

Annexation Petition Summary

Municipality	Palm Springs	Fiscal Year	2005
Annexation Name	Seaglades Investment	Status	Adopted
Annexation ID	2005-70-011		
Acres	7.34		
Location	South side of Lake Worth Road and west of Congress Avenue		

First Reading	11/18/04	Second Reading	12/9/04
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Type	Voluntary	Auto Id Number	500
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Intake Date 11/2/04

Existing Use Vacant

County FLU Commercial Low (CL/8)

County Zoning Neighborhood Commercial & Multi-Family Res.

Proposed Use Vacant

Proposed FLU Commercial

Proposed Zoning Commercial General

Commissioner Warren H. Newell **District** 3

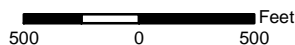
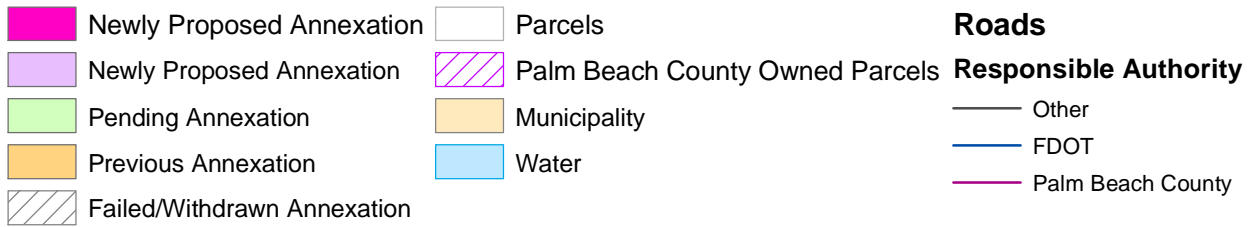
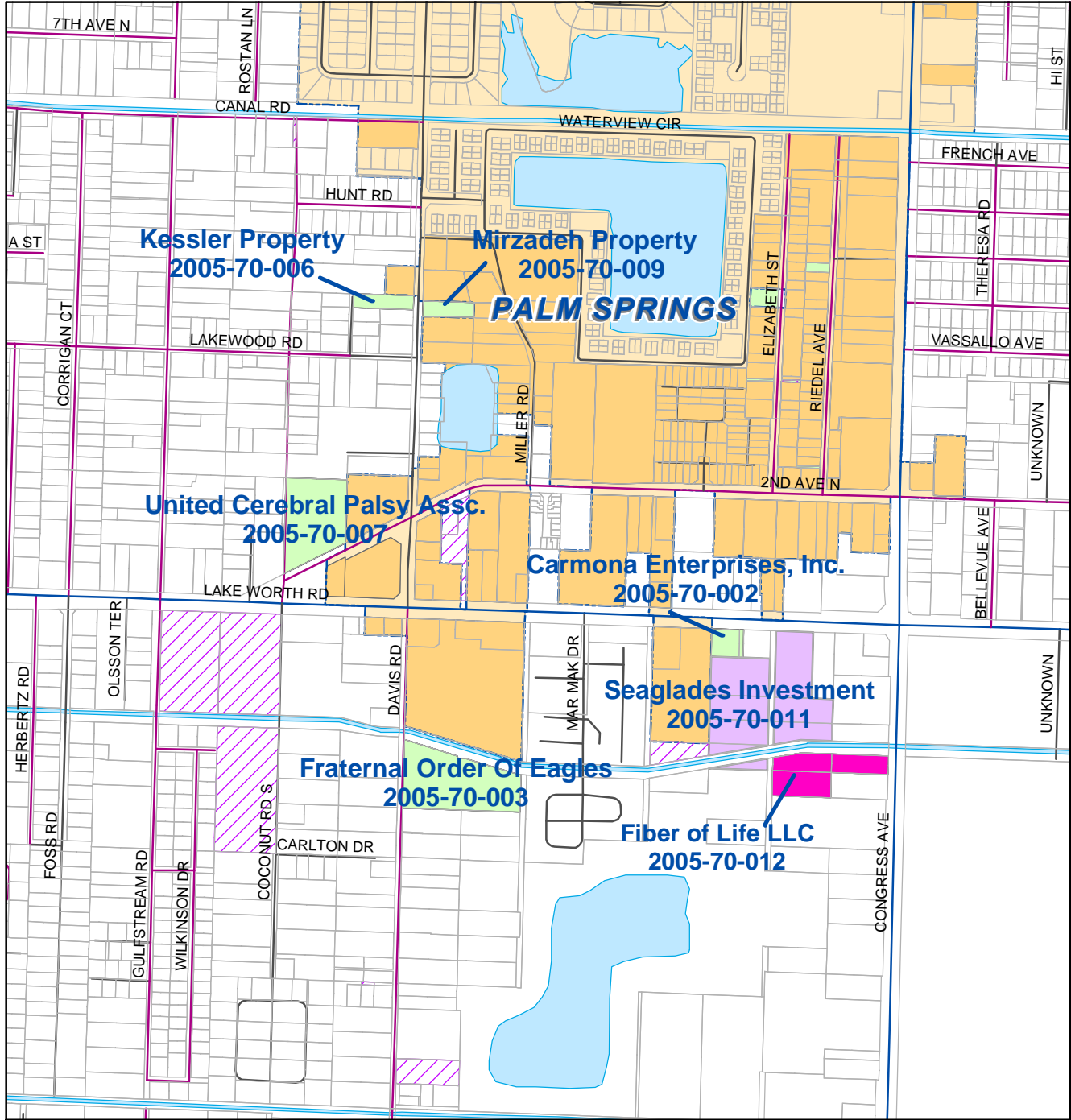
AdoptionDate 12/9/04 **Completed?**

OrdNum 2004-56 **Objections?**

Affected Parcel Control Numbers **Comments:**

- 00-43-44-30-01-002-0012
- 00-43-44-30-01-002-0040
- 00-43-44-30-01-002-0050
- 00-43-44-30-01-030-0010
- 00-43-44-30-01-003-0031
- 00-43-44-30-01-003-0040
- 00-43-44-30-01-003-0050

Annexation Location Map



ORDINANCE NO. 2004-56

(SMALL SCALE ANNEXATION)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING SEVEN (7) PARCELS OF VACANT LAND CONSISTING OF A TOTAL OF 7.34 ACRES OWNED BY SEAGLATES INVESTMENT CO.; LOCATED 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 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) William J. Graham, Jr., President and Agent for the Owner, Seaglates Investment Co., constituting all of the fee simple title holders to those lands located , 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,

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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 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

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upon adoption.

Council Member Osborne, 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 9th day of December, 2004.

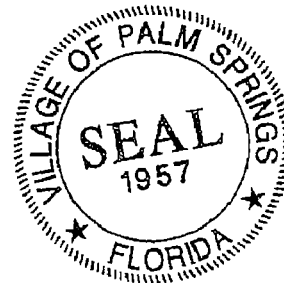
VILLAGE OF PALM SPRINGS, FLORIDA

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

First Reading: 11-18-04
Second Reading: 12-9-04

ATTEST:

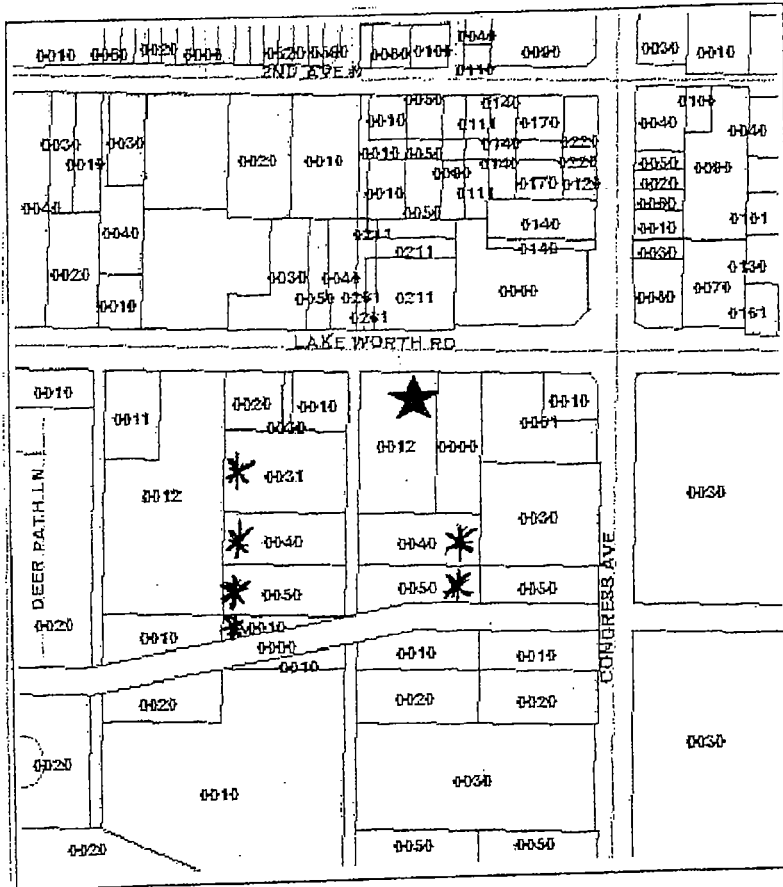
BY: Irene L. Burroughs
IRENE L. BURROUGHS, VILLAGE CLERK



REVIEWED FOR LEGAL FORM AND SUFFICIENCY

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

LEGAL DESCRIPTION



Lake Worth Rd
 00-43-44-30-01-002-0012
 PALM BEACH FARMS CO PLAT NO 7 W 200 FT OF LOTS A,B & C
 /LESS N 35 FT OF LOT A RD R/W/ BLK 2

Lake Worth Rd
 00-43-44-30-01-002-0040
 PALM BEACH FARMS CO PLAT NO 7 LT D BLK 2

Lake Worth Rd
 00-43-44-30-01-002-0050
 PALM BEACH FARMS CO PLAT NO 7 LT E /LESS CO R/W FOR
 DITCH/ BLK 2

Lake Worth Rd
00-43-44-30-01-030-0010
PALM BEACH FARMS CO PLAT NO 7 LT A /LESS CO DITCH
R/W/ BLK 30

Lake Worth Rd
00-43-44-30-01-003-0031
PALM BEACH FARMS CO PL NO 7 LT B (LESS N 54.16 FT) & LT C
BLK 3

Lake Worth Rd
00-43-44-30-01-003-0040
PALM BEACH FARMS CO PLAT NO 7 LT D BLK 3

Lake Worth Rd
00-43-44-30-01-003-0050
PALM BEACH FARMS CO PLAT NO 7 LT E BLK 3

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

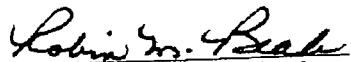
Notice of Annexation, Ord. No. 2004-56, public hearings at 6:30 p.m. on November 9, at 7:30 p.m. on November 18, and at 7:15 and 7:30 p.m. on December 9, 2004, in the Community Room at Village Hall, at 226 Cypress Lane, Palm Springs, Florida, was published in said newspaper in the issues of

November 4 and 11, 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 11th day of November, 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. 18163 NOTICE OF ANNEXATION

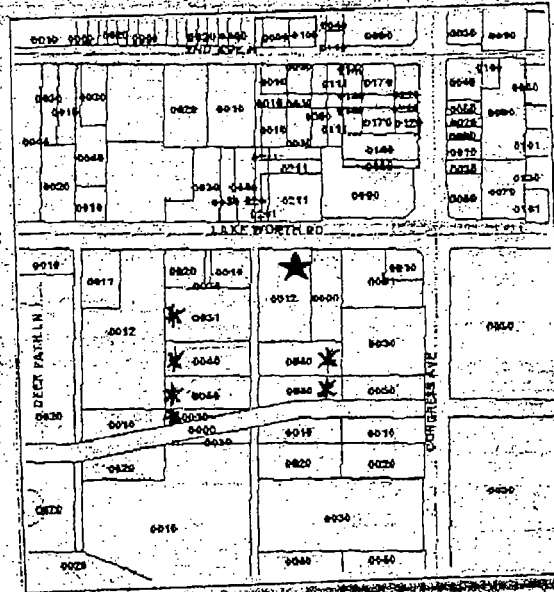
The Village of Palm Springs proposes to adopt **ORDINANCE NO. 2004-56:**

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING SEVEN (7) PARCELS OF VACANT LAND CONSISTING OF A TOTAL OF 7.34 ACRES OWNED BY SEAGLADES INVESTMENT CO., LOCATED 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 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, November 9, 2004, at 6:30 p.m.
Regular Council Meeting on Thursday, November 18, 2004, at 7:30 p.m.
Local Planning Agency on Thursday, December 9, 2004, at 7:15 p.m.
Regular Council Meeting on Thursday, December 9, 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 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 ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the 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 965-4010 at least 3 days prior to the meeting in order to request such assistance.

Irene L. Burroughs CMC
Village Clerk
Village of Palm Springs

Published *Lake Worth Herald*
November 4 and 11, 2004