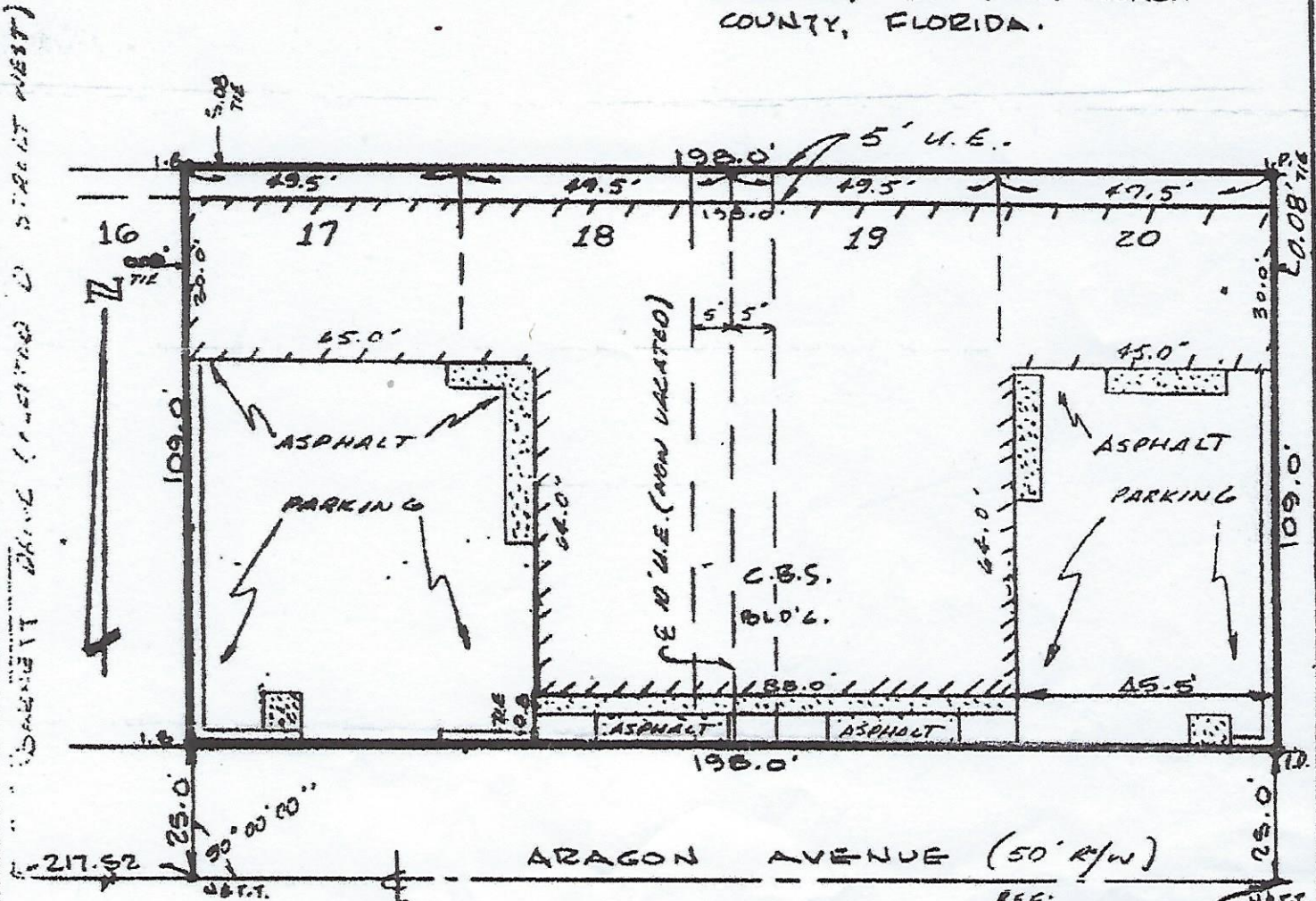


LOCATION MAP N. T. S.

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.P.
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



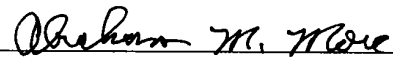
(1st Witness - Signature)

By: 

Daniel J. Shepherd, Co-Land Trustee

Jeffrey D. Kneen

(1st Witness - Printed Name)



(2nd Witness - Signature)

By: 

John Farina, Co-Land Trustee

Abraham M. More

(2nd Witness - Printed Name)

State of Florida
County of Palm Beach

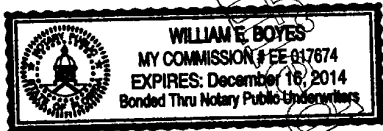
I hereby certify that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared **Daniel J. Shepherd and John Farina, Successor Co-Land Trustees**, to me well known and that they severally acknowledged executing 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.

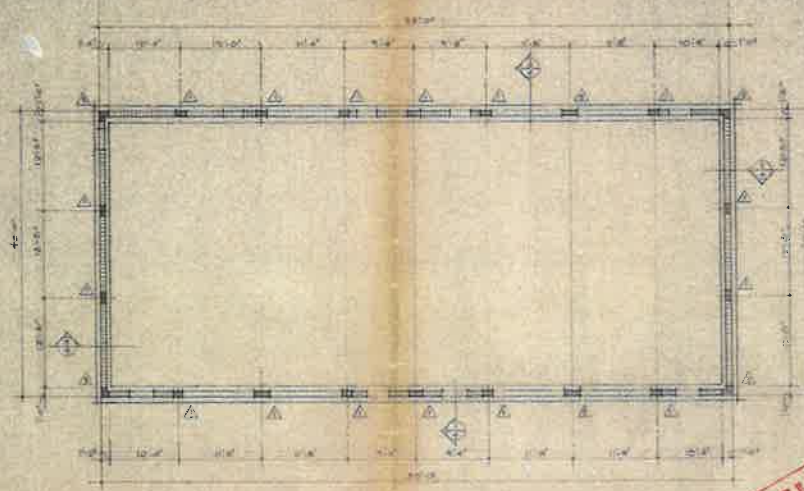
WITNESS my hand and official seal in the County and State last aforesaid this _____ day of **December, 2010**.

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.}



FOUNDATION PLAN - BUILDING 117
1/8" = 1'-0"

STRUCTURAL NOTES

1. FLOORS: CONCRETE 4" SLAB 120#
COLUMNS 12" DIA. 3000#
2. FOOTINGS: 24" x 18" W/ 4# BARS, SEE DETAIL SHEET # 1
3. COLUMNS: 12" x 12" W/ 4# BARS + 1# TIES @ 18"
4. BEAMS: 12" x 12" W/ 4# BARS + 1# TIES @ 18"

ACCESSIBILITY STANDARDS FOR HANDICAPPED APPLY

LAKE WORTH
COMMUNITY APPEAL BOARD
Resident:
Approved as Noted:
Approved: 1/24/78
No changes shall be made to the information on this approval until it is rescinded or after the contractor has been notified in any way of any change in the conditions of the approval. This approval is for the use of the subject property only.

Kellie
William
John

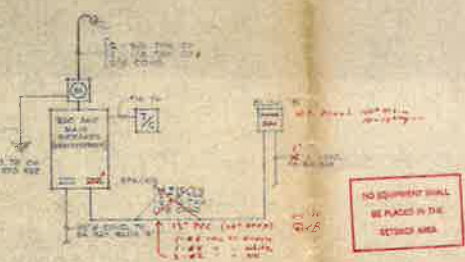
PAVING PERMIT REQUIRED

DRAINAGE AND GRADAS APPROVED BY CITY ENGINEER.
Permits # 3257 & 326

APPROVED FOR CONTRACTOR: *1/20/78*
1920-1930 ARAGON AVE
5-1-1 Warehouse
B.C.G.S.
D. J. Hughes
2150 S. W. 10th Ave. #100

THE OWNER'S RESPONSIBILITY FOR THE PROVISION OF ALL INFORMATION AND DATA FOR THE DESIGN OF THE PROJECT SHALL BE THE RESPONSIBILITY OF THE OWNER. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE PROJECT AS SHOWN ON THESE PLANS. THE APPROVAL DOES NOT APPLY FOR A RESUBMIT OR OTHER PLAN SHEETS.

Site Earth Approval
THE OWNER'S RESPONSIBILITY FOR THE PROVISION OF ALL INFORMATION AND DATA FOR THE DESIGN OF THE PROJECT SHALL BE THE RESPONSIBILITY OF THE OWNER. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE PROJECT AS SHOWN ON THESE PLANS. THE APPROVAL DOES NOT APPLY FOR A RESUBMIT OR OTHER PLAN SHEETS.



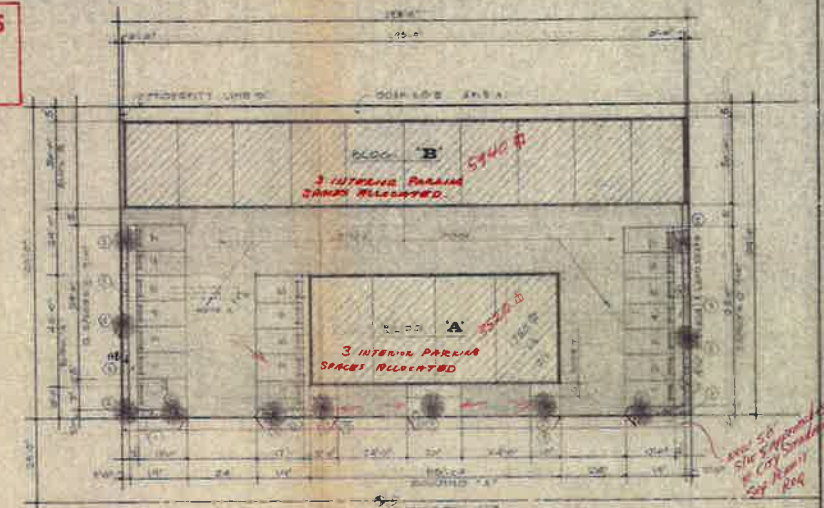
ELECTRICAL DIAGRAM
NOT TO SCALE

ALL WORK SHALL CONFORM TO THE STANDARDS OF THE CITY OF LAKE WORTH, FLORIDA & THE F.P.C.



PLUMBING DIAGRAM
NOT TO SCALE

ALL WORK SHALL CONFORM TO THE STANDARDS OF THE CITY OF LAKE WORTH, FLORIDA.



GENERAL NOTES

1. ALL WORK SHALL CONFORM TO THE STANDARDS OF THE CITY OF LAKE WORTH, FLORIDA.
2. CONTRACTOR SHALL VERIFY ALL CONDITIONS & DIMENSIONS AT SITE.
3. SET MAIN FLOOR ELEVATION USE 1984 DATUM OF BENCH 100.
4. PAVED PARKING AREA: TYPICAL OF 3' x 6' x 12' x 18' x 24' x 30' x 36' x 42' x 48' x 54' x 60' x 66' x 72' x 78' x 84' x 90' x 96' x 102' x 108' x 114' x 120' x 126' x 132' x 138' x 144' x 150' x 156' x 162' x 168' x 174' x 180' x 186' x 192' x 198' x 204' x 210' x 216' x 222' x 228' x 234' x 240' x 246' x 252' x 258' x 264' x 270' x 276' x 282' x 288' x 294' x 300' x 306' x 312' x 318' x 324' x 330' x 336' x 342' x 348' x 354' x 360' x 366' x 372' x 378' x 384' x 390' x 396' x 402' x 408' x 414' x 420' x 426' x 432' x 438' x 444' x 450' x 456' x 462' x 468' x 474' x 480' x 486' x 492' x 498' x 504' x 510' x 516' x 522' x 528' x 534' x 540' x 546' x 552' x 558' x 564' x 570' x 576' x 582' x 588' x 594' x 600' x 606' x 612' x 618' x 624' x 630' x 636' x 642' x 648' x 654' x 660' x 666' x 672' x 678' x 684' x 690' x 696' x 702' x 708' x 714' x 720' x 726' x 732' x 738' x 744' x 750' x 756' x 762' x 768' x 774' x 780' x 786' x 792' x 798' x 804' x 810' x 816' x 822' x 828' x 834' x 840' x 846' x 852' x 858' x 864' x 870' x 876' x 882' x 888' x 894' x 900' x 906' x 912' x 918' x 924' x 930' x 936' x 942' x 948' x 954' x 960' x 966' x 972' x 978' x 984' x 990' x 996' x 1002' x 1008' x 1014' x 1020' x 1026' x 1032' x 1038' x 1044' x 1050' x 1056' x 1062' x 1068' x 1074' x 1080' x 1086' x 1092' x 1098' x 1104' x 1110' x 1116' x 1122' x 1128' x 1134' x 1140' x 1146' x 1152' x 1158' x 1164' x 1170' x 1176' x 1182' x 1188' x 1194' x 1200' x 1206' x 1212' x 1218' x 1224' x 1230' x 1236' x 1242' x 1248' x 1254' x 1260' x 1266' x 1272' x 1278' x 1284' x 1290' x 1296' x 1302' x 1308' x 1314' x 1320' x 1326' x 1332' x 1338' x 1344' x 1350' x 1356' x 1362' x 1368' x 1374' x 1380' x 1386' x 1392' x 1398' x 1404' x 1410' x 1416' x 1422' x 1428' x 1434' x 1440' x 1446' x 1452' x 1458' x 1464' x 1470' x 1476' x 1482' x 1488' x 1494' x 1500' x 1506' x 1512' x 1518' x 1524' x 1530' x 1536' x 1542' x 1548' x 1554' x 1560' x 1566' x 1572' x 1578' x 1584' x 1590' x 1596' x 1602' x 1608' x 1614' x 1620' x 1626' x 1632' x 1638' x 1644' x 1650' x 1656' x 1662' x 1668' x 1674' x 1680' x 1686' x 1692' x 1698' x 1704' x 1710' x 1716' x 1722' x 1728' x 1734' x 1740' x 1746' x 1752' x 1758' x 1764' x 1770' x 1776' x 1782' x 1788' x 1794' x 1800' x 1806' x 1812' x 1818' x 1824' x 1830' x 1836' x 1842' x 1848' x 1854' x 1860' x 1866' x 1872' x 1878' x 1884' x 1890' x 1896' x 1902' x 1908' x 1914' x 1920' x 1926' x 1932' x 1938' x 1944' x 1950' x 1956' x 1962' x 1968' x 1974' x 1980' x 1986' x 1992' x 1998' x 2004' x 2010' x 2016' x 2022' x 2028' x 2034' x 2040' x 2046' x 2052' x 2058' x 2064' x 2070' x 2076' x 2082' x 2088' x 2094' x 2100' x 2106' x 2112' x 2118' x 2124' x 2130' x 2136' x 2142' x 2148' x 2154' x 2160' x 2166' x 2172' x 2178' x 2184' x 2190' x 2196' x 2202' x 2208' x 2214' x 2220' x 2226' x 2232' x 2238' x 2244' x 2250' x 2256' x 2262' x 2268' x 2274' x 2280' x 2286' x 2292' x 2298' x 2304' x 2310' x 2316' x 2322' x 2328' x 2334' x 2340' x 2346' x 2352' x 2358' x 2364' x 2370' x 2376' x 2382' x 2388' x 2394' x 2400' x 2406' x 2412' x 2418' x 2424' x 2430' x 2436' x 2442' x 2448' x 2454' x 2460' x 2466' x 2472' x 2478' x 2484' x 2490' x 2496' x 2502' x 2508' x 2514' x 2520' x 2526' x 2532' x 2538' x 2544' x 2550' x 2556' x 2562' x 2568' x 2574' x 2580' x 2586' x 2592' x 2598' x 2604' x 2610' x 2616' x 2622' x 2628' x 2634' x 2640' x 2646' x 2652' x 2658' x 2664' x 2670' x 2676' x 2682' x 2688' x 2694' x 2700' x 2706' x 2712' x 2718' x 2724' x 2730' x 2736' x 2742' x 2748' x 2754' x 2760' x 2766' x 2772' x 2778' x 2784' x 2790' x 2796' x 2802' x 2808' x 2814' x 2820' x 2826' x 2832' x 2838' x 2844' x 2850' x 2856' x 2862' x 2868' x 2874' x 2880' x 2886' x 2892' x 2898' x 2904' x 2910' x 2916' x 2922' x 2928' x 2934' x 2940' x 2946' x 2952' x 2958' x 2964' x 2970' x 2976' x 2982' x 2988' x 2994' x 3000' x 3006' x 3012' x 3018' x 3024' x 3030' x 3036' x 3042' x 3048' x 3054' x 3060' x 3066' x 3072' x 3078' x 3084' x 3090' x 3096' x 3102' x 3108' x 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Mission:
To protect, promote & improve the health
of all people in Florida through integrated
state, county & community efforts.



Ron DeSantis
Governor

Scott A. Rivkees, MD
State Surgeon General

Vision: To be the Healthiest State in the Nation

Environmental Rules and Regulations

FLORIDA STATUTES: Title XXIX- Public Health

Chapter 386 –Particular Conditions Affecting Public Health

Part I – Sanitary Nuisances

386.01 Sanitary nuisance - A sanitary nuisance is the commission of any act, by an individual, municipality, organization, or corporation, or the keeping, maintaining, propagation, existence, or permission of anything, by an individual, municipality, organization, or corporation, by which the health or life of an individual, or the health or lives of individuals, may be threatened or impaired, or by which or through which, directly or indirectly, disease may be caused.

386.041 Nuisances injurious to health:

(1) The following conditions existing, permitted, maintained, kept, or caused by any individual, municipal organization, or corporation, governmental or private, shall constitute prima facie evidence of maintaining a nuisance injurious to health:

- (a) Untreated or improperly treated human waste, garbage, offal, dead animals, or dangerous waste materials from manufacturing processes harmful to human or animal life and air pollutants, gases, and noisome odors which are harmful to human or animal life.
- (b) Improperly built or maintained septic tanks, water closets, or privies.
- (c) The keeping of diseased animals dangerous to human health.
- (d) Unclean or filthy places where animals are slaughtered.
- (e) The creation, maintenance, or causing of any condition capable of breeding flies, mosquitoes, or other arthropods capable of transmitting diseases, directly or indirectly to humans.
- (f) Any other condition determined to be a sanitary nuisance as defined in s. 386.01.

Chapter 403 – Environmental Control

Part I – Pollution Control

403.161 Prohibitions, violation, penalty, intent:

(1) It shall be a violation of this chapter, and it shall be prohibited for any person:

- (a) To cause pollution, except as otherwise provided in this chapter, so as to harm or injure human health or welfare, animal, plant, or aquatic life or property.
- (b) To fail to obtain any permit required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, permit, or certification adopted or issued by the department pursuant to its lawful authority.

FLORIDA ADMINISTRATIVE CODE

CHAPTER 62-296 – STATIONARY SOURCES – EMISSION STANDARDS

62-296.320 General Pollutant Emission Limiting Standards:

(1) Volatile organic compounds emissions or organic solvent emissions.

(a) No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.

(2) Objectionable Odor Prohibited - No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

NOTE: *An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [F.A.C. 62-210.200(219)]*

62-296.320 General Pollutant Emission Limiting Standards:

(4) General Particulate Emission Limiting Standards - The following emission limiting standards shall apply to emissions units of particulate matter not subject to a particulate emission limit or opacity limit set forth in or established elsewhere in this chapter.

(c) Unconfined Emissions of Particulate Matter:

1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.

3. Reasonable precautions include the following:

a. Paving and maintenance of roads, parking areas and yards

b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing

c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities

d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne

e. Landscaping or planting of vegetation

f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter

g. Confining abrasive blasting where possible

h. Enclosure or covering of conveyor systems





STOP



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