

## MEMORANDUM

**TO:** Honorable Mayor and City Council Members

**PREPARED BY:** Jim Kerr, City Planner & Wendy Hickey, Planning & Zoning Analyst *JHK*

**DATE:** July 1, 2008

**SUBJECT:** **Annexation of Heart of Christ Christian Church Property  
Located on West Rhode Island Avenue**

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### PURPOSE

To approve a request from Richard L. Stevens (representing Heart of Christ Christian Church) to annex their property, located on West Rhode Island Avenue, into the City limits of Orange City.

### BACKGROUND

An annexation petition was received on June 2, 2008 from Richard L. Stevens representing Heart of Christ Christian Church requesting the 4.32-acre property be annexed into the City limits.

The Heart of Christ Christian Church property is currently vacant and undeveloped. The annexation of this property continues City Council's intent to "square off" and "fill-in" areas within the City's proposed boundary lines. Based on the proposed 2007 tax roll information, the taxable value of the property is \$145,083, thereby creating a potential City ad valorem revenue of \$635.80 under its current county zoning of R-4 Urban Single Family Residential. Additional revenues will be realized from ad valorem and utility taxes following annexation of the property.

Attached is the annexation Ordinance, a property status report describing the property, a copy of the annexation petition, and a map depicting the area proposed for annexation.

### RECOMMENDATION

Staff recommends City Council approval of Ordinance No. 358, thereby annexing the subject property into the City limits of Orange City.

## ORDINANCE NO. 358

**AN ORDINANCE OF THE CITY OF ORANGE CITY, FLORIDA, ANNEXING THE HEART OF CHRIST CHRISTIAN CHURCH PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF ORANGE CITY, FLORIDA; SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF WEST RHODE ISLAND AVENUE APPROXIMATELY 400 FEET EAST OF SOUTH SPARKMAN AVENUE, CONTAINING APPROXIMATELY 4.32 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.**

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**WHEREAS**, Richard L. Stevens, representing Heart of Christ Christian Church, Inc. is the owner in fee simple of certain real property generally located on the north side of West Rhode Island Avenue approximately 400 feet east of South Sparkman Avenue, containing approximately 4.32 acres as hereinafter described, and

**WHEREAS**, the Heart of Christ Christian Church, Inc. property is currently situated within the jurisdiction of the County of Volusia, and

**WHEREAS**, the property owner is desirous of having his property annexed into the City limits of the City of Orange City, Florida, and

**WHEREAS**, the property owner has petitioned the City of Orange City for voluntary annexation of his property pursuant to Florida Statute 171.044, and

**WHEREAS**, the City Council of the City of Orange City hereby finds that the Heart of Christ Christian Church, Inc. property is contiguous to and abuts the City boundaries of the City of Orange City, Florida, and that the Heart of Christ Christian Church, Inc. 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 Heart of Christ Christian Church, Inc. property, generally located on the north side of West Rhode Island Avenue approximately 400 feet east of South Sparkman Avenue, containing approximately 4.32 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.

# **Attachment A Ordinance No. 358**

## **Legal Description Heart of Christ Christian Church Annexation**

**Property located on West Rhode Island Avenue**

**Name: Heart of Christ Christian Church, Inc.**

**Street Address: West Rhode Island Avenue**

**Parcel ID: 8011-08-30-0270**

**Acreage: 4.32**

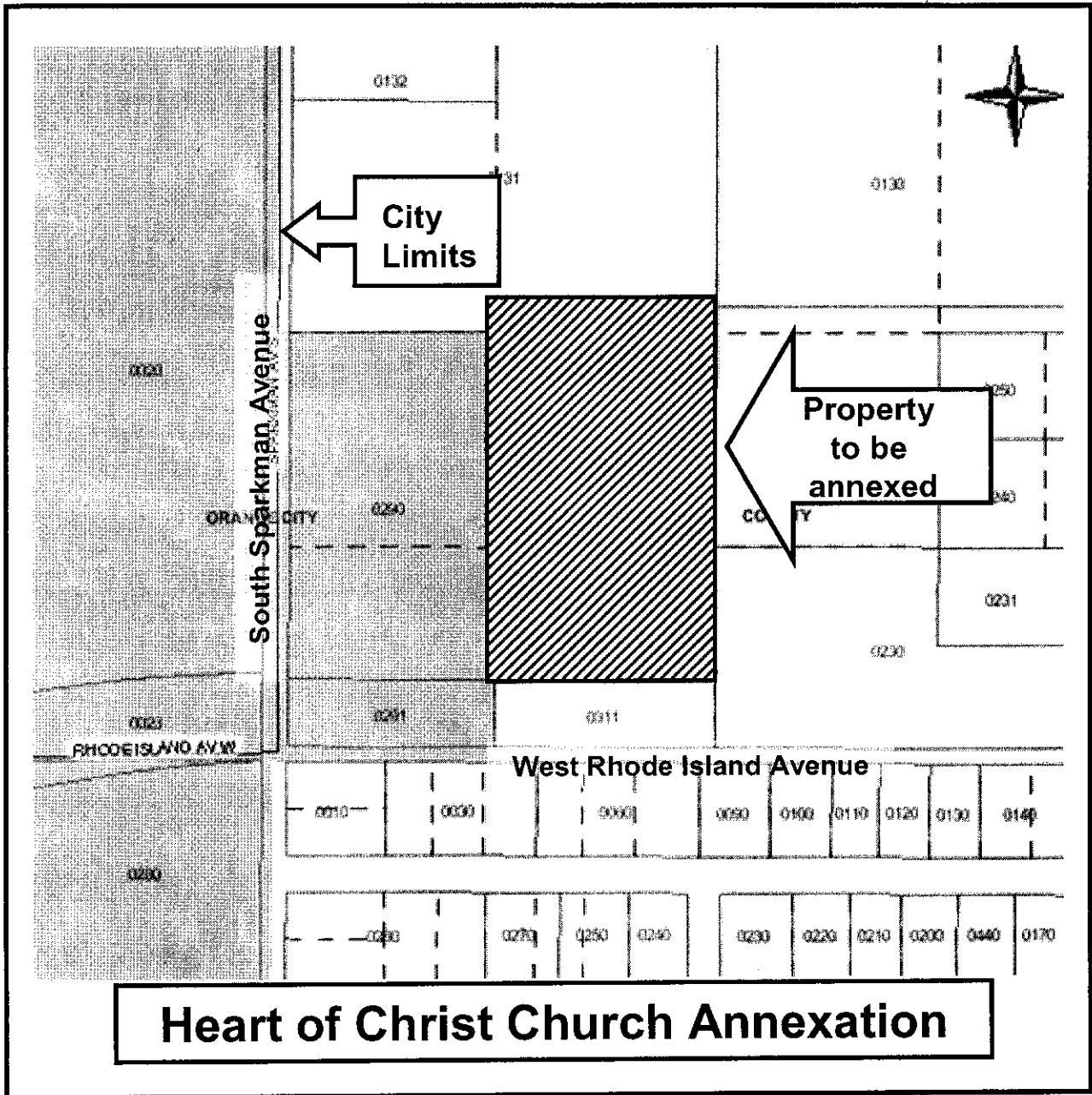
**Legal Description: The South 40.0 feet of Lot 14, Block 30, and all of Lots 27, 28, and 31; Except the South 100.0 feet of Lot 31, all in Block 30, Orange City, according to the plat thereof as recorded in Map Book 3, Page 86, of the Public Records of Volusia County, Florida.**

**Containing 4.32 acres, more or less.**

# Attachment B

## Ordinance No. 358

### Heart of Christ Church Annexation



# Heart of Christ Christian Church Property Status Report

## Ownership Status

Applicants Name	Richard L. Stevens			
Owners Name	Heart of Christ Christian Church, Inc.			
Company Name	Heart of Christ Christian Church, Inc.			
Mailing Address	320 Waterford Heights			
City	DeBary	State	Florida	Zip 32713

## General Description of Current Property Status:

Property Location	Located on the north side of West Rhode Island Ave approximately 400 feet east of South Sparkman Avenue.			
Property Address				
Size of Property	Width: 331.44	Depth: 568.24	Acres: 4.32	
Total Acres	4.32			
Population	None, unoccupied			
Number of Structures	None			
Dwelling Units	None			
Building Square Feet	None			
Parcel Number	8011-08-30-0270			
Legal Description	See Attachment A to Ordinance 358			

## Current Revenue Status

	Volusia County	Orange City
Total Millage Rate	(17.88440)	(18.26491)
City Millage Rate	N/A	(4.38237)
Assessed Land Value	145,083	145,083
Assessed Building Value	0	0
Exemption	0	0
Taxable Value	145,083	145,083
Stormwater	0	N/A
Total Ad Valorem	2,594.73	2,649.92
City Ad Valorem	N/A	635.80

The above revenues are based on the assessed property value as listed in the Volusia County proposed 2007 Tax Year.

## Subject Property Current Land Use and Zoning Description

<b>The subject property currently maintains the following:</b>	
Land Use Designation	(Volusia County) (ULI) Urban Low Intensity
Zoning	(Volusia County) (R-4) Urban Single Family Residential
	The property is vacant and undeveloped.

## Subject Property Proposed Land Use and Zoning Description

<b>The subject property is proposed to be changed to the following:</b>	
Land Use Designation	(Orange City) (RL) Residential Low
Zoning	(Orange City) (R-1) Low Density Residential

# Petition for Annexation

## Into the City of Orange City, Florida

Applicant's Name: **Richard L. Stevens** Phone:

Business Name: **Heart of Christ Christian Church, Inc.** Phone:

Address: **C/O 320 Waterford Heights** Fax:

City: **DeBary** State: **Florida** Zip: **32713**

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

City: State: Zip:

### Property Information

Property Address: **West Rhode Island Avenue**

The subject property is located on the **North** side of **West Rhode Island Avenue**  
approximately **400** feet **east** from its intersection with **South Sparkman Avenue**

Parcel Number: **8011-08-30-0270** Parcel Number: **N/A** Acres **4.32**

The existing land use of the property is **Vacant single family residential**

Whereas, (I / We) **Heart of Christ Christian Church, Inc.**  
(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 Heart of Christ Christian Church  
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

Richard L. Stevens  
Print Name  
Richard L. Stevens  
Signature

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

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

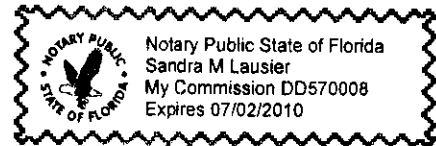
\_\_\_\_\_  
Print Name  
\_\_\_\_\_  
Signature

Subscribed and sworn to (or affirmed) before me on this the 30<sup>th</sup> day of MAY 2008  
who is/are personally known to me or has/ have produced \_\_\_\_\_  
as identification.

Sandra M. Lausier  
Signature, Notary Public

Notary Stamp

The City of Orange City  
Petition for Annexation



# **Attachment A**

## **Legal Description Heart of Christ Christian Church Annexation**

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**Legal Description: The South 40 feet of Lot 14, Block 30, and all of Lots 27, 28, and 31, in Block 30, of Orange City Subdivision, according to the plat thereof as recorded in Map Book 3, Page 86, of the Public Records of Volusia County, Florida.**

**Containing 4.32 acres, more or less.**