



Interoffice Memorandum

June 25, 2024

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM: Jon V. Weiss, P.E., Deputy County Administrator
Infrastructure, Community, and Development Services

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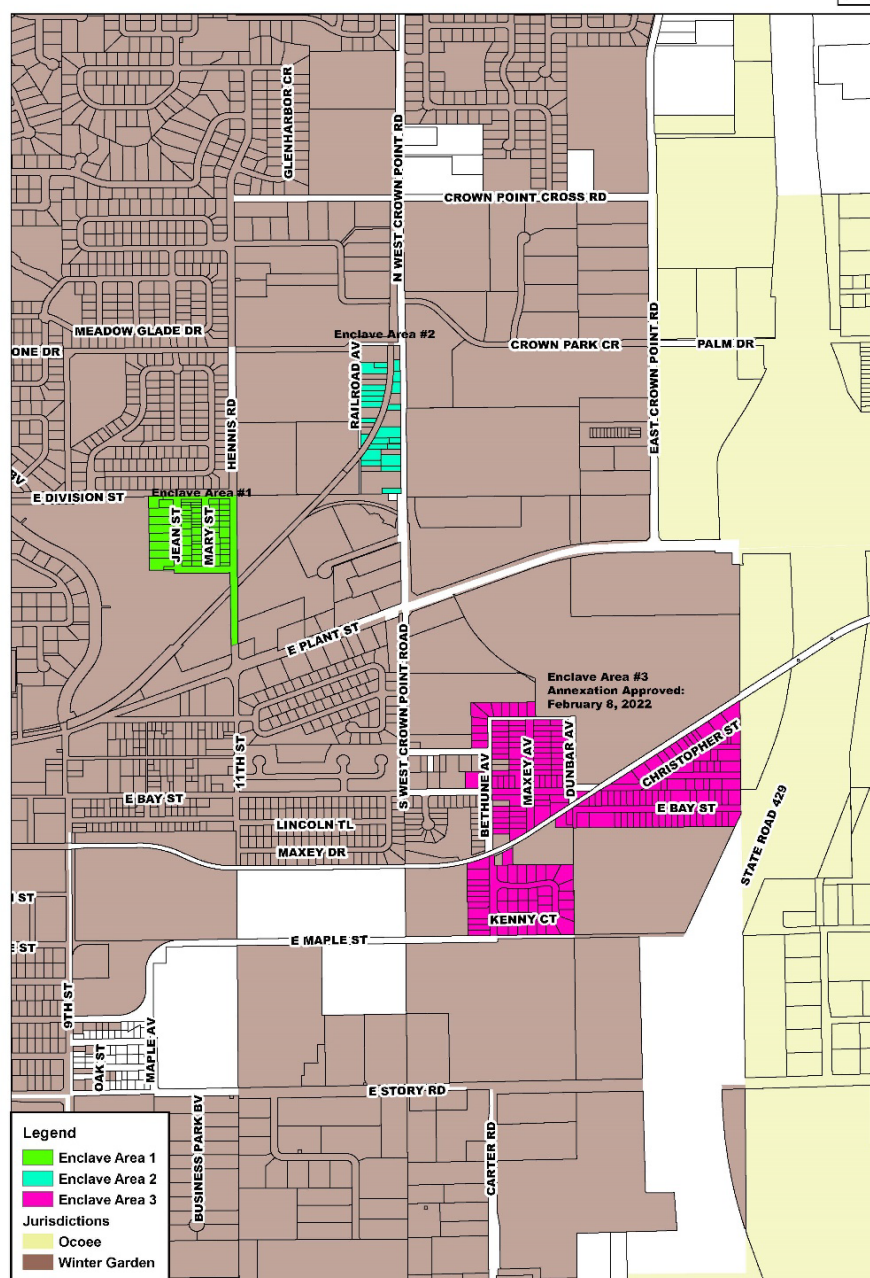
SUBJECT: July 9, 2024 – Public Hearing
Interlocal Agreement for Annexation of Enclave between City of
Winter Garden, Florida and Orange County, Florida

The City of Winter Garden has proposed an Interlocal Agreement for the annexation of two enclaves located within unincorporated Orange County, Section 171.031, Florida Statutes, defines an enclave is defined as, “any unincorporated developed or improved area that is enclosed within and bounded on all sides by a single municipality, or any unincorporated developed or improved areas that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality.” Section 171.046, Florida Statutes recognizes that enclaves can create significant problems in planning, growth management, and service delivery; reflects that it is in the policy of the State of Florida to eliminate enclaves; and provides a method for the annexation by interlocal agreement of enclaves that are one hundred ten (110) acres or less.

The City of Winter Garden and Orange County have an existing Joint Planning Agreement, which provides that both parties shall work together in good faith to enter into interlocal agreements to eliminate identified enclaves. The City of Winter Garden identified three (3) enclave areas for potential annexation, shown on the map below. The first area, known as Enclave Area #3, was annexed by an Interlocal Agreement and approved by the Board on February 8, 2022.

The remaining two (2) areas, Enclave Area #1 (known as the Mary Jean Enclave) and Enclave Area #2 (known as the Railroad Street Enclave) are the subject of the ILA before the Board. The Mary Jean enclave, includes 55 parcels totaling 7.30 acres, is generally bounded by East Division Street to the north, Hennis Road to the east, East Plant Street to the south, and the West Orange Trail to the west. The Railroad Street enclave includes 21 parcels totaling 4.10 acres, is generally bounded by Railroad Avenue to the north and west, North West Crown Point Road to the east, and Pineloch Industrial Drive to the south.

Map of City of Winter Garden Annexation Areas



If approved, this Interlocal Agreement will annex the Railroad Street enclave and the Mary Jean enclave into the City inclusive of the lands associated with the rights-of-way and stormwater and drainage improvements. The Interlocal Agreement requires the conveyance to the City within 30 days of public rights-of-way and associated stormwater ponds, provides for the jurisdictional transfer of roads and drainage infrastructure from the County to the City following such conveyance, requires the County's transfer of all water management district permits, and provides

for the County to supply as-built plans, reports, and studies. The City has confirmed that roads and improvements to be transferred are in compliance with City Code, so transfer of these improvements will not result in a cost to the County.

The City of Winter Garden hosted a community meeting on Tuesday, April 30, 2024, with approximately ten (10) residents in attendance. While there were no objections to the proposal voiced by those in attendance, there were questions regarding municipal services, such as enhanced lighting, tree trimming, sidewalks and concern with illegal dumping in the area.

The Winter Garden City Council will consider the Interlocal Agreement at a public hearing on June 27, 2024. Upon Board execution of this Agreement, the enclaves will become part of the City. Notices were sent to property owners concerning the public hearings in the City of Winter Garden and Orange County.

The County Attorney's Office has reviewed the Interlocal Agreement as to form.

ACTION REQUESTED: **Approval and execution of Interlocal Agreement for Annexation of Enclave between City of Winter Garden and Orange County (Enclave Areas #1-2 of 3). District 1.**