



May 14, 2019

05-20-19P02:39 RCVD

Phil Diamond
Orange County Comptroller
P.O. Box 38
Orlando, FL 32802

Re: City of Orlando Ordinance No. 2019-12

Dear Comptroller Diamond:

Pursuant to section 171.044, Florida Statutes, the City Council of the City of Orlando, Florida adopted Ordinance No. 2019-12 annexing certain land into the corporate limits of the City of Orlando. The City is required to furnish a copy of the ordinance to the Orange County Chief Administrative Officer and the Orange County Clerk of Court, which has been done.

The enclosed copy is intended for the files of the Orange County Board of County Commissioners and not for recording in the Official Records.

Sincerely yours,

Denise Aldridge
City Clerk

Enclosure

Received by: Clerk of BCC **MAY 21 2019 NP**
cc: Community Environmental & Development Services Director Jon Weiss
Planning Division Manager Alberto Vargas
Planner II Steven Thorp

OFFICE OF CITY CLERK

ORDINANCE NO. 2019-12

BCC Mtg. Date: June 18, 2019

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED SOUTH OF OGLESBY AVENUE, WEST OF CLAY STREET, NORTH OF CRANDON AVENUE AND EAST OF FORMOSA AVENUE, AND COMPRISED OF 0.242 ACRES, MORE OR LESS, AND AMENDING THE CITY'S BOUNDARY DESCRIPTION; AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS NEIGHBORHOOD ACTIVITY CENTER ON THE CITY'S OFFICIAL FUTURE LAND USE MAP; AMENDING THE BOUNDARY OF FUTURE LAND USE SUBAREA POLICY S.2.5; PROVIDING FOR AMENDMENT OF THE CITY'S GROWTH MANAGEMENT PLAN; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, on May 29, 2018, the City Council of the City of Orlando, Florida (the "Orlando City Council"), accepted a petition for voluntary annexation (hereinafter the "petition") bearing the signatures of all owners of property in an area of land generally located south of Oglesby Avenue, west of Clay Street, north of Crandon Avenue and east of Formosa Avenue, comprised of approximately 0.242 acres of land and being precisely described by the legal description of the area by metes and bounds attached to this ordinance as **Exhibit A** (hereinafter the "property"); and

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

WHEREAS, at its regularly scheduled meeting of December 18, 2018, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"), considered the following applications relating to the property:

1. Annexation case number ANX2018-10005 requesting to annex the property into the jurisdictional boundaries of the city; and
2. Growth Management Plan (hereinafter the "GMP") case number GMP2018-10015 requesting an amendment to the city's GMP to designate the property as Neighborhood Activity Center on the City's official future land use map; and
3. Growth Management Plan case number GMP2018-10016 requesting an amendment to the boundary for the city's GMP Future Land Use subarea policy S.2.5 (together, hereinafter referred to as the "applications"); and

WHEREAS, based upon the evidence presented to the MPB, including the information and analysis contained in the staff reports to the Municipal Planning Board for

ORDINANCE NO. 2019-12

47 application case numbers ANX2018-10005 and GMP2018-10015 (entitled "Item #1 –
48 1900 Oglesby Avenue Annexation"), and GMP2018-10016 (entitled "Item #2 – Calvary
49 Assembly PD Amendment"), the MPB recommended that the Orlando City Council
50 approve said applications and adopt an ordinance or ordinances in accordance therewith;
51 and

52

53 **WHEREAS**, the MPB found that application GMP2018-10015 and GMP2018-
54 10016 are consistent with:

55

56 1. The *State Comprehensive Plan* as provided at Chapter 187, Florida Statutes
57 (the "State Comprehensive Plan"); and

58

59 2. The *East Central Florida 2060 Plan* adopted by the East Central Florida
60 Regional Planning Council pursuant to sections 186.507 and 186.508, Florida
61 Statutes (the "Strategic Regional Policy Plan"); and

62

63 3. The *City of Orlando Growth Management Plan*, adopted as the city's
64 "comprehensive plan" for purposes of the Florida Community Planning Act,
65 sections 163.3164 through 163.3217, Florida Statutes (the "GMP"); and

66

67 **WHEREAS**, sections 3 and 4 of this ordinance are adopted pursuant to the
68 "process for adoption of small-scale comprehensive plan amendment" as provided by
69 section 163.3187, Florida Statutes; and

70

71 **WHEREAS**, the Orlando City Council hereby finds that:

72

73 1. As of the date of the petition, the property was located in the unincorporated
74 area of Orange County; and

75

76 2. As of the date of the petition, the property is contiguous to the city within the
77 meaning of subsection 171.031(11), Florida Statutes; and

78

79 3. As of the date of the petition, the property is reasonably compact within the
80 meaning of subsection 171.031(12), Florida Statutes; and

81

82 4. The petition bears the signatures of all owners of property in the area to be
83 annexed; and

84

85 5. Annexation of the property will not result in the creation of enclaves within the
86 meaning of subsection 171.031(13), Florida Statutes; and

87

88 6. The property is located wholly within the boundaries of a single county; and

89

ORDINANCE NO. 2019-12

- 90 7. The petition proposes an annexation that is consistent with the purpose of
91 ensuring sound urban development and accommodation to growth; and
92
93 8. The petition, this ordinance, and the procedures leading to the adoption of this
94 ordinance are consistent with the uniform legislative standards provided by the
95 Florida Municipal Annexation and Contraction Act for the adjustment of
96 municipal boundaries; and
97
98 9. The petition proposes an annexation that is consistent with the purpose of
99 ensuring the efficient provision of urban services to areas that become urban
100 in character within the meaning of section 171.021, Florida Statutes; and
101
102 10. The petition proposes an annexation that is consistent with the purpose of
103 ensuring that areas are not annexed unless municipal services can be provided
104 to those areas; and
105

106 **WHEREAS**, the Orlando City Council will consider separate ordinances rezoning
107 and including the property in the Calvary Assembly Planned Development under
108 application ZON2018-10009, as well as a companion comprehensive plan amendment to
109 the text of Future Land Use Subarea Policy S.2.5 for the Calvary Assembly Planned
110 Development under application GMP2018-10016; and
111

112 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the best
113 interest of the public health, safety, and welfare, and is consistent with the applicable
114 provisions of Florida Statutes, the State Comprehensive Plan, the Strategic Regional
115 Policy Plan, and the City's GMP and LDC.
116

117 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
118 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
119

120 **SECTION 1. ANNEXATION.** Pursuant to the authority granted by section 171.044,
121 Florida Statutes, and having determined that the owner or owners of the property have
122 petitioned the Orlando City Council for annexation into the corporate limits of the city, and
123 having determined that the petition bears the signatures of all owners of property in the
124 area proposed to be annexed, and having made the findings set forth in this ordinance,
125 the property is hereby annexed into the corporate limits of the City of Orlando, Florida,
126 and the boundary lines of the City are hereby redefined to include the property. In
127 accordance with subsection 171.044(3), Florida Statutes, the annexed area is clearly
128 shown on the map attached to this ordinance as **Exhibit B**.
129

130 **SECTION 2. CITY BOUNDARIES.** Pursuant to section 171.091, Florida Statutes,
131 the charter boundary article of the city is hereby revised in accordance with this ordinance.
132 The city clerk, or designee, is hereby directed to file this ordinance as a revision of the City

ORDINANCE NO. 2019-12

133 Charter with the Florida Department of State. The city planning official, or designee, is
134 hereby directed to amend the city's official maps in accordance with this ordinance.

135

136 **SECTION 3. FLUM DESIGNATION.** Pursuant to section 163.3187, Florida
137 Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use
138 Map designation for the Property is hereby established as "Neighborhood Activity Center"
139 (denoted as "NEIGH-AC" on the City's Future Land Use Maps), as depicted in Exhibit C
140 to this ordinance.

141

142 **SECTION 4. AMENDING BOUNDARY OF FUTURE LAND USE SUBAREA**
143 **POLICY S.2.5.** The City's Growth Management Plan, Future Land Use Element, is
144 amended to change the boundary of subarea policy S.2.5 to include the property, as
145 depicted in Exhibit D to this ordinance.

146

147 **SECTION 5. AMENDMENT OF GROWTH MANAGEMENT PLAN.** The city
148 planning official, or designee, is hereby directed to amend the city's adopted Growth
149 Management Plan in accordance with this ordinance.

150

151 **SECTION 6. SEVERABILITY.** If any provision of this ordinance or its application
152 to any person or circumstance is held invalid, the invalidity does not affect other provisions
153 or applications of this ordinance which can be given effect without the invalid provision or
154 application, and to this end the provisions of this ordinance are severable.

155

156 **SECTION 7. SCRIVENER'S ERROR.** The city attorney may correct scrivener's
157 errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.

158

159 **SECTION 8. EFFECTIVE DATE.** This ordinance is effective upon adoption, except
160 for sections one and two, which take effect on the 30th day after adoption, and sections
161 three, four and five, which take effect upon the effective date of Ordinance 2019-13 for
162 application GMP2018-10016.

163

164 **DONE, THE FIRST PUBLIC NOTICE**, in a newspaper of general circulation in the
165 City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this 28
166 day of APRIL, 2019.

167

168 **DONE, THE FIRST READING**, by the City Council of the City of Orlando, Florida,
169 at a regular meeting, this 18 day of FEBRUARY, 2019.

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171 **DONE, THE SECOND PUBLIC NOTICE**, in a newspaper of general circulation in
172 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this 5
173 day of MAY, 2019.

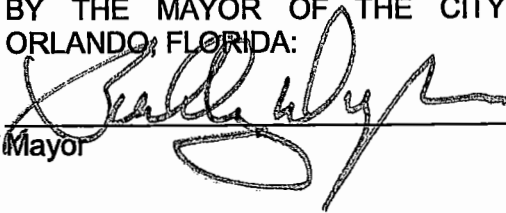
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ORDINANCE NO. 2019-12

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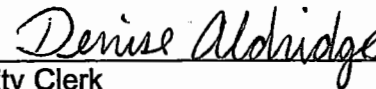
DONE, THE SECOND READING, A PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this 13 day of MAY, 2019.

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

Denise Aldridge

Print Name

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



Assistant City Attorney

Sarah Taitt

Print Name

[Remainder of page intentionally left blank]

City Council Meeting: 5-13-19
Item: 12-1 Documentary: 1905131201



EXHIBIT
A

VERIFIED LEGAL DESCRIPTION FORM

MUNICIPAL PLANNING BOARD

The following legal description has been prepared by James R. Shannon, Shannon Surveying, Inc. and submitted to the City Planning Bureau for verification.

[Signature]
Signature
05/10/2018
Date

"This description has been reviewed by the Bureau of Engineering and is acceptable based on a comparison with

THE RECORD PLAT,
RAW TRAVELER
AND CLOSURE.
By [Signature] Date 6-4-18

Application Request (Office Use Only):

File No. ANX2018-10005
GMP2018-10015
GMP2018-10016
ZON2018-10009

Legal Description Including Acreage (To be Typed By Applicant):

LOT 8 AND THE WEST 1/2 OF LOT 7, BLOCK D, OLYMPIA HEIGHTS ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK J, PAGE 61, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA,

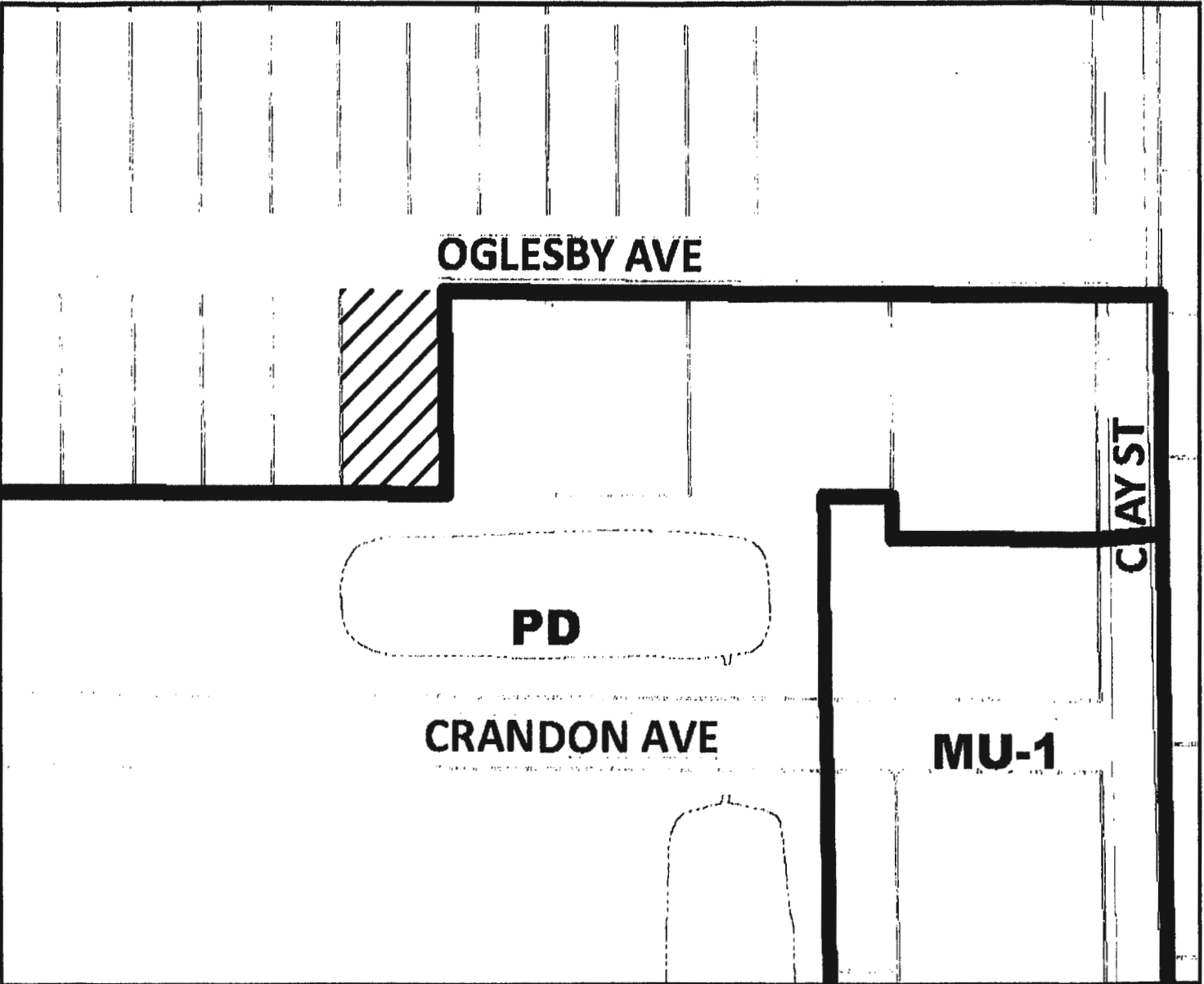
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 8, BLOCK D, OLYMPIA HEIGHTS ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK J, PAGE 61, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N89°57'39"E ALONG THE NORTH LINE OF SAID LOT 8 AND THE NORTH LINE OF LOT 7, BLOCK D, OF SAID PLAT, A DISTANCE OF 75.00 FEET; THENCE RUN S00°53'03"E ALONG THE EAST LINE OF THE WEST 1/2 OF SAID LOT 7, A DISTANCE OF 140.68 FEET; THENCE RUN S89°58'54"W ALONG THE SOUTH LINE OF SAID LOTS 7 AND 8, A DISTANCE OF 75.00 FEET; THENCE RUN N00°53'03"W ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 140.65 FEET TO THE POINT OF BEGINNING.

Contains 10,549 Square Feet or 0.242 Acres, more or less.

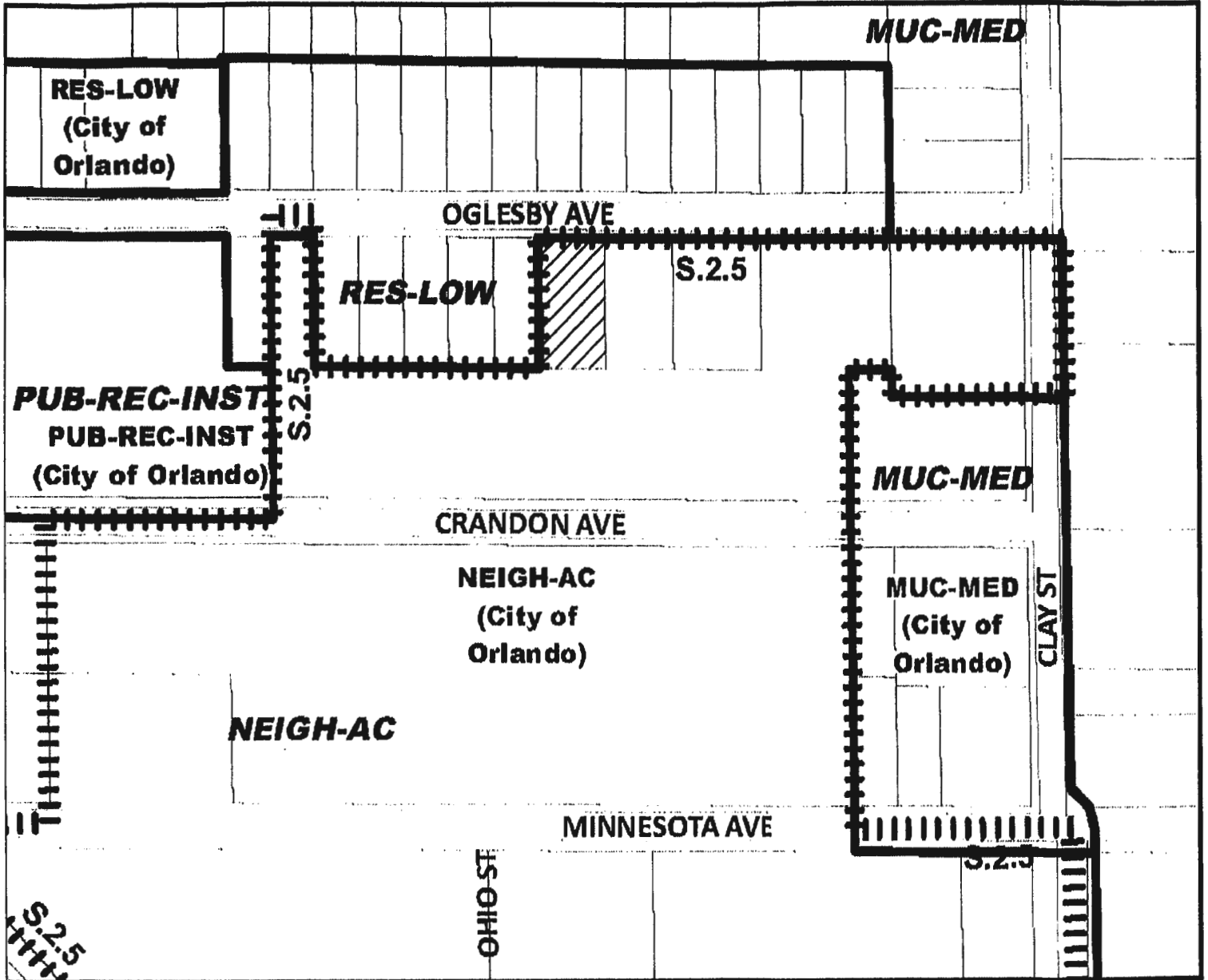
1 of 1

EXHIBIT
B



ANX2018-10005

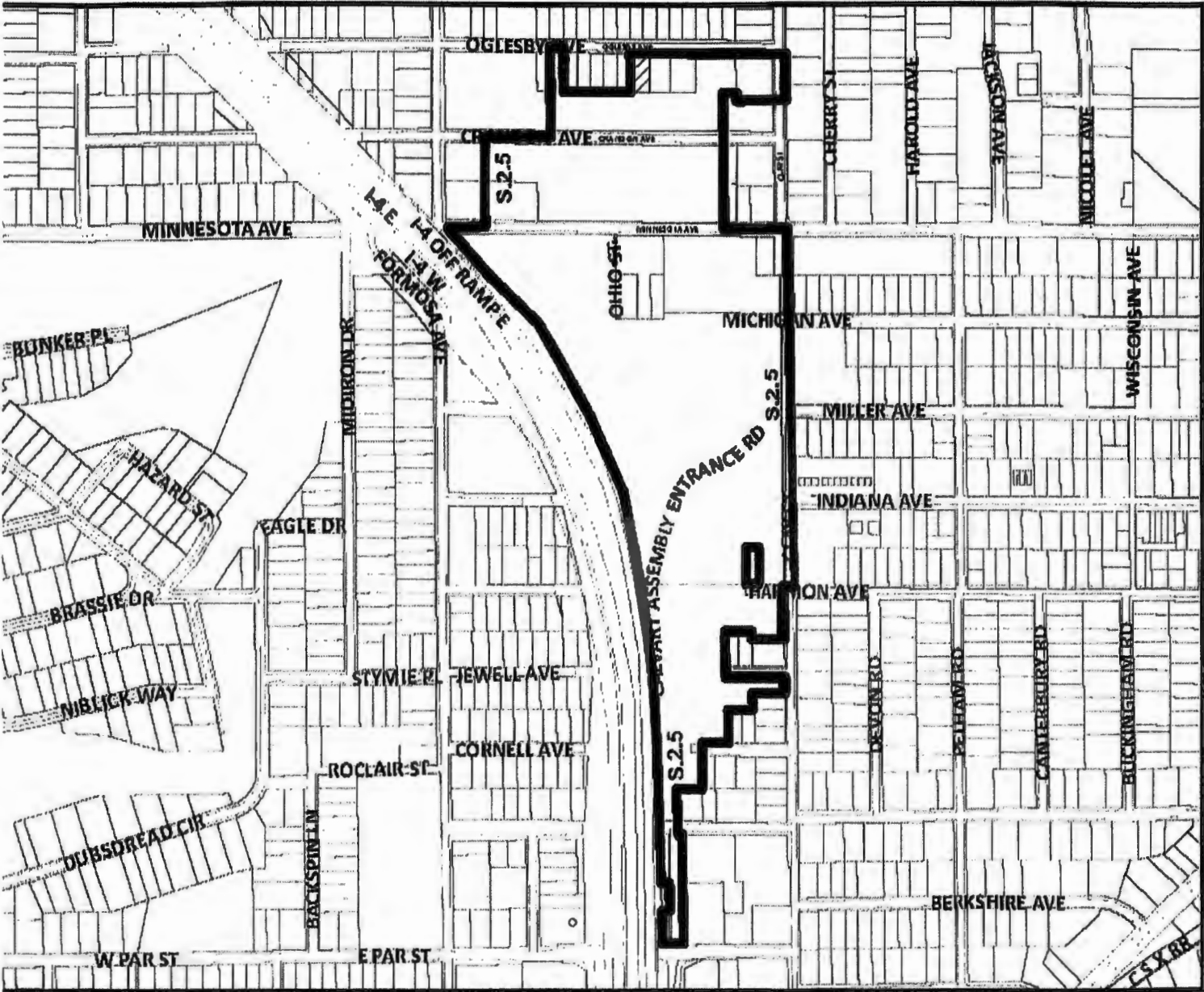




Future Land Use - Proposed GMP2018-10015



tabblier
EXHIBIT
D



Future Land Use - Proposed GMP2018-10016



Published Daily
ORANGE County, Florida

State Of Florida
County Of Orange

Before the undersigned authority personally appeared Jean Gaille, 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 11150-Public Hearing Notice, May 13, 2019 at 2:00 p.m., Ordinance Number 2019-12 was published in said newspaper in the issues of Apr 28, 2019; May 05, 2019.

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.

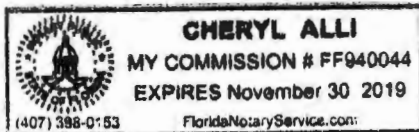

Signature of Affiant

Jean Gaille

Name of Affiant

Sworn to and subscribed before me on this 6 day of May, 2019,
by above Affiant, who is personally known to me (X) or who has produced identification ().

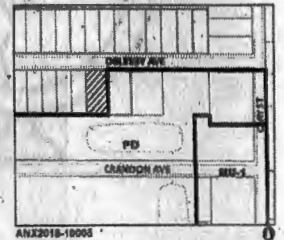

Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

Notice of Proposed Enactment

On May 13, 2019 the Orlando City Council will consider proposed ordinance #2019-12, 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 SOUTH OF OGLESBY AVENUE, WEST OF CLAY STREET, NORTH OF CRANDON AVENUE, AND EAST OF FORMOSA AVENUE, AND COMPRISED OF 0.242 ACRES, MORE OR LESS, AND AMENDING THE CITY'S BOUNDARY DESCRIPTION; AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS NEIGHBORHOOD ACTIVITY CENTER ON THE CITY'S OFFICIAL FUTURE LAND USE MAP; AMENDING THE BOUNDARY OF FUTURE LAND USE SUBAREA POLICY 3.2.5; PROVIDING FOR AMENDMENT OF THE CITY'S GROWTH MANAGEMENT PLAN; PROVIDING FOR SEVERABILITY; CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.



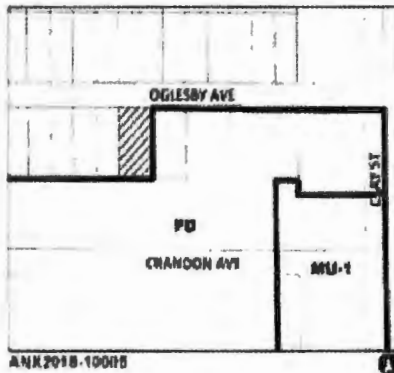
A public hearing on this ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida. Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. If a person decides to appeal any decision made by Council with respect to any matter considered at the hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The proposed ordinance and a complete legal description by metes and bounds of the area proposed for annexation may be inspected by the public at the Office of the City Clerk located on the 2nd floor of Orlando City Hall, 400 S. Orange Avenue, Orlando, Florida. Qualified persons with disabilities needing auxiliary aid or service, or other assistance, so they can participate equally in this meeting should contact the Office of the City Clerk at (407) 246-2251 as soon as possible but no later than 48 hours before the meeting.

OS6240394

4/28, 5/5/2019

Notice of Proposed Enactment

On May 13, 2019 the Orlando City Council will consider proposed ordinance #2019-12, 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 SOUTH OF OGLESBY AVENUE, WEST OF CLAY STREET, NORTH OF CRANDON AVENUE AND EAST OF FORMOSA AVENUE, AND COMPRISED OF 0.242 ACRES, MORE OR LESS, AND AMENDING THE CITY'S BOUNDARY DESCRIPTION; AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS NEIGHBORHOOD ACTIVITY CENTER ON THE CITY'S OFFICIAL FUTURE LAND USE MAP; AMENDING THE BOUNDARY OF FUTURE LAND USE SUBAREA POLICY S.2.5; PROVIDING FOR AMENDMENT OF THE CITY'S GROWTH MANAGEMENT PLAN; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.



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Sold To:

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

Bill To:

City of Orlando - CU00118969
Attn: Ridge K. Holdridge
400 S Orange Ave, Fl 2
Orlando, FL, 32801-3360