

1126/021/2nd  
12-4  
Annexation

# CITY OF ORLANDO COUNCIL AGENDA ITEM

**Items Types:**

Hearings/Ordinances/2nd Read

**District:** 3

**Contract ID:**

**Exhibits:** Yes

**Grant Received by City?:** No

**For Meeting of:**

April 3, 2023

**From:**

**Document Number:**

**On File (City Clerk) :** Yes

**Draft Only:** No

**Subject:**

Ordinance No. 2023-15 Annexing Property Located North of Roush Avenue, East of Lake Baldwin Lane, West of Jamajo Boulevard and South of the Cady Way Trail, and addressed as 4315 Roush Avenue, and Amending the City's Adopted Growth Management Plan (GMP) to Designate the Property as Office Low Intensity on the Official Future Land Use Map (ANX2022-10006 & GMP2022-10017) (4315 Roush Avenue Annexation) (Economic Development)

**Summary:**

Ordinance No. 2023-15 applies to ±1.65 acres for property located north of Roush Avenue, east of Lake Baldwin Lane, west of Jamajo Boulevard and south of the Cady Way Trail and addressed as 4315 Roush Avenue.

The ordinance will:

1. Annex the subject property;
2. Amend the Growth Management Plan by assigning the Office Low Intensity future land use designation to the subject property.

City Council accepted the petition for the voluntary annexation for this property on June 20, 2022.

The Municipal Planning Board (MPB) recommended approval of the annexation (ANX2022-10006), and the GMP amendment (GMP2022-10017), and associated initial PD zoning (ZON2022-10015) on December 20, 2022.

The subject property is contiguous to the City limits. If annexed, the property will not create an enclave.

The proposed annexation meets all requirements under Chapter 171, Florida Statutes. Unless appealed, all actions will be effective thirty-one (31) days after adoption.

The applicant is requesting annexation in order to facilitate a townhome residential development.

First reading of the associated PD is on this same council agenda.

The first reading of this ordinance was on March 20, 2023.

**Fiscal & Efficiency Data:**

Fiscal impact statement is attached.

City Council Meeting: 4-3-2023  
Item: 12-4 Documentary: 230403/204

**Recommended Action:**

Approving Ordinance No. 2023-15 on first reading and request that the Mayor and City Clerk present the draft ordinance for second reading and public hearing at the next regular City Council meeting.

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:** Colandra Jones, colandra.jones@orlando.gov; 407-246-3415; Sarah Taitt, 407-246-4373, sarah.taitt@orlando.gov

**Approved By:**

**Department**

Budget Outside Routing Approval  
City Clerk

**Date and Time**

3/21/2023 2:56 PM  
3/23/2023 1:17 PM

**ATTACHMENTS:**

Name:	Description:	Type:
<a href="#">Roush Ave Townhomes Ordinance 2023-15.pdf</a>	4315 Roush Avenue Ordinance 2023-15	Ordinance
<a href="#">Exhibit A - Verified Legal Description 4315 Roush Ave.pdf</a>	Exhibit A - Verified Legal Description	Exhibit
<a href="#">Exhibit B - 4315 Roush Ave ANX.pdf</a>	Exhibit B - 4315 Roush Ave ANX Map	Exhibit
<a href="#">Exhibit C - 4315 Roush Ave GMP.pdf</a>	Exhibit C - 4315 Roush Ave GMP	Exhibit
<a href="#">Fiscal Impact Statement for 4315 Roush Avenue.pdf</a>	FIS - 4315 Roush Ave Annexation	Fiscal Impact Statement

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

ORDINANCE NO. 2023-15

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
2 OF ORLANDO, FLORIDA, ANNEXING TO THE  
3 CORPORATE LIMITS OF THE CITY CERTAIN LAND  
4 GENERALLY LOCATED NORTH OF ROUSH AVENUE,  
5 EAST OF LAKE BALDWIN LANE, WEST OF JAMAJO  
6 BOULEVARD AND SOUTH OF THE CADY WAY TRAIL,  
7 AND COMPRISED OF 1.65 ACRES OF LAND, MORE OR  
8 LESS, AND AMENDING THE CITY'S BOUNDARY  
9 DESCRIPTION; AMENDING THE CITY'S GROWTH  
10 MANAGEMENT PLAN TO DESIGNATE THE PROPERTY  
11 AS OFFICE LOW INTENSITY ON THE CITY'S OFFICIAL  
12 FUTURE LAND USE MAPS; PROVIDING FOR  
13 AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND  
14 USE MAPS; PROVIDING FOR SEVERABILITY,  
15 CORRECTION OF SCRIVENER'S ERRORS, PERMIT  
16 DISCLAIMER, AND AN EFFECTIVE DATE.  
17

18 **WHEREAS**, on June 20, 2022, the City Council of the City of Orlando, Florida  
19 (the "Orlando City Council"), accepted a petition for voluntary annexation (hereinafter the  
20 "petition") bearing the signatures of all owners of property in an area of land generally  
21 located north of Roush Avenue, east of Lake Baldwin Lane, west of Jamajo Boulevard  
22 and south of the Cady Way Trail, comprised of approximately 1.65 acres of land, and  
23 being precisely described by the legal description of the area by metes and bounds  
24 attached to this ordinance as **Exhibit A** (hereinafter the "property"); and  
25

26 **WHEREAS**, the petition was filed with the Orlando City Council pursuant to  
27 section 171.044, Florida Statutes; and  
28

29 **WHEREAS**, at its regularly scheduled meeting of December 20, 2022, the  
30 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"),  
31 considered the following applications relating to the property:  
32

- 33 1. Annexation case number ANX2022-10006 requesting to annex the property  
34 into the jurisdictional boundaries of the city; and  
35
- 36 2. Growth Management Plan (hereinafter the "GMP") case number GMP2022-  
37 10017 requesting an amendment to the city's GMP to designate the property  
38 as "Office Low Intensity" on the City's official future land use map; and  
39

40 **WHEREAS**, based upon the evidence presented to the MPB, including the  
41 information and analysis contained in the "Staff Report to the Municipal Planning Board"  
42 for application case numbers ANX2022-10006 and GMP2022-10017 (entitled "Roush  
43 Avenue Townhomes"), the MPB recommended that the Orlando City Council approve  
44 said applications and adopt an ordinance or ordinances in accordance therewith; and  
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**ORDINANCE NO. 2023-15**

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**WHEREAS**, the MPB found that application GMP2022-10017 is consistent with:

1. The *State Comprehensive Plan* as provided at Chapter 187, Florida Statutes (the "State Comprehensive Plan"); and
2. The *East Central Florida 2060 Plan* adopted by the East Central Florida Regional Planning Council pursuant to sections 186.507 and 186.508, Florida Statutes (the "Strategic Regional Policy Plan"); and
3. The *City of Orlando Growth Management Plan*, adopted as the city's "comprehensive plan" for purposes of the Florida Community Planning Act, sections 163.3164 through 163.3217, Florida Statutes; and

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

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

1. As of the date of the petition, the property was located in the unincorporated area of Orange County; and
2. As of the date of the petition, the property is contiguous to the city within the meaning of subsection 171.031(11), Florida Statutes; and
3. As of the date of the petition, the property is reasonably compact within the meaning of subsection 171.031(12), Florida Statutes; and
4. The petition bears the signatures of all owners of property in the area to be annexed; and
5. Annexation of the property will not result in the creation of enclaves within the meaning of subsection 171.031(13), Florida Statutes; and
6. The property is located wholly within the boundaries of a single county; and
7. The petition proposes an annexation that is consistent with the purpose of ensuring sound urban development and accommodation to growth; and
8. The petition, this ordinance, and the procedures leading to the adoption of this ordinance are consistent with the uniform legislative standards provided by the Florida Municipal Annexation and Contraction Act for the adjustment of municipal boundaries; and

ORDINANCE NO. 2023-15

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- 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 section 171.021, 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, the State Comprehensive Plan, the Strategic Regional Policy Plan, and the City's GMP and LDC.

**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 made the findings set forth in this ordinance, the property described in Exhibit A 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. FLUM DESIGNATION.** Pursuant to section 163.3184, Florida Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use Map designation for the property is hereby established as "Office Low Intensity" (denoted as "OFFICE-LOW" on the City's Future Land Use Maps), as depicted in Exhibit C to this ordinance.

**SECTION 4. AMENDMENT OF GROWTH MANAGEMENT PLAN.** The city planning official, or designee, is hereby directed to amend the city's adopted Growth Management Plan and the city's official Future Land Use Maps in accordance with this ordinance.

ORDINANCE NO. 2023-15

131       **SECTION 5. SEVERABILITY.** If any provision of this ordinance or its application  
132 to any person or circumstance is held invalid, the invalidity does not affect other  
133 provisions or applications of this ordinance which can be given effect without the invalid  
134 provision or application, and to this end the provisions of this ordinance are severable.  
135

136       **SECTION 6. SCRIVENER'S ERROR.** The city attorney may correct scrivener's  
137 errors found in this ordinance by filing a corrected copy of this ordinance with the city  
138 clerk.  
139

140       **SECTION 7. DISCLAIMER.** As provided by subsection 166.033(6), Florida  
141 Statutes, issuance of a development permit by a municipality does not in any way create  
142 any right on the part of an applicant to obtain a permit from a state or federal agency and  
143 does not create any liability on the part of the municipality for issuance of the permit if  
144 the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a  
145 state or federal agency or undertakes actions that result in a violation of state or federal  
146 law. In accordance with subsection 166.033(6), Florida Statutes, it is hereby made a  
147 condition of this ordinance that all other applicable state or federal permits be obtained  
148 before commencement of the development.  
149

150       **SECTION 8. EFFECTIVE DATE.** This ordinance is effective upon adoption,  
151 except for sections one and two, which take effect on the 30th day after adoption, and  
152 sections three and four, which take effect on the 31st day after adoption unless this  
153 ordinance is lawfully challenged pursuant to subsection 163.3187(5), Florida Statutes, in  
154 which case sections three and four shall not be effective until the state land planning  
155 agency or the Administration Commission issues a final order declaring this ordinance  
156 "in compliance" as defined at section 163.3184(1)(b), Florida Statutes.  
157

158       **DONE, THE FIRST PUBLIC NOTICE,** in a newspaper of general circulation in  
159 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this  
160 19 day of March, 2023.  
161

162       **DONE, THE FIRST READING AND HEARING,** by the City Council of the City of  
163 Orlando, Florida, at a regular meeting, this 20 day of March,  
164 2023.  
165

166       **DONE, THE SECOND PUBLIC NOTICE,** in a newspaper of general circulation in  
167 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this  
168 26 day of March, 2023.  
169

170       **DONE, THE SECOND READING AND HEARING, AND ENACTED ON FINAL**  
171 **PASSAGE,** by an affirmative vote of a majority of a quorum present of the City Council  
172 of the City of Orlando, Florida, at a regular meeting, this 3 day of  
173 April, 2023.

ORDINANCE NO. 2023-15

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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

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

*Stephanie Herdocia*

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

\_\_\_\_\_  
Assistant City Attorney

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

*Melissa C. Clarke*

\*\*[Remainder of page intentionally left blank]\*\*



# VERIFIED LEGAL DESCRIPTION FORM

The following legal description has been prepared by  
Nieto Whitaker Surveying LLC  
and submitted to the City Planning Division for  
verification



Ralph A. Nieto  
Signature  
Feb 8, 2023  
Date



"This Description has been  
reviewed by the Engineering  
Division and is acceptable  
based on a comparison with:  
PLATS, GIS MAPPING  
R/W MAPS

By: [Signature] Date: 2-16-23  
GUY ADKINS

Application Request (Office Use Only)

File No.

ZON 2022-10015  
ANX 2022-10006  
GMP 2022-10017  
(GSA)

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

PREPARED BY SURVEYOR.

A PORTION OF THE SOUTH 1/2 SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

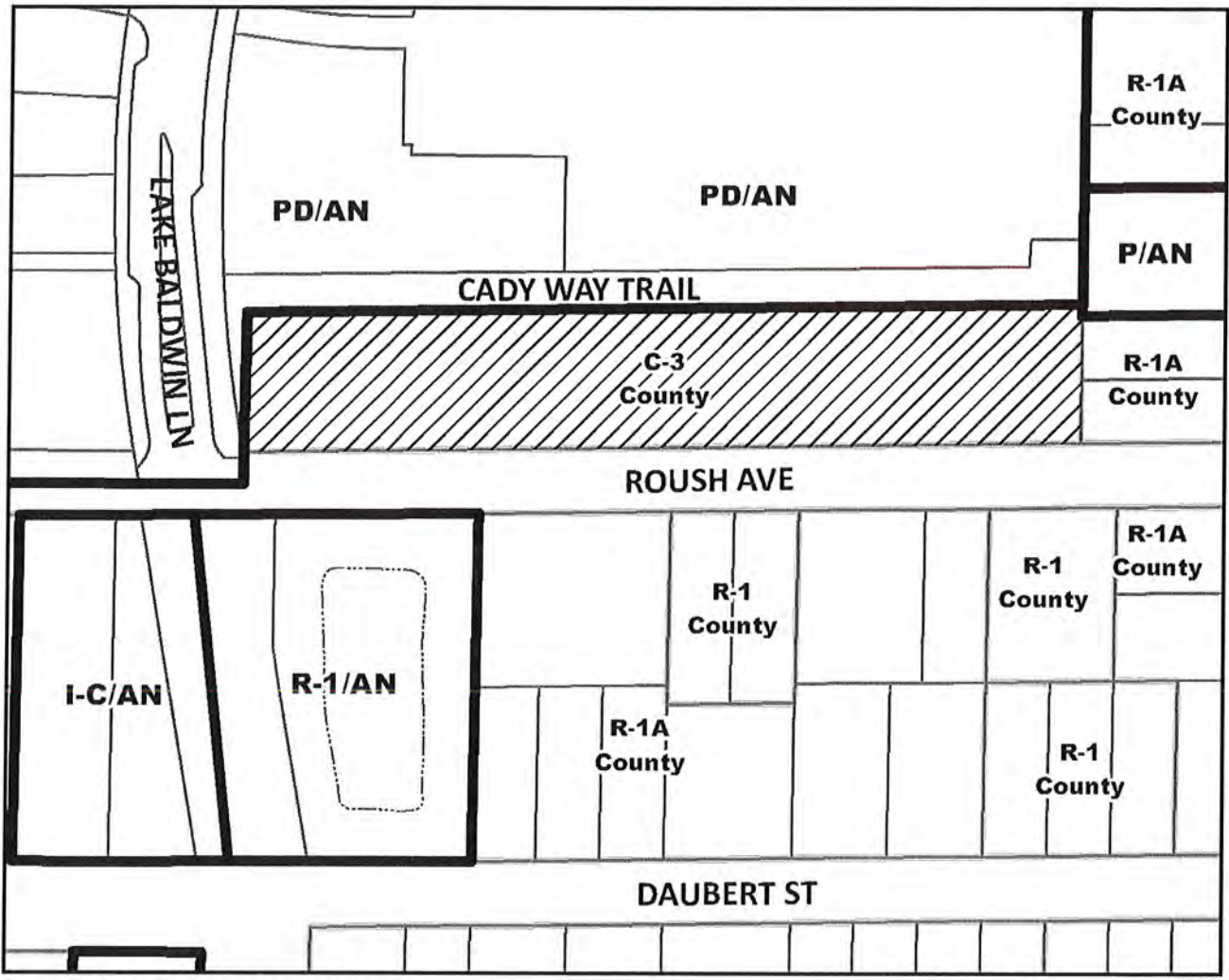
COMMENCE AT THE SW CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN N 00°45'29" E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 21 FOR A DISTANCE OF 25.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ROUSH AVENUE BEING A 50.00 FOOT WIDE RIGHT-OF-WAY AND THE POINT OF BEGINNING; THENCE CONTINUE N 00°45'29" E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 21 FOR A DISTANCE OF 109.21 FEET TO THE SOUTH LINE OF THE NORTH 193.00 FEET OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 21, AND THE SOUTH LINE OF TRACT 247 (CITY RIGHT-OF-WAY), BALDWIN



PARK UNIT 7, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 57, PAGE 111, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N 89° 21' 40" E ALONG SAID SOUTH LINE OF TRACT 247 AND SAID SOUTH LINE OF THE NORTH 193.00 FEET FOR A DISTANCE OF 655.03 FEET; THENCE LEAVING SAID LINES RUN SOUTH 00° 27' 58" WEST ALONG THE WEST LINES OF LOTS 12, 13, AND 14, BLOCK D, JAMAJO SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK J, PAGE 88, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, FOR A DISTANCE OF 110.02 FEET; THENCE RUN SOUTH 89° 25' 59" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID OF ROUSH AVENUE FOR A DISTANCE OF 655.57 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 718,16.574 SQUARE FEET, OR 1.65 ACRES, MORE OR LESS.

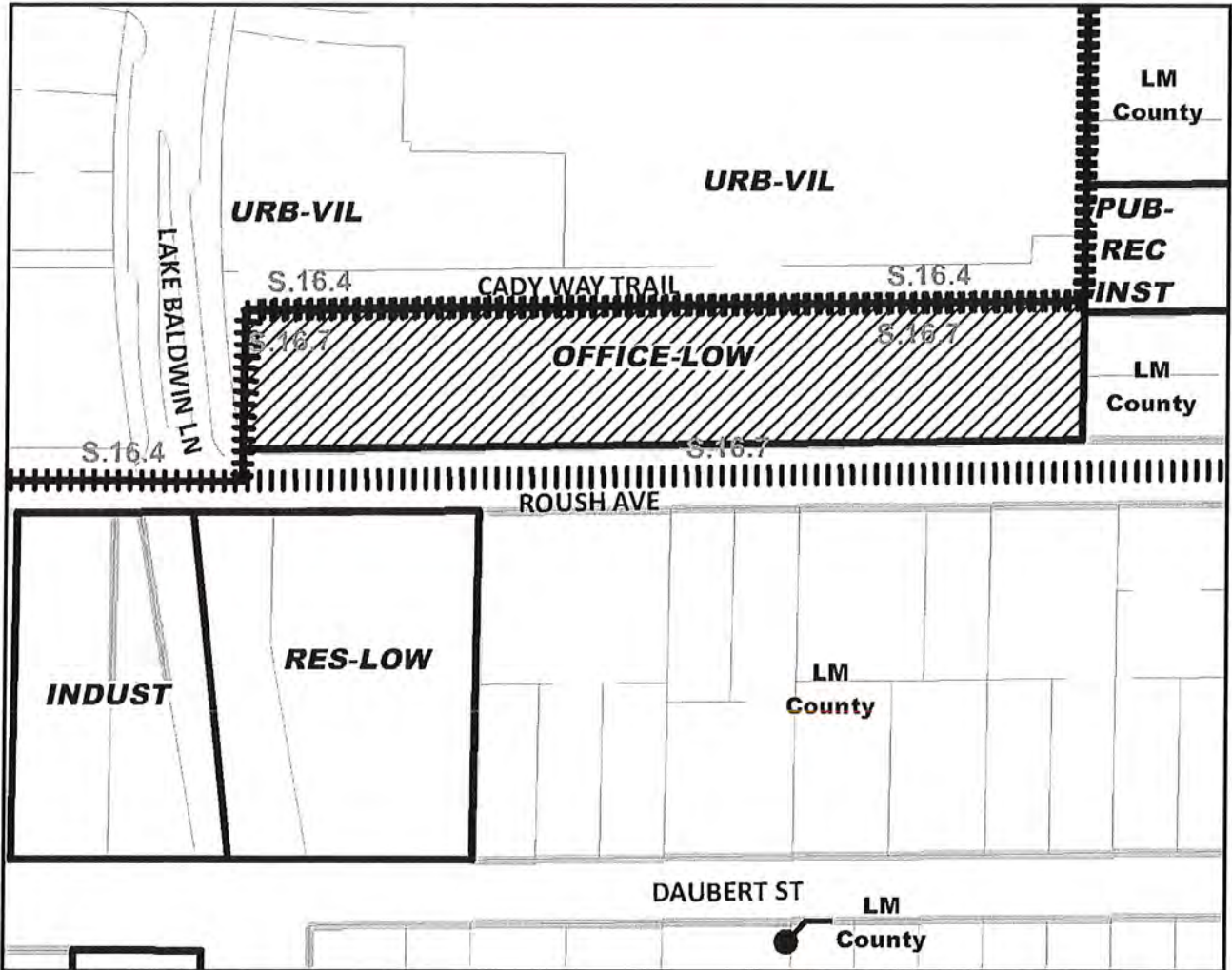
EXHIBIT  
"B"



ANX2022-10006



EXHIBIT  
"C"



Future Land Use - Proposed GMP2022-10017



**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:** 4315 Roush Avenue Annexation

**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)

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

Comments (optional): (enter text here)

**Revenues**

What is the source of any revenue and the estimated amount? Property Taxes Amount \$5,833.58

Is this recurring revenue?  Yes  No

Comments (optional): According to the Orange County Property Appraiser, the assessed value for the subject site is \$877,230, therefore the calculation for property taxes is \$5,833.58.

**Funding**

Expenses/Revenues will be recorded to:

	<b>Source #1</b>	<b>Source #2</b>	<b>Source #3</b>
Fund	<u>General Fund</u>	<u>(enter text here)</u>	<u>(enter text here)</u>
Department /Division	<u>Citywide</u>	<u>(enter text here)</u>	<u>(enter text here)</u>
Cost Center/Project/Grant	<u>Citywide</u>	<u>(enter text here)</u>	<u>(enter text here)</u>
Total Amount	\$5,833.58	\$0	\$0

**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 a duly authorized  
representative of the ORLANDO SENTINEL, a DAILY newspaper  
published in ORANGE County, Florida; that the attached copy of  
advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal  
Was published in said newspaper by print in the issues of, or by publication  
on the newspaper's website, if authorized on Mar 19, 2023.

Affiant further says that the newspaper complies with all legal requirements  
for publication in Chapter 50, Florida Statutes.

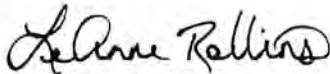


Signature of Affiant

**Rose Williams**

Name of Affiant

Sworn to and subscribed before me on this 20 day of March, 2023,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



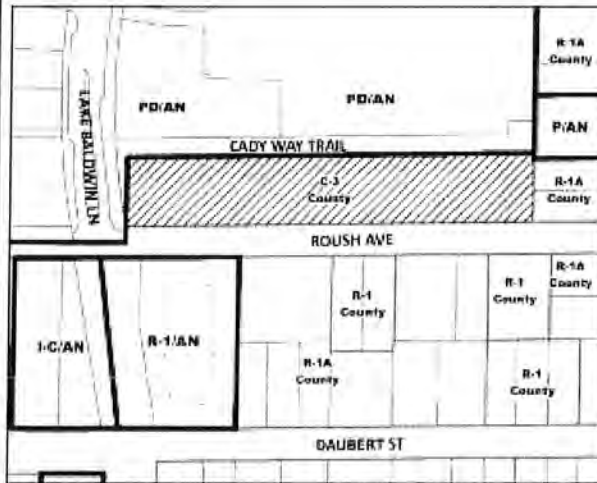
Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

# NOTICE OF PROPOSED ENACTMENT

On Monday, **April 3, 2023**, the Orlando City Council will consider proposed ordinance **#2023-15**, 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 NORTH OF ROUSH AVENUE, EAST OF LAKE BALDWIN LANE, WEST OF JAMAJO BOULEVARD AND SOUTH OF THE CADY WAY TRAIL, AND COMPRISED OF 1.65 ACRES OF LAND, MORE OR LESS, AND AMENDING THE CITY'S BOUNDARY DESCRIPTION; AMENDING THE CITY'S GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS OFFICE LOW INTENSITY ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.



ANX2022-10006



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](http://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](http://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](mailto:cityclerk@orlando.gov).

# Orlando Sentinel

MEDIA GROUP

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**

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Rose Williams, who on oath says that he or she is a duly authorized  
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published in ORANGE County, Florida; that the attached copy of  
advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal  
Was published in said newspaper by print in the issues of, or by publication  
on the newspaper's website, if authorized on Mar 26, 2023.

Affiant further says that the newspaper complies with all legal requirements  
for publication in Chapter 50, Florida Statutes.

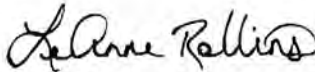


**Rose Williams**

Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 27 day of March, 2023,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



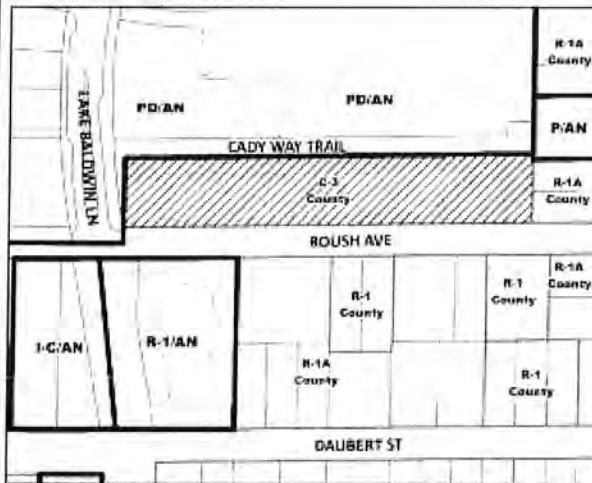
Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

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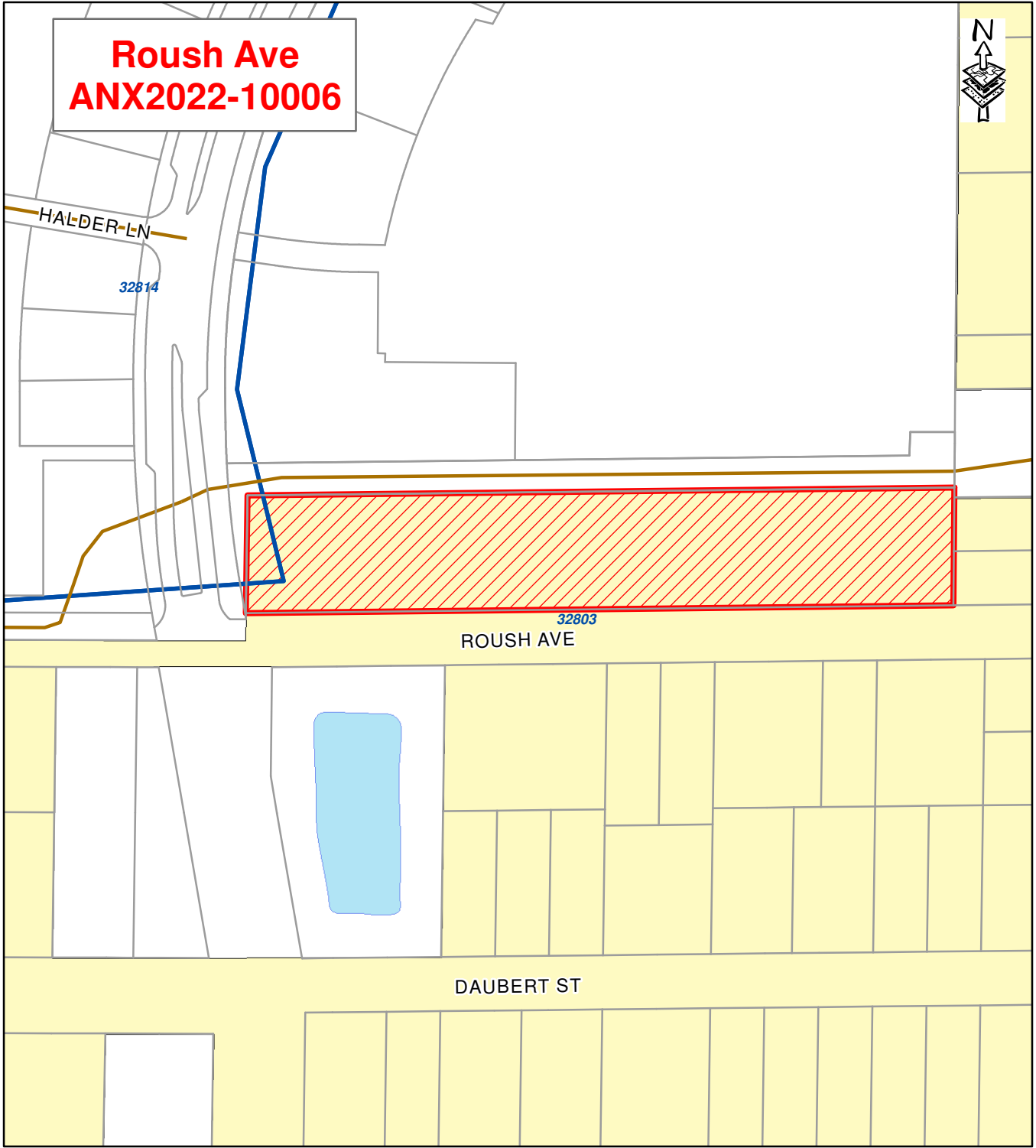


ANX2022-10006



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**Roush Ave**  
**ANX2022-10006**



HALDER LN

32814

32803  
 ROUSH AVE

DAUBERT ST

1st Reading 03-20-2023  
 2nd Reading 04-03-2023  
 Effective 30 Days  
 Effective Date 05-03-2023

**Annexation**  
**#2304031204**  
 Address Range:  
 Roush Ave 4301 - 4349 (odd)

Comm Dist: 3  
 Neighborhood:  
 Baldwin Park  
 Legal: 1.65 +/- acres  
 Pg 42; N05E14  
 Zip Code: 32803