

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

AUG 20 2002 *gg/hh*
Effective Date:
August 27, 2002

ORDINANCE NO. 2002-11

AN ORDINANCE PERTAINING TO THE CHARTER FOR ORANGE COUNTY FLORIDA; AMENDING THE ORANGE COUNTY CHARTER (A) TO CREATE THE PINE CASTLE URBAN PRESERVATION DISTRICT, AND (B) TO REQUIRE APPROVAL BY BOARD OF COUNTY COMMISSIONERS AND REGISTERED ELECTORS RESIDING WITHIN SUCH PRESERVATION DISTRICT REGARDING ANY PROPOSED VOLUNTARY ANNEXATION WITHIN SUCH PRESERVATION DISTRICT; PROVIDING FOR REFERENDUM ON THE CHARTER AMENDMENT; CONDITIONING THE EFFECTIVENESS OF THE CHARTER AMENDMENT ON APPROVAL AT REFERENDUM; PROVIDING FOR OTHER RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Board of County Commissioners' Findings and Declaration of Intent. The area depicted within the bold boundary line on the color map attached hereto as Appendix "A" and described in greater detail at Appendix "B" attached hereto is predominantly urban in character, and has existing historical and residential communities which form a cohesive whole.

Section 2. Amendment to Orange County Charter. Section 505 of the Orange County Charter is amended to read as follows, with added words and letters being shown by the underlines and deleted words being shown by the strike-throughs:

Sec. 505. Voluntary annexation.

A. 1. The board of county commissioners may designate as “preservation districts” any areas of Orange County that are not within municipalities and that have existing historical and cohesive residential communities located within rural settlements as identified by the county’s comprehensive plan (or within such successor land use categories as the board may from time to time use in the comprehensive plan).

2. There is created as a preservation district the “Dr. Phillips Urban Preservation District” in unincorporated Orange County. It has existing historical and residential communities which form a cohesive whole. Its boundaries and description are respectively set forth at Appendixes “A” and “B” to Orange County Ordinance No. 98-08.

3. There is created as a preservation district the “Taft Urban Preservation District” in unincorporated Orange County. It has existing historical and residential communities which form a cohesive whole. Its boundaries and description are respectively set forth at Appendixes “A” and “B” to Orange County Ordinance No. 2000-18.

4. There is created as a preservation district the “Pine Castle Urban Preservation District” in unincorporated Orange County. It has existing historical and residential communities which form a cohesive whole. Its boundaries and description are respectively set forth at Appendixes “A” and “B” to Orange County Ordinance No. 2002-11.

B. Voluntary annexation in a preservation district may occur only if it is approved by a majority of the board of county commissioners after an advertised public hearing and by a majority of the registered electors residing within the boundaries of the preservation district in which the property or properties lie and voting on the question. The vote by the registered electors residing within the preservation district shall be conducted in accordance with Florida laws pertaining to annexation elections, and the board of county commissioners may adopt regulations and procedures to implement this method of voluntary annexation.

C. The annexation requirements in subsection B shall not apply to the Dr. Phillips Urban Preservation District, ~~or the Taft Urban Preservation District,~~ or the Pine Castle Urban Preservation District if and to the extent their application would impair contractual

rights under any agreement existing prior to the date the district in question was created.

Section 3. Referendum. The Orange County Supervisor of Elections is authorized and directed to place on the ballot for the election to be held on November 5, 2002, the following ballot title and question:

**COUNTY CHARTER AMENDMENT TO
CREATE THE "PINE CASTLE URBAN
PRESERVATION DISTRICT"**

Shall the Orange County Charter be amended to create the "Pine Castle Urban Preservation District" in certain specified parts of south central Orange County wherein "voluntary" annexation may occur only if it is approved both by a vote of the board of county commissioners after an advertised public hearing and a majority of the district electors voting on the question (and only if such requirements do not impair pre-existing contractual rights)?

Yes _____

No _____

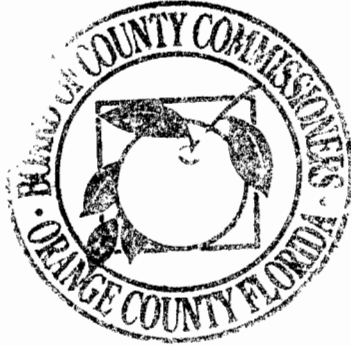
Section 4. Codification. Section 2 shall be codified in the Orange County Code, but only if approved at a referendum as provided by Section 3. No other section shall be codified, but shall remain in full force and effect nonetheless.

Section 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall 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 declared severable.

Section 6. Effective date. Sections 1, 3, 4, 5, and 6 of this ordinance shall take effect, as provided by general law, when the clerk of the Board of County Commissioners receives official acknowledgment from the Department of State that this ordinance has been filed with that office. Section 2 of this ordinance shall take effect only if the ballot question is approved by vote of a

majority of the qualified electors of Orange County, Florida, voting on the question.

ADOPTED THIS 20TH DAY OF AUGUST, 2002.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Richard Crotty*
Richard Crotty, County Chairman

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

By: *Martha O. Haynie*
Deputy Clerk

APPENDIX "B"

Pinecastle/Skylake Preservation District

All of the following described parcel of land lying within unincorporated Orange County as of 07/25/2002:

For a Point of Beginning, begin at the point of intersection of the centerline of Right-of-Way of Sandlake Road with the southerly projection of the west boundary of Oak Ridge Manor Annex according to the plat thereof as recorded in Plat Book "S", Page 124 of the Public Records of Orange County, Florida; said Oak Ridge Manor Annex being and lying in the Southwest $\frac{1}{4}$ of Section 27, Township 23 South, Range 29 East. From said Point of Beginning run northerly along aforesaid southerly projection and west boundary to the Northwest corner of said Oak Ridge Manor Annex; thence run easterly along the north boundary of said Oak Ridge Manor Annex to the Northwest corner of Oak Ridge Manor according to the plat thereof as recorded in Plat Book "S", Page 85 of the Public Records of Orange County, Florida. Thence run easterly along the north boundary of said Oak Ridge Manor and easterly projection thereof to the point of intersection with the centerline of Right-of-Way of South Orange Blossom Trail (also known as State Road 441 and US Highway 17-92). Thence run northeasterly and northerly along the centerline of Right-of-Way of South Orange Blossom Trail to the point of intersection with the westerly projection of the north boundary line of that parcel of land described in the first two paragraphs of Exhibit A of Official Record Book 5637, Page 4830 of the Public Records of Orange County, Florida. Said north boundary line lying north of and adjacent to Redman Street, a private road. Run thence easterly along aforesaid westerly projection and north boundary line to the Northeast corner of aforementioned parcel of

land; thence run southerly along the east boundary of said parcel to the Southeast corner thereof; thence run westerly along the south boundary of said parcel approximately 770 feet, more or less, to the Northeast corner of that parcel of land described in the first two paragraphs of Exhibit "A" of Official Record Book 3927, Page 2265 of the Public Records of Orange County, Florida. Thence run southerly along the east boundary of said parcel of land to the Northwest corner of that parcel of land described in Official Record Book 4979, Page 4946 of the Public Records of Orange County, Florida. Said Northwest corner lying 150 feet north of the Northwest corner of Lot 1, Block "A" of Lake Jessamine Shores, according to the plat thereof as recorded in Plat Book "R", Page 41 of the Public Records of Orange County, Florida; Thence run southeasterly and easterly along the north boundary of said parcel to the Northeast corner thereof. Thence run southerly, along the east boundary of said parcel and east boundary of Lake Jessamine Shores to the Northwest corner of that parcel of land described in the third paragraph of Schedule A of Official Record Book 2886, Page 648 of the Public Records of Orange County, Florida; said parcel being described therein as the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 23 South, Range 29 East. Thence run easterly along the north boundary of said parcel to the Northeast corner thereof. Thence run easterly to the Southwest corner of Lake Jessamine Estates, according to the plat thereof, as recorded in Plat Book "18", Page 17 of the Public Records of Orange County, Florida; thence run easterly along the south boundary of said Lake Jessamine Estates to the Northeast corner of Rockwood Estates, according to the plat thereof as recorded in Plat Book "X", Page 20 of the Public Records of Orange County, Florida. Thence run southerly along the east boundary of said Rockwood Estates to a point on the north

Right-of-Way of West Mary Jess Road; thence run westerly along the north Right-of-Way of West Mary Jess Road to the point of intersection with the northerly projection of the west boundary of Lake Mary Court, according to the plat thereof as recorded in Plat Book "Z", Page 64 of the Public Records of Orange County, Florida. Thence run southerly along aforesaid northerly projection and west boundary of said Lake Mary Court to the Southwest corner of said Lake Mary Court. Thence run westerly along the north boundary of that parcel of land described in Official Record Book 4185, Page 1926 of the Public Records of Orange County, Florida, to the Northwest corner thereof. Said parcel of land described as the "S1/2 of NE ¼ of NE ¼ of Section 23, Township 23 South, Range 29 East, LESS the West 800 feet". Thence run southerly along the west boundary of said parcel to the Southwest corner thereof. Thence run easterly along the south boundary of said parcel to the Northwest corner of Lake Mary Manor, according to the plat thereof, as recorded in Plat Book "S", Page 34 of the Public Records of Orange County, Florida. Thence run easterly along the north boundary of said Lake Mary Manor and easterly projection thereof to a point of intersection with the centerline of Right-of-Way of South Orange Avenue; Thence run southeasterly along the centerline of Right-of-Way of South Orange Avenue to the point of intersection with the centerline of Right-of-Way of Hoffner Avenue. Thence run easterly along the centerline of Right-of-Way of Hoffner Avenue to a point of intersection with the southerly projection of the east boundary of Hansel Replat according to the plat thereof as recorded in Plat Book "J", Page 45 of the Public Records of Orange County, Florida. Thence run northerly along aforesaid southerly projection and east boundary to the Northeast corner of said Hansel Replat. Thence run northerly along the east boundary of Second WM Hansel Replat,

according to the plat thereof as recorded in Plat Book "L", Page 74 of the Public Records of Orange County, Florida, to the Northeast corner thereof. Thence run westerly along the north boundary of said Second WM Hansel Replat and westerly projection thereof to a point of intersection with the east Right-of-Way line of Hansel Avenue. Thence run northwesterly along the east Right-of-Way line of Hansel Avenue to the Southwest corner of Edgewood Village On Lake Conway, according to the plat thereof as recorded in Plat book "30", Page 80 of the Public Records of Orange County, Florida. Thence run easterly along the south boundary of said Edgewood Village On Lake Conway (and easterly projection if necessary) to a point of intersection with the edge of sovereign waters of Lake Conway. Thence run southeasterly, easterly and northeasterly along said edge of waters to a point lying on (or on a northerly projection of) the westerly boundary of Highlands At Lake Conway according to the plat thereof as recorded in Plat Book "45", Page 11, of the Public Records of Orange County, Florida. Thence run generally southeasterly along said westerly boundary to the "Point of Beginning Overall Tract" as shown on the plat of said Highlands at Lake Conway. Thence run southeasterly to the Point of Intersection of the south Right-of-Way line of Hoffner Avenue with the north Right-of-Way line of Wilks Avenue. Thence run southwesterly and westerly along the north Right-of-Way line of Wilks Avenue to the Southwest corner of that parcel of land described in Official Record Book 5149, Page 1737 of the Public Records of Orange County Florida. Thence run northwesterly along the west boundary of said parcel to the southeast corner of that parcel of land described in Official Record Book 4432, Page 1738 of the Public Records of Orange County, Florida. Thence run westerly along the south boundary of said parcel to the Southwest corner thereof; thence run northerly along

the west boundary of said parcel and northerly projection thereof to the centerline of Right-of-Way of Hoffner Avenue. Thence run westerly along said centerline to the Point of Intersection with the centerline of Right-of-Way of Marinell Drive. Thence run Southerly along said centerline of Marinell Drive to the Point of Intersection with the centerline of Right-of-Way of Waltham Avenue. Thence run southerly roughly 276.5 feet more or less to the Southwest corner of that parcel of land described in Official Record Book 6202, Page 4319 of the Public Records of Orange County, Florida. Thence run easterly along the southern boundary of said parcel of land to the western most boundary of that parcel of land described in Official Record Book 5220, Page 220 of the Public Records of Orange County, Florida. Thence run southerly along said western most boundary to the Northwest corner of Waller Subdivision, according to the plat thereof, as recorded in Plat Book "26", Page 105 of the Public Records of Orange County, Florida. Thence run southerly along the west boundary of said Waller Subdivision to the Southwest corner thereof; thence run Easterly along the south boundary of said Waller Subdivision to a point of intersection with the northerly projection of the centerline of Right-of-Way of Matchett Road; Thence run southeasterly along said northerly projection and centerline of Matchett Road to the Point of Intersection with the centerline of Right-of-Way of Nela Avenue; thence run easterly along said centerline of Nela Avenue to the Point of Intersection with the centerline of Right-of-Way of (the continuation of) Matchett Road. Thence run southerly along said centerline of Matchett Road to the Point of Intersection with the centerline of Right-of-Way of Perkins Road; thence run easterly along said centerline of Perkins Road to the Point of Intersection with the centerline of Right-of-Way of Gondola Drive; thence run

southerly along said centerline of Gondola Drive to the Point of Intersection with the centerline of Right-of-Way of McCoy Road; thence run westerly along said centerline of McCoy Road to the Point of Intersection with the centerline of Right-of-Way of South Orange Avenue. From said Point of Intersection run along said centerline of South Orange Avenue (if necessary) to the Point of Intersection with the centerline of Right-of-Way of Sand Lake Road; thence run westerly along said centerline of Sand Lake Road to the Point of Beginning.