



CITY OF LAKE WORTH
1900 2nd Ave N · Lake Worth, Florida 33461 · Phone: 561-586-1687

Agenda
Regular Meeting
City of Lake Worth
Planning & Zoning Board
City Hall Commission Room
7 North Dixie Hwy; Lake Worth, FL

WEDNESDAY, JANUARY 6, 2016 6:00 PM

1. Roll Call and Recording of Absences:
- 2. Pledge of Allegiance**
3. Additions/Deletions/Reordering and Approval of the Agenda:
4. Approval of Minutes:
 - A. Meeting Minutes
5. Cases:
 - A. Swearing in of Staff and Applicants:
 - B. Proof of Publication:
 1. Lake Worth Herald
 - C. Withdrawals/Postponements:
 - D. Consent:
 - E. Public Hearings:
 1. Board Disclosure
 2. Cases:
 - a. PZB Project Number 15-00500011 and PZB 15-01500008: Consideration of a Conditional Land Use application and Sign Variance by Mr. & Mrs. Romanelli, to establish industrial uses at the 4.24 acre property. The applicants operates a series of warehouse buildings located at 1800 4th Avenue North, (425 Industrial Street) (PCN# 38-43-44-21-02-023-0010). The subject site is located within the Industrial Park of Commerce (I-POC) district.

F. Unfinished Business:

1. PZB Project Number 15-01500003: Consideration of Variances from Section 23.5-1, Signs, to allow additional signage for an importer and wholesaler of granite, marble, porcelain tile and slab surface business facility with accessory outdoor storage for property located at 1800 4th Avenue North, Unit A (425 Industrial Street).

G. New Business:

6. Planning Issues:
7. Public Comments (3 minute limit):
8. Departmental Reports:
9. Board Member Comments:
10. Adjournment:

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

NOTE: ALL CITY BOARDS ARE AUTHORIZED TO CONVERT ANY PUBLICLY NOTICED MEETING INTO A WORKSHOP SESSION WHEN A QUORUM IS NOT REACHED. THE DECISION TO CONVERT THE MEETING INTO A WORKSHOP SESSION SHALL BE DETERMINED BY THE CHAIR OR THE CHAIR'S DESIGNEE, WHO IS PRESENT AT THE MEETING. NO OFFICIAL ACTION SHALL BE TAKEN AT THE WORKSHOP SESSION, AND THE MEMBERS PRESENT SHOULD LIMIT THEIR DISCUSSION TO THE ITEMS ON THE AGENDA FOR THE PUBLICLY NOTICED MEETING. (Sec. 2-12 Lake Worth Code of Ordinances)

Note: One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.

All project-related back-up materials, including full plan sets, are available for review by the public in the Planning, Zoning and Historic Preservation Division located at 1900 2nd Avenue North.

Legal Notice No. 29712

PLEASE TAKE NOTICE that the Planning & Zoning Board City of Lake Worth, Florida, will hold a public hearing in the City Commission Room, in said City at or after 6:00 P.M. on January 6, 2016, to consider the following:

PZB: 15-00500011 & PZB 15-01500008 Consideration of a request by Rocco and Maria Romanelli, Applicants and Owners, for a Conditional Land Use Permit and a Sign Variance from the Land Development Regulations (LDRs) pursuant to Section 23.2-29 (Conditional Use Permits) and 23.5-1 (Sign Regulations).

The subject property is located in the Industrial - Park of Commerce Zoning District (I-POC). The property address 425 Industrial Street (1800 4th Avenue North). PCN#38-43-44-21-02-023-0010.

The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

For additional information on the above issues, please visit the City of Lake Worth Division of Planning, Zoning and Historic Preservation located at 1900 Second Ave. North, Lake Worth, Florida 33461 or contact City Staff at 561-586-1673.

If a person decides to appeal any decision made by the Board, Agency, or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0105)

In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1687 no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald
December 24, 2015

City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
 1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

DATE: December 30, 2015

TO: Members of the Planning & Zoning Board

FROM: Curt Thompson, Community Planner
 Maxime Ducoste, Planning and Preservation Manager

SUBJECT: **PZB Project Number 15-00500011 and PZB 15-01500008:** Consideration of a Conditional Land Use application and Sign Variance by Mr. & Mrs. Romanelli, to establish industrial uses at the 4.24 acre property. The applicants operates a series of warehouse buildings located at 1800 4th Avenue North, (425 Industrial Street) (PCN# 38-43-44-21-02-023-0010). The subject site is located within the Industrial Park of Commerce (I-POC) district.

Meeting Date: January 6, 2016

SYNOPSIS:

Applicant	MR. & MRS. ROMANELLI	
General location	425 Industrial Street (1800 & 1802 4 th Avenue North)	
Zoning	I-POC; Industrial Park of Commerce	
Existing land use	Industrial	
Future land use designation	Industrial	
Applicable Municipal Code Sections	23.2-29, 23.4-13; 23.5-1;	
Board action required	Approve, Approve With Conditions, Deny the Request, Continue the request for additional information	
Staff Recommendation	Staff recommends approval of the Conditional Land Use subject to the attached conditions of approval and approval of the Sign Variance.	
	Name and Title	Initials
Project planner	Curt Thompson, Community Planner	CT
Approved by	Maxime Ducoste, Planning and Preservation Manager	MD

PROPOSAL:

Mr. & Mrs. Romanelli (“Applicants”), proposes to establish a list of industrial and industrial-related uses for their warehouse buildings located at 425 Industrial Street (1800 & 1802 4th Avenue North) (“Property”). The Property is located within the Industrial – Park of Commerce (I-POC) zoning district. The applicants wish to obtain approval for all industrial-related uses listed in the City’s Land Development Regulations (LDRs). To establish these uses, approval of a Conditional Land Use permit is required from

the Planning and Zoning Board. Approval of a conditional use permit is required from the Planning and Zoning Board prior to the issuance of a Lake Worth Business License(s) for uses of this type.

The City's Land Development Regulations ("LDRs") authorize the Planning & Zoning Board to grant a Conditional Use Permit subject to making three sets of findings detailed in Section 23.2-29(c) and (d) and Section 23.4-13. These include general and specific findings intended to ensure harmony of the proposed uses both with the land development regulations as a whole as well as the surrounding existing uses.

The following analyzes the Applicants' request for a Conditional Land Use to establish industrial-related uses; with a discussion about Property conditions and existing uses; operational characteristics of the proposed use; consistency of the proposed use with the comprehensive plan; and a narrative with respect to each of the required findings for a conditional land use.

In addition, the applicants' are requesting a Sign Variance from the City's Land Development Regulations (Section 23.5-1 Signs) as follows: a request for 1500 square feet of signage for the subject property. Currently, the LDRs permit a total combined signage of 150 square feet for the entire property.

ANALYSIS:

Background:

The property located at 425 Industrial Street (1800 4th and 1802 4th Avenue North), consist of three (3) existing buildings within the Industrial – Park of Commerce (I-POC) zoning district. According to the Palm Beach County Property Appraiser's Office, the structures was built around 1965, 1986, 2000 and 2005. Arc Stone Trading, A-1 Plus Granite, Royal Palm Aluminum, Garabar Roofing and Delray Food Service are the businesses operating on the property.

All existing setbacks are to remain in place. No changes to the structures or landscaping has been made. There are no proposed changes to the buildings. The parking area was calculated and approved as part of the larger parcel identified as 425 Industrial Street. All of the existing businesses occupy a portion or all of (Delray Food Service occupy the building southernmost building) a building on the property. The site includes handicap parking space in the front of the building.

The property has a Business Tax Receipt history of Manufacturing and Wholesaling of Marble, Granite and granite countertops, warehousing and industrial contractors from 2001 to the present. In 2006, a wholesale furniture business operated on the subject property, otherwise the pre-dominate businesses consist of wholesaling, warehousing, food equipment and manufacturing of granite, marble and tile operations.

Site Plan Review:

Site plan review is not required due to the fact that the property has not been changed or modified by the actions of the applicants.

Public Support/Opposition:

Staff has received no letters of support or letters of objection concerning the subject request.

Consistency with the Comprehensive Plan:

It is the opinion of Staff that the applicant's proposed use is consistent with the following components of the Comprehensive Plan:

1.1.3.9 Industrial Use

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.

1.2.2.9 Locational Strategy for the Industrial Category:

The Industrial land use category is intended for mapping the area located west of I-95, known as the Industrial Park of Commerce. 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.

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

1. The conditional use exactly as presented 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 proposed conditional uses will be in harmony with the intent of the I-POC zoning district to foster office and industrial uses related to Industrial type of uses. The buildings are existing industrial warehouse structures that was built approximately in the 1980s through to the early 2000s. Continued operation as of commercial and industrial buildings will not have a greater adverse effect on the surrounding area than any other use permitted by right or conditional land use at this location.

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 surrounding area is zoned Industrial – Park of Commerce (I – POC) and is not adjacent to any residential uses. The Property has been used for both commercial and industrial uses since the 1980s, and continued operation as such will not have a greater adverse effect on the surrounding area than any other use permitted by right or conditional land use at this location.

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 proposed conditional uses of the Property will provide about the same amount of a public benefit as the other Industrial-type uses currently operating on the Property. The Property has been used for both commercial and industrial uses since the 1980s, and continued operation as industrial/commercial structures will not have a greater adverse effect on the surrounding area than any other use permitted by right or conditional land use at this location.

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 proposed conditional uses will not result in a more intensive development than has previously operated at the Property. The Property was originally constructed with industrial warehouses, and continues to function as such, with multiple users operating on the Property at any given time. Use of the Property as proposed is in compliance with the goals, objectives and policies of the Comprehensive Plan, as this area of the city is fully developed with the required improvements to accommodate the proposed use.

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: The existing and future uses will not generate traffic volumes or movements which will reduce the level of service provided on any street to a lower level than would result from a development permitted by right. The proposed conditional uses will be consistent in nature with previous medium traffic generating commercial and industrial uses at the Property and along Industrial Street (4th Avenue North). No additional traffic is expected to be generated from the existing and future uses. The Property's circulation pattern will remain unchanged from the existing circulation patterns that have existed since the Property was developed in the 1980s with its current configuration.

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: The volume of traffic is expected to remain the same as traffic associated with the existing uses in the area. The Property is located at 425 Industrial Street (1800 4th Avenue North and 1802 4th Avenue North). The existing right of way is already subject to a moderate amount of through traffic, both from business owners and customers visiting businesses in the immediate area.

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.

Staff Response: No additional air pollution can be attributed to the existing uses. The all existing and future businesses will be required to meet all permitting and regulatory approvals upon Building permit application and approval process. The Property includes existing commercial/industrial buildings on the subject site.

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: The project Property is fully developed and the existing and future uses in no way would result in a need for an extension or enlargement of the existing thoroughfare system.

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: The subject Property is fully developed and connected to all of the City's utility systems. The applicants' request will not result in the need for the extension nor enlargement nor any other alteration of such systems.

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.

Staff Response: The project Property is fully developed. No increased demand on law enforcement or fire protection service is expected as a result of the proposed use. The Property has operated with on-site industrial/commercial buildings since the time they were constructed.

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: No new sources of noise will result by the establishment of industrial related uses such as marble, granite, warehousing and food service businesses at the Property that is beyond previously licensed commercial/industrial uses on the Property. Further, any noise generated from any of the

proposed conditional uses will be mitigated through the City's Use and Occupancy inspection, which is a requirement of the City's business license.

8. The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in Section 23.4-10, Exterior lighting.

Staff Response: The property is not directly adjacent to any residentially zoned properties or any existing residential uses.

Section 23.4-13 (7)

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

Staff Response: The lot size is 4.28 acres (186,717 square feet). Meets Criterion

(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 structures are existing since the early 1980s and are less than 35 feet in height. Meets Criterion

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

Staff Response: There are no silos on this site.

(d) Outdoor storage: Outdoor storage, commercial vehicle parking, display and sale of products shall be shielded from all public rights-of-way.

Staff Response: Upon field review, at the back of the building located at 1800 4th Avenue North, there is a chain link fenced outdoor storage area that appears to have been existing for a period of time. The chain link fence appears to have been in place for a period of time.

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

Staff Response: All work will be within the enclosed building. Meets Criterion

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

Staff Response: Meets Criterion.

(g) Recycling: All production and processing shall be restricted to an enclosed building.

Staff Response: Meets Criterion.

Section 23.2-26(b): Variance Criteria

As stated above, the applicant is requesting a variance from the City's Sign regulations as follows:

Variance from Section 23.5-1 of the City's Land Development Regulations to permit the location of signage appropriate for the size of this project in the Industrial – Park of Commerce (IPOC) zoning district.

This application requests approval of a sign variance to allow for 1500 square feet of total signage for the subject property to be used for tenant signage.

By code, the project is allowed a total combined sign area of 150 square feet based on lineal lot frontage. However, due to the size and orientation of the site as well as the number of potential tenant spaces, 150 square feet is not enough combined sign area to be effective when viewed from the public right-of-way. It is important for the Board to note that the total lot frontage for this property is 1,520.58 linear feet (1,322.78 linear feet along Interstate 95 plus 197.8 along 4th Avenue North). Thus, the applicants' request follows the LDRs methodology of one lineal foot of lot frontage per square foot of signage.

Staff recommends approval of the requested variance as all of the required findings of fact for a variance approval have been met as follows:

1. Special circumstances or conditions exist which are peculiar to the land or building for which the variance is sought and do not apply generally to nearby lands and buildings, and that this is not the result of action of the applicants;

Staff Response: The property has a long and narrow shape (similar to the shape of a banana) with three large buildings and multiple tenants on this parcel. There are few (if any) properties in the City that is bordered to the west by Interstate 95 (I-95), FEC (or CSX) railroad tracks to the east and a small narrow street (4th Avenue North) to the north, that dead ends at the railroad tracks. Interstate 95 essentially acts as the frontage for this property. There are very few properties in the City of Lake Worth that possess these circumstances and conditions. In addition, due to the location, layout of the buildings and access to the property, it is difficult for customers and potential customers to adequately travel to this property. Moreover, Industrial Street and 4th Avenue North do not provide street frontage that that would be easy to find. Therefore, these circumstances are not due to the actions of the applicants.

Secondly, buildings located on the subject property would need more combined sign area than the 150 square feet allowed by code in order to be effective. Therefore, almost any business taking place on the subject property would probably need some sort of a sign variance. Furthermore, the IPOC area has many existing examples of industrial parks with multiple tenants similar to the applicants' property limitation of combined sign area. A site as large as this one has the potential to hold multiple tenants, further restricting the effectiveness of the allowed signage.

2. The strict application of the provision of these LDRs would deprive the applicant of any reasonable use of the land or building for which the variance is sought;

Staff Response: As stated above, the 150 square feet of combined sign area allowed per the LDRs, would limit the applicants' of any practical and reasonable use due to the restrictive location of the site and the difficulty in knowing how to access the property. Adequate signage holds a high importance to commercial and industrial businesses particularly for properties with multiple tenants. Limiting tenant signage to what the LDRs require, would reduce a sign's effectiveness and limit the applicants' ability to procure tenants for this site.

3. That the variance proposed is the minimum variance which makes possible the reasonable use of the land or building; and

Staff Response: The proposed signage is the minimum variance which makes possible the reasonable use of the buildings. The applicants' request is designed to reduce excessive sign clutter, allow for signage to be proportional in size to the buildings and the tenant spaces. The proposed sizes appear to be the minimum required in order to be effective as well as aesthetically pleasing in terms of proportion to each building.

4. That the granting of the variance will be in accordance with the spirit and purpose of this chapter, and will not be unduly injurious to contiguous property or the surrounding neighborhood nor otherwise detrimental to the public welfare. In deciding appeals from decisions of the development review official or in granting variances, the decision-making board is authorized and required to impose any reasonable conditions and safeguards it deems to be necessary or desirable, and violation of such conditions or safeguards when made a part of the terms under which a variance is granted, shall be deemed to be a violation of these LDRs.

Staff Response: The responses above indicate the justification for this variance. Staff believes the variance will not cause any adverse impact to the contiguous property or surrounding neighborhood.

Conclusion:

The analysis has shown that the required findings can be made with respect to the Conditional Use and sign variance requests. The Property has historically been utilized as a commercial/industrial property, and the uses as proposed is in harmony with the underlying zoning district and surrounding operating businesses. In addition, due to the location of the property, the configuration of the site and the difficulty in accessing the property, the request for a sign variance is appropriate.

CONSEQUENT ACTION:

The Planning and Zoning Board's decision will be final for the Conditional Use and sign variance requests. The Applicants' may appeal the Board's decision on the Conditional Use request to the City Commission. Variances are appealable to the Palm Beach County Circuit Court.

STAFF RECOMMENDATION:

Based on the findings outlined in the analysis, staff recommends that the Planning and Zoning Board approve the Conditional Use request to allow for the establishment of Industrial and Industrial-related uses at 425 Industrial Street (1800 4th and 1802 4th Avenue), subject to the proposed Conditions of Approval.

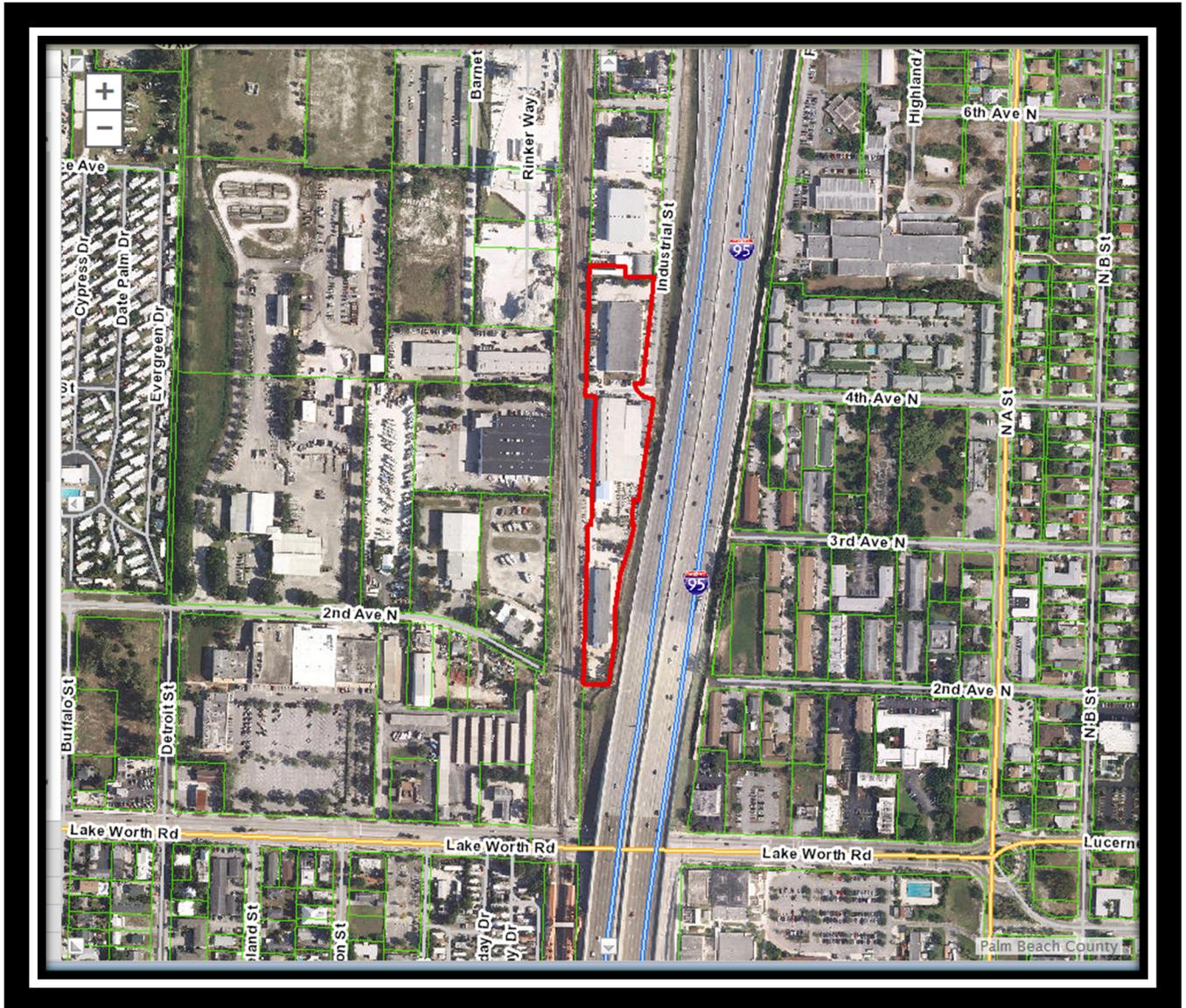
Also, staff recommends that the Planning and Zoning Board approve a Sign Variance to allow a total of 1500 square feet of signage at 425 Industrial Street (1800 & 1802 4th Avenue North). Although the lineal footage is approximately 1520 feet, the staff is recommending that the Board approve the applicants' request for 1500 square feet.

POTENTIAL MOTION:

"I MOVE TO APPROVE/DENY/CONTINUE P&ZB Project Number. 15-00500011 Request for Conditional Land Use to establish Industrial and Industrial-related uses at 425 Industrial Street (1800 4th & 1802 4th Avenue North), in the Industrial Park of Commerce (I-POC) zoning district subject to the staff recommended Conditions of Approval."

"I MOVE TO APPROVE/DENY/CONTINUE P&ZB Project Number. 15-01500008 Request for a Sign Variance to allow a total of 1500 square feet of signage for the existing and proposed uses at 425 Industrial Street (1800 4th & 1802 4th Avenue North), in the Industrial Park of Commerce (I-POC) zoning district."

LOCATION MAP



Attachments:

- A. Conditions of Approval
- B. Survey Sheet 1
- C. Survey Sheet 2

**DEPARTMENT FOR COMMUNITY SUSTAINABILITY
PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION
CONDITIONS OF APPROVAL AND DEVELOPMENT INFORMATION FOR
PZB CASE No. 15-00500011**

Date of Preparation: December 30, 2015
P&ZB Meeting Date: January 6, 2016
Applicant: Mr. & Mrs. Romanelli
Location: 425 Industrial Street (1800 & 1802 4thAve. North)

**DRAFT CONDITIONS OF APPROVAL
PZB CASE No. 15-00500011**

Standard Conditions of Approval:

1. 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.
2. Unless construction has commenced pursuant to a building permit, or a time extension is granted in accordance with Code, this application shall expire one (1) year from Planning & Zoning Board Approval.
3. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
4. This approval is for a conditional land use pursuant to Sections 23.2-29 and 23.4-13 to allow Industrial and Industrial-related uses, within the Industrial – Park of Commerce (I-POC) zoning district at 425 Industrial Street (1800 & 1802 4th Avenue North). This use must operate in compliance with all state and local laws that govern this use.
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 issued permits.

Additional Conditions of Approval:

1. The existing outdoor storage cannot be expanded without the request and approval of a separate conditional land use application.
2. All existing non-permitted signage shall be removed within 30 calendar days after conditional land use approval. The applicant shall seek building permit approval for all proposed signage in accordance with the requirements of Section 23.5-1 Signs.
3. All work operations must be fully operated within the warehouse structure. No work operations (fabrication, manufacturing of any kind) may occur in any required parking or outside of the

building on the property.

4. The existing outdoor storage area(s) shall be screened with an opaque green mesh material along the front of the chain link fence.

Approved by:

Maxime Ducoste
Planning and Preservation Manager

Maria Romanelli
501 Industrial St., Suite C,
Lake Worth, Fl., 33461

November 16, 2015

Phone: (561) 533-1610
Fax: (561) 533-1607

Re: Romanelli Warehouses Justification Statement

Application Request

On behalf of Maria Romanelli this application requests approval of a conditional use variance. The nature of our business is to provide warehouse space to be leased out to industrial types of businesses.

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

Surrounding Property Information

The property on the north of our site is a strip center, to the east is I-95, to the west is CSX railroad, and to the south is 10th Ave., N..

Harmonious and Efficient design

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

Preservation of Natural Conditions

The site has approximately 6 to 7 existing buildings and no changes are anticipated.

Screening and Buffering

All existing landscaping will not change

Emergency Access

Emergency access will be provided via 7th Ave., N, and Industrial Ave.

Access to Public Ways

Access will be provided via 7th Ave N., and Industrial at 4th Ave., N

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

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. The future land use designation for the surrounding area is industrial; therefore the proposed conditional uses are compatible with future development.

The proposed conditional uses are industrial in nature and will be in harmony with the existing industrial uses in the immediate area.

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.

Specific Findings for All Conditional Uses

The proposed conditional uses 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

The proposed conditional uses will not produce significantly greater amount of through traffic on the local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets. The proposed conditional uses are industrial in nature and similar to other permitted uses in the area.

The proposed conditional uses will not produce significant air pollution emissions or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.

The proposed conditional uses will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.

The proposed conditional uses 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.

The proposed conditional uses will not place demand on municipal police or fire protection service beyond the capacity of those services.

The proposed conditional uses 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.

The proposed conditional uses will not generate light or glare which encroaches onto any residential property.

Additional Requirements-Conditional Uses

To the best of our knowledge, no outstanding code enforcement fees or fines related to this project site are due to the City

No conditions or approval are imposed for the use of the site

Variance Criteria per Section 23.2-26.b

This application requests approval of a sign variance.

By code, the project is allowed a total combined sign area of 150 sf. based on project frontage. However, due to the size and orientation of the site as well as the number of tenant spaces, 150 sf. is not enough combined sign area to be effective when viewed from the public right-of-ways.

We refer you to Section 23.5-1(a) of the sign code. What we are proposing is meant to be in consistence with these guiding principles. We recognize that the actual calculations, however, may not support these numbers under the strictest interpretation. Therefore, we are making this variance request.

Special Circumstances

This site is unique due to its physical layout and the configuration of multiple buildings and multiple tenants on this parcel. We believe there is no other site in the City of Lake Worth that is bounded by I-95 and the railroad tracks with multiple tenants, wherein I-95 is effectively the frontage for this road. This is not the result of any action by the applicant. The special and unique circumstances include this location, layout of the site, configurations of the buildings and site access. This is not typical street frontage. The signage being requested is to assist and provide with drive-by and pass-by traffic as customers coming to this location, as a destination, would know where it located.

Strict Application

The strict application of the LDR standards would result in unequal treatment of the applicant. Strict application of the sign code will make business much more difficult as signage facing I-95 is the most important. A 150 sf. limit would significantly impact our tenants' ability to attract customers to the site. Further, the strictest interpretation would suggest that the entire parcel with 6-7 buildings and many tenants would be limited to maximum signage of 150sf. Clearly, this was not the intent of the code. The location is extremely difficult to reach and does not benefit from drive-by traffic. The surrounding businesses have similar sign code issues that have not been addressed. Given this dual standard, we strongly recommend that in addition to approval of this variance, the City of Lake Worth take a comprehensive review of the entire area and update the sign code based upon the principles enumerated in Section 23.51(a) of the sign code with the input of this committee, the community and local businesses.

A 150sf. combined limit on signage is not a reasonable interpretation of the code and would provide a significant adverse impact to potential and existing businesses in the City of Lake Worth. The code is written for tenants on individual properties. In cases where there are multiple tenants on a property, they are given additional latitude in both quantity and locations for signage. We believe the strict application of the code is not in the spirit of which it was written and the intent was to comply with Section 23.5-1(a)

Minimum Variance

This proposal is the minimum required to make reasonable use of the property. The proposal reduces sign clutter, protects property values, communicates in a professional manner, preserves community beauty and provides necessary visibility.

Romanelli Warehouses

Spirit of the Ordinance

The proposed signage is reasonable and consistent with the existing code with the multi-tenant interpretation of the code and usage. The proposed signage is reasonable and consistent with the existing code with multi-tenant interpretation of the code and usage. The proposed sign will minimize clutter and confusion, minimize adverse effects on nearby properties and protect the health, safety and welfare of the public. This request is not for a special privilege but rather, reasonable use of the property.

As per 425 Industrial St., 1800 4th Ave., and 1802 4th Ave., the total linear frontage of these buildings is 1256 linear ft., however, we respectfully request 1500 sq. ft. of signage, due to the fact that this is not typical street frontage. The additional signage is to assist and provide with drive-by and pass-by traffic as customers coming to this location, as a destination, would know where it is located.

Finally, as per conditional uses of these properties, we request the addition of the manufacture and distribution of motorcycle parts.

Thank you

Dr. Maria A. Romanelli

TYPE/USE

INDUSTRIAL

High Intensity Industrial Uses - Greater than 7,500 sq. ft.

- Aquaculture/Hydroponic Farming
- Auction House w/ or w/out outdoor storage
- Building and Construction Trades/Contractors manufacturing w/ Outdoor Storage Yards
- Building and Construction Trades/Contractors manufacturing w/o Outdoor Storage Yards
- Boat Repair / Maintenance / Detailing
- Equipment Rental and Leasing
- Factory or Manufacturing (Reference Ordinance Chapter 14)
- Food Manufacturing & Processing
- Garment/Clothing/Apparel Manufacturing
- Heavy Utility Service Uses
- High Intensity Fabrication Services excluding retail display and sales
- High Intensity Manufacturing excluding retail display and sales
- High Intensity Processing excluding retail display and sales
- Import/Export Business
- Jobsite Preparation (Reference Ordinance Chapter 14)
- Microbrewery w/Sales
- Microbrewery w/o Sales
- Organic/Green/All Natural Composting Fertilizer Manufacturing
- Plant Nursery (sales only)
- Plant Nursery
- Recycling Processing Center
- Regional Distribution Center
- Renewable Energy Resource Center
- Septic Tank, Sewer, and Drain Cleaning and Repair Services
- Storage-outdoor
- Storage-indoor
- Utility Plant, Substation, Power Generation-Major
- Vintner/Winery
- Welding Contractors
- Welding Repair Services



TYPE/USE**SPECIALITY****High Intensity Specialty Uses - Greater than 7,500 sq. ft.**

Adult Establishments	
Flea Market	
Outdoor Farmer's Market	
Mobile food vending courts	
Passenger Railroads/Transit	
Private Club	
Power Plants	
Public Safety Facilities	
Radio and Television Broadcasting Studios w/ Communication Towers	
Shooting Ranges	
Special Interest Automobile Dealership	
Sports Arenas, (Public/Private)(Indoor/Outdoor)	
Taxicab Companies	
Taxidermist	
Water Towers	
Wireless Communication Facilities	

TYPE/USE**Medium Intensity Specialty Uses - Less than 7,500 sq. ft.**

Cemetery/Mauseleum(Public/Private)	
Private Club	
Produce Market	
Radio and Television Broadcasting Studios w/o Communication Towers	
Special Interst Automobile Dealership	
Temporary Help Marshalling and Dispatch Services	
Non-motorized recreational equipment rental (canoes, kayaks, paddle boards, etc)	
Outdoor Farmer's Market	
Flea Market	
Mobile food vending courts	

TYPE/USE**Low Intensity Specialty Uses - Less than 2,500 sq. ft.**

Essential Services	P
Open Space Conservation Areas	P
Produce Market	
Private Club	
Special Interest Automobile Dealership	
Water Conservation Areas	P

TYPE/USE

CULTURAL & ARTISANAL ARTS

High Intensity Artisanal Uses - Greater than 7,500 sq. ft.

Artisanal Foods

Artisanal Manufacturing

Ceramics Studio w/ Kiln

Ceramics Studio w/o Kiln

Commissary Kitchen

Culinary Arts

Film Studios

Indoor Motion Pictures (more than three (3) Screens)

Performing Arts Theatre (more than 250 seats)

Radio Broadcasting Studios

Recording Studios

Sculpture Studio w/ Kiln

Sculpture Studio w/o Kiln

Television Production Studios

TYPE/USE

Medium Intensity Artisanal Uses - Less than 7,500 sq. ft.

Artisanal Foods

Artisanal Manufacturing

Artisan Studio

Arts and Crafts Studio

Art Gallery

Bakery

Book Binding

Ceramics Studio w/ Kiln

Ceramics Studio w/o Kiln

Commissary Kitchen

Culinary Arts

Custom Jewellery Studio

Indoor Motion Pictures (up to three (3) Screens)

Performing Arts Theatre (less than 250 seats)

Perfumery

Photography Studio

Pottery Shop/Studio

Recording Studios

Sculpture Studio w/ Kiln

Sculpture Studio w/o Kiln

Stationery/Engraver

TYPE/USE

PUBLIC

High Intensity Public Uses - Greater than 7,500 sq. ft.

Amphitheatres - Greater than 250 Seats

Community Gardens

Light Utility Facility Services

Recreation Public (Indoor) w/ Team Sports Facilities

Recreation Public (Indoor) w/o Team Sports Facilities

Recreation Public (Outdoor) w/ Team Sports Facilities

Recreation Public (Outdoor) w/o Team Sports Facilities

Recreation Park (Active) w/ Team Sports Facilities

Sports Arenas

TYPE/USE

Medium Intensity Public Uses - Active - Less than 7,500 sq. ft.

Amphitheatres - Less than 250 Seats

Community Gardens

Concession Stands in Conjunction with recreational facilities

Light Utility Facility Services

Recreation Public (Indoor) w/ Team Sports Facilities

Recreation Public (Indoor) w/o Team Sports Facilities

Recreation Public (Outdoor) w/ Team Sports Facilities

Recreation Public (Outdoor) w/o Team Sports Facilities

Recreation Park (Passive) - More than Two (2) Acres

TYPE/USE

Low Intensity Public Uses - Passive - Less than 2,500 sq. ft.

Nature, Foot and Bicycle Trails

Pocket Parks

Picnic facilities, Play-Grounds, Passive Recreational, Restrooms

Public and Private Nature Preserves

Recreation Park (Passive) - Less than Two (2) Acres

TYPE/USE

Low Intensity Industrial Uses - Less than 2,500 sq. ft.

Building and construction trades/contractors manufacturing without outdoor storage yards

Building and construction trades/contractors manufacturing with outdoor storage yards

Contractor (Office only, no outdoor storage yard)

Contractor (Office with outdoor storage yard)

Low Intensity Fabrication Services excluding retail display and sales

Low Intensity Fabrication Services including retail display and sales

Low Intensity Manufacturing excluding retail display and sales

Low Intensity Manufacturing including retail display and sales

Low Intensity Processing excluding retail display and sales

Low Intensity Processing including retail display and sales

Garment/Clothing/Apparel Manufacturing

Medical and Dental Laboratories

Fencing Contractor

TYPE/USE

Medium Intensity Industrial Uses - Less than 7,500 sq. ft.

- Aquaculture/Hydroponic Farming
- Auction House w/out outdoor storage
- Boat Repair / Maintenance / Detailing
- Building and construction trades/contractors manufacturing without outdoor storage yards
- Building and construction trades/contractors manufacturing with outdoor storage yards
- Cabinetry Manufacturing
- Cleaning and Maintenance Services
- Disinfecting and Exterminating Services
- Distillery
- Furniture Stripping, Finishing and Refinishing
- Furniture Manufacturing
- Garment/Clothing/Apparel Manufacturing
- Import/Export Business
- Landscaping Contractors w/Storage Yards
- Lawn, Garden and Tree Maintenance Services
- Mail Delivery Services
- Medical/Biothech/Pharmaceutical Manufacturing & Distribution
- Medium Intensity Fabrication Services excluding retail display and sales
- Medium Intensity Manufacturing excluding retail display and sales
- Medium Intensity Processing excluding retail display and sales
- Microbrewery w/Sales
- Microbrewery w/o Sales
- Packaging and Labeling Services
- Plant Nursery (sales only)
- Plant Nursery
- Regional Distribution Center
- Steam and Pressure Cleaning Services
- Storage-outdoor
- Storage-indoor
- Utility Plant, Substation, Power Generation-Minor
- Vintner/Winery

TYPE/USE**Low Intensity Vehicular Uses - Less than 2,500 sq. ft.**

Automobile Charging Station (accessory to primary use)

Automobile Body Shops

Automobile Service and Repair-Major

Automobile Service and Repair-Minor

Automobile Upholstery Establishments

Automobile Washing Establishments, Attended / Unattended

Automobile Waxing and Polishing Establishments

Automobile Window Tinting Establishments

Automotive Parts Sales

Motorcycle/Motorscooter Rentals

Special Interest Automobile Dealership

Tire/Rim Sales and Service

Tourism-related trades-No Storage yard

Used Automobile Sales and Rentals

Used Boat Sales and Rentals

Vehicle Broker



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
 1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

DATE: December 30, 2015

TO: Chair and Members of the Planning and Zoning Board

FROM: Curt Thompson, Community Planner
 Maxime Ducoste, Planning and Preservation Manager

SUBJECT: **PZB Project Number 15-01500003:** Consideration of Variances from Section 23.5-1, Signs, to allow additional signage for an importer and wholesaler of granite, marble, porcelain tile and slab surface business facility with accessory outdoor storage for property located at 1800 4th Avenue North, Unit A (425 Industrial Street).

PZB Meeting Date: January 6, 2016

SYNOPSIS:

Applicant	MR. MICHAEL F. COIRO	
General location	1800 4 th Avenue North, Unit A (425 Industrial Street)	
Zoning	I-POC; Industrial Park of Commerce	
Existing land use	Industrial	
Future land use designation	Industrial	
Applicable Municipal Code Sections	23.2-26, 23.5-1	
Board action required	Approve, Deny the Request, Continue the request for additional information	
Staff Recommendation	Staff recommends denial of the Variance Request.	
	Name and Title	Initials
Project planner	Curt Thompson, Community Planner	CT
Approved by	Maxime Ducoste, Planning and Preservation Manager	MD

BACKGROUND/REQUEST:

Update; On November 4, 2015, the Planning and Zoning Board voted to table this request to the January 6, 2016 Board meeting. During this meeting, a motion made by Mr. Sherwin, Move to approve 15-01500003 request for a variance from 23.5-1 regarding the total combined sign area. Permitted sign area for each building will be limited to one square foot of signage per one linear foot of building located adjacent to a public right of way. Motion did not receive a second.

Additional discussion ensued regarding ownership of the property and the request for the variance. A variance, once granted, runs with the parcel, not a specific tenant. As such, the owner of the property

should be involved with the outcome and the specifics of a variance. Ms. Ansay noted the ownership, and the legality of the Application that was submitted, and listed the decision options for the Board.

At that point, a motion made by Mr. Sherwin with a Second by Mr. Humm to continue the case to the January 6, 2016, regular meeting, with the condition that all prohibited signs must be removed before the hearing.

Vote: Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; and Ms. LaTorre.

Nays: Mr. Zacks

Motion carried four (4) to one (1).

On October 7, 2015, Mr. Larry Zabik on behalf of Mr. Coiro, submitted a request for a continuance of Mr. Coiro's variance request to the November 4, 2015 Planning and Zoning Board meeting. After much deliberation, the Planning and Zoning Board voted 4 to 2 to continue Mr. Coiro's request to the November 4, 2015 meeting. At this time, the staff request that the Board hear the applicant's request, the staff's recommendation, and decide what course of action to take (Please see the Recommendation Section of this staff report).

Update; On October 1, 2015, Mr. Larry Zabik on behalf of Mr. Coiro, submitted the following revise request:

1. North side of property: One (1) 8'x5' sign over service entrance to remain. No other signs on the building with the exception of the address on the office.
2. East side of property: One (1) 10'x40' sign. One (1) "Florida Distributor" sign will remain. All other sign on the east fence will be removed.
3. South side of property: One (1) 8'x5' sign over the entrance to the service area.

ArcStone Trading is requesting that the sign in the storage yard on the south side of the property be approved as a variance in accordance with the City's nonconforming signage code. This sign would be removed in 2019 as required by the Lake Worth signage code. The staff would like the Board to note that the sign in the storage yard on the south side of the property is an unpermitted sign and is illegal as illustrated in Section 23.5-1 of the Sign Regulations. A building permit for such a sign is prohibited.

Therefore, the applicant is now requesting a total of 815 square feet of signage:

One 8' by 5' square foot – North side of the property over the entrance of the warehouse;

One 8' by 5' square foot – South side of the property over the entrance to the storage yard;

One 10' by 40' square foot on the east side of the building;

Signage in the Storage yard: 320 square feet; however, this sign should be excluded as it is an illegal, unpermitted and prohibited sign.

One 3 x 5 square foot sign on the east side of the building;

For a total of 495 square feet

The sign regulations allows a maximum of 150 square feet per property. Thus, the applicant is requesting a variance of 345 square feet.

Update: On July 1, 2015, Mr. Coiro requested a 30 day postponement of his variance request to the August 5, Planning and Zoning Board meeting to allow him time to address the staff's recommendation regarding his variance request. The Board approved that request by a vote of 7-0.

On August 5, 2015, Planning and Zoning Board approved a second request by Mr. Coiro to postpone review of his variance request to the September 5, 2015 Planning and Zoning Board meeting by a vote of 7-0). Since that time, the staff and the applicant's representative (Mr. Larry Zabik) have had in-depth discussions regarding the City's Sign Code Regulations. As result of those discussions, the staff requested and received a continuance to the October 7, 2015 meeting to allow for the staff and Mr. Zabik resolve this situation as fairly as possible. Attached below is a copy of the July 1, 2015 staff report from the Planning and Zoning Board meeting to refresh the Board on the issues of this case.

ORIGINAL REQUEST

1800 4thAvenue North, Unit A (425 Industrial Street) is an existing building located within the Industrial – Park of Commerce (I-POC) zoning district. According to the Palm Beach County Property Appraiser's Office, the structure was built around 1986. There are three other structures on the subject site, one was built in 1965, another was built in 2000 and the last structure built in 2005. The existing building housing Unit A on the subject site/building is currently occupied by Arc Stone Trading LLC. Arc Stone occupies approximately 3,000 square feet of office and showroom space; 12,294 square feet of warehouse space and about 1,000 square feet of outdoor storage of stone, tile and slab materials in a fenced in yard at the south end of the building.

The applicant is before the Board due to the fact that he has erected signage without a legal building permit. In addition, had the applicant applied for a building permit, the excessive sign square footage would not have been approved for a building permit.

PROPOSAL/ANALYSIS:

The City's Land Development Regulations (LDRs) allow the following:

From Section 23.5-1 (Signs) of the Land Development Regulations

Total combined sign area.Except where otherwise regulated in this section, the total combined sign area permitted, based on legal lot frontage, is as follows:

Lot Frontage (lineal feet)	Maximum Sign Area (square feet)*
25 feet or less	50
More than 25 feet/not more than 50 feet	75
More than 50 feet/not more than 100 feet	100
More than 100 feet/not more than 150 feet	150
More than 150 feet	150

The total combined legal lot frontage is approximately 197.43 feet. That means the maximum allowable signage for this entire site is 150 square feet.

According to the City’s LDRs, the maximum allowable sign area for wall signs shall be one (1) square foot per linear foot of business frontage up to a maximum of one hundred (100) square feet.

According to the City’s LDRs, the following outlines the standards for freestanding signage:

Freestanding signs:

- A. Pole signs are prohibited.
- B. Ground signs.

Linear Business Frontage (feet)	Setback (feet)	Size (square feet)	Maximum Height (feet)
50—100	3	48	8
101—200	3	64	8
201—300	3	100	8
301—400	3	150	8
401 or over	3	200	8

The applicant is requesting the following variances from Section 23.5-1, Sign Regulations: Variances from the maximum total sign area allowed, the maximum allowable sign area for wall signage, the maximum allowable square footage for freestanding signs and the maximum height for a freestanding sign.

The applicant has and is requesting the following signage;

- a) Two main signs at the front and rear wall of the warehouse. Both signs are 8' by 5'. A total of 80 square feet.
- b) Two 10' by 40' banner signs on the east wall of the warehouse abutting Interstate-95. A total of 800 square feet.
- c) Two 3' by 5' banners, one that says "CLEARANCE" and one that says "FLORIDA TILE DISTRIBUTOR". Those signs also are located on the east wall of the warehouse abutting Interstate-95. A total of 30 square feet. It is important for the board to note that each wall sign are in the form of banners attached to the east wall of the warehouse. According to City's sign regulations, banners are permitted to advertise special events such as grand openings, community events and going out-of-business sales. In this case, the applicant has chosen to use banner signs as permanent signage.
- d) One 8' by 40' freestanding banner sign mounted on sign post located at the rear of warehouse above the outdoor storage area. This sign also abuts Interstate-95 and is approximately 20 to 25 feet in height with a total square footage of 320 square feet in area. It is important for the Board to note that according to the City's LDRs, pole signs are illegal thus, the existing pole sign located above the outdoor storage at the rear of the warehouse is not permitted per the sign regulations.
- e) One 1.5' by 2.5' freestanding sign facing I-95 (3.75 square feet total)
- f) Three 2' by 1.5' entrance signs (9 square feet total). In addition, it is important for the Board to note that the 3 "entrance signs" are classified as snipe signs. According to the City's LDRs, snipes are prohibited in the City of Lake Worth. Therefore, these signs must be removed.
- g) Lastly, it is important for the Board to note that the applicant erected the above signage without obtaining a permit from the City of Lake Worth.

Thus, the applicant is requesting the following square footage for Wall Signage:

Front and Rear – 80 square feet
East Wall - 830 square feet

A total of 910 square feet.

Regarding Freestanding Signage, the applicant is requesting the following:

One freestanding sign (8' by 40') above the rear outdoor storage area – 320 square feet.
One 1.5' by 2.5' freestanding sign facing I-95 – 3.75 square feet
Three 2' by 1.5' entrance signs at the front of the business – 9 square feet

A total of 332.75 square feet. The applicant is therefore requesting a grand total square footage of 332.75 + 910 = 1,242.75 square feet of signage.

Thus, the applicant (Arc Stone) has 80 feet of business frontage, the total allowable wall signage will be 100 square feet. The applicant is asking for an increase of 810 square feet.

Secondly, Arc Stone has one large banner sign in the backyard area facing Interstate-95. That sign is 8' by 40' (total of 320 square feet) at a height between 20 and 25 feet. According to the City's LDRs, pole signs are illegal, thus, the existing pole sign located above the outdoor storage at the rear for the warehouse is not allowable.

Third, Arc Stone has one 1.5' by 2.5' freestanding sign (approximately six foot high) facing I-95 – 3.75 square feet and three - 2' by 1.5' entrance signs (about three feet in height) at the front of the business – 9 square feet.

The City's LDRs allows a total sign area of 48 square feet at a maximum height of 8 feet for all freestanding signs. The applicant is requesting an increase of 284.75 square feet in sign area and a variance of at least 12 feet for the freestanding sign located at the rear of the site. Therefore, the City LDRs allows the applicant a total of 148 square feet of signage, the applicant is requesting a total of 1,242.75 square feet.

The applicant has provided a written justification statement for their proposal included with this staff report, as well as photos and survey/map showing the location of the signage.

VARIANCE ANALYSIS:

According to Section 23.2-26 the power to grant any such variance shall be limited by and be contingent upon documentation that **all required findings are** made by the appropriate board. The following addresses each of the required findings with respect to the applicant's requested variances

1. Special circumstances or conditions exist which are peculiar to the land or building for which the variance is sought and do not apply generally to nearby lands and buildings, and that this is not the result of action of the applicant;

Staff Response : Although the applicant has submitted a revision to the variance request, the applicant still does not comply with this standard. There are no circumstances or conditions unique to this site that requires the applicant to request 495 square feet of wall signage. The maximum allowable sign area for wall signs shall be one (1) square foot per lineal foot of business frontage, up to a maximum of 100 feet. The applicant is allowed 100 square feet, yet Mr. Coiro is asking for an increase of 345 square feet. The applicant presented no evidence indicating special or unique circumstances which are peculiar to the land or building. Also it is important for the Board to note, the existing signage was erected without consultation with the Planning and Zoning Division or obtaining a legal building permit from the City of Lake Worth. According to the City's LDRs, pole signs are illegal, thus, the existing pole sign located above the outdoor storage at the rear for the warehouse is not permitted. Therefore, the applicant's request for a variance is a self-created hardship. The plight of the applicant is due to circumstances that were created by the applicant's own actions.

2. The strict application of the provision of these LDRs would deprive the applicant of any reasonable use of the land or building for which the variance is sought;

Staff Response: Although the applicant has submitted a revision to the variance request, the applicant still does not comply with this standard. Regulations governing on premise signs are established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize

adverse effects on nearby property, and to protect the public health, safety and welfare. When a freestanding sign is located on a site, the Land Development Regulations allows less building signage to lessen sign clutter and prevent a proliferation of signage. The proposed amount of wall signage is almost eight times as much as would be allowed with no freestanding sign on the site. In addition, the existing freestanding sign above the outdoor storage area is classified as a pole sign, and as such, is prohibited per the City's Land Development Regulations. Therefore, the request is not reasonable and not in keeping with the spirit and intent of the LDRs and comprehensive plan.

3. That the variance proposed is the minimum variance which makes possible the reasonable use of the land or building;

Staff Response: Although the applicant has submitted a revision, the applicant does not comply with this standard. Due to the location of Interstate – 95, there is a high concentration of automobile oriented uses in the immediate area. These uses have large amounts of signage and large freestanding signs, which have created sign clutter in this area. The LDRs allows for effective signage to be provided on this site. Granting the variance would contribute to the sign clutter problem in the area and would not be consistent with the IPOC district. Although the revision submitted by the applicant is a reduction from his original request, the request is still in excess of the sign regulations by 345 square feet. In addition, the applicant has not presented any information or data that justifies the need for such an excessive amount of signage.

4. That the granting of the variance will be in accordance with the spirit and purpose of this chapter, and will not be unduly injurious to contiguous property or the surrounding neighborhood nor otherwise detrimental to the public welfare. In deciding appeals from decisions of the development review official or in granting variances, the decision-making board is authorized and required to impose any reasonable conditions and safeguards it deems to be necessary or desirable, and violation of such conditions or safeguards when made a part of the terms under which a variance is granted, shall be deemed to be a violation of these LDRs.

Staff Response : Although the applicant has submitted a revision to the variance request, the applicant still does not comply with this standard. Regulations governing on premise signs are established to permit effective signage appropriate to the planned character of each zoning district, to promote an environment that minimize visual clutter and confusion, minimizes adverse effects on nearby property, and to protect the public health, safety and welfare. The request for excessive wall signage and an illegal pole mounted sign is not reasonable nor in keeping with the spirit and intent of the LDRs and comprehensive plan. Conversely, the applicant's request would represent granting of a special privilege specific to this property, and in particular, to this business

that other businesses on the same lot would not enjoy the same rights and privileges, and would be unduly injurious to contiguous properties.

CONSEQUENT ACTION:

The decision of the Planning and Zoning Board will be final; however, the Applicant may appeal the Board's decision to the Circuit Court.

RECOMMENDATION:

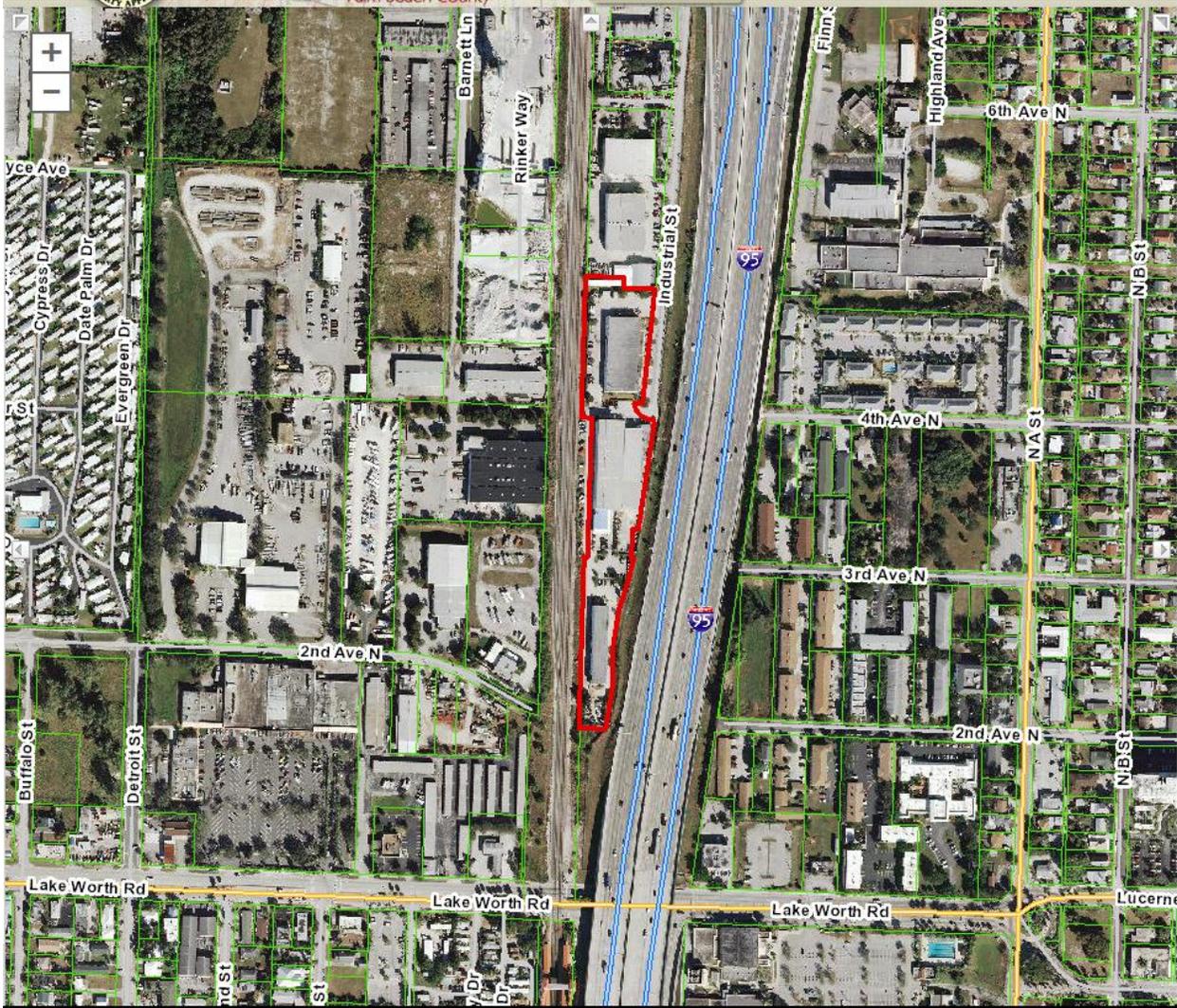
Update: Since November 4, 2015, the staff has not received feedback from the applicant. Therefore, the staff is recommending that the Planning and Zoning Board deny this request as submitted by the applicant. This denial is due in major part to the fact that as Mrs. Ansay had indicated, variances are approved based the ownership of the property, and not to an individual business operator. In addition, the applicant has not demonstrate any willingness to remove the unpermitted signage on the building as stipulated previously by the Board.

Based on the findings outlined in the analysis, staff recommends that the Planning and Zoning Board deny the variance request as submitted by the Applicant and recommend the removal of the unpermitted signs immediately.

POTENTIAL MOTION:

I MOVE TO APPROVE/DENY OF PZB PROJECT NUMBER 15-01500003: Request for three (3) variances from Section 23.5-1 (Sign Regulations), regarding the total combined sign area, the maximum allowable sign area for wall signs, the maximum square footage for a freestanding sign and the maximum height for a freestanding sign. The subject property is located at 425 Industrial Street (1800 4th Avenue North, Unit A).

LOCATION MAP



ATTACHMENTS:

- A. Sign Variance Justification
- B. Sign Location Map
- C. Floor Plan
- D. Photo No. 1
- E. Photo No. 2
- F. Photo No. 3
- G. I-95 Northbound for Arc Stone
- H. I-95 Southbound (a)
- I. I-95 Southbound (b)
- J. Arc Stone Approval Request Letter



Justification Statement to address the variance criteria in section 23.2-26.b for maintaining our existing signage

Given that this structure has existed for some time under an approved site plan, we do not have any planned or intended changes to these standard and compliances requirements for our intended use as an import, wholesaler of natural stone and porcelain slab and tile surfaces.

1. Special Circumstances or conditions exist which are peculiar to the land or building of which the variance is sought and do not apply to generally to nearby lands and building, and that is not a result of action of the applicant.

We have direct I95 Frontage. However, the visibility to I95 requires large signs in order to be seen from same. Also, given our location, while visible from I95, our location is not easy found by the general public. That is to say, customers have to be looking for our business with intent, they would not casually find our location just by driving by. Accordingly, we use the visibility to I95 in order to gain maximum attention, which we deem essential to our continuing business in a highly competitive industry.

2. The strict application of the provisions of this chapter would deprive the applicant of reasonable use of the land or building for which the variance is sought.

See #1 above. In addition, signs are clean and appealing and are in same positions and locations as similar signs in place by former tenants of property for as long as the building has been in existence.

3. The proposed variance is the minimum variance which makes possible the reasonable use of the land or building.

See #1 Above

4. That the granting of the variance will be in accordance with the spirit and purpose of the chapter and will not be unduly injurious to contiguous property or the surrounding neighborhood nor otherwise detrimental to the public welfare

See #1 and #2 above. In addition, signs in no way pose any threat or detriment, nor would be unduly injurious to contiguous property or the surrounding neighborhood nor are they otherwise detrimental to the public welfare.

October 1, 2015

Mr. Curt Thompson
Community Planner
City of Lake Worth
1900 Second Avenue North
Lake Worth, FL 33461

Re: PZB Project Number 15-01500003, Arc Stone Trading Signage

Dear Mr. Thompson:

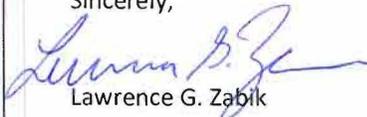
In furthering of our discussions regarding ArcStone Trading and the variance request, we are respectfully requesting approval of the following signage for the ArcStone Trading site:

1. North side of property: One (1) 8'x5' sign over service entrance to remain. No other signs on the building with the exception of the address on the office. We would like to discuss a monument type sign, similar to the A1 Plus Stone Design sign on the opposite side of the street.
2. East side of property: One (1) 10'x40' sign. One (1) "Florida Distributor" sign will remain. All other sign on the east fence will be removed.
3. South side of property: One (1) 8'x5' sign over the entrance to the service area.
4. Temporary banner signs will be used, in accordance with the Lake Worth signage code, to advertise special sales and will be installed and removed in accordance with said code.

Based on our discussions, I believe that this is consistent with that we believe staff can support. In addition to this signage, ArcStone Trading is respectfully requesting that the sign in the storage yard on the south side of the property be approved as a variance in accordance with the City's nonconforming signage code. This sign would be removed in 2019 as required by the Lake Worth signage code.

We will be happy to sit down later this week to finalize this request. Thank you for your kind consideration.

Sincerely,



Lawrence G. Zabik

C: Michael Coiro
Maxime Ducoste

INTERSTATE 95

Landscaping

Building

2

3

EXISTING BUILDING #2
3,073 S.F.

ARE STONE OFFICE + SHOWROOM

COVERED

SIGNS

Sign

Cement Wall

Chainlink FENCE

ARE STONE WAREHOUSE

EXISTING WAREHOUSE
BUILDING #4
12,738 S.F.

Sign

Sign

OUTSIDE STORAGE YARD

Chainlink FENCE

FUTURE PARKING ON
EXISTING CONC. SLAB

Sign

EXISTING
CATCH BASIN

CONSTRUCT TYPE "C"
INLET W/BAFFLES
GRATE EL. 18.2
INV. EL. 14.2
BOTTOM EL. 12.0

CONSTRUCT +/-25
L.F. - 15" CAP

EXISTING BUILDING #3
18,207 S.F.

EXISTING TYPE "C" INLET
GRATE EL. 19.3

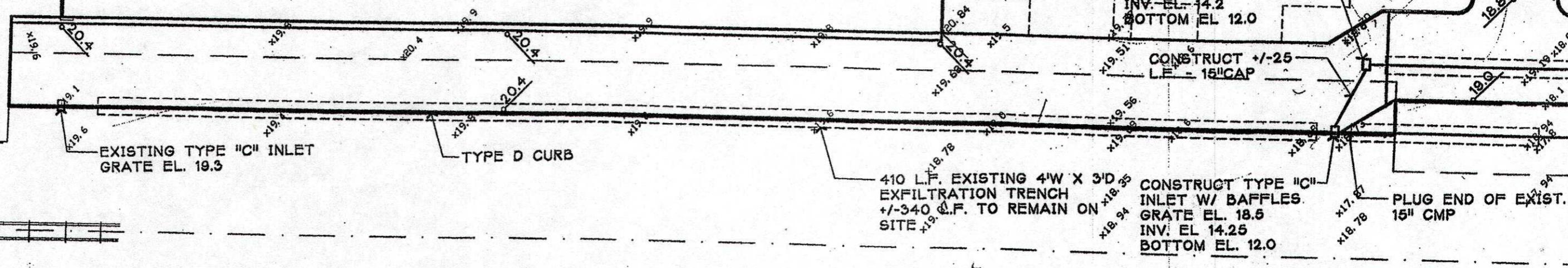
TYPE D CURB

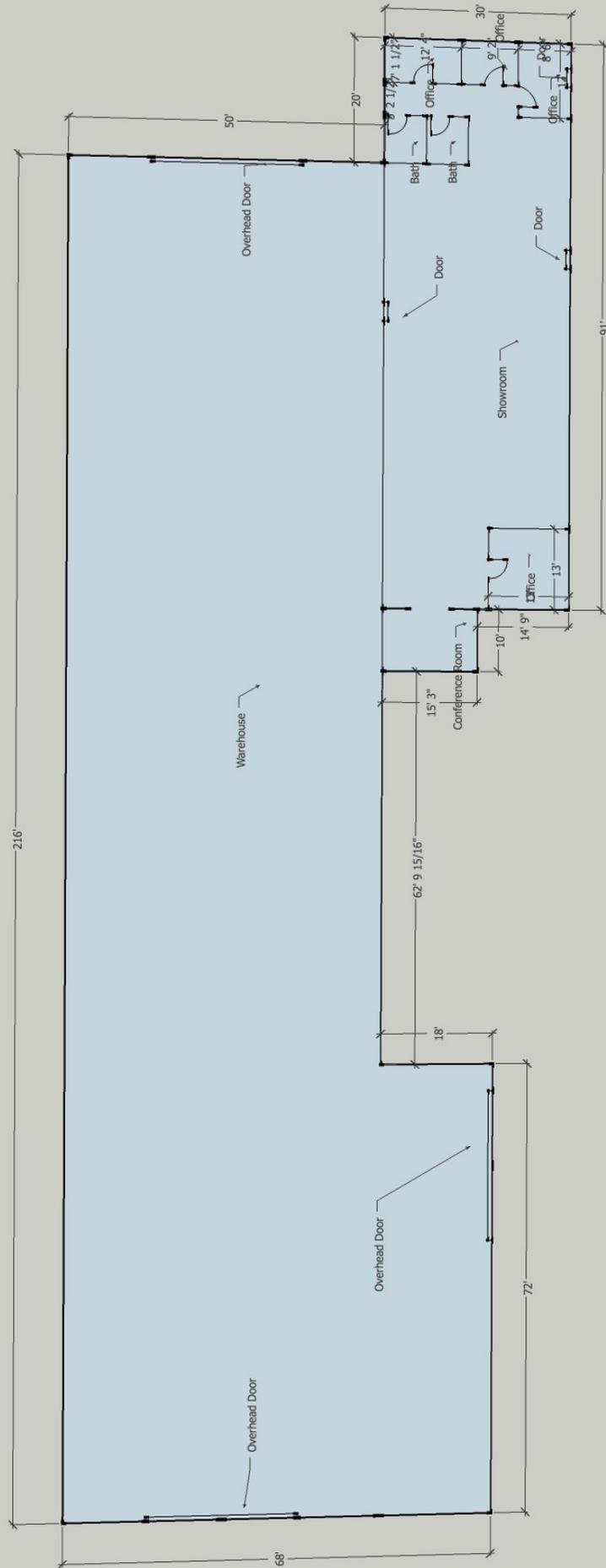
410 L.F. EXISTING 4'W X 3'D
EXFILTRATION TRENCH
+/-340 C.F. TO REMAIN ON
SITE

CONSTRUCT TYPE "C"
INLET W/ BAFFLES.
GRATE EL. 18.5
INV. EL. 14.25
BOTTOM EL. 12.0

PLUG END OF EXIST.
15" CMP

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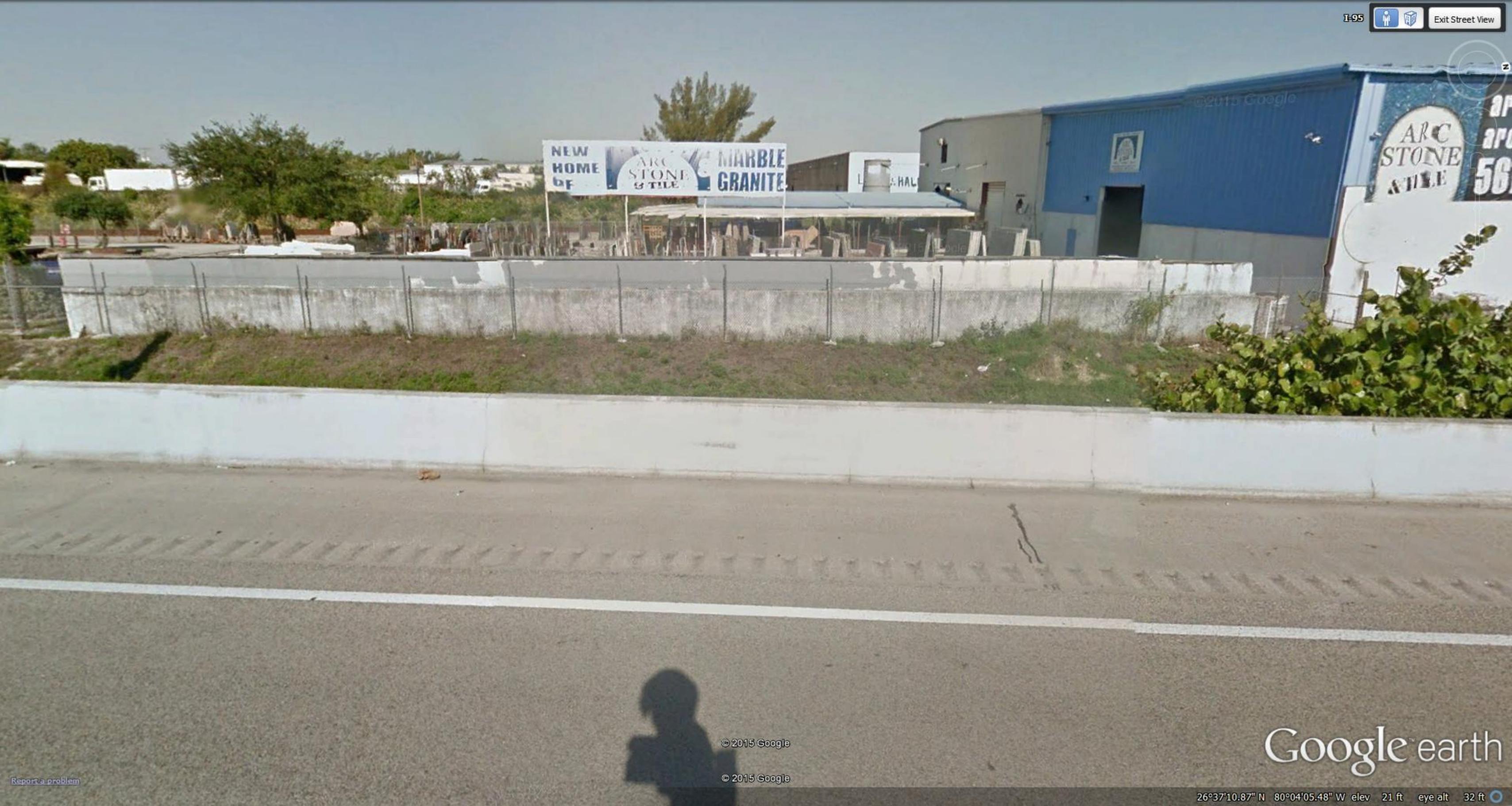


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