

# Annexation Petition Summary

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<b>Municipality</b>	<b>Palm Springs</b>	<b>Fiscal Year</b>	2005
<b>Annexation Name</b>	<b>Carmona Enterprises, Inc.</b>	<b>Status</b>	Adopted
<b>Annexation ID</b>	2005-70-002		
<b>Acres</b>	0.59		
<b>Location</b>	South of Lake Worth Road and west of Congress Avenue		

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<b>First Reading</b>	10/14/04	<b>Second Reading</b>	10/28/04
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<b>Type</b>	Voluntary	<b>Auto Id Number</b>	478
<b>Intake Date</b>	8/29/04		
<b>Existing Use</b>	Peek A Boo Night Club		
<b>County FLU</b>	Comm. High / 8 (CH/8)		
<b>County Zoning</b>	Comm. General / SE		
<b>Proposed Use</b>	Peek A Boo Night Club		
<b>Proposed FLU</b>	Commercial		
<b>Proposed Zoning</b>	Commercial General		
<b>Commissioner</b>	Warren H. Newell	<b>District</b>	3

<b>AdoptionDate</b>	10/28/04	<b>Completed?</b>	<input checked="" type="checkbox"/>
<b>OrdNum</b>	2004-43	<b>Objections?</b>	<input type="checkbox"/>

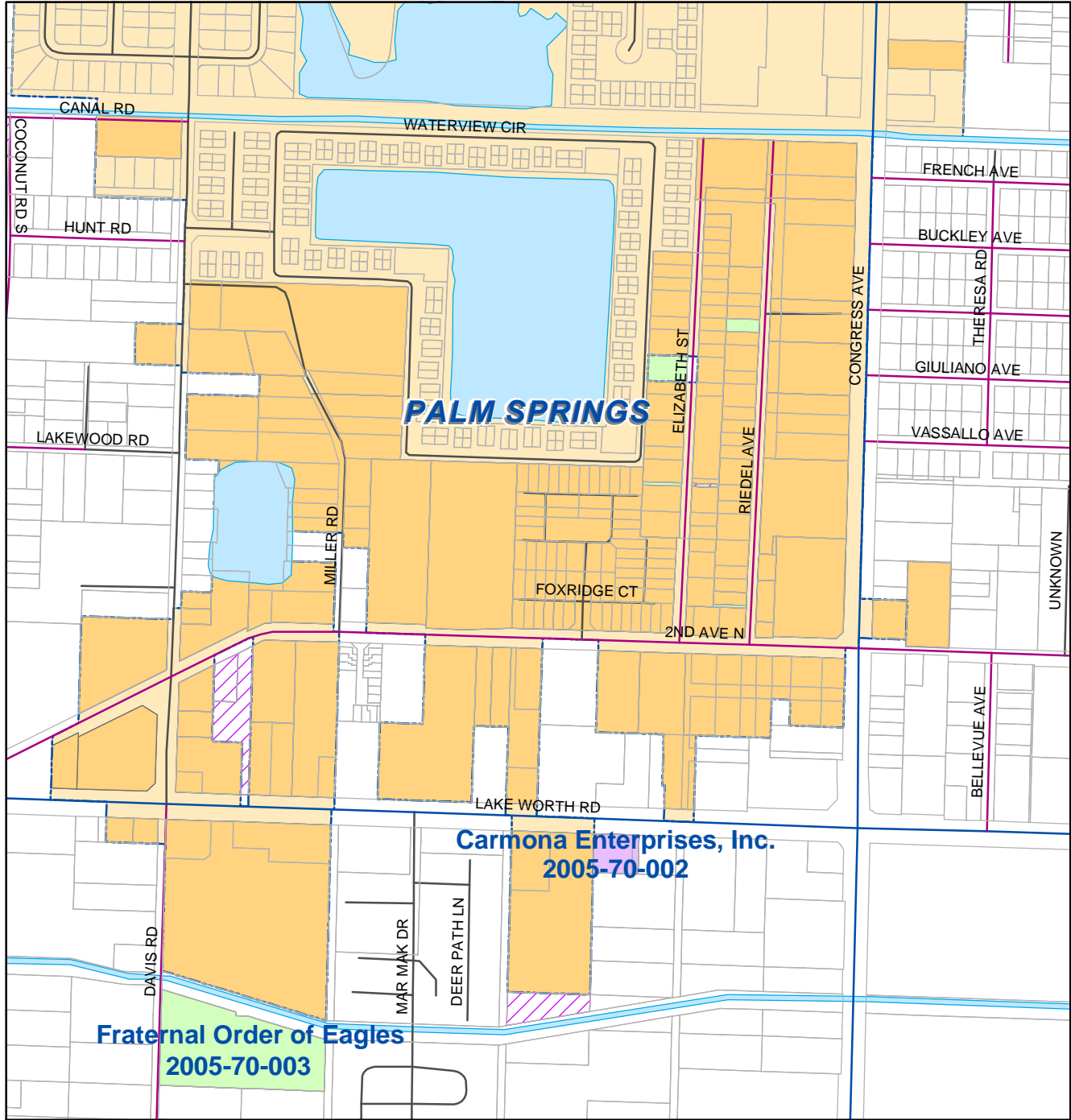
**Affected Parcel Control Numbers**





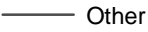






00-43-44-30-01-003-0020  
00-43-44-30-01-003-0030

**Comments:**

Petition #: 85-132, Resolution #: 86-228 & 229

# Annexation Location Map



- |   |   |  |   |
|---|---|--|---|
|  Newly Proposed Annexation   |  Parcels                         | <b>Roads</b><br><b>Responsible Authority</b> |   |
|  Pending Annexation          |  Palm Beach County Owned Parcels |  |  Other             |
|  Previous Annexation         |  Municipality                    |  |  FDOT              |
|  Failed/Withdrawn Annexation |  Water                           |  |  Palm Beach County |

Revision Date: 9/13/2004  
 Contact: Kathleen Chang  
 Filename: N:\Division Pr\Annex\FY2005\PS-Carmona Enterprises, Inc.  
 Note: Map is not official,  
 for presentations purposes only



**Planning, Zoning  
 & Building**  
 100 Australian Avenue  
 West Palm Beach, FL 33406  
 Phone (561) 233-5300



**ORDINANCE NO. 2004-43**

(SMALL SCALE ANNEXATION)

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO PARCELS OF LAND CONSISTING OF .59 ACRES OWNED BY CARMONA ENTERPRISES, INC.; LOCATED AT 3174 AND A VACANT LOT ON LAKE WORTH ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO COMMERCIAL, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT COMMERCIAL GENERAL (CG) ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Petitioner(s), Carlos Gonzalez, agent for the owner, Carmona Enterprises, Inc., constituting all of the fee simple title holders to those lands located at 3174 and a vacant lot on Lake Worth Road, and more particularly described in Exhibit "A", attached hereto and made a part hereof, have voluntarily requested the Village of Palm Springs annex said lands into the corporate limits of the Village; and

**WHEREAS**, the Petitioner has further requested that concurrent with said annexation, the Village designate the Future Land Use and Land Development district for said lands; and

**WHEREAS**, the Village Council, has considered the Petitioner's voluntary request for annexation, and land use and zoning designations, and has also considered the recommendation of the Village staff.

**NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:**

**Section 1. Findings.** The Village Council finds the above statements are true and correct, and serve as a basis for consideration of this ordinance; that said lands are contiguous with the corporate limits of the Village of Palm Springs, create no enclaves, and the Village can effectively provide police, fire, and sanitary services to said land, all in compliance with the terms and requirements of Chapter 171, Florida Statutes, and the Village of Palm Springs Code.

**Section 2. Annexation.** The Village Council has determined that development of said lands upon annexation shall be in accordance with the regulatory requirements of Palm Beach County, until such time as the Village Comprehensive Land Use Plan amendment herein shall become effective. That the parcel of land more particularly described in Exhibit "A", is hereby annexed into and shall be within the corporate limits of the Village of Palm Springs, Florida, and that same shall henceforth be a part of said Village as if said lands were originally a part of the Village of Palm Springs.

**Section 3. Future Land Use.** Concurrent with said annexation, the Future Land Use designation in the Village's Comprehensive Land Use Plan shall be established as Commercial. Until such time as this said amendment is approved by the Florida Department of Community Affairs, as provided by law, and the appeal period thereafter, but not sooner than 31 days following the effective date of this ordinance, all development of said lands shall be subject to the requirement of Chapter 171.062(2), Florida Statutes,

Ordinance No. 2004-43

the same stating that the County Land Use Plan, Zoning, and Subdivision regulations shall apply.

**Section 4. Zoning.** Concurrent with said annexation, the Land Development (Zoning) District designation on the official Village of Palm Springs Zoning Map shall be established as Commercial General (CG) subject to the approval and appeal period stated in Section 3, above.

**Section 5. Directions to the Village Clerk.** The Village Clerk is hereby authorized and directed to forthwith cause the designation of the zoning of the property described in attached Exhibit "A", as set forth in Section 4 of this Ordinance, on the official Village of Palm Springs Zoning Map. The Village Clerk shall also cause the boundaries as set forth in the Village Charter to be amended and codified. The Village Clerk shall submit such documentation as required by law to give effect to this ordinance to the Clerk of the Circuit Court, pursuant to Section 2.01, Village Charter, the Florida Department of State, and the Florida Department of Community Affairs.

**Section 6. Repeal of Conflicting Ordinances.** All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

**Section 7. Severability.** If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

**Section 8. Effective Date.** This Ordinance shall become effective immediately

Ordinance No. 2004-43

upon adoption.

Council Member Osborne, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member Waller, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
JOHN M. DAVIS, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHET OSBORNE, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, MAYOR PRO TEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BEV SMITH, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the 28th day of October, 2004.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: John M. Davis  
JOHN M. "MIKE" DAVIS, MAYOR

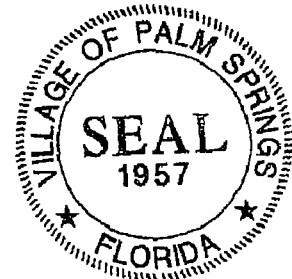
First Reading: 10-14-04  
Second Reading: 10-28-04

ATTEST:

BY: Irene L. Burroughs  
IRENE L. BURROUGHS, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: Paul J. Nicoletti  
PAUL J. NICOLETTI, VILLAGE ATTORNEY



## LEGAL DESCRIPTION

00-43-44-30-01-003-0020

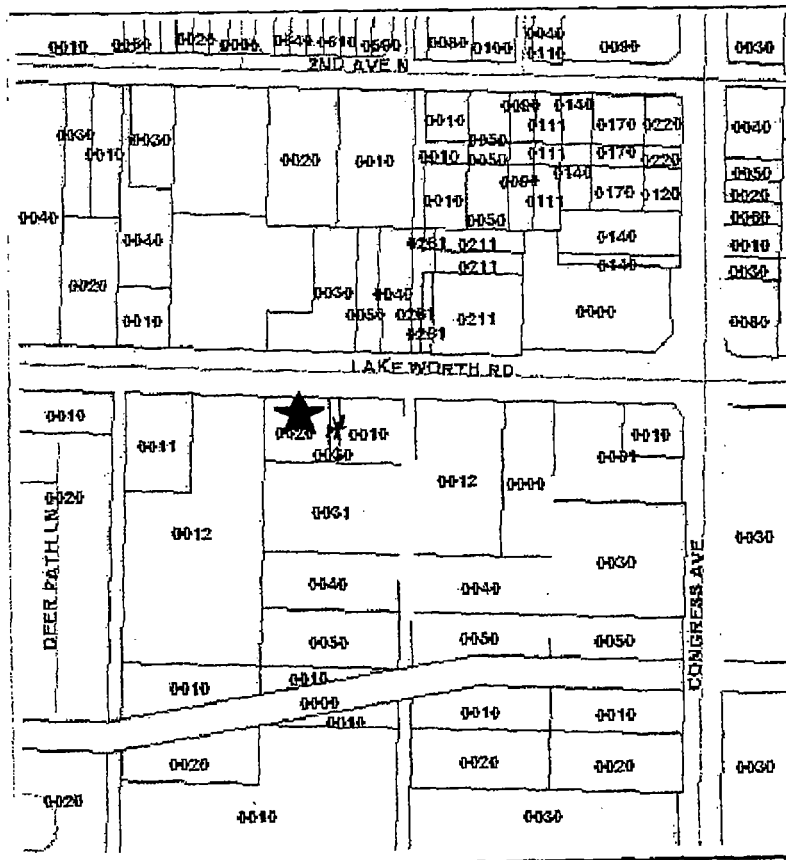
3174 Lake Worth Rd.

PALM BEACH FARMS CO PL NO 7 W 150 FT OF S 150 FT OF N 185 FT OF TRS A  
& B BLK 3

00-43-44-30-01-003-0030

Vacant lot on Lake Worth Rd.

PALM BEACH FARMS CO PL NO 7 TRS A & B (LESS W 150 FT OF N 185 FT, E  
145 FT OF N 185 FT, S 76.84 FT & N 35 FT RD R/W)



**THE  
LAKE WORTH HERALD**

Published Once a Week  
Lake Worth, Palm Beach County, Florida

STATE OF FLORIDA  
COUNTY OF PALM BEACH:

BEFORE the undersigned authority personally appeared MARK J EASTON, who on oath says that he is PRESIDENT of *The Lake Worth Herald*, a weekly newspaper published at Lake Worth in Palm Beach County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

Notice of Annexation, Ord. No. 2004-43, Public Hearings at 6:30 p.m. on September 28, at 7:30 p.m. on October 14, and at 7:15 and 7:30 p.m. on October 28, 2004, in the Community Room at Village Hall, at 226 Cypress Lane, Palm Springs, Florida,

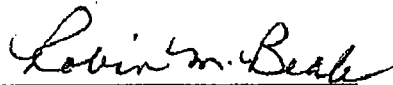
was published in said newspaper in the issues of

September 23 and 30, 2004.

Affiant further says that the said *The Lake Worth Herald* is a newspaper published at Lake Worth, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each week and has been entered as second class mail matter at the post office in Lake Worth, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
MARK J EASTON

SWORN TO AND SUBSCRIBED before me this 30<sup>th</sup> day of September, A.D. 2004, by Mark J Easton, who is known to me.

  
Notary Public, State of Florida at Large

(SEAL)  
My Commission Number:  
My Commission Expires:

OFFICIAL NOTARY SEAL  
ROBIN M BEALE  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. DD087444  
MY COMMISSION EXP. FEB. 10, 2006

Legal Notice No. 18045

**NOTICE OF ANNEXATION**

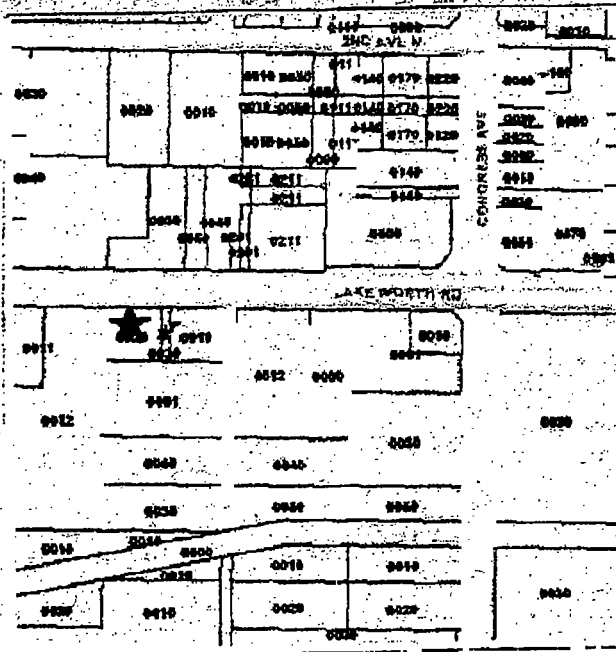
The Village of Palm Springs proposes to adopt **ORDINANCE NO. 2004-43**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO PARCELS OF LAND CONSISTING OF .50 ACRES OWNED BY CARMONA ENTERPRISES, INC., LOCATED AT 3171 AND A VACANT LOT ON LAKE WORTH ROAD; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO COMMERCIAL, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT COMMERCIAL GENERAL (CG) ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP.**

Public Hearings on the proposed ordinance will be held in the Community Room at Village Hall, 226 Cypress Lane, Palm Springs, Florida:

- Land Development Board on Tuesday, September 28, 2004 at 6:30 p.m.
- Regular Council Meeting on Thursday, October 14, 2004, at 7:30 p.m.
- Local Planning Agency on Thursday, October 28, 2004, at 7:15 p.m.
- Regular Council Meeting on Thursday, October 28, 2004, at 7:30 p.m.

The ordinance proposes to annex the parcel as shown on the location map:



The ordinance is to be reviewed and a local declaration by me as said authority as to its impact at the Office of the Village Clerk during Monday through Friday, between 8:00 a.m. and 5:00 p.m. All interested parties may appear at the meeting and be heard with respect to the proposed ordinance at the public hearing.

If a person decides to appeal any decision made by the above Village Council with respect to any matter considered at such hearing he or she will need a record of the proceedings, and for such purpose may need to contact a notary public. If the proceedings made which record include the testimony and evidence upon which an appeal is to be based. Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at 965-4020 at least 48 hours prior to the meeting in order to request such accommodation.

Irene L. Burroughs, CMC  
Village Clerk  
Village of Palm Springs

Published: *Lake Worth Herald*  
September 23 and 30, 2004

NOV 04 2004



# Village of Palm Springs

226 CYPRESS LANE .. PALM SPRINGS, FLORIDA 33461-1699 .. (561) 965-4010 .. FAX (561) 965-0899

11-15-04 P05:26 IN

November 1, 2004

Mr. Robert Weisman  
Palm Beach County Administrator  
301 North Olive Avenue  
West Palm Beach, FL 33401

RECEIVED  
NOV 17 2004

Re: New Annexed Property into Village of Palm Springs

PLANNING DIVISION

Dear Mr. Weisman:

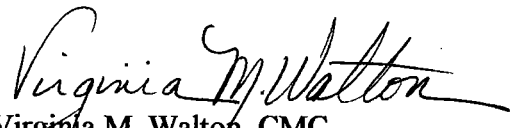
In accordance with Chapter 171, Florida Statutes, enclosed herewith please find a certified copy of Ordinances No. 2004-42, No. 2004-43, No. 2004-47 and No. 2004-48, adopted at the regular Council Meeting of October 28, 2004, annexing a total of 14.05 acres, more or less, into the corporate boundaries of the Village of Palm Springs pursuant to voluntary annexation petition.

The 14.05 acres consist of single family residences, two vacant lots, an adult entertainment establishment and a private school.

We are submitting this to your office and ask that it be filed according to your procedures and pursuant to State Law.

Should you have any questions, please don't hesitate to contact the Clerk's Office at (561) 965-4010.

Sincerely,

  
Virginia M. Walton, CMC  
Deputy Village Clerk

enclosure

To Use



## Village of Palm Springs

### OFFICE OF THE VILLAGE CLERK

226 Cypress Lane, Palm Springs, Florida 33461-1699

561-965-4010 FAX 561-965-0899

[iburroughs@villageofpalm Springs.org](mailto:iburroughs@villageofpalm Springs.org)

[vwalton@villageofpalm Springs.org](mailto:vwalton@villageofpalm Springs.org)

Irene L. Burroughs, Village Clerk  
Virginia M. Walton, Deputy Village Clerk

### CERTIFICATE OF TRUE COPY

The undersigned is the Village Clerk of the Village of Palm Springs, Florida, and is the duly authorized records custodian for said Village, and hereby certifies these documents are **true and correct copies** of Ordinance Nos. 2004-42, 2004-43, 2004-47, and 2004-48, adopted by the Village Council at its regular meeting on Thursday, October 28, 2004. The original documents are on file in the Office of the Village Clerk of the Village of Palm Springs.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the Village of Palm Springs, Florida this 1<sup>st</sup> day of November 2004.

By: Virginia M. Walton  
VIRGINIA M WALTON, CMC  
DEPUTY VILLAGE CLERK

