

# Annexation Petition Summary



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<b>Municipality</b>	<b>Tequesta</b>	<b>Fiscal Year</b> 2013
<b>Annexation Name</b>	<b>US Highway Voluntary Involuntary</b>	<b>Status</b> Adopted
<b>Annexation ID</b>	2013-60-001	
<b>Acres</b>	0.73	
<b>Location</b>	East side of US Highway 1, north of Waterway Rd	

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<b>First Reading</b>	10/24/2012	<b>Second Reading</b> 11/8/2012
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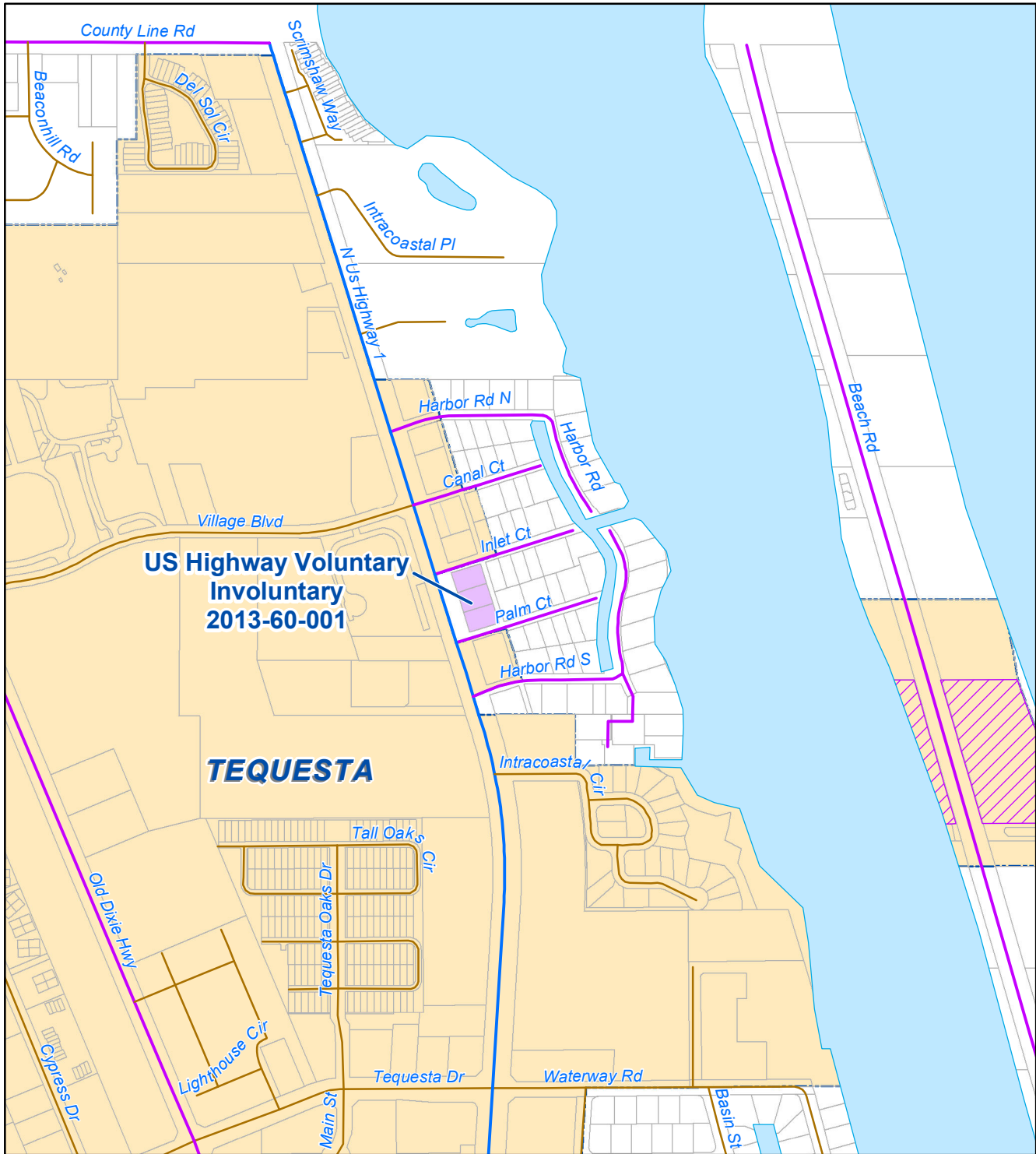
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






<b>Type</b>	Other	<b>Auto Id Number</b> 915
<b>Intake Date</b>	9/25/2012	<b>Petition Number</b>
<b>Existing Use</b>	Commercial (restaurant, office, vacant)	
<b>County FLU</b>	Commercial High with underlying MR-5 (CH/5)	
<b>County Zoning</b>	General Commercial (CG)	
<b>Proposed Use</b>	Not determined	
<b>Proposed FLU</b>	C: Commercial	
<b>Proposed Zoning</b>	C2: Community Commercial	
<b>Commissioner</b>	Karen T. Marcus	<b>District</b> 1

<b>Adoption Date</b>	11/8/2012	<b>Completed?</b>	<input checked="" type="checkbox"/>
<b>Ordinance Number</b>	15-12	<b>Objections?</b>	<input type="checkbox"/>

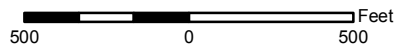
<b>Affected Parcel Control Numbers</b>	<b>Comments:</b>
00-43-40-30-02-004-0010      00-43-40-30-02-004-0050 00-43-40-30-02-004-0090	

# Annexation Location Map



- |   |   |   |
|---|---|---|
|  Newly Proposed Annexation |  Water                           | <b>County ROW Maintenance</b>   |
|  Municipality              |  Palm Beach County Owned Parcels |  County Maintained   |
|   |   |  Courtesy Maintained |
|   |   | <b>Other ROW Maintenance</b>  |
|   |   |  State Maintained    |
|   |   |  Other               |

Updated: 9/26/2012  
 Contact: Nicole Delsoin  
 Filename: N:\Division Pr\Annex\FY2012  
 Note: Map is not official, for informational purposes only  
 Source: ROW Maintenance Data PBC Engineering  
 Dept 2010 pbcgis1 SDE GEODATA.CENTERLINE\_LN



**Planning, Zoning  
& Building**

2300 N. Jog Rd.  
 West Palm Beach, FL 33411  
 Phone (561) 233-5300



**ORDINANCE NO. 15-12**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, ANNEXING THREE (3) PARCELS OF REAL PROPERTY COMPRISING A TOTAL OF 0.7278 ACRES, MORE OR LESS, LOCATED AT 19578 U.S. HIGHWAY 1, 19590 U.S. HIGHWAY 1, AND 19600 U.S. HIGHWAY 1, AS MORE PARTICULARLY DESCRIBED HEREIN; AND ADDITIONALLY ANNEXING THOSE PORTIONS OF U.S. HIGHWAY #1, INLET COURT, PALM COURT AND THE EASTERLY RIGHT OF WAY BUFFER ADJACENT THERETO; PROVIDING THAT THE SUBJECT PARCELS AND RIGHTS OF WAY ARE HEREBY ANNEXED PURSUANT TO SEC. 171.0413, *FLORIDA STATUTES* AND SEC. 4.02 OF THE VILLAGE OF TEQUESTA CHARTER; DIRECTING THE VILLAGE MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS ANNEXATION; DIRECTING THE VILLAGE CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT IN PALM BEACH COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF PALM BEACH COUNTY AND WITH THE DEPARTMENT OF STATE WITHIN SEVEN (7) DAYS AFTER ADOPTION; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council of the Village of Tequesta, Florida has received written petitions signed by the owners of real property located at 19578 U.S. Highway #1, and 19600 U.S. Highway #1, hereinafter described, who desire that said real property be annexed into the Village of Tequesta, Florida, pursuant to the provisions of Section 171.0413, *Florida Statutes* and Sec. 4.02 of the Village of Tequesta Charter; and

WHEREAS, the owner of real property located at 19590 U.S. Highway #1, hereinafter described, has not petitioned the Village for annexation; and

WHEREAS, the above referenced three parcels of real property to be annexed into the Village of Tequesta comprise one area of contiguous, compact, unincorporated territory adjacent to the Village of Tequesta, all of which has been developed for urban purposes; and

WHEREAS, the said three parcels that comprise the above referenced territory are owned by individuals or other legal entities which are not registered electors of said territory; and

WHEREAS, the owners of more than 50% of the land within the territory to be annexed have consented to be annexed into the Village of Tequesta, and the owners of more than 50% of the three parcels of land within the territory to be annexed have consented to be annexed into the Village of

Tequesta, as evidenced by their request for annexation; and

WHEREAS, the above facts allow the entire territory, comprised of the above referenced three parcels of real property, to be annexed into the Village of Tequesta without the necessity of a referendum vote; and

WHEREAS, the Village of Tequesta has prepared a report setting forth its plans to provide urban services to the area to be annexed containing the information required by Sec. 171.042, *Florida Statutes*, and has filed a copy of such report with the Palm Beach County Board of County Commissioners at least 15 days prior to considering this ordinance on first reading; and

WHEREAS, Palm Beach County has requested that the Village of Tequesta also annex those portions of U.S. Highway #1, Inlet Court, Palm Court, and the easterly right-of-way buffer adjacent thereto; and

WHEREAS, the Village Council desires to annex such rights of way at Palm Beach County's request' and

WHEREAS, the Village of Tequesta has caused all required advertisements and notices to be published and sent to all required recipients pursuant to Sec. 171.0413, *Florida Statutes*, and Sec. 171.042, *Florida Statutes*; and

WHEREAS, it is the opinion of the Village Council that it is in the best public interests that the real property referenced above and more fully described below be annexed into the Village of Tequesta.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, THAT:

Section 1: The above recitals are true and correct and are hereby incorporated herein.

Section 2: The Village Council of the Village of Tequesta finds that the real property consisting of a total of 0.7278 acres, more or less, along with those portions of U.S. Highway #1, Inlet Court, Palm Court and the easterly right of way buffer adjacent thereto, legally described as set forth on Exhibit A and depicted on the map attached hereto as Exhibit B and made a part hereof, qualifies for annexation pursuant to Section 171.0413, *Florida Statutes*, as fully described in the recitals hereinabove, and the same is hereby annexed into the Village of Tequesta, Florida as

permitted by Section 4.02 of the Village of Tequesta Charter.

Section 3: The Village Manager is hereby directed to do all things necessary to effectuate this annexation.

Section 4: The Village Clerk is hereby directed to file a copy of this Ordinance with the Clerk of the Circuit Court, Palm Beach County, and the Chief Administrative Officer of Palm Beach County and with the Department of State within seven (7) days of the adoption of this ordinance.

Section 5: All Ordinances of parts of Ordinances in conflict herewith are hereby repealed.

Section 6: Should any Section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or any part thereof other than the part to be declared invalid.


Section 7: This Ordinance shall take effect immediately upon second reading and final passage.

Upon Second Reading this 8<sup>th</sup> day of November 2012, the foregoing Ordinance was offered by Council Member D'Ambra who moved its adoption. The motion was seconded by Council Member Okun and upon being put to a vote, the vote was as follows:

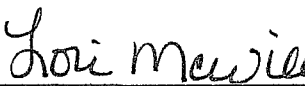
	<b>For Adoption</b>	<b>Against Adoption</b>
Mayor Tom Paterno	X	
Vice-Mayor Vince Arena	X	
Council Member Abby Brennan	X	
Council Member Frank D'Ambra	X	
Council Member Steve Okun	X	

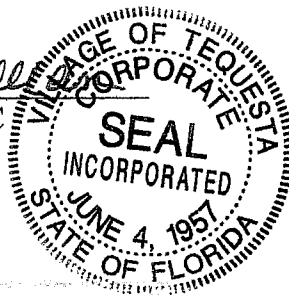
The Mayor thereupon declared the Ordinance duly passed and adopted this 8<sup>th</sup> day of November 2012.

MAYOR OF TEQUESTA

  
\_\_\_\_\_  
Tom Paterno

ATTEST:

  
\_\_\_\_\_  
Lori McWilliams, MMC  
Village Clerk





Village of Tequesta  
**Unincorporated US Hwy 1  
 Commercial Parcels**



Tequesta Village Boundary

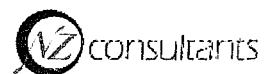


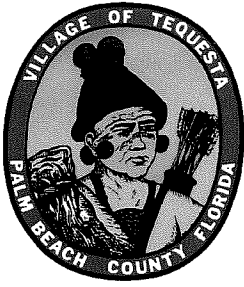
Proposed Annexation

Parcel 1: 19600 N. US Highway 1  
 Owner: Longenecker Samuel Trust  
 Size: 0.2204 acres

Parcel 2: 19590 N. US Highway 1  
 Owner: Judith and Viktor Bardischewski  
 Size: 0.2204 acres

Parcel 3: 19578 N. US Highway 1  
 Owner: Bozzuto Capital  
 Size: 0.2870 acres





NOV 16 2012

## VILLAGE OF TEQUESTA

November 14, 2012

Palm Beach County Planning & Zoning Division  
Ms. Rebecca Caldwell, Ex. Director  
2300 N. Jog Road  
West Palm Beach, FL 33411

**Re: Annexation – Ordinance 15-12**

Dear Ms. Caldwell:

Enclosed please find a copy of Ordinance 15-12 adopted by the Village of Tequesta on 11/8/12. The Ordinance pertains to the Village of Tequesta's annexation of the following properties:

19578 US Highway 1 Parcel Control # 00-43-40-30-02-004-0090
19590 US Highway 1 Parcel Control # 00-43-40-30-02-004-0050
19600 US Highway 1 Parcel Control # 00-43-40-30-02-004-0010

If you have any questions regarding the annexation or ordinance, please contact Nilsa Zacarias, Community Development Director at 561-768-0457.

If you are not the proper recipient of this correspondence, please send me an email advising who I should address future annexation information to – [lmcwilliams@tequesta.org](mailto:lmcwilliams@tequesta.org).

Sincerely,

Lori McWilliams, MMC  
Village Clerk



## VILLAGE OF TEQUESTA



## URBAN SERVICE REPORT

### Proposed Annexation of Three (3) Commercial Parcels on N. US Hwy. 1

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September 24, 2012



# URBAN SERVICE REPORT

## Proposed Annexation of Three (3) Commercial Parcels on N. US Hwy. 1

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### Regulatory Background

Florida Statutes Chapter 171.0413 (6) provides for the annexation of property when the annexed area does not have any registered electors. The area can be annexed when the owners of more than 50 percent of the parcels and of more than 50 percent of land area in the area proposed to be annexed consent to the annexation. Prior to the annexation, a report shall be prepared that sets forth plans for the provision of urban services in the area. The subject report shall be filed with the Board of County Commissioners at least fifteen days prior to the Village initiating annexation proceedings in accordance with Florida Statutes Chapter 171.0413 regarding annexation. The present report will be submitted to Palm Beach County Planning Department in compliance with Florida Statutes

The area proposed to be annexed is in compliance with Florida Statutes, is continuous to the Village's boundaries, is reasonably compact, and do not create any enclave or finger area. Since the subject area consists of commercial parcels, then it does not present registered electors.

### Description of the Proposed Annexation Area

The subject annexation area is adjacent to the Village of Tequesta eastern boundary along N. US Hwy. 1 from Palm Court to Inlet Court (see attached map). The area includes 0.7278 acres and a total of three (3) commercial parcels. Table 1 presents detail information regarding parcel owner, property control number, address, parcel size, land use and zoning. The subject annexation area consists of three parcels owned by three different owners from which two of the owners filed a voluntary application (more than 50 percent of owner consent) and representing 69.71 percent of the total land area. This is in compliance with the 50 percent of statutory threshold. Property owners of Parcels 1 and 3 had filed a petition for voluntary annexation (see attached documents).

The proposed area of annexation is consistent with objectives of both the Village of Tequesta and Palm Beach County in that it will help create regular jurisdictional boundaries and improve the efficiency of service delivery. Also, the Village's Comprehensive Plan Future Land Use Element calls for the Village to "consider annexation of neighboring areas that are consistent with the character of the community, which can be provided facilities and services consistent with the levels of service standards established by the Village and which discourage urban sprawl". Also, the subject area is part of the Village's annexation strategic plan analysis dated April 14, 2011.

## Public Facilities and Services

### Roadways and Drainage

The three (3) subject parcels front N. US Hwy. 1 (see attached map). Parcel 1 is located on the corner of Inlet Court and N. US Hwy. 1, and Parcel 3 is located on the corner of Palm Court and N. US Hwy. 1. US Hwy. 1 existing conditions are satisfactory in terms of surface, curbing, sidewalk, and drainage.

Inlet Court and Palm Court drainage capacity is minimal, most of the rain water drains toward the adjacent canal. As shown on photos, both streets lack of sidewalks, and overall paving condition is satisfactory. Also, there is an alley located at the rear of the subject properties. The alley's existing condition is not satisfactory in terms of paving and drainage (see photo). Currently, Inlet Court, Palm Court and the alley are not part of the Village's roadway capacity and ownership status is not expected to be modified after annexation of subject properties is completed.



Existing Conditions of N. US Hwy. 1



Alley Located at Rear of Subject Parcels



Palm Court



Inlet Court

### Potable Water and Sanitary Sewer

The Village of Tequesta's Public Works Department owns and operates a water plant facility that provides potable water service to residents and businesses within its water service boundary, including the subject annexation area. Once the proposed area is annexed, potable water service will continue to be provided by the Public Works Department.

Sanitary sewer service is provided by the Loxahatchee River District. According to data provided by the District, only one property (Parcel 2- 19590 N US Hwy. 1) within proposed annexation area is connected to the District's sanitary sewer system. The two remaining properties are currently not connected to the District's system; however, sewer lines are available. The District stated that both property owners will be notified shortly (1-2 months) of the availability of sewer and the requirement to be connected to the system (Section 381.00655, Florida Statutes).



### Parks and Recreation

The Village of Tequesta Parks and Recreation Department offers a wide range of leisure, educational and physical activities at the park and recreation facilities.

The adopted level of service (LOS) standard for parks in the Village is 2 acres per 1,000 population. The Village currently has 45 acres in community parks and 9.41 acres in neighborhood parks (including Remembrance Park). Current demand for neighborhood parks is 11.26 acres for a total population of 5,629 (2010Census).



Since the subject annexation area consists of three (3) commercial parcels, once they are annexed to the Village they will not impact the current Village's LOS.

Public Safety - Law Enforcement, Fire Rescue and Emergency Response

The subject properties are currently served by the Palm Beach County Sheriff Department. Once the annexation is effective, the Village of Tequesta will assume the police service. In terms of response time, it should be noted that Tequesta Police response time (from dispatch to arrival time) is less than three (3) minutes.

The Village's Police Department is currently equipped with staff and resources to provide patrol service to the subject area. The Department has 27 full-time law enforcement employees from which 20 are officers. Tequesta's ratio of police officers per 1,000 residents is higher (3.55) than the State (2.47). The Village's police department is accredited by the State, in compliance with 263 State Standards.

The Village's police department offers critical safety services to the Village's residents and business community such as:

- 24/7 Continuous Neighborhood Patrolling
- Neighborhood Watch Programs –
- Closed Home Checks
- Community Observer Patrol (COP)
- Bike Patrol
- Tequesta Marine Unit
- License Plate Recognition -Cameras on
- Police vehicles & strategic places



The Tequesta Police Department serves as a primary Public Safety Answering point for all 911 calls in the Village. Every 911 call made in the Village is given immediate special attention by a trained professional. In addition to their certifications and annual training requirements for law enforcement, all Tequesta Police Department communications personnel are certified as Emergency Medical Dispatchers. This ensures the community that all medical emergencies receive trained, professional help from the instant a 911 call is received.

Currently, fire rescue service for the subject three (3) commercial parcels is provided by Palm Beach County Fire Rescue Station No. 18. The current average response time to the Area is 5 minutes and 54 seconds. Once annexation is completed, the Tequesta Fire Department is equipped with staff and resources to provide service to this area such as:

- First-Response
- Fire Suppression
- Emergency Medical Services
- Fire Inspections
- Plans Review
- Public Education
- Emergency Management coordination



In 1993, the Village of Tequesta established their own Fire Department, and contracted with the local private ambulance company to provide Emergency Medical System (EMS). In 1994,

the Village hired their own Paramedics and took over EMS to improve patient care and treatment. According to response time statistics provided by Palm Beach County Department of Public Safety, in 2011 Tequesta Fire-Rescue had the fastest response time of any EMS agency in Palm Beach County, with an average of 4 minutes 39 seconds between 911 call to arrival at the scene. The Fire Rescue Department currently is staffed with a Fire Chief, 21 full time firefighters, 2 part time trained personnel as needed, 2 administrative personnel, and 6 volunteers.

#### Solid Waste and Public Works

The Village of Tequesta has an agreement with Waste Management for solid waste removal and recycling within the Village's boundaries. Newly annexed areas will transfer service to the Village's provider after annexation in accordance with State Law.

The Public Works Department provides general maintenance for Village roadways, pathways, buildings, right-of-ways, medians, and signage. The maintenance is provided by Village staff and through contractual services. The Department has an annual program to asphalt overlay the Village streets. New landscaping is added annually through Capital Improvement projects.

#### Planning, Zoning and Building Services

The Village of Tequesta through its Community Development Department offers Building, Zoning and Planning services to its residents and business community. Building plan review for new development and construction are performed by this department as well all appropriate building permitting and inspections. Business Tax Receipts are issued by the Village's Building Department for all businesses operating inside the municipal boundaries. Existing Village staff will be adequate for the needs of the area to be annexed.

#### General Government

All daily administrative functions and general government support will be available to the subject area once they are annexed into the Village. Existing Village staff will be adequate to provide municipal services to the subject area. The Village's proactive approach toward the business community will ensure providing needed services to the subject commercial parcels.



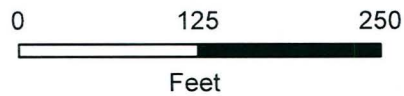
#### **Final Remarks**

The proposed annexation of the subject commercial parcels complies with all the requirements of Chapter 171 Florida Statutes. It is reasonable compact, contiguous to the existing Village's boundaries, supported by a majority of property owners, with an area used for urban purposes, and can be served upon annexation with all the municipal services currently provided by the its current Level of Service.



Village of Tequesta

## Unincorporated US Hwy 1 Commercial Parcels



Tequesta Village Boundary



Proposed Annexation

**Parcel 1:** 19600 N. US Highway 1

Owner: Longenecker Samuel Trust

Size: 0.2204 acres

**Parcel 2:** 19590 N. US Highway 1

Owner: Judith and Viktor Bardischewski

Size: 0.2204 acres

**Parcel 3:** 19578 N. US Highway 1

Owner: Bozzuto Capital

Size: 0.2870 acres





## VILLAGE OF TEQUESTA

### Proposed Annexation of Three (3) Commercial Parcels on N. US Hwy. 1

Table 1. General Description

Parcel	Address	PCN	Owner	Size (Acres)	Current Palm Beach County		Proposed Village of Tequesta	
					Future Land Use	Zoning	Future Land Use	Zoning
1	19600 US Hwy 1	00434030020040010	Longenecker Samuel Trust	0.2204	CH/5	CG	C	C-2
2	19590 US Hwy 1	00434030020040050	Judith and Viktor Bardischewski	0.2204	CH/5	CG	C	C-2
3	19578 US Hwy 1	00434030020040090	Bozzuto Capital	0.2870	CH/5	CG	C	C-2
<b>TOTAL</b>				<b>0.7278</b>				

**Notes:**

**Per Palm Beach County Future Land Use and Zoning Designations:**

CH/5: Commercial High Underlying MR-5

MR-5: Medium Density Residential, 5 units per acre.

**Per Village of Tequesta Future Land Use and Zoning Designations:**

C: Commercial

C-2: Community Commercial

**PETITION FOR ANNEXATION**

TO: Village Council  
Village of Tequesta  
345 Tequesta Drive  
Tequesta, FL 33469

Gentlemen:

THE UNDERSIGNED, being the owners of the following premises located at 19578 N. US Hwy 1 Jupiter, FL 33469 containing 0.22 acres, situate, lying and being in Palm Beach County, Florida, and described as follows (Enter full legal description. Attach additional page if necessary.):

SEE ATTACHED PAGE

Hereby respectfully request that said property, which is contiguous to the territorial limits of the Village of Tequesta, Florida, be annexed to and included within the territorial limits of the Village of Tequesta, and that said property be zoned C-2 zoning classification and land use classification of Stores And LEASING Auto's And Trucks - Commercial.

The undersigned further certify that they are the only owners of said property.

Dated this 28 day of August, 2012.

Property Owner: Bozzuto Capital mgmt., INC.  
Louis Bozzuto AS President  
Print Name

[Signature] as president  
Signature

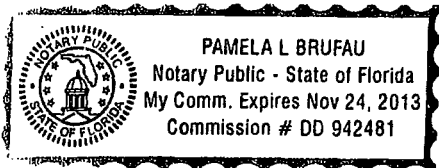
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

**ACKNOWLEDGMENT**

STATE OF FLORIDA  
County of Palm Beach

BEFORE ME, personally appeared Louis Bozzuto and \_\_\_\_\_  
Executed the foregoing instrument, and who acknowledged to me that they executed the instrument for the purpose therein expressed.



[Signature]  
Notary Public  
State of Florida at Large

My Commission Expires:

TO: Village Council  
Village of Tequesta  
345 Tequesta Drive  
Tequesta, FL 33469

Gentlemen:

THE UNDERSIGNED, being the owners of the following premises located at 19600 N. US Hwy 1 Jupiter, FL 33469 containing .22 acres, situate, lying and being in Palm Beach County, Florida, and described as follows (Enter full legal description. Attach additional page if necessary.):

SEE ATTACHED PAGE

Hereby respectfully request that said property, which is contiguous to the territorial limits of the Village of Tequesta, Florida, be annexed to and included within the territorial limits of the Village of Tequesta, and that said property be zoned C-2 zoning classification and land use classification of ~~Sales and~~ ~~Leasing Auto's & Trucks - Commercial.~~

The undersigned further certify that they are the only owners of said property.

Dated this 28 day of August, 2012

Property Owner:

AGNES LONGENECKER  
Print Name

Agnes Longenecker  
Signature

\_\_\_\_\_  
Print Name

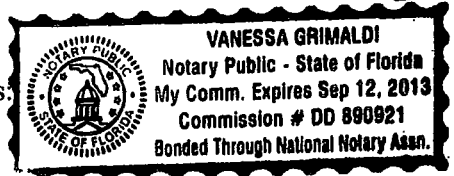
\_\_\_\_\_  
Signature

**ACKNOWLEDGMENT**

STATE OF FLORIDA  
County of Palm Beach

BEFORE ME, personally appeared Agnes Longenecker and \_\_\_\_\_  
Executed the foregoing instrument, and who acknowledged to me that they executed the instrument for the purpose therein expressed.

V. Grimaldi  
Notary Public  
State of Florida at Large



My Commission Expires: