



## DEPARTMENT for COMMUNITY SUSTAINABILITY

Administration

1900 Second Avenue North · Lake Worth, Florida 33461 · Phone: 561-586-1644

March 2, 2015

Mission Education International  
Common Ground Coffee Bar  
12 South J Street  
Lake Worth, Florida 33460

Attention: Mr. Mike Olive, Owner and Pastor

Re: Accessory Use of Assembly for Place of Worship

Dear Mr. Olive:

As you are aware, the City received complaints regarding the services of the Common Ground Church being held at the Common Ground Coffee Bar, which the City's Code Compliance Division investigated and found that assembly services were being conducted at the location.

Under the City's code of ordinances, Chapter 14, Articles 1 & 2, a City of Lake Worth Business License is composed of two requirements: (1) a business tax receipt (BTR); and, (2) a use and occupancy certificate (U&O). Non-profit organizations (religious, charitable and/or educational) are exempt from paying the BTR (consistent with Florida Statutes); however, non-profit organizations must obtain a U&O. The purpose of the U&O certificate is to document business activities within the City by verifying compliance with all applicable City Codes including but not limited to the Florida Building Code, the Florida Fire Prevention Code, the City's Land Development Regulations and other life safety codes as required by the County and State as well as the Federal Government. The operation of businesses within the City without the U&O certificate and subsequent inspection to verify operations and appropriate safeguards can result in a danger to the health, safety and welfare of the community.

At present there is a valid Lake Worth Business license for Mission Education International to operate a coffee shop with a charitable organization exemption. Common Ground Coffee Bar has a U&O based on the use of the rented space as a coffee house for a space less than 2,500 sq. ft. The Common Ground Church's use is considered an assembly type of use, which would be an accessory to the existing coffee house use. From the pictures obtained through the City's investigation and provided by Mr. Richard L Mast, Jr. Esq, it would appear that the addition of this accessory use may trigger life safety concerns, which form the basis for the City's U&O requirement. The pictures collectively suggest a failure to provide a clear ingress/egress path to a single exit door; a violation of the Americans with Disabilities Act with regard to accessibility; and, possibly overcrowding. As the owner of the Common Ground Coffee Bar, Mission Education International may be facing liabilities by not ensuring such life safety issues are appropriately addressed. While the City will not be liable for the property owner's or your failure to address life safety issues, the City is insistent upon enforcing the U&O requirement to protect the health, safety and welfare of the community.

The U&O is required of all businesses, both for-profit and not-for-profit, operating within the City. We gladly will work with your organization to obtain the expansion of the existing U&O for the assembly use as an accessory to the Common Ground Coffee Bar. The application form is simple to complete as your organization has completed one prior for the coffee bar. We also can schedule the required inspection at your earliest convenience and apprise you of any improvements that may be required of the space or limitations on the number of occupants allowed. Please be assured that the City has the best interests of the public in mind and wants to ensure that there are no life safety issues with regard to the operations of the accessory use.

If you have any questions or need additional information please call me at (561) 586-1634.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Waters', with a long horizontal stroke extending to the right.

William Waters, AIA, NCARB, LEED AP BD+C, SEED, ID  
Director for Department of Community Sustainability

- c. Mayor Pam Triolo and City Commissioners  
Michael Bornstein, City Manager  
Christy Goddeau, City Attorney  
John K. Fitzgerald and Ruben Nieves, Property Owners  
Lake Worth Code Compliance and Business License Divisions