

Review of Petition to Annex 3.4 +/- acres from Washington Township to the city of Dublin by Daniel F. Hoy. Case #ANX-EXP2-08-12 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Daniel F. Hoy filed on behalf of Harvey and Alex Vesha on April 4, 2012 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 2 petition, and having considered all the facts with reference thereto, being fully advised, and

WHEREAS, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter:

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant service ordinance #24-12, passed on April 23, 2012 by the city of Dublin.

Review of Petition to Annex 3.4 +/- acres from Washington Township to the city of Dublin by Daniel F. Hoy. Case #ANX-EXP2-08-12 (ECONOMIC DEVELOPMENT & PLANNING)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be *approved*, and the territory sought to be annexed by the petition filed herein *shall* be annexed to the city of Dublin, Ohio, in accordance with the law; that the orders and proceedings of this board relating to the Petition, and map and description attached thereto, and all papers on file relating to this matter be delivered forthwith to the Clerk of Council, city of Dublin, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0339-12

May 01, 2012

REVIEW OF PETITION TO ANNEX 3.4 +/- ACRES FROM WASHINGTON TOWNSHIP TO THE CITY OF DUBLIN BY DANIEL F. HOY. CASE #ANX-EXP2-08-12

(Economic Development and Planning)

Upon the motion of Commissioner John O'Grady, seconded by Commissioner Marilyn Brown:

Voting:

Marilyn Brown

Aye

John O'Grady

Aye

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



Debra A Willaman, Clerk
Board of County Commissioners
Franklin County, Ohio



Commissioner Paula Brooks · Commissioner Marilyn Brown · Commissioner John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
3.4 +/- ACRES FROM
WASHINGTON TOWNSHIP
TO THE CITY OF DUBLIN
BY DANIEL F. HOY

Description:

Attached is a resolution to consider the annexation of 3.4-acres, more or less, from Washington Township to the city of Dublin. The petition case number is ANX-EXP2-08-12.

Applicants:

Harvey & Alex Vesha

Site:

7094 Dublin Road (Parcel #270-000760)

Additional Information:

The site is contiguous to the city of Dublin on two sides.

Analysis:

The applicant *has* met all statutory requirements outlined in Section 709.21 of the Ohio Revised Code. The applicant *has* provided proof of notification, and timeline and *has* provided a service ordinance from the city of Dublin stating the services that will be provided once the annexation has been approved. The city of Dublin has agreed to provide the territory proposed for annexation the services specified in the relevant service ordinance #24-12 passed April 23, 2012.

Recommendation:

Pending any questions, staff would request your *approval* of this annexation.



Commissioner Paula Brooks · Commissioner Marilyn Brown · Commissioner John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

TO: Debbie Willaman, County Clerk
Franklin County Commissioners Office

FROM: R. Lee Brown, Planning Administrator
Franklin County Economic Development & Planning Department

CC: James Schimmer, Director
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be
journalized on the **April 10, 2012** General Session Agenda for a
hearing on **May 1, 2012**.

Case #ANX-EXP2-08-12- An Expedited Type 2 annexation ANX-EXP2-08-12 was filed in our office on April 4, 2012. The petition is requesting to annex 3.4+/- acres from Washington Township to the city of Dublin. The applicant is Daniel F. Hoy. **Site: 7094 Dublin Road (270-000760)**



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for
**Annexation
 Petition**

Expedited Type 2
 Pursuant to ORC §709.023

RECEIVED

APR - 4 2012

2

Franklin County Planning Department
 Franklin County, OH

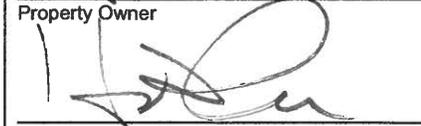
Property Information	
Site Address 7094 DUBLIN ROAD.	
Parcel ID(s) 270-000760	Total Acreage 3.4 AC±
From Township WASHINGTON	To Municipality DUBLIN

Property Owner Information	
Name HARVEY + ALEX VESHA	
Address 4796 INSHTEER CT DUBLIN, OH 43017	
Phone # 614.402.7882	Fax #
Email AVESHA@MAC.COM, HVESHA@MAC.COM	

Attorney/Agent Information	
Name DANIEL F. HOY (KEVIN KNIGHT & CO)	
Address 70 WEST CLENTANGY ST. POWELL, OH 43065	
Phone # 614 885-2400	Fax # 614 885-1610
MOBILE: 614-832-0794	
Email DHOY@RRCOL.COM	

Staff Use Only	
Case # ANX-EXP2 08-12	
Hearing date: 5/1/12	
Date filed: 4/4/12	
Fee paid 250.00	
Receipt # 240855	
Notifications deadline: 5 days 4/9/12	
Svc statement deadline: 20 days 4/20/12	

Document Submission	
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:	
<input checked="" type="checkbox"/>	Legal description of property
<input checked="" type="checkbox"/>	Map/plat of property
<input checked="" type="checkbox"/>	List of adjacent properties

Waiver of Right to Appeal			
<p>WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.</p>			
	3/9/12	Property Owner	Date
Property Owner	Date	Property Owner	Date
	3/9/12	Property Owner	Date
Property Owner	Date	Property Owner	Date

RECEIVED

APR 04 2012

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

PROPOSED ANNEXATION
OF 3.4± ACRES
FROM WASHINGTON TOWNSHIP
TO THE CITY OF DUBLIN

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By BR Date 4/2/12

Situate in the State of Ohio, County of Franklin, Township of Washington, lying in Virginia Military Survey 2543, being all of Lot 5 of SCIOTO SHORES, of record in Plat Book 18, Page 37, owned by Alexander and Harvey Vesha (Parcel Number 270-000760), part of Dublin Road and part of the Scioto River, and being bounded and more particularly described as follows:

Beginning at the westerly common corner of Lots 3 and 4 of said SCIOTO SHORES, being in the easterly right-of-way line of Dublin Road (60 feet wide) and in the existing City of Dublin Corporation Line, as established by Ordinance Number 61-80 and recorded in Official Record 504A19, said Lot 4 owned by Shawn Q. Carpenter (Parcel Number 270-000169);

Thence Southerly, a distance of approximately 100 feet, along the easterly right-of-way line of said Dublin Road and the westerly line of said Lot 4, to the westerly common corner of said Lots 4 and 5;

Thence Easterly, a distance of approximately 796 feet, along the line common to said Lots 5 and 4, and the easterly extension of said Lots, to a point in the Scioto River, being the intersection of the easterly extension of said Lots 5 and 4 and the existing City of Dublin Corporation Line, as established by Ordinance Number 3-74 and recorded in Misc. Record 161, Page 354;

Thence Southerly, a distance of approximately 96 feet, along the Scioto River and the said existing City of Dublin Corporation Line, to the intersection of said existing City of Dublin Corporation Line and the easterly extension of the southerly line of said Lot 5 and the northerly line of Lot 6 of said SCIOTO SHORES, said Lot 6 owned by Desiree N. Stavroff (Parcel Number 270-000171);

Thence Westerly, a distance of approximately 769 feet, along the easterly extension of the line common to said Lots 5 and 6 and continuing along said line common to said Lots 5 and 6, to the westerly common corner of said Lots 5 and 6 and in the easterly right-of-way line of Dublin Road;

Thence along the easterly right-of-way line of said Dublin Road, and the westerly lines of Lots 6-15, inclusive, of said SCIOTO SHORES, the following three (3) courses and distances:

- 1) Southerly, a distance of approximately 556 feet, to a point;
- 2) Southerly, a distance of approximately 254 feet, to a point;
- 3) Southerly, a distance of approximately 186 feet, to the westerly common corner of Lots 15 and 16 of said SCIOTO SHORES, and the intersection of the easterly right-of-way line of said Dublin Road and the northerly right-of-way line of Emerald Parkway, being in the existing City of Dublin Corporation Line, as established by Ordinance Number 128-01 and recorded in Instrument Number 200112190295957;

Thence Westerly, a distance of approximately 61 feet, across said Dublin Road and along said existing City of Dublin Corporation Line (Ord. #128-01), to a point in the westerly right-of-way line of said Dublin Road and at the easterly common corner of Lots 10 and 9 of KILLILEA SECTION 1, of record in Plat Book 87, Page 7, being in an easterly line of the existing City of Dublin Corporation Line, as established by Ordinance Number 13-65 and recorded in Misc. Record 139, Page 282;

Thence along the westerly right-of-way line of said Dublin Road, and the easterly lines of Lots 1, 3-9, inclusive, and 20 of said KILLILEA SECTION 1, and Lot 43 of KILLILEA SECTION 2, of record in Plat Book 93, Page 91, and said existing City of Dublin Corporation Line (Ord. #13-65), the following three (3) courses and distances:

- 1) Northerly, a distance of approximately 175 feet, to a point;
- 2) Northerly, a distance of approximately 250 feet, to a point;
- 3) Northerly, a distance of approximately 771 feet, to an angle point in said existing City of Dublin Corporation Line (Ord. #61-80);

Thence Easterly, a distance of approximately 62 feet, across said Dublin Road and along said existing City of Dublin Corporation Line (Ord. #61-80), to the **Point of Beginning**, containing 3.4± acres, more or less.

The above description was prepared from record information, and is for annexation purposes only. A field survey is not required for annexation purposes.

RECEIVED

APR - 4 2012

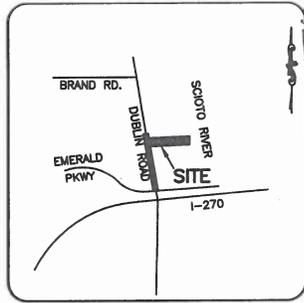
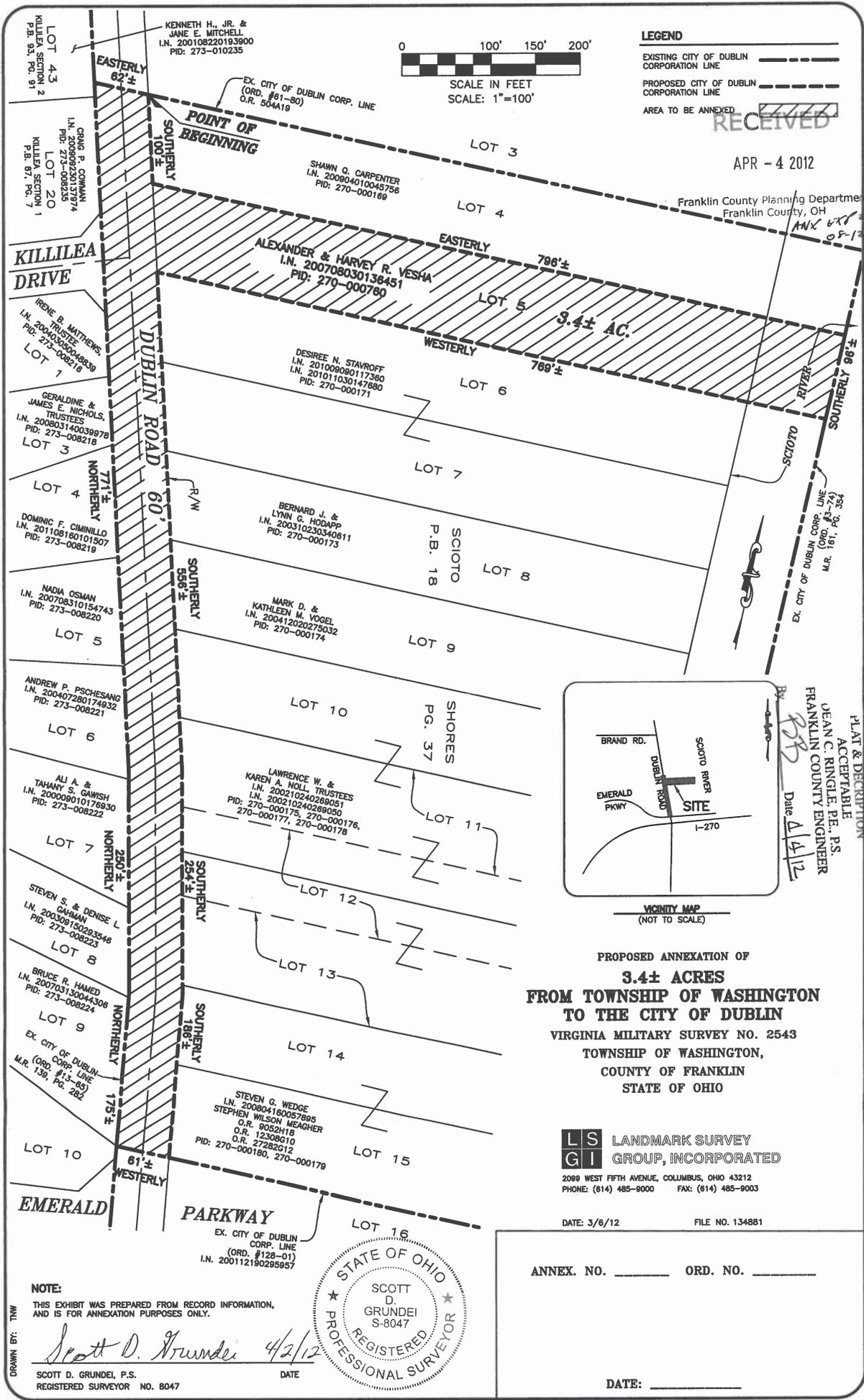
Franklin County Planning Department
Franklin County, OH

ANX EXP 2
08-12



LANDMARK SURVEY GROUP, INC.

Scott D. Grundei 4/2/12
Scott D. Grundei, P.S. Date
Registered Surveyor No. 8047



PROPOSED ANNEXATION OF
3.4± ACRES
FROM TOWNSHIP OF WASHINGTON
TO THE CITY OF DUBLIN
 VIRGINIA MILITARY SURVEY NO. 2543
 TOWNSHIP OF WASHINGTON,
 COUNTY OF FRANKLIN
 STATE OF OHIO

LS LANDMARK SURVEY
GI GROUP, INCORPORATED
 2099 WEST FIFTH AVENUE, COLUMBUS, OHIO 43212
 PHONE: (614) 485-9000 FAX: (614) 485-9003

DATE: 3/6/12 FILE NO. 134881

ANNEX. NO. _____ ORD. NO. _____
 DATE: _____



ANNEXATION
 PLAT & DESCRIPTION
 ACCEPTABLE
 DEAN C. RINGLE, P.E., P.S.
 FRANKLIN COUNTY ENGINEER
 Date 4/4/12



CITY OF DUBLIN.

Dublin City Council
5200 Emerald Parkway
Dublin, Ohio 43017-1090

Phone/TDD: 614-410-4400
Fax: 614-761-6590
Web Site: www.dublin.oh.us

Mayor
Timothy A. Lecklider

Vice Mayor
Amy J. Satay

Cathy A. Boring
Marilee Chinnici-Zuercher
Richard S. Gerber
Michael H. Keenan
John G. Reiner

Clerk of Council
Anne C. Clarke

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APR 24 2012 *RFB*

Franklin County Planning Department
Franklin County, OH

April 24, 2012

Lee Brown
Planning Administrator
Franklin County Development Department
150 South Front Street - FSL Suite 10
Columbus, OH 43215

RE: **Resolution 24-12**

Adopting a Statement of Services for a Proposed Annexation of 3.4 Acres, More or Less, from Washington Township, Franklin County, to the City of Dublin. (Petitioners: Harvey R. and Alexandra Vesha; property address, 7094 Dublin Road)

Resolution 25-12

Adopting a Statement Regarding Possible Incompatible Land Uses and Zoning Buffer for a Proposed Annexation of 3.4, More or Less, from Washington Township, Franklin County, to the City of Dublin, Ohio as Required by Section 709.023(C) of the Ohio Revised Code. (Petitioners: Harvey R. and Alexandra Vesha; property address, 7094 Dublin Road)

Dear Mr. Brown:

Enclosed are certified copies of the above-referenced resolutions as approved by City Council on April 23, 2012. I understand that a hearing date on this petition has been set by the Franklin County Commissioners for May 1, 2012 at 9:00 a.m.

Please let me know if you need additional information.

Sincerely,

Anne C. Clarke
Clerk of Council

Enclosures

c: Daniel F. Hoy, Agent for Petitioner
Jennifer Readler, Law Department, City of Dublin

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 24-12 Passed _____, 20____

A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF 3.4 ACRES, MORE OR LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY, TO THE CITY OF DUBLIN.

WHEREAS, an Expedited Type II annexation petition for 3.4 acres, more or less, of land from Washington Township, Franklin County to the City of Dublin was filed in the offices of the Franklin County Commissioners on April 4, 2012 by Daniel F. Hoy, agent for Petitioners Alexander and Harvey Vesha, 4796 Inisheer Court, Dublin, Ohio 43017; and

WHEREAS, Section 709.023(C) of the Ohio Revised Code requires that, prior to the hearing of the annexation petition, the legislative authority shall adopt a statement indicating what services the municipal corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory proposed for annexation, upon annexation; and

WHEREAS, the area proposed for annexation lies within Dublin's exclusive water and sewer service extension area, as provided under the agreements with the City of Columbus; and

WHEREAS, the proposed annexation is in conformance with the annexation expectations of the City Community Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, 5 of its elected members concurring, that:

Section 1. The City of Dublin will provide the following municipal services for the 3.4 acres, more or less in Washington Township, Franklin County immediately upon the annexation of the area to the City of Dublin, Ohio:

Police. The City of Dublin has five police districts and deploys a minimum of five cruisers. The subject annexation is located approximately two driving miles from the Justice Center, the Division of Police headquarters. The annexation area will be fully served with police and communications services at the same or similar level now being provided to other areas of the City with similar land use and population.

Fire and EMS. The City of Dublin will provide, cause to provide, or contract with Washington Township to provide fire protection and EMS services to this area of Dublin at the same or similar level now being provided to other areas of the City with similar land use and population. Washington Township Fire Station #92 at 4497 Hard Road and Station #93 at 5825 Brand Road are each located 1.2 driving miles away from the proposed annexation site.

Solid Waste Collection. Residential refuse collection services are contracted by the City and are currently provided at no additional charge.

Street Maintenance. The City's Streets and Utilities Division provides excellent service in the area of street and road maintenance. The City already maintains right-of-way near this annexation for snow and ice removal and will continue to do so at the same levels as other similar streets in the City.

Section 2. The City has Water and Sanitary Sewer Service Agreements with the City of Columbus, and the subject property is within the exclusive service area of the agreements. Conditioned upon the ability of the City of Columbus to provide water supply and to provide sufficient sanitary sewerage disposal capacity, sufficient public water distribution and sanitary sewer collection systems exist in this area to serve this property. Water distribution, sanitary sewer and wastewater collection are available to this location at the present time.

I, Anne C. Clarke, Clerk of Council, hereby certify that the foregoing is a true copy of Ordinance/Resolution No. 24-12 duly adopted by the Council of the City of Dublin, Ohio, on the 23rd Day of April, 2012.

Anne C. Clarke
Clerk of Council, Dublin, Ohio

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 24-12

Page 2 of 2
Passed _____, 20____

Section 3. This resolution shall be effective immediately upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this 23rd day of April, 2012.

Timothy A. Leckie
Mayor - Presiding Officer

ATTEST:

Anna O. Clarke
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. **25-12** Passed _____, 20____

A RESOLUTION ADOPTING A STATEMENT REGARDING POSSIBLE INCOMPATIBLE LAND USES AND ZONING BUFFER FOR A PROPOSED ANNEXATION OF 3.4 ACRES, MORE OR LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY TO THE CITY OF DUBLIN, OHIO AS REQUIRED BY SECTION 709.023(C) OF THE OHIO REVISED CODE

WHEREAS, a petition for an Expedited II method of annexation of 3.4 acres, more or less, from Washington Township, Franklin County was filed in the offices of the Board of County Commissioners of Franklin County, Ohio on April 4, 2012 by Daniel F. Hoy, agent for Petitioners Alexander and Harvey Vesha, 7796 Inisheer Court, Dublin, OH 43017; and

WHEREAS, the Expedited II method of annexation, pursuant to Section 709.023(C) of the Ohio Revised Code, requires that within 20 days of the petition being filed, the municipality to which annexation is proposed must adopt an ordinance or resolution relating to land uses and buffers if the territory proposed to be annexed is currently subject to either county zoning pursuant to Chapter 303 of the Ohio Revised Code or township zoning pursuant to Chapter 519 of the Ohio Revised Code; and

WHEREAS, the territory proposed for annexation is currently subject to township zoning pursuant to Chapter 519 of the Ohio Revised Code; and

WHEREAS, pursuant to Section 709.023(C) of the Ohio Revised Code, this resolution must state that: should (a) the territory be annexed and (b) subsequently becomes subject to municipal zoning, and (c) the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then the Dublin City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township; and

WHEREAS, pursuant to Section 709.023(C) of the Ohio Revised Code, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks; and

WHEREAS, Section 153.004(D) of the Dublin Codified Ordinances requires that upon annexation, the annexed territory be automatically rezoned to R Rural District subject to regulations and procedures contained in the City of Dublin Zoning Code and amendments; and

WHEREAS, the territory proposed for annexation is adjacent to the City of Dublin to the west; adjacent areas to the north and south are unincorporated Washington Township territory.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, 5 of its elected members concurring, that:

Section 1. The City of Dublin adopts the following statement for the 3.4 acres, more or less, of land in Washington Township, Franklin County:

Should the territory (a) be annexed and (b) subsequently become subject to zoning pursuant to the Dublin Codified Ordinances, and (c) the municipal zoning permits uses in the annexed territory that Dublin City Council determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then the Dublin City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township should land adjacent to the territory be determined to be unincorporated territory.

I, Anne C. Clarke, Clerk of Council, hereby certify that the foregoing is a true copy of Ordinance/Resolution No. 25-12 duly adopted by the Council of the City of Dublin, Ohio, on the 3rd Day of April, 2012.


Clerk of Council, Dublin, Ohio

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

25-12

Page 2 of 2

Resolution No. _____

Passed _____, 20____

Section 2. This resolution shall be effective immediately upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this 13th day of April, 2012.

Timothy A. Lechler
Mayor - Presiding Officer

ATTEST:

Anne C. Clarke
Clerk of Council



Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council
From: Marsha I. Grigsby, City Manager *mlg*
Date: April 19, 2012

Initiated By: Steve Langworthy, Director Land Use and Long Range Planning
Paul Hammersmith, P.E., Director of Engineering/City Engineer
Gary Gunderman, Planning Manager
Barbara Cox, P.E., Engineering Manager – Development

Re: Resolution 24-12 - A Resolution Adopting a Statement of Services for a Proposed Annexation of 3.4 Acres, More or Less, from Washington Township, Franklin County (Petitioner: Daniel F. Hoy Kevin Knight & Co., 70 West Olentangy Street, Powell, Ohio 43065, agent for Alexander and Harvey Vesha, 4796 Inisheer Court, Dublin, OH 43017) (Case No. 12-024 ANNEX).

Resolution 25-12 - A Resolution Adopting a Statement Regarding Possible Incompatible Land Uses and Zoning Buffer for a Proposed Annexation of 3.4 Acres, More or Less, from Washington Township, Franklin County to the City of Dublin, Ohio as Required by Section 709.023(C) of the Ohio Revised Code.

Request for Fee Waiver

Summary

On April 4, 2012, agent Daniel Hoy filed an annexation petition on behalf of Alexander and Harvey Vesha. The petition is for 3.4 acres, more or less, of land located on the east side of Dublin Road in Washington Township. The petition was filed pursuant to R.C. 709.023, the "Expedited 2" annexation method.

Under this process, the City must adopt an ordinance or resolution relating to municipal services within twenty days after the petition is filed. In the same time period, the City must adopt an ordinance or resolution relating to land uses and zoning buffers, if the territory proposed to be annexed is currently subject to either county or township zoning. Resolutions 24-12 and 25-12 have been prepared for these purposes and for your consideration.

The Franklin County Commissioners will grant the proposed annexation, without a hearing, if neither the municipality nor the township object to the annexation by ordinance or resolution within twenty-five days of the petition being filed. If neither the municipality nor the township object, the Commissioners must grant the proposed annexation without a hearing, if certain criteria in R.C. 709.023 have been established.

This proposed annexation is for 3.4 acres, more or less, and includes a substantial right-of-way of Dublin Road.

Fee Waiver

The applicant has requested that the City waive the annexation fees of \$3,700. Staff supports this request in keeping with some previous City annexations where properties in township "islands" were proposed for annexation.

Background

Zoning

The current Washington Township zoning classification for this property is R1A - Suburban Residential District, which allows for single family housing on larger lots. Upon annexation, the property will be automatically zoned R Rural District, under the Zoning Code of the City of Dublin. This would allow a single family residence on this property, along with other associated uses.

The adjacent properties are similar parcels of large lots stretching from Dublin Road to the Scioto River -- some vacant parcels and some with single family homes.

Future Development and Community Plan

The Community Plan contemplated annexation of this area. The adopted Future Land Use Map calls for Residential Low Density development for this area. This site is currently undeveloped.

Service Assessment

POLICE PROTECTION

The City of Dublin has five police districts and deploys a minimum of five cruisers. The subject annexation is located 2 driving miles from the Justice Center, the Division of Police headquarters. The City of Dublin provides police and communications services on a 24-hour basis and has mutual aid agreements with other jurisdictions. The annexation area will be fully served with police and communications services at the same or similar level now being provided to other areas of the City with similar land use and population.

FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE (EMS)

The Washington Township Fire Department provides fire protection to this area of Dublin and already provides service to the subject property. Station 92 located at 4497 Hard Road and Station 93 located at 5825 Brand Road are each located approximately 1.2 miles from the proposed annexation site. The annexation area will be fully served with Fire and EMS at the same or similar level now being provided to other areas of the City with similar land use and population.

SOLID WASTE COLLECTION

The City of Dublin provides residential solid waste collection at no additional fee.

WATER DISTRIBUTION

The property is located within Dublin's exclusive annexation area of the Water Service Agreement with the City of Columbus. The existing 24-inch waterline, located on the west side of Dublin Road will provide water service to this property.

SANITARY SEWER (WASTEWATER) COLLECTION

The property is located within Dublin's exclusive annexation area within the Sanitary Service Agreement with City of Columbus. This property is located within the tributary area of the Deer

Run trunk sewer. Service to this property will be provided by the 36-inch trunk sewer located within an easement on the property.

STORMWATER MANAGEMENT AND FLOODPLAIN

This property is located in an area that drains directly into the Scioto River. The property has significant topography change from west to east. The west side of the property at Dublin Road is at an approximate elevation of 838 and drops to an approximate elevation of 764 along the river frontage -- a change of 74 feet.

Any proposed development of this property will need to be in compliance with Chapter 53, Stormwater Regulations. A portion of this property is located within the FEMA designated floodplain for the Scioto River.

ROADS AND STREETS

The primary road serving this acreage is Dublin Road. It is classified as a minor arterial on the Thoroughfare Plan, which indicates Dublin Road with 80-feet of right-of-way. If development occurs on this property, additional right-of-way will need to be dedicated to the City.

Dublin Road, along the frontage of this property, is currently within the jurisdiction of Franklin County for management and maintenance purposes. This annexation proposes to annex a portion of Dublin Road into the City. This will provide an appropriate consolidation of services in this area.

Any new roads or streets within a proposed development, which would be dedicated to the City, would be maintained to the same degree and extent that these public facilities are maintained in areas with similar land use and population.

This annexation includes the full width of right-of-way for Dublin Road immediately in front of the annexation parcel and a considerable distance north and south of the parcel. This section of right-of-way is currently one of only two gaps in the City jurisdiction of Dublin Road between the I-270 bridge location and Shawnee Hills. The City already maintains this area and annexation will provide the police with a more consistent enforcement boundary.

Recommendation

This property was identified within the proposed annexation areas of the Community Plan and is located within the exclusive Dublin service area as defined in the Water and Sewer Agreements with the City of Columbus. Staff recommends approval of Resolutions 24-12 and 25-12. Upon City Council's approval, these resolutions will be forwarded to the Franklin County Commissioners for their consideration regarding the proposed annexation. In addition, staff recommends approval of the fee waiver as requested by the applicant.



**KEVIN KNIGHT
& COMPANY**
DESIGNERS-BUILDERS

70 West Olentangy Street
Powell, Ohio 43065
Phone: 614.885.2400
FAX 614.885.1610

April 9, 2012

Members of Dublin City Council
5200 Emerald Parkway
Dublin, OH 43017

RE: Expedited 2 Annexation Petition for 3.4 Acres Located at 7094 Dublin Road in Washington Township to the City of Dublin
Property Owners – Harvey R. and Alexander Vesha

Dear Council Members,

I am the agent for the owners of property located at 7094 Dublin Road and have filed an Expedited 2 annexation petition with Franklin County Commissioners on April 4, 2012.

I am requesting that Council waive the \$3,700 annexation fee based on the fact that this is a portion of a pocket of township land within the City of Dublin and that Council has previously waived annexation fees for such parcels.

Thank you for your consideration.

Sincerely,

Daniel F. Hoy, Agent for Petitioners
Kevin Knight & Co.
70 West Olentangy Street
Powell, OH 430605

c: Barb Cox, Engineering
Steve Langworthy, Land Use & Long Range Planning
Gary Gunderman, Land Use & Long Range Planning



**KEVIN KNIGHT
& COMPANY**
DESIGNERS•BUILDERS

70 West Olentangy Street
Powell, Ohio 43065
Phone: 614.885.2400
FAX 614.885.1610

Re: Notification of Petition for Annexation from Franklin County to City of Dublin

Adjacent property owner:

This is to notify you of a pending annexation from Washington Township, Franklin County to the City of Dublin for Lot 5, Scioto Shores Subdivision, the Alexander & Harvey Vesha property. In addition the City of Dublin requests that we attach the said lot with the section of Dublin Road that is currently in Washington Township, Franklin County to the Vesha property annexation. This notification is pursuant of the notification requirements required by Franklin County, Economic Development & Planning Department.

Regards,

Daniel F. Hoy
Agent for Alexander & Harvey Vesha
Kevin Knight & Co.
70 West Olentangy Street
Powell, Ohio 43065

Encl:

Franklin County Annexation Petition application
Legal Description of the proposed annexation
Map of the proposed annexation
List of adjacent property owners to the annexation

**Vesha Property Annexation
Case: 12-024**

SITE

**WASHINGTON
TOWNSHIP**

EMERALD PKWY

270

270

RIVERSIDE DR

TULLER RD

DUBLIN RD

RIVER KNOLLS PL

NOLAN CT

BOWLES CT

KILLISA CT

MCGREBBY DR

RYNE CT

CARDINAL PL



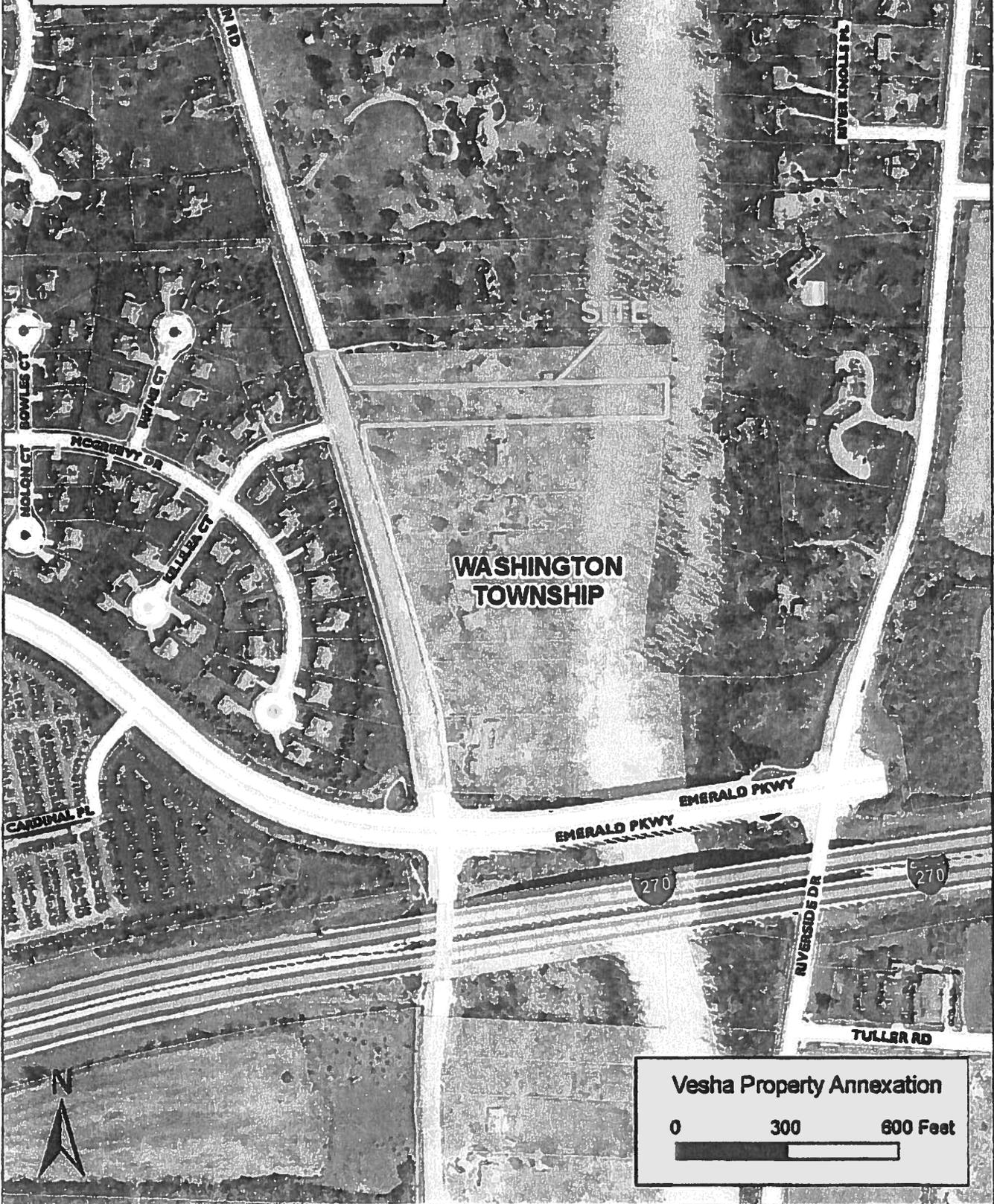
Annexation Site
City of Dublin

Vesha Property Annexation

0 300 600 Feet



**Vesha Property Annexation
Case: 12-024**



**WASHINGTON
TOWNSHIP**

**VESHA
SITE**

EMERALD PKWY

EMERALD PKWY

RIVERSIDE DR

TULLER RD

Vesha Property Annexation

0 300 600 Feet



Application for
**Annexation
Petition**

RECEIVED

APR - 4 2012

Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Franklin County, Ohio Department
Franklin, Ohio

Economic Development & Planning Department
James Schimmer, Director

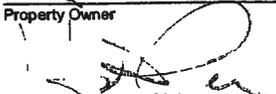
Property Information	
Site Address 7094 DUBLIN ROAD	
Parcel ID(s) 270-000760	Total Acreage 3.4 AC±
From Township WASHINGTON	To Municipality DUBLIN

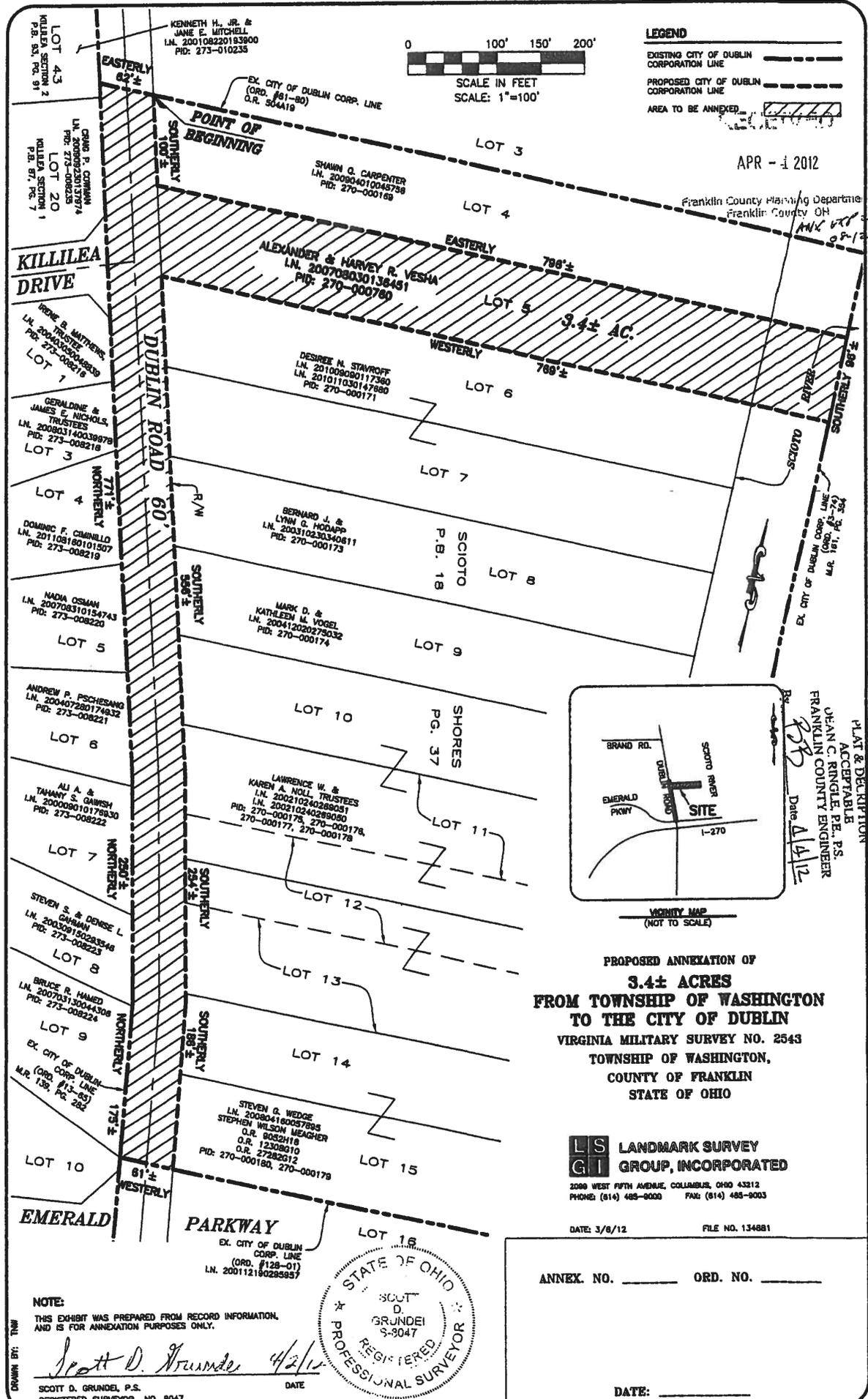
Staff Use Only	
Case # ANX-EXP2 08-12	
Hearing date: 5/1/12	
Date filed: 4/4/12	
Fee paid 250.00	
Receipt # 220855	
Notifications deadline: 5 days 4/9/12	
Svc statement deadline: 20 days 4/20/12	

Property Owner Information	
Name HARVEY + ALEX VESHA	
Address 4796 INSEIGER CT DUBLIN, OH 43017	
Phone # 614 402-7882	Fax #
Email AVESHA@MAC.COM, HVESHA@MAC.COM	

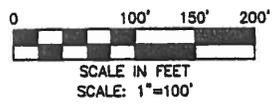
Document Submission
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:
<input checked="" type="checkbox"/> Legal description of property
<input checked="" type="checkbox"/> Map/plot of property
<input checked="" type="checkbox"/> List of adjacent properties

Attorney/Agent Information	
Name DANIEL F. HOY (LEVIN KNIGHT & CO)	
Address 70 WEST CLEVELAND ST. POWELL, OH 43065	
Phone # 614 885-2400	Fax # 614 885-1610
MOBILE: 614-832-0794	
Email DHOY@KRCOL.COM	

Waiver of Right to Appeal			
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.			
	3/9/12	Property Owner	Date
Property Owner	Date	Property Owner	Date
	3/9/12	Property Owner	Date
Property Owner	Date	Property Owner	Date

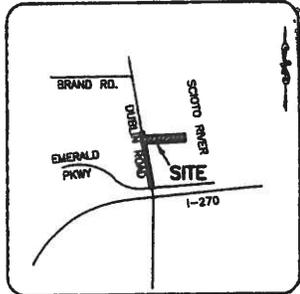


LEGEND
 EXISTING CITY OF DUBLIN CORPORATION LINE
 PROPOSED CITY OF DUBLIN CORPORATION LINE
 AREA TO BE ANNEXED



APR - 1 2012

Franklin County Planning Department
 Franklin County, OH



PROPOSED ANNEXATION OF
3.4± ACRES
 FROM TOWNSHIP OF WASHINGTON
 TO THE CITY OF DUBLIN
 VIRGINIA MILITARY SURVEY NO. 2543
 TOWNSHIP OF WASHINGTON,
 COUNTY OF FRANKLIN
 STATE OF OHIO

**LS LANDMARK SURVEY
 GI GROUP, INCORPORATED**

2000 WEST FIFTH AVENUE, COLUMBUS, OHIO 43212
 PHONE: (614) 485-9000 FAX: (614) 485-9003

DATE: 3/6/12 FILE NO. 134881

ANNEX. NO. _____ ORD. NO. _____

DATE: _____

NOTE:
 THIS EXHIBIT WAS PREPARED FROM RECORD INFORMATION,
 AND IS FOR ANNEXATION PURPOSES ONLY.

Scott D. Grundel 4/2/12

SCOTT D. GRUNDEL, P.S.
 REGISTERED SURVEYOR NO. 8047



PLAT & DECLARATION
 ACCEPTABLE
 DEAN C. RINGLE, PE, P.S.
 FRANKLIN COUNTY ENGINEER
 Date 4/4/12

RECEIVED

APR 04 2012

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

PROPOSED ANNEXATION
OF 3.4± ACRES
FROM WASHINGTON TOWNSHIP
TO THE CITY OF DUBLIN

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By PR Date 4/4/12

Situate in the State of Ohio, County of Franklin, Township of Washington, lying in Virginia Military Survey 2543, being all of Lot 5 of SCIOTO SHORES, of record in Plat Book 18, Page 37, owned by Alexander and Harvey Vesha (Parcel Number 270-000760), part of Dublin Road and part of the Scioto River, and being bounded and more particularly described as follows:

Beginning at the westerly common corner of Lots 3 and 4 of said SCIOTO SHORES, being in the easterly right-of-way line of Dublin Road (60 feet wide) and in the existing City of Dublin Corporation Line, as established by Ordinance Number 61-80 and recorded in Official Record 504A.19, said Lot 4 owned by Shawn Q. Carpenter (Parcel Number 270-000169);

Thence Southerly, a distance of approximately 100 feet, along the easterly right-of-way line of said Dublin Road and the westerly line of said Lot 4, to the westerly common corner of said Lots 4 and 5;

Thence Easterly, a distance of approximately 796 feet, along the line common to said Lots 5 and 4, and the easterly extension of said Lots, to a point in the Scioto River, being the intersection of the easterly extension of said Lots 5 and 4 and the existing City of Dublin Corporation Line, as established by Ordinance Number 3-74 and recorded in Misc. Record 161, Page 354;

Thence Southerly, a distance of approximately 96 feet, along the Scioto River and the said existing City of Dublin Corporation Line, to the intersection of said existing City of Dublin Corporation Line and the easterly extension of the southerly line of said Lot 5 and the northerly line of Lot 6 of said SCIOTO SHORES, said Lot 6 owned by Desiree N. Stavroff (Parcel Number 270-000171);

Thence Westerly, a distance of approximately 769 feet, along the easterly extension of the line common to said Lots 5 and 6 and continuing along said line common to said Lots 5 and 6, to the westerly common corner of said Lots 5 and 6 and in the easterly right-of-way line of Dublin Road;

Thence along the easterly right-of-way line of said Dublin Road, and the westerly lines of Lots 6-15, inclusive, of said SCIOTO SHORES, the following three (3) courses and distances:

- 1) Southerly, a distance of approximately 556 feet, to a point;
- 2) Southerly, a distance of approximately 254 feet, to a point;
- 3) Southerly, a distance of approximately 186 feet, to the westerly common corner of Lots 15 and 16 of said SCIOTO SHORES, and the intersection of the easterly right-of-way line of said Dublin Road and the northerly right-of-way line of Emerald Parkway, being in the existing City of Dublin Corporation Line, as established by Ordinance Number 128-01 and recorded in Instrument Number 200112190295957;

Thence Westerly, a distance of approximately 61 feet, across said Dublin Road and along said existing City of Dublin Corporation Line (Ord. #128-01), to a point in the westerly right-of-way line of said Dublin Road and at the easterly common corner of Lots 10 and 9 of KILLILEA SECTION 1, of record in Plat Book 87, Page 7, being in an easterly line of the existing City of Dublin Corporation Line, as established by Ordinance Number 13-65 and recorded in Misc. Record 139, Page 282;

Thence along the westerly right-of-way line of said Dublin Road, and the easterly lines of Lots 1, 3-9, inclusive, and 20 of said KILLILEA SECTION 1, and Lot 43 of KILLILEA SECTION 2, of record in Plat Book 93, Page 91, and said existing City of Dublin Corporation Line (Ord. #13-65), the following three (3) courses and distances:

- 1) Northerly, a distance of approximately 175 feet, to a point;
- 2) Northerly, a distance of approximately 250 feet, to a point;
- 3) Northerly, a distance of approximately 771 feet, to an angle point in said existing City of Dublin Corporation Line (Ord. #61-80);

Thence Easterly, a distance of approximately 62 feet, across said Dublin Road and along said existing City of Dublin Corporation Line (Ord. #61-80), to the Point of Beginning, containing 3.4± acres, more or less.

The above description was prepared from record information, and is for annexation purposes only. A field survey is not required for annexation purposes.

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APR - 4 2012

Franklin County Engineer
Franklin County

ANX EXP 2



LANDMARK SURVEY GROUP, INC.

Scott D. Grundel 4/2/12
Scott D. Grundel, P.S. Date
Registered Surveyor No. 8047

Kenneth h Jr & Jane E Mitchell	6866 Bryne Ct	Dublin	Ohio	43017
Craig P Cowman	6851 Killilea Drive	Dublin	Ohio	43017
Irene B Mathews Tr	6844 Killilea Drive	Dublin	Ohio	43017
James E Tr & Geraldine Tr Nicholls	4760 McGreevy Court	Dublin	Ohio	43017
Domonic F. Ciminillo	4752 McGreevy Court	Dublin	Ohio	43017
Nadia Osman	4744 McGreevy Court	Dublin	Ohio	43017
Andrew P Pschesang	4736 McGreevy Court	Dublin	Ohio	43017
Ali A & Tahany S Gawish	4728 McGreevy Court	Dublin	Ohio	43017
Steven S & Denise L Gahman	4720 McGreevy Court	Dublin	Ohio	43017
Bruce R Hamed	4712 McGreevy Court	Dublin	Ohio	43017
Stephen W & Steven G Meagher	6992 Dublin Road	Dublin	Ohio	43017
Lawrence W Tr & Karen A Tr Noll	7016 Dublin Road	Dublin	Ohio	43017
Mark D & Kathleen M Vogel	7044 Dublin Road	Dublin	Ohio	43017
Bernard J & Lynn G Hodapp	7050 Dublin Road	Dublin	Ohio	43017
Desiree N Stavroff	7078 Dublin Road	Dublin	Ohio	43017
Shawn Q Carpenter	7106 Dublin Road	Dublin	Ohio	43017

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APR - 5 2012

297

Franklin County Planning Department
Franklin County, OH

RECEIPT

The person who has signed below states that he/she has received the Petition for Annexation and related documentation for the Vesha Property.

This is done to meet the requirements of the Franklin County Economic Development and Planning Department.



Deane Madden

Signature
City of Dublin

4/5/12

Date

Anne Clark
Clerk of Council

RECEIVED
2:03 PM dlm
APR 05 2012

CITY OF DUBLIN
PLANNING

RECEIVED

APR 26 2012

RRT

**BEFORE THE BOARD OF
THE FRANKLIN COUNTY COMMISSIONERS** Franklin County Planning Department
Franklin County, Ohio

In Re:

Annexation of 7014 Dublin Road, Washington Township, Franklin County, Dublin, Ohio;
PID No. 270-000760 ("Annexed Lot") from Washington Township to the City of Dublin.

Case No. ANX-EXP2; 08-12.

OBJECTION TO ANNEXATION PETITION

NOW COMES, Shawn Q. Carpenter ("Objecting Owner"), the fee owner of that certain parcel of real estate identified as 7016 Dublin Road, Washington Township, Franklin County, Dublin, Ohio; PID No. 270-000169, such parcel being a part of the same subdivision as, and contiguous to the north boundary of the Annexed Lot (please see the Site Plan attached hereto as Exhibit A), who respectfully requests that this Board deny the above referenced Annexation Petition, or in the alternative, if the Board should deem it appropriate to grant the Annexation, that such grant be conditioned on the obligation that any future development of the Annexed Lot be prosecuted in conformance with the Washington Township standards, codes and ordinances which applies to all other developed lots in the particular subdivision.

MEMORANDUM IN SUPPORT

Since its creation in 1925, the Scioto Shores Subdivision ("Subdivision"), and the development thereof, has been located in, and governed by Washington Township, all the while the City of Dublin grew and expanded around it. The Subdivision's location in Washington Township did make it subject to a set of zoning codes and regulations different than those applicable to property located within the Dublin corporate limits, and over the years, the lots

located within the Subdivision have been developed in accordance with the applicable Washington Township standards.

The differences between the Washington Township and Dublin codes are significant, especially when considering issues pertaining to side yard setback and the distance between structures. Section 302.043 of Washington Township's Suburban Residential District zoning, the ordinance which currently applies to both the Objecting Owner's lot and the Annexed Lot specifically states with regard to the side yard setback requirement:

"302.043 Side Yard. For dwellings or associated accessory buildings, there shall be a total of side yards of fifty (50) feet or more with a minimum ten (10) feet on one (1) side, and where a side yard is less than twenty-five (25) feet, no structure shall be constructed closer to an existing structure on an adjoining lot or parcel than fifty (50) feet."

Section 153.019 of the City of Dublin's Rural District zoning, the zoning approved for the Annexed Lot upon being admitted into the City of Dublin, specifically states with regard to the side yard setback requirement:

"Sec (3) Side yard. For dwellings or associated accessory buildings there shall be a total of side yards of 25 feet or more with a minimum of eight (8) feet on one side."

The difference in these development standards results in the creation of a rural riverside oasis in the midst of a growing city, the explicit reason why the property owners in the Subdivision purchased their respective lots.

Although the owners of the Annexed Lot understandably seek to be availed of the City of Dublin's water and sewer services, the unintended consequence of such, if the Board were to approve this Annexation Petition, would be the creation of an "outlier" lot in the middle of the developed Subdivision which would be subject to a different set of development standards. If the Annexed Lot were developed in accordance with the less restrictive Dublin standards

regarding side yard setback, such would significantly change the existing nature and character of the Subdivision which the owners, including the Objecting Owner, are entitled to preserve.

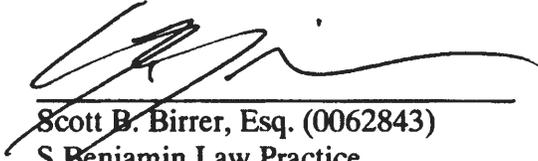
Additionally, the creation of this outlier Annexed Lot would have the effect of turning the Objecting Owner's lot (as well as the lot on the south side of the Annexed Lot) into a "legal non-conforming use" as conformance with Dublin's standards with regard to development of the Annexed Lot would necessarily result in a setback violation on the Objecting Owner's lot, still subject to Washington Township's standards. The end result of this would inequitably impact the Objecting Owner in that if there would ever a casualty to his residence, the Objecting Owner, subject to the more restrictive Washington Township standards, would have to either seek a variance to rebuild his residence in its original location, or the residence would have to be moved from its original location to meet the more restrictive standard, a patently unfair result if the Annexation were granted, or not otherwise conditioned.

Finally, although only tangentially related to the issues raised herein, the Annexed Lot is burdened by both an Ingress / Egress easement and an electrical easement for the benefit of the Objecting Owner's lot (see Exhibit A), whose rights may not at any time be reduced, cut off or otherwise impeded during or as a result of any construction on the Annexed Lot. If the Board were to approve this Annexation, the less restrictive Dublin standards could conflict with the obligations of owners of the Annexed Lot as provided by the easements. Granted, the easements would take precedence, but again unintended consequences may be lurking.

The owners of the Annexed Lot fully understood the development restrictions, obligations and standards to which they would be subjected when they elected to purchase their lot. These standards are no different than the standards with which all owners in the Subdivision were required to comply. A change to the development standards to suit the desires of a single

owner in a developed subdivision should not be the consequence of a grant of this Annexation
Petition.

Respectfully Submitted:



Scott B. Birrer, Esq. (0062843)
S. Benjamin Law Practice
655 Metro Place South, Suite 600
Dublin, Ohio 43017
(614) 572-6722
scott@sbenjaminlaw.com
Counsel for Shawn Q. Carpenter

Exhibit A

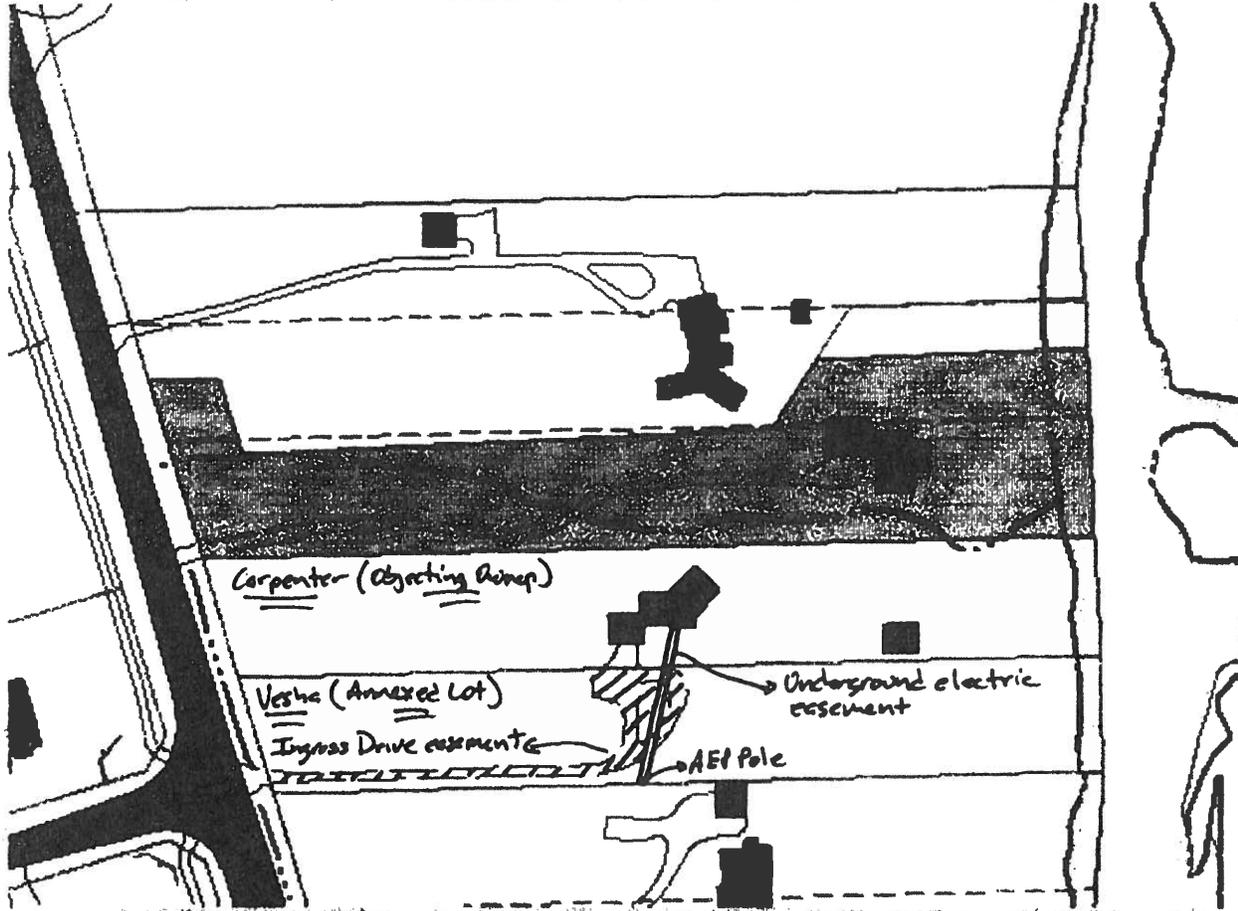
Clarence E. Mingo, II
Franklin County Auditor

Parcel ID
273-001795-00

Map Routing No
273-N105L -002-00

Card No
1

Location
7114 DUBLIN RD



This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

