

**CITY OF ORLANDO
COUNCIL AGENDA ITEM**H/O 2ND READ
6

BCC Mtg. Date: January 25, 2022

Items Types:

Hearings/Ordinances/2nd Read

District: 4**Contract ID:****Exhibits:** Yes**Grant Received by City?:** No**For Meeting of:**

December 6, 2021

From:**Document Number:****On File (City Clerk) :** No**Draft Only:** No**Subject:**Ordinance No. 2021-75 Annexing the Subject Property at 3551 S. Orange Ave. of Approximately 0.34 Acres
(Massey Annexation)(Economic Development)**Summary:**

Ordinance No. 2021-75 will annex 0.34 acres located at 3551 S. Orange Avenue, known as the Massey Property, generally located east of S. Orange Avenue and south of Highway Place.

The property currently contains an office building and parking lot. The subject property is contiguous to the City limits and are reasonably compact.

The petition for annexation is on the concurrent agenda, in the form of an Annexation and Developer's Agreement. Pursuant to Section 65.260, Orlando City Code, the Chief Administrative Officer waived the requirement that the Technical Review Committee and Municipal Planning Board (MPB) review the application for annexation before consideration by the Orlando City Council. The first reading of this ordinance was held November 8, 2021.

Fiscal & Efficiency Data:



Fiscal impact statement attached.

Recommended Action:

Adopting Ordinance No. 2021-75 and authorizing the Mayor and City Clerk to execute the same, after final review and approval by the City Attorney's Office.

Agenda Item attachment(s) on file in the City Clerks Office.

Note: All agenda items must be in the City Clerk's office by Noon Friday, six(6) business days prior to the regular Monday City Council meeting.**Contact:** Megan Barrow, megan.barrow@orlando.gov, 407-246-3363; Melissa Clarke, melissa.clarke@orlando.gov**Approved By:****Department**Budget Outside Routing Approval
City Clerk**Date and Time**11/17/2021 11:39 AM
11/18/2021 3:45 PMCity Council Meeting: 12-6-21
Item: 12-6 Documentary: 2112061206**ATTACHMENTS:**

Name:	Description:	Type:
 Ord 2021-75 3550 S. Orange Annexation (Massey).pdf	Ordinance 2021-75	Ordinance
 Exhibit A B.pdf	Ordinance 2021-75 Exhibits	Backup Material

"Enhance the quality of life in the City by delivering public services in a knowledgeable, responsive and financially responsible manner."

BCC Mtg. Date: January 25, 2022

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 EAST OF SOUTH ORANGE**
6 **AVENUE, WEST OF S. ROSALIND AVENUE AND**
7 **NORTH OF JENNIE JEWEL DRIVE, AND COMPRISED**
8 **OF 0.34 ACRES OF LAND, MORE OR LESS; PROVIDING**
9 **FOR SEVERABILITY, CORRECTION OF SCRIVENER'S**
10 **ERRORS, AND AN EFFECTIVE DATE.**

11
12 **WHEREAS**, the owners of property comprised of approximately 0.34 acres and
13 generally located east of South Orange Avenue, west of S. Rosalind Avenue, and north
14 of Jennie Jewel Drive (hereinafter "the Property"), petitioned the Orlando City Council for
15 voluntary annexation pursuant to Chapter 171.044, Florida Statutes; and

16
17 **WHEREAS**, the Property is precisely described by the legal description of the
18 area by metes and bounds attached to this ordinance as **Exhibit A**; and

19
20 **WHEREAS**, pursuant to Section 65.260, Orlando City Code, the Chief
21 Administrative Officer or his designee waived the requirement that the Technical Review
22 Committee and Municipal Planning Board review the application for annexation before
23 consideration by the Orlando City Council; 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(11), 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(12), 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(13), 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 and Contraction Act for the adjustment of municipal
50 boundaries; and

51
City Council Meeting: 12-6-21
Item: 12-6 Documentary: 2112061206

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 within the meaning of subsection 171.031(8), Florida Statutes; 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, except for sections one and two, which take effect on the 30th day after adoption.


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 14 day of NOVEMBER, 2021.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this 8 day of NOVEMBER, 2021.

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 21 day of NOVEMBER, 2021.

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 6 day of DECEMBER, 2021.

BY THE MAYOR OF THE CITY OF ORLANDO, FLORIDA:



Mayor

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

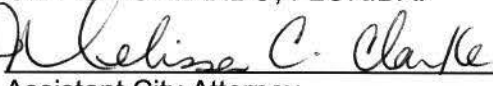


City Clerk

Stephanie Herdovian

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

City Council Meeting: 12-6-21
Item: 12-6 Documentary: 2112061206



VERIFIED LEGAL DESCRIPTION FORM

EXHIBIT
A

The following legal description has been prepared by

Secom LLC, Gary A Burden

and submitted to the City Planning Division for verification.

Signature

10/27/2021

Date



"This Description has been
reviewed by the Engineering
Division and is acceptable
based on a comparison with:
Survey, Maps, Deeds
and GIS Mapping

By: R. Allen Date: 10/28/2021

Application Request (Office Use Only)

File No. ANX2021-75

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

Proposed Annexation(as prepared by Surveyor) Massey Property

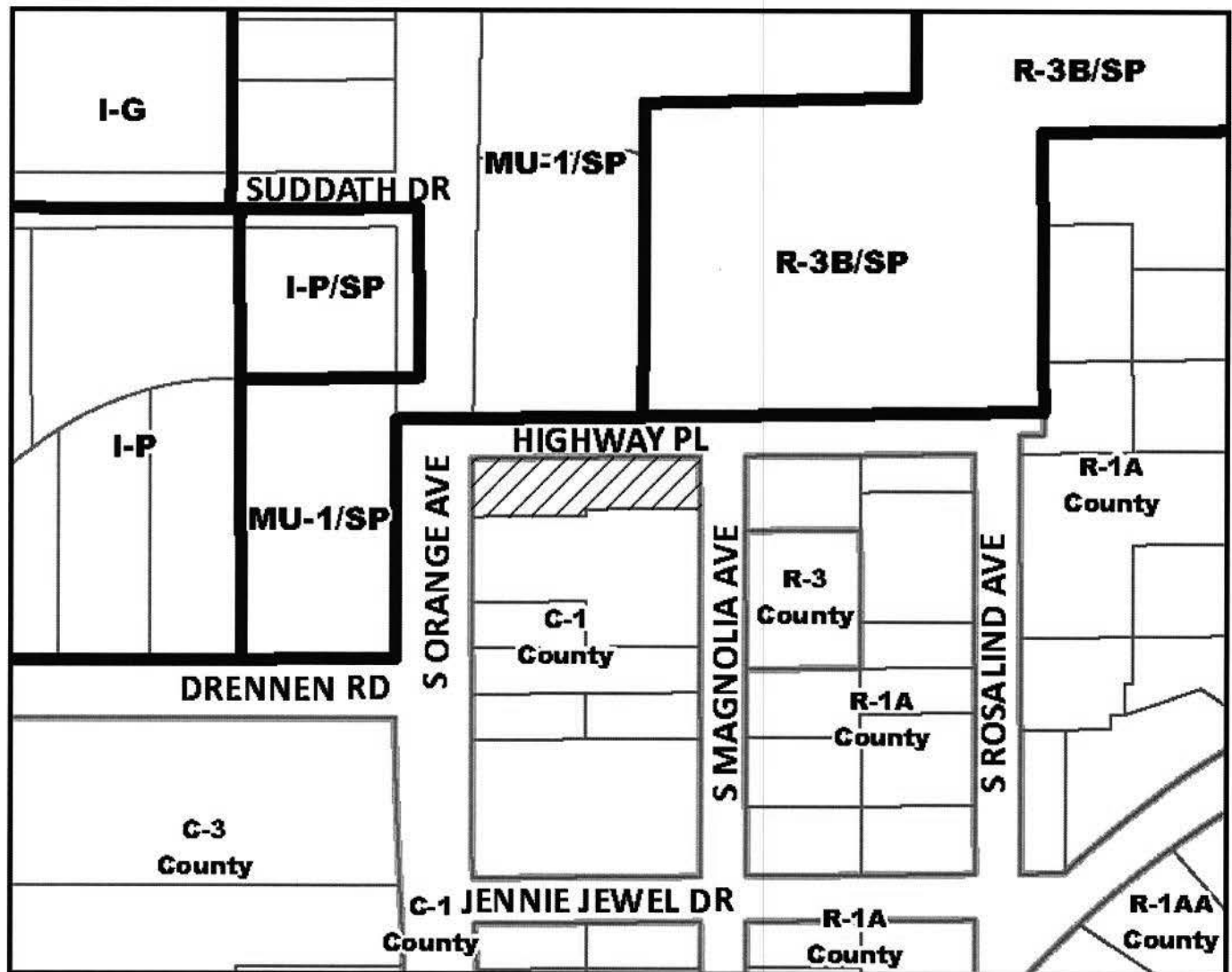
A portion of Lake Jennie Jewel Heights, according to the plat thereof as recorded in Plat Book J, Page 129, Public Records Orange County, Florida, more particularly described as follows;

Begin at the northeast corner of Lot 36, Block A, said Lake Jennie Jewel Heights plat; thence S00° 08'35"E, along the west right of way line of Magnolia Avenue, said Lake Jennie Jewel Heights plat a distance of 56.18 feet to the northeast corner of Lot 34, Block A said Lake Jennie Jewel Heights plat; thence departing the said west right of way line run, S89°18'35"W along the north line of said Lot 34, Block A, 125.01 feet to the northwest corner of said Lot 34, Block A; thence departing the north line of said Lot 34 run, S00°08'35"E along the west line of said Lot 34, Block A, 0.70 feet; thence departing the west line of said Lot 34, run S89°18'35"W, 124.09 feet to a point on the east right of way line of Orange Avenue, per Florida Department of Transportation Right of way Map, Section 7504-109; thence N 00°13'14"W along said east right of way line, 57.47 feet to the south right of way line of Highway Place, said Lake Jennie Jewel Heights plat; thence departing the east right of way line of said Orange Avenue, run S 89°26'42" W along said south right of way line, 249.17 feet to the Point of Beginning.

Said lands lying in Orange County, Florida containing 0.32 acres more or less.

Sheet 1 of 1

EXHIBIT
B



ORDINANCE NO. 2021-75

Orlando Sentinel

Published Daily
ORANGE County, Florida

Sold To:

City of Orlando - CU00118969
400 S Orange Ave, Fl 2
Orlando, FL 32801-3360

Bill To:

City of Orlando - CU00118969
400 S Orange Ave, Fl 2
Orlando, FL 32801-3360

**State Of Florida
County Of Orange**

Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is an Advertising
Representative of the ORLANDO SENTINEL, a DAILY newspaper
published at the ORLANDO SENTINEL in ORANGE County, Florida; that
the attached copy of advertisement, being a Legal Notice in the matter of
11220-2 Column Legals, December 6, 2021 at 2:00 p.m., Ordinance # 2021-
75 was published in said newspaper in the issues of Nov 14, 2021; Nov 21,
2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper
Published in said ORANGE County, Florida, and that the said newspaper
has heretofore been continuously published in said ORANGE County,
Florida, each day and has been entered as periodicals matter at the post
office in ORANGE County, Florida, in said ORANGE 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 or she 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.



Signature of Affiant

Rose Williams

Name of Affiant

Sworn to and subscribed before me on this 22 day of November, 2021,
by above Affiant, who is personally known to me (X) or who has produced identification ().



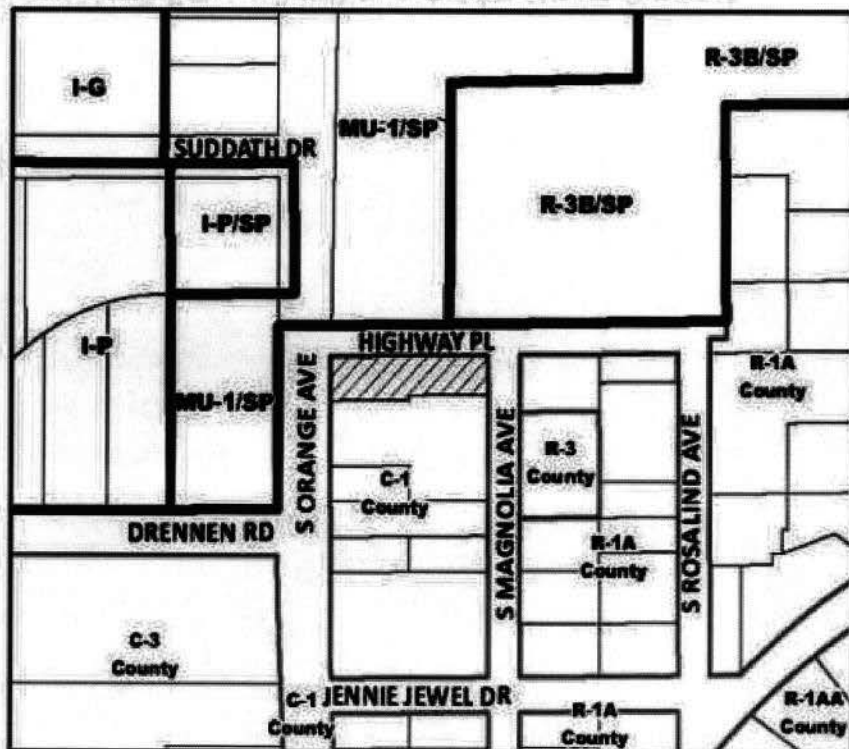
Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

Notice of Proposed Enactment

On Monday December 6, 2021, the Orlando City Council will consider proposed ordinance #2021-75, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED EAST OF SOUTH ORANGE AVENUE, WEST OF S. ROSALIND AVENUE AND NORTH OF JENNIE JEWEL DRIVE, AND COMPRISED OF 0.34 ACRES OF LAND, MORE OR LESS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.



ORDINANCE NO. 2021-75



A public hearing on this ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chamber, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida. Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. All pertinent information about meeting access and participation instructions will be available on orlando.gov/councilmeeting at least 3 days prior to the meeting. Additionally, interested parties are invited to watch the meeting live and may participate by providing public comment during the meeting or submitting written public comment in advance regarding the proposed ordinance. The opportunity to provide public comment is available until the designated public comment portion of the item is closed. All items received are public record. The proposed ordinance may be inspected at the Office of the City Clerk located on the 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida, or online at orlando.gov. Anyone who desires to appeal an official decision made at this meeting, if an appeal is permitted by law, may need to obtain a verbatim record of the proceedings that includes the testimony and evidence upon which the appeal is based. The City of Orlando is committed to reasonably accommodating the communication needs of persons with disabilities. Persons with disabilities who need reasonable accommodations to participate in this meeting, contact no later than 24 hours in advance of the meeting, the Office of the City Clerk at 407.246.2251 or cityclerk@orlando.gov.

ORG7078298

11/14, 11/21/2021

7078298