

Annexation Petition Summary

Municipality	Palm Springs	Fiscal Year	2005
Annexation Name	Fraternal Order of Eagles	Status	Adopted
Annexation ID	2005-70-003		
Acres	4.39		
Location	East of Davis Road and south of Congress Avenue		

First Reading	10/14/04	Second Reading	10/28/04
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Type	Voluntary	Auto Id Number	481
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Intake Date	9/15/04
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Existing Use	Fraternal Order of Eagles, Vacant Club
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County FLU	High Res. (HR 8)
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County Zoning	Res. Multi-Family
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Proposed Use	Fraternal Order of Eagles, Vacant Club
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Proposed FLU	Medium Density Res. (3.8-10.0 du/ac)
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Proposed Zoning	Res. Multi-Family
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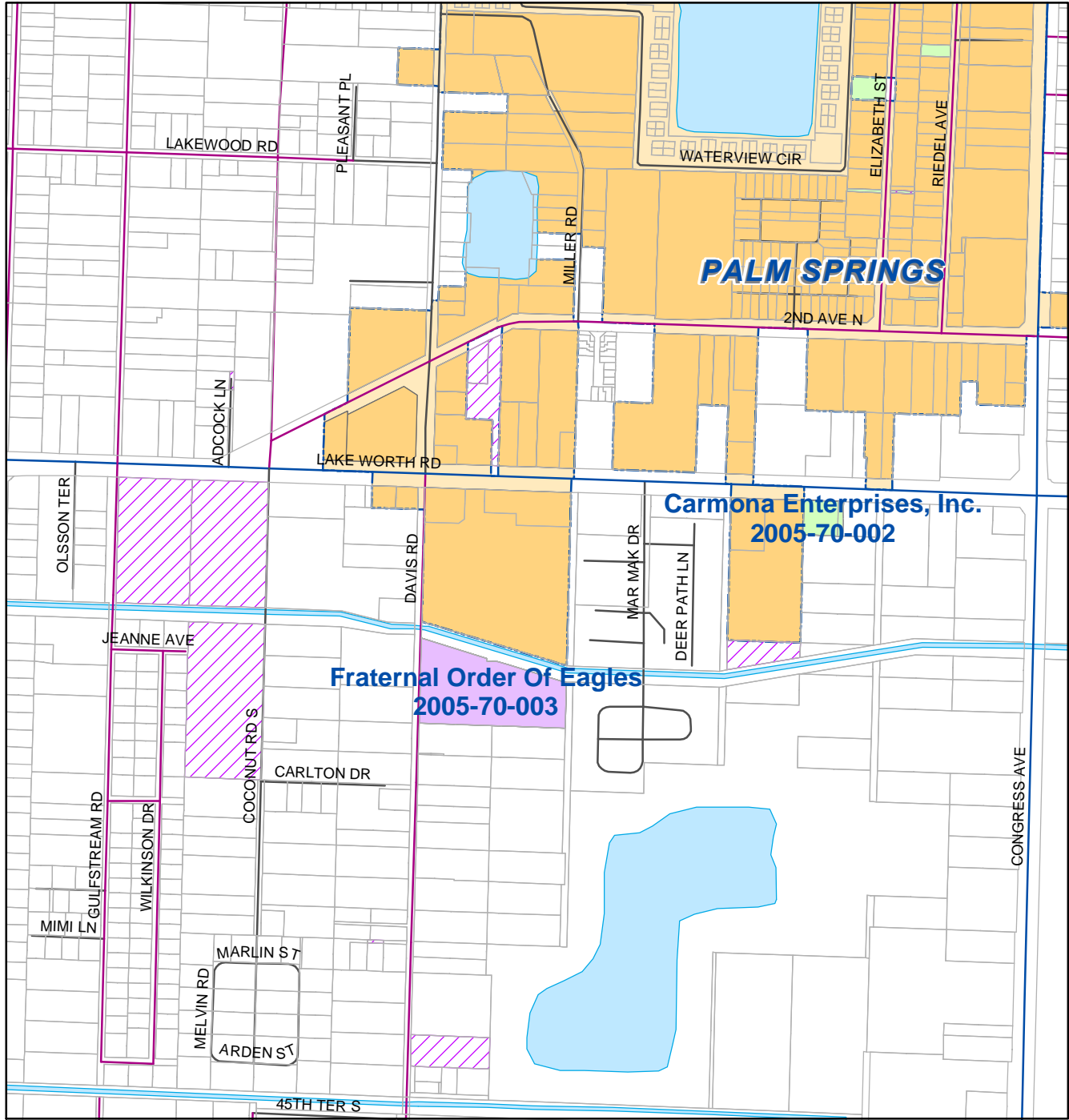
Commissioner	Warren H. Newell	District	3
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








AdoptionDate	10/28/04	Completed?	<input checked="" type="checkbox"/>
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OrdNum	2004-48	Objections?	<input type="checkbox"/>
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Affected Parcel Control Numbers		Comments:	
00-43-44-30-01-025-0011			

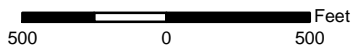
Annexation Location Map



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|  | Failed/Withdrawn Annexation |  | Water |  | FDOT |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

Revision Date: 9/16/04
 Contact: Kathleen Chang
 Filename: N:\Division Pr\Annex\FY2005\Fraternal Order of Eagles

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. 2004-48

(SMALL SCALE ANNEXATION)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 4.39 ACRES OWNED BY FRATERNAL ORDER OF EAGLES LAKE WORTH AERIE 3694 INC.; LOCATED AT 4162 DAVIS ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO MEDIUM DENSITY RESIDENTIAL, 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 RESIDENTIAL MULTI-FAMILY (RM) 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), Beril Kruger, Agent for the owner Fraternal Order of Eagles Lake Worth Aerie 3694 Inc., constituting all of the fee simple title holders to those land located at 4162 Davis 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 parcels 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 Medium Density Residential. 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, the same stating that the County Land Use Plan, Zoning, and Subdivision

Ordinance No. 2004-48

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 Residential Multi-Family (RM) 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 upon adoption.

Ordinance No. 2004-48

Council Member Waller, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member Smith, 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 29th day of October, 2004.

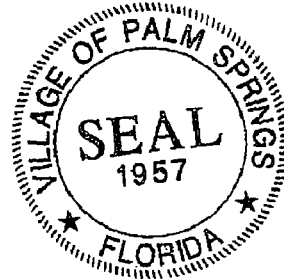
VILLAGE OF PALM SPRINGS, FLORIDA

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

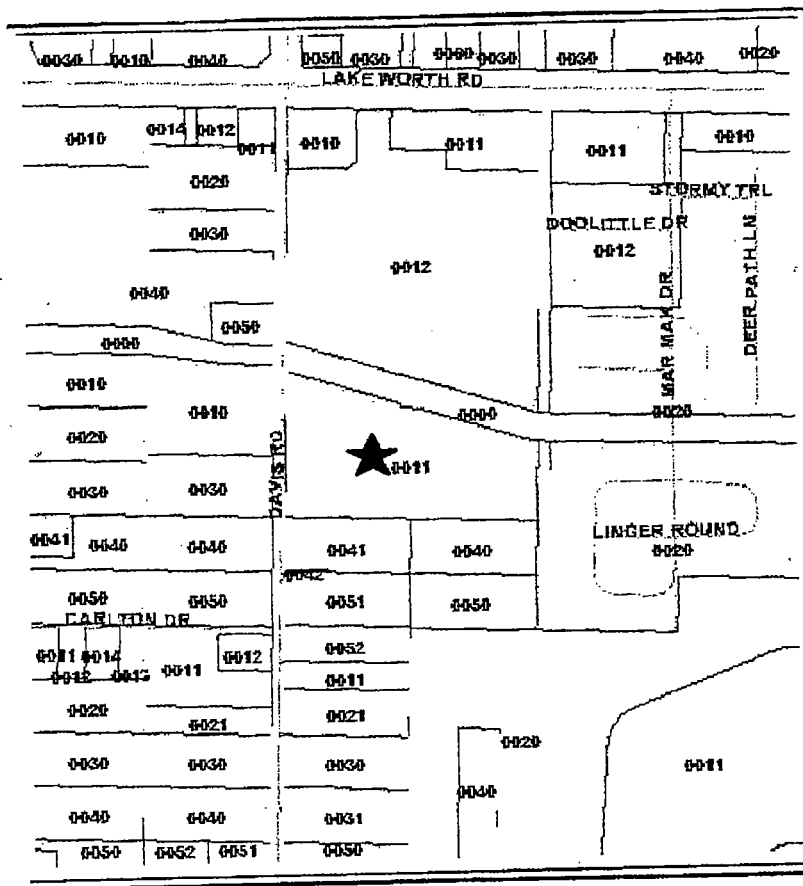
BY: Paul J. Nicoletti
PAUL J. NICOLETTI, VILLAGE ATTORNEY

LEGAL DESCRIPTION

00-43-44-30-01-025-0011

4162 Davis Rd.

PALM BEACH FARMS CO PL 7 LT A LYG S OF LWDD CNL & LTS B & C BLK 25
& LTS A & B LYG S OF LWDD CNL & LT C BLK 26



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. 2004-48, 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.

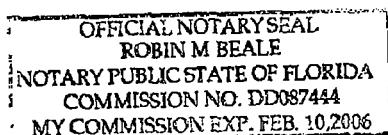
Affiant further says that the said *The Lake Worth Herald* is a newspaper published at Lake Worth, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each week and has been entered as second class mail matter 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 30th 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:



Legal Notice No. 18047

NOTICE OF ANNEXATION

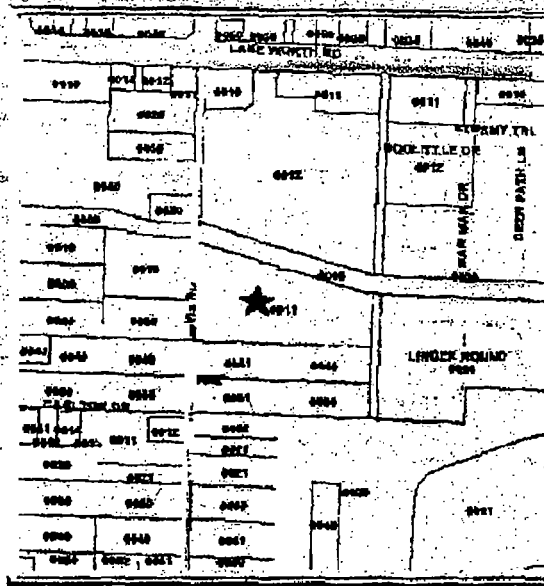
The Village of Palm Springs proposes to adopt **ORDINANCE NO. 2004-48**

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 4.39 ACRES OWNED BY FRATERNAL ORDER OF EAGLES LAKE WORTH AERIE 3961 INC., LOCATED AT 4162 DAVIS ROAD AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO MEDIUM DENSITY RESIDENTIAL 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 RESIDENTIAL MULTI-FAMILY RMZ 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 in its entirety and a legal description by metes and bounds may be inspected at the Office of the Village Clerk during Monday through Friday between 9:00 a.m. and 5:00 p.m. All interested parties may appear in 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 a hearing, he or she will need a record of the proceedings and for such a record to be made, that a certain record of the proceedings be made, which is to be made, and evidence must which is to be made. Persons who need an economic order in order to extend or participate in the hearing should contact the Village Clerk at 955 4039 or by e-mail: davis@palm-springs.org to request such a record.

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

PLANNING DIVISION

Re: New Annexed Property into Village of Palm Springs

Dear Mr. Weisman:

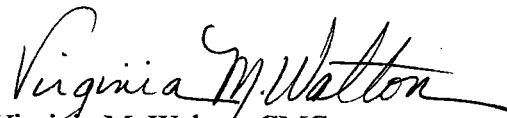
In accordance with Chapter 171, Florida Statutes, enclosed herewith please find a certified copy of Ordinances No. 2004-42, No. 2004-43, No. 2004-47 and No. 2004-48, adopted at the regular Council Meeting of October 28, 2004, annexing a total of 14.05 acres, more or less, into the corporate boundaries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

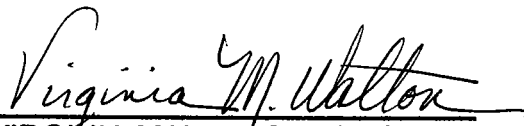
vwalton@villageofpalm Springs.org

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 1st day of November 2004.

By: 
VIRGINIA M WALTON, CMC
DEPUTY VILLAGE CLERK

