

Review of Petition to Annex 0.93 +/- acres from Sharon Township to the city of Columbus by Stephen J. Cull. Case #ANX-EXP2-07-11 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Stephen J. Cull filed on behalf of William and Rebecca Campbell on March 22, 2011 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 #522-2011, passed on April 4, 2011 by the city of Columbus

Review of Petition to Annex 0.93 +/- acres from Sharon Township to the city of Columbus by Stephen J. Cull. Case #ANX-EXP2-07-11 (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 Columbus, 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 Columbus, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0270-11

April 26, 2011

REVIEW OF PETITION TO ANNEX 0.93 +/- ACRES FROM SHARON TOWNSHIP TO THE CITY OF COLUMBUS BY STEPHEN J. CULL. CASE #ANX-EXP2-07-11

(Economic Development and Planning)

Upon the motion of Commissioner Paula Brooks, seconded by Commissioner John O'Grady:

Voting:

Marilyn Brown, President	Aye
Paula Brooks	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



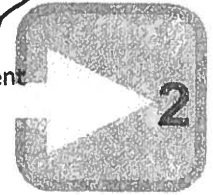
Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

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Application for **MAR 22 2011** *ERB*
Annexation
 Franklin County Planning Department
 Franklin County, OH

Expedited Type 2
 Pursuant to ORC §709.023



Property Information	
Site Address <i>912 BRIARBANK DR. Columbus Ohio 43235</i>	
Parcel ID(s) <i>254-151924-00</i>	Total Acreage <i>0.93</i>
From Township <i>SHARON</i>	To Municipality <i>Columbus</i>

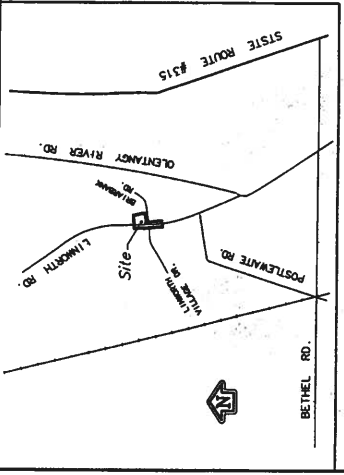
Property Owner Information	
Name <i>William H. & Rebecca J. Campbell</i>	
Address <i>2939 DONNYLANE Blvd. Columbus Ohio 43235</i>	
Phone # <i>614 588 0320</i>	Fax # <i>614 588 0329</i>
Email	

Attorney/Agent Information	
Name <i>Stephen J. Cull</i>	
Address <i>2939 DONNYLANE Blvd. Columbus Ohio 43235</i>	
Phone # <i>614 588 0320</i>	Fax # <i>614 588 0329</i>
Email <i>Steve.Cull@cleo.hio.com</i>	

Staff Use Only	
Case # <i>AVX-EXP2 07-11</i>	
Hearing date: <i>4/26/11</i>	
Date filed: <i>3/22/11</i>	
Fee paid <i>250.00</i>	
Receipt # <i>228260</i>	
Notifications deadline: 5 days <i>3/27/11</i>	
Svc statement deadline: 20 days <i>4/12/11</i>	

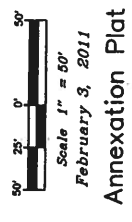
Document Submission	
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:	
<input checked="" type="checkbox"/>	Legal description of property
<input checked="" type="checkbox"/>	Map/plot of property
<input checked="" type="checkbox"/>	List of adjacent properties

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>			
<i>[Signature]</i>	<i>3/8/11</i>	Property Owner	Date
Property Owner	Date	Property Owner	Date
<i>[Signature]</i>	<i>3-8-11</i>	Property Owner	Date
Property Owner	Date	Property Owner	Date

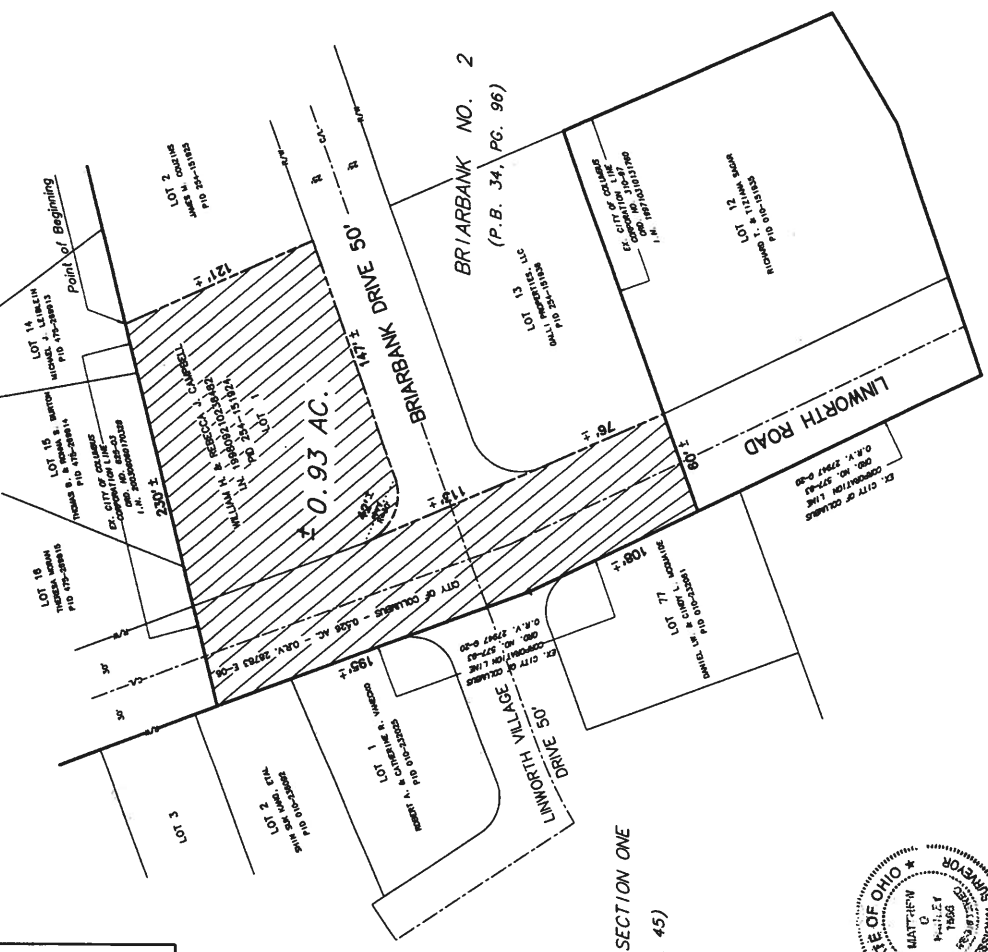


VICINITY MAP

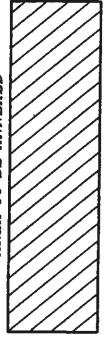
THE RESERVE AT LINNORTH
(P.B. 103, PG. 83)



Annexation Plat



AREA TO BE ANNEXED



Existing City of Columbus Corporation Line

Proposed City of Columbus Corporation Line

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By: *[Signature]* Date: 2/10/11



BY: *[Signature]*
Matthew D. Farley, Professional Surveyor No. 7566

myerssurveying
COMPANY
2740 East Main Street,
Bexley, Ohio 43209-2877 info@myerssurveying.com
mfs-10/27/10

0.93 ACRE ANNEXATION TO THE CITY OF COLUMBUS
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF SHARON

RECEIVED

MAR 22 2011

Franklin County Planning Department
Franklin County, OH

RECEIVED

FEB 10 2011
Franklin County Engineer
Dean C. Ringle, P.E., P.S.

LINNORTH VILLAGE SECTION ONE
(P.B. 82, PG. 45)

2740 East Main Street
Bexley, Ohio 43209-2577
(614) 235-8677
Telefax 235-4559
Email: info@myerssurveying.com

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

February 3, 2011

By RB Date 2/10/11

**0.93 ACRES IN SHARON TOWNSHIP, FRANKLIN COUNTY, OHIO,
TO BE ANNEXED TO THE CITY OF COLUMBUS, OHIO**

Situated in the State of Ohio, County of Franklin, Township of Sharon, being all of Lot Number One (1) of Briarbank No. 2, conveyed to William H. and Rebecca J. Campbell as shown of record in Instrument Number 199809210238482, Recorder's Office, Franklin County, Ohio, said lot being numbered and delineated upon the recorded plat thereof, of record in Plat Book 34, Page 96, said Recorder's Office, and part of Linworth Road, being more particularly described as follows:

Beginning at the northeast corner of said Lot 1 and the northwest corner of Lot 2 of said Briarbank No. 2, in an existing City of Columbus Corporation line, as established by Ordinance 625.03, of record in Instrument Number 200306060170328, said Recorder's Office, and in the south line of Lot 14 of The Reserve At Linworth, as same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 103, Page 83, said Recorder's Office;

Thence, Southerly, along the east line of said Lot 1 and the west line of said Lot 2, approximately 121 feet to the southeast corner of said Lot 1, southwest corner of said Lot 2 and in the northerly right-of-way line of Briarbank Drive;

Thence, Westerly, along the south line of said Lot 1 and said right-of-way, approximately 147 feet to a point of curvature;

Thence, Northwesterly, along said line and the arc of a curve to the right, said curve having a radius of 30.00 feet, approximately 42 feet to a point of tangency in the easterly right-of-way of Linworth Road;

Thence, Southerly, approximately 113 feet to a point of curvature in said right-of-way in the west line of Lot 13 of said Briarbank No. 2;

Thence, Southerly, along the west line of said Lot 13 and said right-of-way, approximately 76 feet the southwest corner of said Lot 13, northwest corner of Lot 12 of said Briarbank No. 2, and in an existing City of Columbus Corporation line, as established by Ordinance 310-97, of record in Instrument Number 199710310131760, said Recorder's Office,

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MAR 22 2011

RB

continued...

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FEB 10 2011

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

Thence, Westerly, across said Linworth Road and along said Corporation line, approximately 60 feet to the intersection of said line with the westerly right-of-way of said Linworth Road, in the east line of Lot 77 of Linworth Village Section One, as same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 82, Page 45, said Recorder's Office, and in an existing City of Columbus Corporation line, as established by Ordinance 577-93, of record in Official Records Volume 27947 G-20, said Recorder's Office;

Thence, Northerly, along said right-of-way and corporation line, and east line of said Lot 77, approximately 108 feet to an angle point in said line;

Thence, Northerly, continuing along said right-of-way and corporation line, and the east line of Lot 1 and 2 of said Linworth Village Section One, approximately 195 feet;

Thence, Easterly, across said Linworth Road, along the north line of said Lot 1, south line of said The Reserve At Linworth and along said existing corporation line (Ordinance #625-03), approximately 230 feet to the place of beginning **CONTAINING APPROXIMATELY 0.93 ACRES.**

THE FOREGOING DESCRIPTION IS FOR ANNEXATION PURPOSES ONLY, BASED ON RECORDS AND NOT FROM AN ACTUAL FIELD SURVEY.



Matthew D. Farley 2/3/11
Matthew D. Farley, P.S. #7566

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MAR 22 2011

RF



City of Columbus Legislation Report

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

ORIGINAL

File Number: 0522-2011

Emergency

File Number: 0522-2011

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN11-002: .93 acres, Sharon Township, Campbell

Introduced: 3/23/2011

Requester: Dev Drafter

Cost:

Final Action:

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Lori Baudro 645-6986

I hereby certify that the above or attached is a true and correct copy of Ordinance No. ~~522-2011~~ passed by The Council of The City of Columbus, Ohio 4/4, 20 11, as shown by the records now on file in this office.

Floor Action (Clerk's Office Only)

APR 04 2011 270

Seal Andrea Bleivins
City Clerk

Mayor's Action

APR 06 2011

Mayor

Date

Council Action

APR 04 2011

Date Passed/ Adopted

President of Council

City Clerk

Veto

Date

Title:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN11-002) of ± .93 acres in Sharon Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0522-2011 Legal Description.doc, ORD0522-2011 AN11-002 Map (912 Briarbank).doc

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	3/23/11	Sent for Approval	DEVELOPMENT DIRECTOR			
			Action Note:	Planning Division			
1	DEVELOPMENT DIRECTOR	3/23/11	Reviewed and Approved	Dev Drafter			
			Action Note:	nmb			
1	Dev Drafter	3/23/11	Sent to Clerk's Office for Council	City Clerk Inbox			

EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorneys Office as to its form and legality only.

Explanation**AN11-002**

BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Sharon Township. This ordinance is required by the Ohio Revised Code (ORC) as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Franklin County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. Should the petition be approved by the County Commissioners, a second City ordinance accepting the annexation will be required to complete the annexation process. The time frames specified in the ORC require that this legislation be filed as emergency.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. While provision of the stated services does represent cost to the city, annexation of land also has the potential to create revenue to the city.

Title

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN11-002) of ± .93 acres in Sharon Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Body

WHEREAS, a petition for the annexation of certain territory in Sharon Township was duly filed on behalf of William H and Rebecca J. Campbell on March 22, 2011; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on April 26, 2011; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority adopt an ordinance stating zoning buffering conditions; and

WHEREAS, the parcel is located within the boundaries of the adopted Northwest Plan

WHEREAS, upon annexation, properties will have *limited* access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for .93 ± acres in Sharon Township upon the annexation of said area to the city of Columbus

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City

Sanitation: Residential refuse collection services will ***NOT*** be available for residential uses upon annexation of the property. The subject site is located on a dead-end street that was constructed without vehicle a turn-around. There is no place on Briarbank for a refuse truck to turn around without entering private residential property

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: The site will be served by an existing twelve-inch water main on the west side of Linworth Road

Sanitary Sewer: Department of Utility records indicate this property can be served by an existing 8-inch sewer located along the northern and eastern property lines

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development. All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this .93 ± acre site is annexed, and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Sharon Township, the Columbus 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 Sharon Township. For the purpose of this section, "buffer"

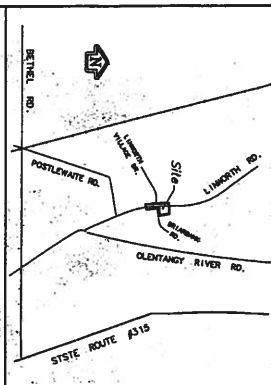
includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

ANNEXATION AN11-002

± .93 Acres in Sharon Township

William H. and Rebecca J. Campbell



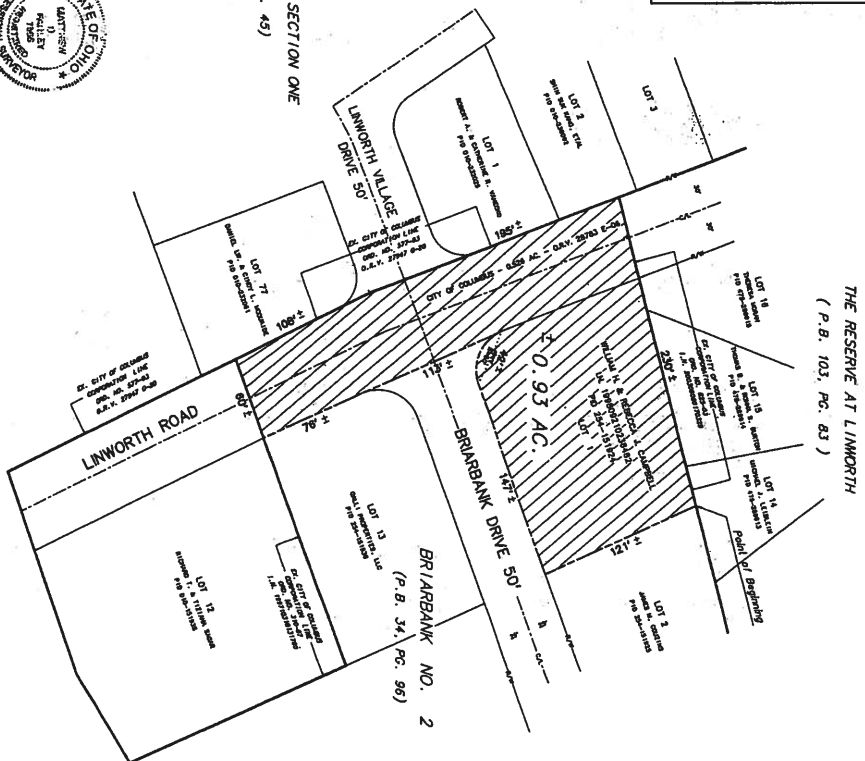
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 FEB 10 2011
 Franklin County Engineer
 Dawn D. Hough, PE, PLS

LINWORTH VILLAGE SECTION ONE
 (P.B. 82, PG. 45)



BY: *Matthew D. Farley* 2/9/11
 Matthew D. Farley, Professional Surveyor No. 7568

Myers Surveying
 CONSULTANTS
 2740 East Main Street (914) 235-8877
 Oakley, Ohio 43080-2877 info@myerssurveying.com
 regis-10/27/10



0.93 ACRE ANNEXATION TO THE CITY OF COLUMBUS
 SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF SHARON



Scale 1" = 60'
 February 3, 2011
 Annexation Plat

AREA TO BE ANNEXED



Existing City of Columbus Corporation Line

Proposed City of Columbus Corporation Line

ANNEXATION
 PLAT & DESCRIPTION
 DEAN
 FRANKLIN COUNTY ENGINEER
 By: *DF* Date: 2/11/11

FILE COPY

**LEGAL DESCRIPTION
ANNEXATION AN11-002
.93 ± Acres in Sharon Township
William H. & Rebecca J. Campbell**

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TO BE ANNEXED TO THE CITY OF COLUMBUS, OHIO**

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Thence, Northwesterly, along said line and the arc of a curve to the right, said curve having a radius of 30.00 feet, approximately 42 feet to a point of tangency in the easterly right-of-way of Linworth Road;

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continued...

Page 2

Thence, Westerly, across said Linworth Road and along said Corporation line, approximately 60 feet to the intersection of said line with the westerly right-of-way of said Linworth Road, in the east line of Lot 77 of Linworth Village Section One, as same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 82, Page 45, said Recorder's Office, and in an existing City of Columbus Corporation line, as established by Ordinance 577-93, of record in Official Records Volume 27947 G-20, said Recorder's Office;

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Matthew D. Farley, P.S. #7566