



Certified Mail

October 21, 2024

Orange County Chief Administrative Officer
201 S. Rosalind Avenue
Orlando, FL 32801

Re: City of Orlando Ordinance No. 2024-47

Dear Sir or Madam:

Enclosed for your records please find a courtesy copy of City of Orlando Ordinance No. 2024-47, adopted by City Council on October 21, 2024.

Thank you for your attention to this matter.

Stephanie Herdocia
City Clerk

OFFICE OF CITY CLERK

400 S. Orange Avenue, 2nd Floor – Orlando, Florida 32801-4990

Phone: 407.247.2251 Fax 407.247.3613 orlando.gov/cityclerk

1
2 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
3 OF ORLANDO, FLORIDA, ANNEXING TO THE
4 CORPORATE LIMITS OF THE CITY CERTAIN LAND
5 GENERALLY LOCATED AT THE NORTHEAST CORNER
6 OF BOGGY CREEK ROAD AND NEW HOPE ROAD,
7 SOUTH OF LAKE NONA BOULEVARD AND NORTH OF
8 THE OSCEOLA COUNTY LINE AND COMPRISED OF
9 0.58 ACRES OF LAND, MORE OR LESS; PROVIDING
10 FOR SEVERABILITY, CORRECTION OF SCRIVENER'S
11 ERRORS, AND AN EFFECTIVE DATE.
12

13 WHEREAS, on September 23, 2024, the City Council of the City of Orlando,
14 Florida (the "Orlando City Council"), accepted a petition for voluntary annexation
15 (hereinafter the "petition") bearing the signatures of all owners of property in an area of
16 land generally located at the northeast corner of Boggy Creek Road and New Hope Road,
17 south of Lake Nona Boulevard and north of the Osceola County line, such land comprised
18 of approximately 0.58 acres of land and being precisely described by the legal description
19 of the area by metes and bounds attached to this ordinance as Exhibit A (hereinafter "the
20 Property"); and
21

22 WHEREAS, the petition was filed with the Orlando City Council pursuant to
23 section 171.044, Florida Statutes; and
24

25 WHEREAS, the Orlando City Council hereby finds that:
26

27 1. As of the date of the petition, the Property was located in the unincorporated
28 area of Orange County; and
29

30 2. As of the date of the petition, the Property is contiguous to the City within the
31 meaning of subsection 171.031(3), Florida Statutes; and
32

33 3. As of the date of the petition, the Property is reasonably compact within the
34 meaning of subsection 171.031(2), Florida Statutes; and
35

36 4. The petition bears the signatures of all owners of property in the area to be
37 annexed; and
38

39 5. Annexation of the Property will not result in the creation of enclaves within the
40 meaning of subsection 171.031(5), Florida Statutes; and
41

42 6. The Property is located wholly within the boundaries of a single county; and
43

44 7. The petition proposes an annexation that is consistent with the purpose of
45 ensuring sound urban development and accommodation to growth; and
46

47 8. The petition, this ordinance, and the procedures leading to the adoption of
48 this ordinance are consistent with the uniform legislative standards provided by the
49 Florida Municipal Annexation or Contraction Act for the adjustment of municipal
50 boundaries; and
51

9. The petition proposes an annexation that is consistent with the purpose of ensuring the efficient provision of urban services to areas that become urban in character, and

10. The petition proposes an annexation that is consistent with the purpose of ensuring that areas are not annexed unless municipal services can be provided to those areas; and

WHEREAS, the Orlando City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare, and is consistent with the applicable provisions of Florida Statutes and the City's GMP and LDC; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AS FOLLOWS:

SECTION 1. ANNEXATION. Pursuant to the authority granted by section 171.044, Florida Statutes, and having determined that the owner or owners of the Property have petitioned the Orlando City Council for annexation into the corporate limits of the City, and having determined that the petition bears the signatures of all owners of property in the area proposed to be annexed, and having made the findings set forth in this ordinance, the Property is hereby annexed into the corporate limits of the City of Orlando, Florida, and the boundary lines of the City are hereby redefined to include the Property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area is clearly shown on the map attached to this ordinance as **Exhibit B**.

SECTION 2. CITY BOUNDARIES. Pursuant to section 171.091, Florida Statutes, the charter boundary article of the City is hereby revised in accordance with this ordinance. The City clerk, or designee, is hereby directed to file this ordinance as a revision of the City Charter with the Florida Department of State. The City Planning Official, or designee, is hereby directed to amend the City's official maps in accordance with this ordinance.

SECTION 3. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 4. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 5. EFFECTIVE DATE. This ordinance is effective upon adoption.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this 23 day of September, 2024.

DONE, THE FIRST PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this 6 day of October, 2024.

DONE, THE SECOND PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this 13 day of October, 2024.

DONE, THE SECOND READING, A PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this 21 day of October, 2024.

BY THE MAYOR OF THE CITY OF ORLANDO, FLORIDA:


Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:


City Clerk

Stephanie Herdoin
Print Name

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF ORLANDO, FLORIDA:


Assistant City Attorney

Melissa C. Clarke
Print Name



VERIFIED LEGAL DESCRIPTION FORM

EXHIBIT

A

The following legal description has been prepared by

Patrick K. Ireland, PSM 6637
Ireland & Associates Surveying, Inc.

and submitted to the City Planning Division for
verification.

Signature

9/9/2024

Date



"This Description has been
reviewed by the Engineering
Division and is acceptable
based on a comparison with:
PLOTS, GIS MAPPING
OLPA SITE

By: [Signature] Date: 9-12-24
GUY ADKINS

Application Request (Office Use Only)

File No.

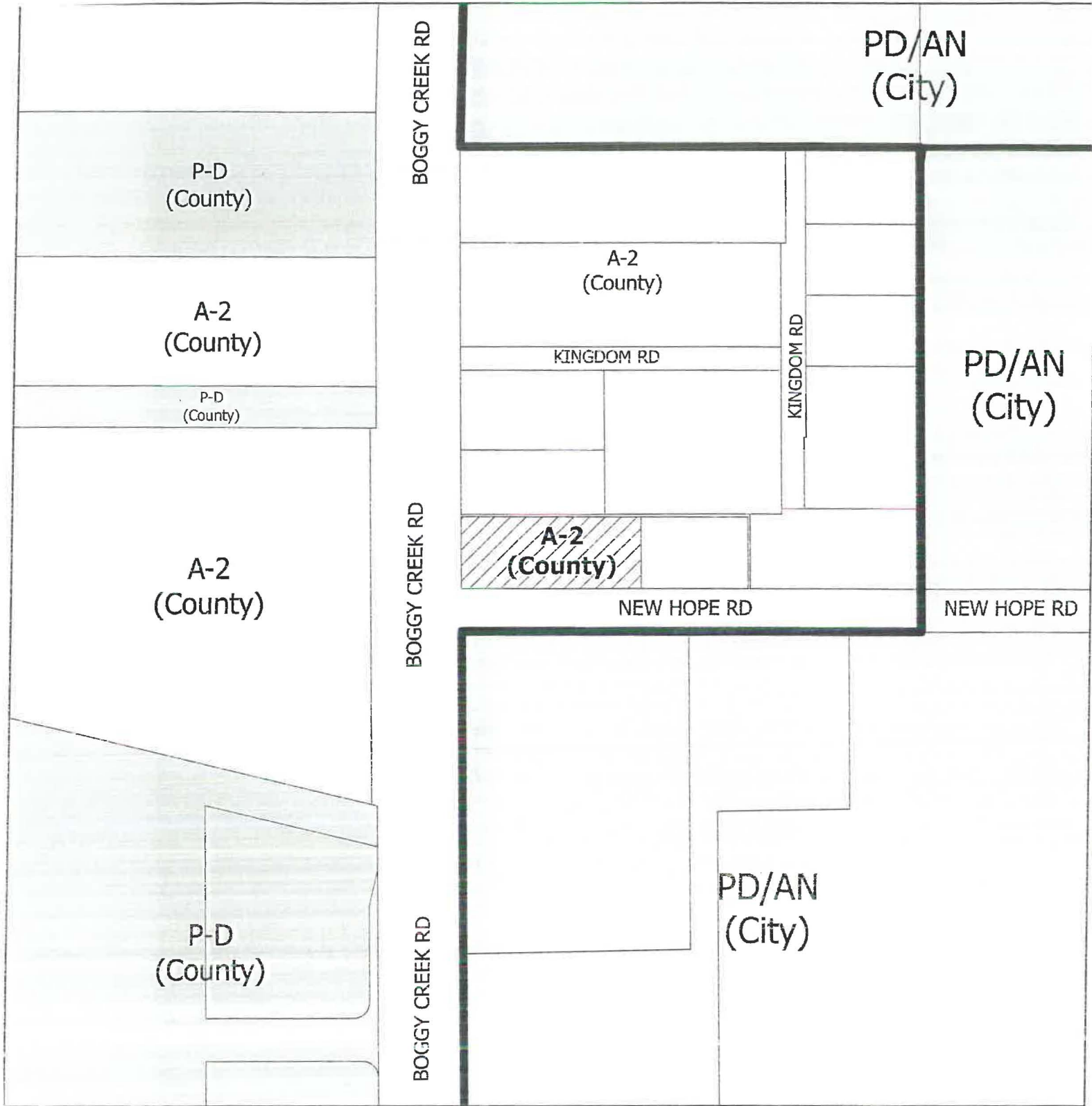
ANX2024-100007

Legal Description Including Acreage (To be typed by Applicant): Provided by Surveyor

The South 100.00 feet of the West 250.00 feet of Tract 9, ORLANDO-KISSIMMEE FARMS, Section 34, Township 24 South, Range 30 East, as recorded in Plat Book 0, Page 117 1/2, Public Records of Orange County, Florida, described as follows:

Beginning at the Northeast corner of the South 100.00 feet of the West 250.00 feet of said Tract 9, thence with the Easterly Line of the West 250.00 feet of said Tract 9, South 00°06'22" East, 99.93 feet, to the Northerly Right-of-Way Line of said New Hope Road; thence departing the Easterly Line of the West 250.00 feet of said Tract 9, and with the Northerly Right-of-Way Line of said New Hope Road, North 88°57'00" West, 250.08 feet, to the Intersection of the Northerly Right-of-Way Line of said New Hope Road and the Easterly Right-of-Way Line of Boggy Creek Road; thence departing the Northerly Right-of-Way Line of said New Hope Road, and with the Easterly Right-of-Way Line of said Boggy Creek Road, North 00°03'37" West, 99.93 feet, to the Northerly Line of the 100.00 feet of the West 250.00 feet of said Tract 9; thence departing the Easterly Right-of-Way Line of said Boggy Creek Road, and with the Northerly Line of the 100.00 feet of the West 250.00 feet of said Tract 9, South 88°57'00" East, 250.00 feet, to the Point of Beginning.

Containing 24,981.98 Square Feet or 0.573 Acres, more or less.



Annexation - ANX2024-10007



EXHIBIT
B

Fiscal Impact Statement

Indicate the **Total Fiscal Impact** of the action requested, including personnel, operating, and capital costs. Indicate costs for the current fiscal year and annualized costs. Include all related costs necessary to place the asset in service.

Description: Annexation of 14155 Boggy Creek Rd.

Expenses

Will the action be funded from the Department's current year budget? ☐ Yes ☐ No

If No, please identify how this action will be funded, including any proposed Budget Resolution Committee (BRC) action(s). (enter text here)

	Current Fiscal Year Cost Estimate	Estimated Annualized Cost Thereafter
Personnel	\$0	\$0
Operating/Capital	\$0	\$0
Total Amount	\$0	\$0

Comments (optional): (enter text here)

Revenues

What is the source of any revenue and the estimated amount? Property taxes Amount \$1,130

Is this recurring revenue? X Yes ☐ No

Comments (optional): (enter text here)

Funding

Expenses/Revenues will be recorded to:

	Source #1	Source #2	Source #3
Fund	General Fund	<u>(enter text here)</u>	<u>(enter text here)</u>
Department /Division	Citywide	<u>(enter text here)</u>	<u>(enter text here)</u>
Cost Center/Project/Grant	Citywide	<u>(enter text here)</u>	<u>(enter text here)</u>
Total Amount	\$1,130	\$	\$0



Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

ORDINANCE 2024-47

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED AT THE NORTHEAST CORNER OF BOGGY CREEK ROAD AND NEW HOPE ROAD, SOUTH OF LAKE NONA BOULEVARD AND NORTH OF THE OSCEOLA COUNTY LINE AND COMPRISED OF 0.58 ACRES OF LAND, MORE OR LESS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, a business impact estimate is not required by state law¹ for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. A development order or development permit, as defined in s. 163.3164, F.S.; a development agreement as authorized by ss. 163.3220-163.3243, F.S.; or a comprehensive plan amendment or land development regulation amendment initiated by an application by a private party other than the municipality;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or

¹ See Section 166.041(4)(c), Florida Statutes.



d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, the City of Orlando hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The proposed ordinance is for a voluntary annexation of approximately 0.58 acres of land generally located south of Lake Nona Blvd. at the intersection of Boggy Creek Rd. and New Hope Rd. The proposed ordinance furthers the public health, safety and welfare by helping ensure smart, strategic, growth to meet the needs of community.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Orlando, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Orlando's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The proposed ordinance is for voluntary annexation. Compliance costs would include the applicable property taxes as assessed by the Orange County Property Appraiser at the appropriate time. The ordinance itself imposes no new charges or fees, but once annexed into the city, the newly-annexed property will be subject to those costs assessed to cover the cost of growth's effect on vital infrastructure and services such as roads, sewers, schools and parks.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

No impact.

4. Additional information the governing body deems useful (if any):



[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City of Orlando staff solicited comments from businesses in the city as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on city website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses].