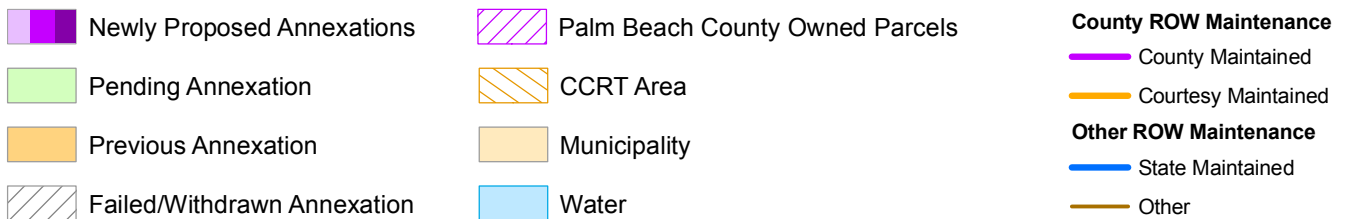
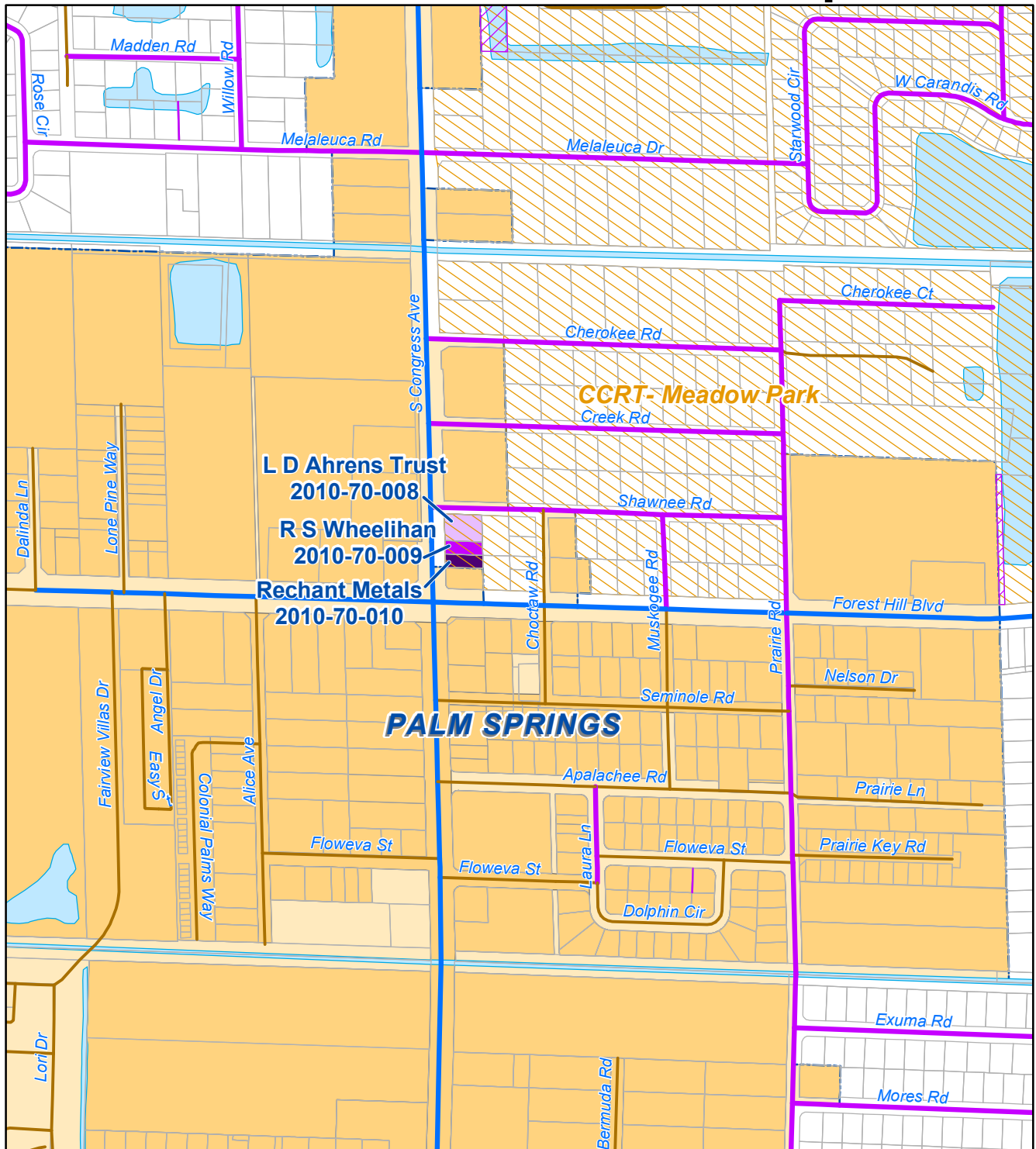


# Annexation Petition Summary



Municipality	Palm Springs	Fiscal Year	2010
Annexation Name	L D Ahrens Trust	Status	Adopted
Annexation ID	2010-70-008		
Acres	0.32		
Location	East side of Congress Ave, north of Forest Hill Blvd; 1706 S. Congress Ave		
First Reading	9/9/2010	Second Reading	9/23/2010
Type	Voluntary	Auto Id Number	816
Intake Date	8/18/2010	Petition Number	
Existing Use	Stores		
County FLU	Urban Infill (UI)		
County Zoning	General Commercial (CG)		
Proposed Use	Commercial Retail		
Proposed FLU	Commercial		
Proposed Zoning	Commercial General		
Commissioner	Shelley Vana	District	3
Adoption Date	9/23/2010	Completed?	<input checked="" type="checkbox"/>
Ordinance Number	2010-20	Objections?	<input type="checkbox"/>
Affected Parcel Control Numbers	Comments:		
00-43-44-08-15-004-0010			

# Annexation Location Map



**ORDINANCE NO. 2010-20**

(SMALL SCALE ANNEXATION, LAND USE AMENDMENT & REZONING)

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .32 ACRES OWNED BY LORRAINE D. AHRENS TRUST; LOCATED AT 1706 SOUTH CONGRESS AVENUE; 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), Richard Benson, Trustee and Agent for Lorraine D. Ahrens Trust, constituting all of the fee simple title holders to those lands located at 1706 South Congress Avenue, 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**, Concurrent with the annexation, the Village is seeking to re-designate the Future Land Use and Land Development district for said lands; and

**WHEREAS**, the existing land use designation assigned to the subject property is Palm Beach County "Urban Infill" and the existing zoning designation is "Commercial General"; and

**WHEREAS**, the Village has adopted a Comprehensive Plan pursuant to the "Local

Government Comprehensive Planning and Land Development Regulation Act; and

**WHEREAS**, the Department of Community Affairs has determined that the Village's Comprehensive Plan is "in compliance" with the provisions of the Act and Rule 9J-5, Florida Administrative Code; and

**WHEREAS**, the Village Council, sitting as the Village's Local Planning Agency (the "LPA") has conducted a public hearing as required by Section 163.3174(4)(a), Florida Statutes (F.S.) to consider the request for a Comprehensive Plan Amendment to designate the Future Land Use of the subject property to "Commercial" and Land Development Zoning District for the subject property to "Commercial General".

**WHEREAS**, the Village Council has considered the request for annexation, land use amendment and re-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, 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 upon adoption.

Council Member Gunther, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member Brinkman, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BEV SMITH, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOUG GUNTHER, MAYOR PRO TEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, 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 23<sup>rd</sup> day of SEPTEMBER, 2010.

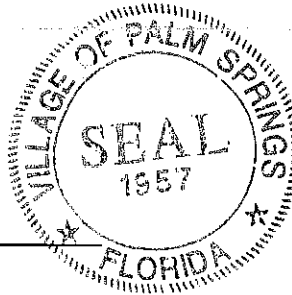
VILLAGE OF PALM SPRINGS, FLORIDA

BY:   
JOHN M. "MIKE" DAVIS, MAYOR

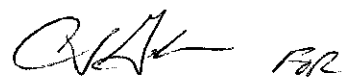
First Reading: 9-9-2010  
Second Reading: 9-23-2010

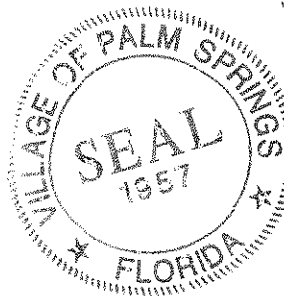
ATTEST:

BY:   
VIRGINIA M. WALTON, VILLAGE CLERK



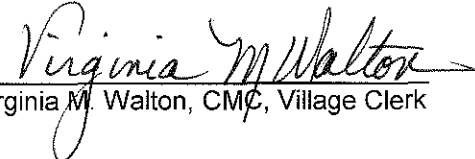
REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY:   
GLEN J. TORCIVIA, VILLAGE ATTORNEY



STATE OF FLORIDA  
COUNTY OF PALM BEACH  
VILLAGE OF PALM SPRINGS

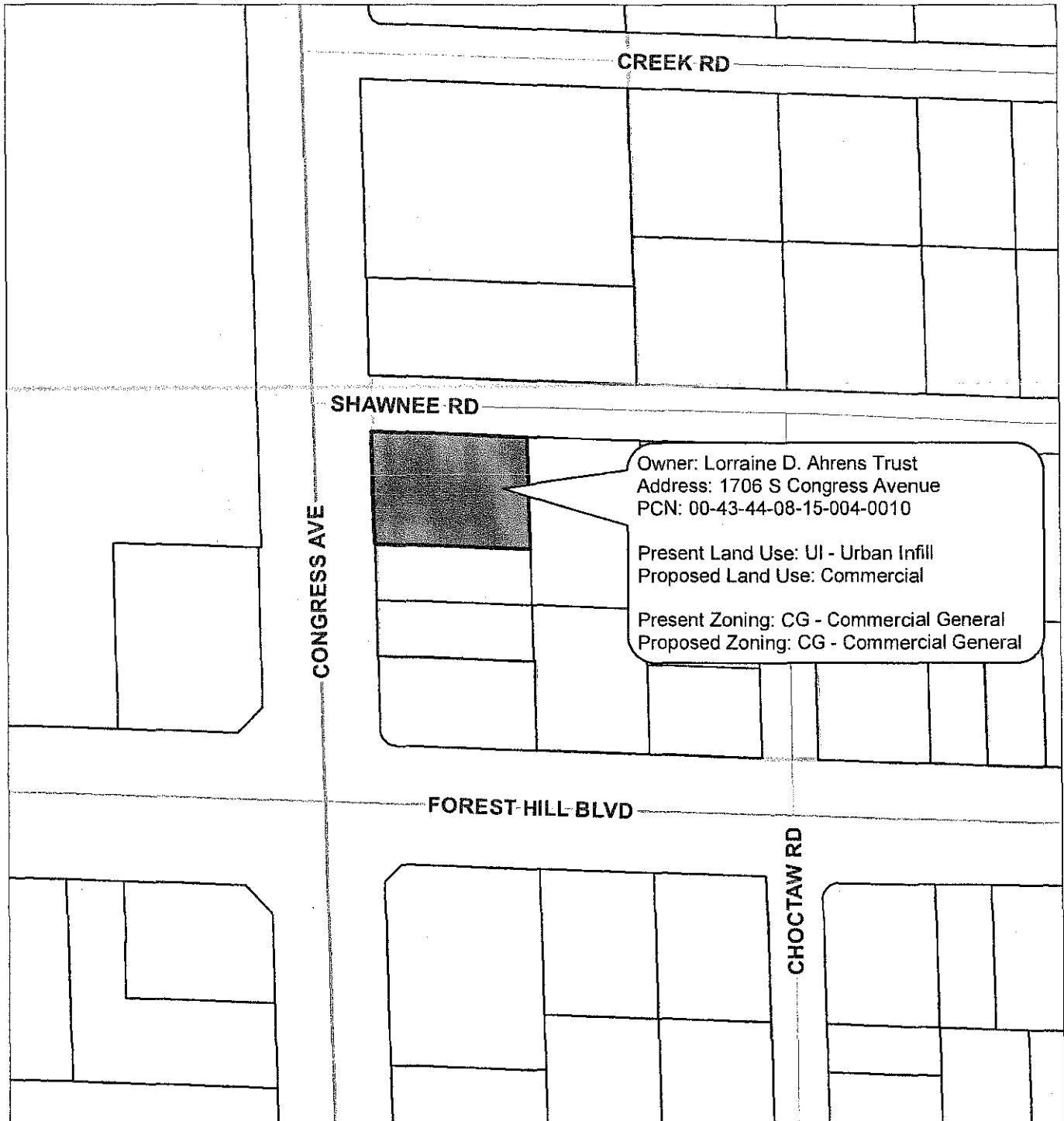
I hereby certify that this is a true and correct copy of the original document on file in my office.

  
Virginia M. Walton, CMC, Village Clerk

# EXHIBIT A

## VILLAGE OF PALM SPRINGS

Annexation: 1706 S Congress Ave



-  To Be Annexed
-  Village Limits

0 50 100 200 300 Feet

DATE: 8/11/2010





# 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 Small Scale Annexation, Land Use Amendment and Rezoning, public hearings at 6:30 p.m. on September 7, at 7:30 p.m. on September 9, and at 7:15 and 7:30 p.m. on September 23, 2010, in the Community Room at Village Hall, 226 Cypress Lane, Palm Springs, Florida, Ord. No. 2010-20

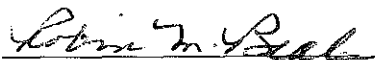
was published in said newspaper in the issue of

August 26 and September 2, 2010.

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 2<sup>nd</sup> day of September, 2010, by Mark J Easton, who is known to me.

  
Notary Public, State of Florida at Large

(SEAL)

My Commission Number:  
My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA  
Robin M. Beale  
Commission #DD952505  
Expires: FEB. 10, 2014  
BONDED THRU ATLANTIC BONDING CO., INC.

Legal Notice No. 23732

## NOTICE OF SMALL SCALE ANNEXATION, LAND USE AMENDMENT & REZONING

The Village of Palm Springs proposes to adopt:

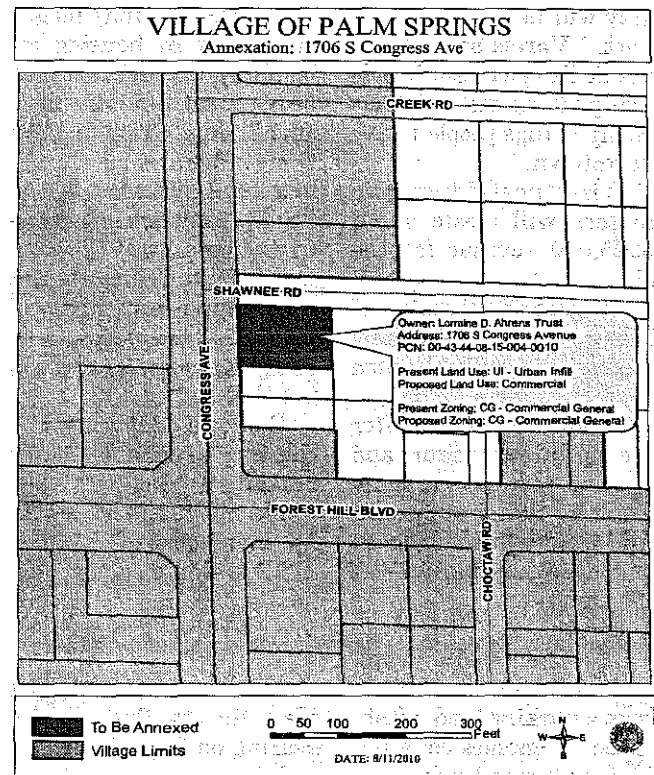
### ORDINANCE NO. 2010-20

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .32 ACRES OWNED BY LORRAINE D. AHRENS TRUST; LOCATED AT 1706 SOUTH CONGRESS AVENUE; 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.

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

Land Development Board, Tuesday, September 7, 2010 at 6:30 PM  
Regular Council Meeting, Thursday, September 9, 2010 at 7:30 PM  
Local Planning Agency Meeting, Thursday, September 23, 2010 at 7:15 PM  
Regular Council Meeting, Thursday, September 23, 2010 at 7:30 PM

The ordinance proposes to change the land use and zoning of 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.

Virginia M. Walton, CMC, Village Clerk  
Publish: *The Lake Worth Herald*  
August 26 and September 2, 2010