

Meeting Date: 7/27/2010



Agenda Item # 5-A

CITY COUNCIL AGENDA ITEM

Contact Name: Jim Kerr, City Planner
Department/Contact # 386 775-5414

Department Director: _____
City Manager: _____

- Type of Item:
- | | | | |
|-------------------------------------|--------------------------|--------------------------|---------------------|
| <input type="checkbox"/> | Public Hearing | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | Ordinance First Reading | <input type="checkbox"/> | Discussion & Action |
| <input type="checkbox"/> | Ordinance Second Reading | <input type="checkbox"/> | Council Approval |

Subject: Annexation of Laderman property into the City limits – Ord. No. 426

BACKGROUND:

Cliff and Kathy Laderman have requested their property to be annexed into the City limits, said property being located at 111 West Fern Drive, and consisting of 0.50 acres. The subject property consists of two lots, one of which is developed as a single family residence and the other is vacant.

The annexation of this property continues City Council’s intent to “square off” and “fill in” areas within the City’s designated planning area. Based on the latest 2009 tax roll information, the taxable value of the property is \$90,839, thereby creating a potential City ad valorem revenue of \$471.93 under its current county zoning of R-1 Urban Single Family Residential and B-4 General Commercial. Additional revenues will be realized from utility taxes following annexation of the property.

RECOMMENDATIONS:

City staff recommends that City Council approve and adopt Ordinance No. 426, therein annexing the subject property into the City limits of Orange City.

ATTACHMENTS:

- Annexation Ordinance No. 426
- Legal Description Exhibit A
- Map depicting the subject property Exhibit B
- Property Status Report
- Annexation Petition

FINANCIAL IMPACT:

None anticipated

Reviewed by City Attorney _____

Reviewed by Finance Dept. _____

Reviewed by: _____

1st Discussion Date: 7/27/2010	2nd Discussion Date: Click here to enter a date.	Third Discussion Date: Click here to enter a date.	Other Dates: Click here to enter a date.
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ORDINANCE NO. 426

AN ORDINANCE OF THE CITY OF ORANGE CITY, FLORIDA, ANNEXING THE LADERMAN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF ORANGE CITY, FLORIDA; SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF WEST FERN DRIVE, APPROXIMATELY 250 FEET WEST OF SOUTH VOLUSIA AVENUE, CONTAINING APPROXIMATELY 0.50 ACRES; IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF FLORIDA STATUTE 171.044; REDEFINING THE BOUNDARIES OF THE CITY OF ORANGE CITY BY AMENDING THE APPROPRIATE SECTIONS OF THE CODE OF ORDINANCES; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Cliff and Kathy Laderman are the owners in fee simple of certain real property generally located on the north side of West Fern Drive, approximately 250 feet west of South Volusia Avenue, containing approximately 0.50 acres as hereinafter described, and

WHEREAS, the Laderman property is currently situated within the jurisdiction of the County of Volusia, and

WHEREAS, the property owners are desirous of having their property annexed into the City limits of the City of Orange City, Florida, and

WHEREAS, the property owners have petitioned the City of Orange City for voluntary annexation of their property pursuant to Florida Statute 171.044, and

WHEREAS, the City Council of the City of Orange City hereby finds that the Laderman property is contiguous to and abuts the City boundaries of the City of Orange City, Florida, and that the Laderman property is reasonably compact, and annexation of said property will not result in the creation of an enclave, and that said annexation meets the other requirements of Florida Statute 171.044, and

WHEREAS, the City of Orange City, Florida, is in a position to provide municipal services to the property described herein, and the City Council of the City of Orange City, Florida, deems it in the best interest of the City to accept said petition and annex said property.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:

SECTION 1. That the Laderman property, generally located on the north side of West Fern Drive, approximately 250 feet west of South Volusia Avenue, containing approximately 0.50 acres, a description of which is attached hereto as Attachment "A", and by reference incorporated herein with full force and effect, is hereby annexed and made part of the City of Orange City, Florida, pursuant to Section 171.044, Florida Statutes.

SECTION 2. That upon adoption of this ordinance, the appropriate Sections of the Code of Ordinances of the City of Orange City shall be amended by redefining the boundaries of the City to include the lands described in Section 1.

SECTION 3. The City Clerk of the City of Orange City, Florida, is hereby directed pursuant to Section 171.044(3) of the Florida Statutes to comply with the public notification requirements for adoption of this ordinance, including sending a copy of the notice, via certified mail, to the County Council of the County of Volusia, and that upon adoption of this ordinance, certified copies shall be filed with the Clerk of the Circuit Court and the Chief Administrative Officer of the County of Volusia, the Department of State in Tallahassee, and the Office of the Governor, within seven days from the effective date of the ordinance, pursuant to Section 171.044.

SECTION 4. That upon this ordinance becoming effective, the property owners and any residents on the property described herein shall be entitled to all the rights and privileges and immunities as are from time to time granted to residents and property owners of the City of Orange City, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of residence or ownership as may from time to time be determined by the governing authority of the City of Orange City, Florida, and the provisions of said Chapter 171, Florida Statutes.

SECTION 5. Repealer: That all ordinances or parts of ordinances and all resolutions in conflict herewith be and the same are hereby repealed, as well as any portion in conflict herewith.

SECTION 6. Severability: If any section, part of a section, paragraph, clause, phrase or word of this ordinance is declared invalid, the remaining provisions of this ordinance shall not be affected.

SECTION 7. Effective Date: This Ordinance shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS (Ordinance No. 426):

First Reading this _____ day of _____, 2010.

Jeff H. Allebach	_____	Thomas Laputka, Vice Mayor	_____
Tom Abraham	_____	Anthony Pupello	_____
Gary Blair	_____	Bill Crippen	_____
Harley Strickland, Mayor	_____		

ROLL CALL VOTE AS FOLLOWS (Ordinance No. 426):

Second Reading this _____ day of _____, 2010.

Jeff H. Allebach	_____	Thomas Laputka, Vice Mayor	_____
Tom Abraham	_____	Anthony Pupello	_____
Gary Blair	_____	Bill Crippen	_____
Harley Strickland, Mayor	_____		

PASSED and ADOPTED this _____ day of _____, 2010.

ATTEST:

AUTHENTICATED:

Deborah J. Renner, CMC, City Clerk

Harley Strickland, Mayor

Approved as to form and legal sufficiency:

William E. Reischmann, Jr., City Attorney

Attachment A

Ordinance No. 426

Legal Description

Laderman Annexation

Property located on West Fern Drive

Name: Cliff and Kathy Rae Laderman

Street Address: 111 West Fern Drive

Parcel ID: 8015-04-00-0360 and 8015-04-00-0350

Acreage: 0.26 and 0.24 = 0.50

Legal Description: Lot 36, Orange City Hills, Unit 1, according to map in Map Book 19, Page 126, of the Public Records of Volusia County, Florida,

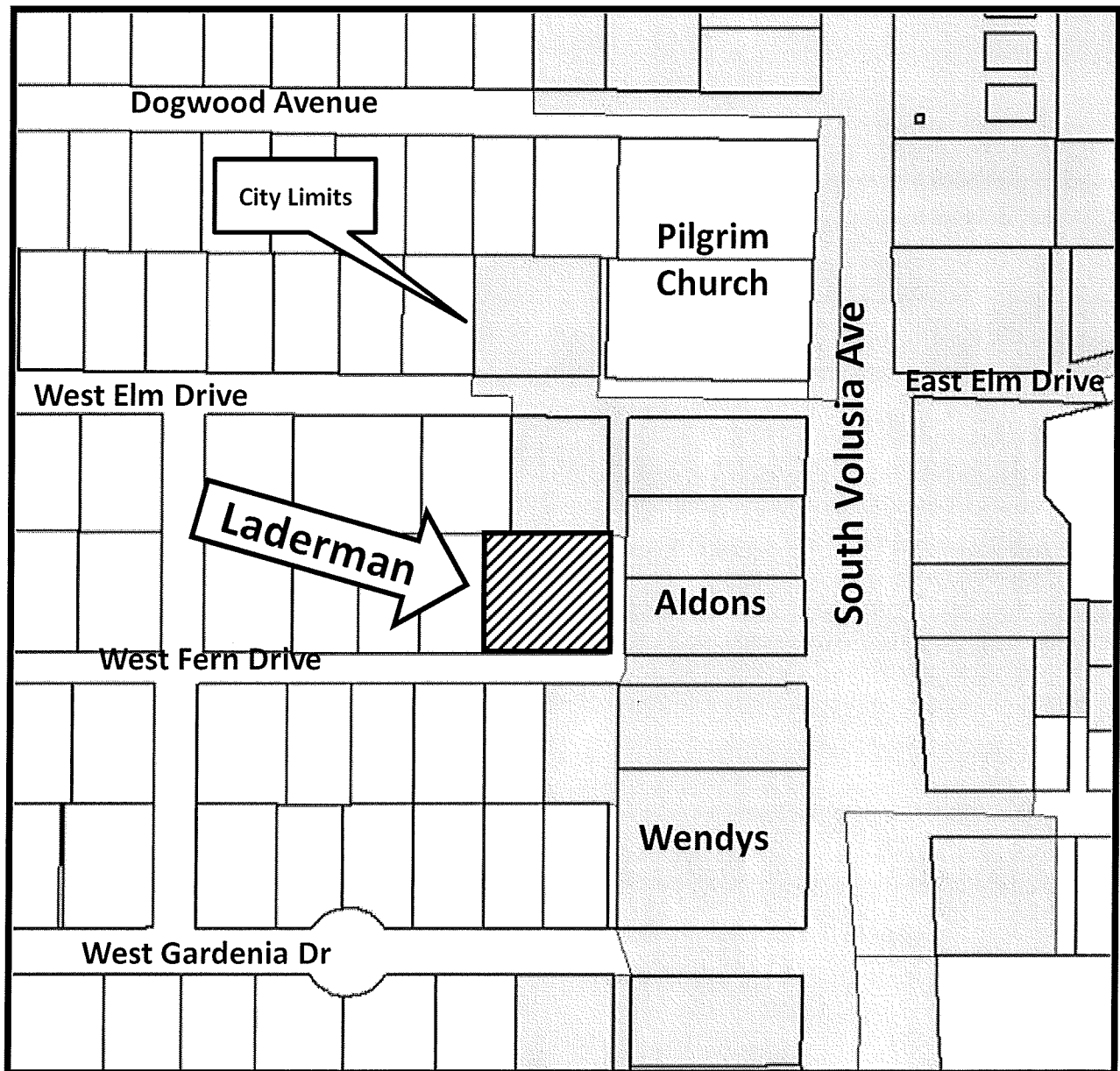
and

Lot 35, Orange City Hills, Unit 1, according to map in Map Book 19, Page 126, of the Public Records of Volusia County, Florida

Attachment B

Ordinance No. 426

Laderman Annexation Map



Laderman Property Status Report

Ownership Status

Property Owner	Cliff and Kathy Laderman				
Applicants Name					
Mailing Address	111 West Fern Drive				
City	Orange City	State	Florida	Zip	32763

General Description of Current Property Status :

Property Location	Located on the north side of West Fern Drive approximately 250 feet west of South Volusia Avenue.					
Property Address	111 West Fern Drive					
Size of Property	Width:	156	Depth:	140	Acres:	0.50
Total Acres	0.50					
Population	Three					
Number of Structures	Two: a house and a shed					
Dwelling Units	One					
Building Square Feet	1,779					
Parcel Number	8015-04-00-0350 and 8015-04-00-0360					
Legal Description	See Attachment A Legal Description to Ordinance No. 426					

Current Revenue Status

	Volusia County	Orange City
Total Millage Rate	(21.91803)	(21.56994)
City Millage Rate	N/A	(5.19530)
Assessed Land Value	70,236	70,236
Assessed Building Value	70,603	70,603
Exemption	25,000	25,000
Taxable Value	90,839	90,839
Stormwater	72.00	N/A
Total Ad Valorem	1,991.01	1,959.39
City Ad Valorem	N/A	471.93

The above revenues are based on the current assessed property value as listed in the Volusia County 2009 Tax Roll.

Subject Property Current Land Use and Zoning Description

The subject property currently maintains the following:

Land Use Designation	(Volusia County) ULI Urban Low Intensity & Commercial
Zoning	(Volusia County) R-4 Urban Single Family Resid & B-4 Com General
	The property usage is single family residential.

Detailed Subject Property Proposed Land Use and Zoning Description

The subject property is proposed to be changed to the following:

Land Use Designation	(Orange City) RL Residential Low & CG Commercial General
Zoning	(Orange City) R-1 SF Residential & CG-2 Commercial General
	The property is proposed to continue as single family residential.

Petition for Annexation

Into the City of Orange City, Florida

Applicant's Name: **Cliff and Kathy Rae Laderman** Phone:

Business Name: **N/A** Phone:

Address: **111 West Fern Drive** Fax:

City: **Orange City** State: **Florida** Zip: **32763**

Mailing Address: **Same** e-mail:

City: State: Zip:

Property Information

Property Address: **111 West Fern Drive**

The subject property is located on the **north** side of **West Fern Drive**
approximately **300** feet **west** from its intersection with **South Volusia Avenue**

Parcel Number: **8015-04-00-0350** Parcel Number: **8015-04-00-0360** Acres **0.50**

The existing land use of the property is **Single family residence**

Whereas, (I / We) **Cliff and Kathy Rae Laderman**
(is / are) the owner(s) of property abutting and contiguous to the existing city limits of the
City of Orange City, Florida, do voluntarily petition the City of Orange City, Florida,
pursuant to Section 171.044, Florida Statutes, that (my / our) property be annexed into the
City of Orange City, Florida

Whereas, said property to be annexed is more particularly described in the legal
description as follows:

Legal Description

See Attachment "A", Legal description for Laderman Annexation

Therefore, (I / We) do request that the above described property owned by (me / us) in fee
simple be annexed as part and parcel of the City of Orange City, Florida

Notarization

State of FLORIDA

County of VOLUSIA

CLIFF LADERMAN

Print Name

Cliff Laderman
Signature

KATHY RAE LADERMAN

Print Name

Kathy Rae Laderman
Signature

Print Name

Signature

Print Name

Signature

Subscribed and sworn to (or affirmed) before me on this the 19 day of APRIL 2010
who is/are personally known to me or has/ have produced FL. DR. LIC.
as identification.

Laura A. Hamm
Signature, Notary Public

NOTARY PUBLIC-STATE OF FLORIDA
Laura A. Hamm
Commission # DD791214
Expires: MAY 21, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

Notary Stamp

The City of Orange City
Petition for Annexation