

Review of Petition to Annex 2.3 +/- acres from Blendon Township to the city of Columbus by Jill Tangeman, Esq. Case #ANX-EXP2-14-12 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jill Tangeman, Esq. filed on behalf of Danny Lalama on June 25, 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 #1489-2012, passed on July 9, 2012 by the city of Columbus.

Review of Petition to Annex 2.3 +/- acres from Blendon Township to the city of Columbus by Jill Tangeman, Esq. Case #ANX-EXP2-14-12 (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 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. 0542-12

July 31, 2012

**REVIEW OF PETITION TO ANNEX 2.3 +/- ACRES FROM BLENDON
TOWNSHIP TO THE CITY OF COLUMBUS BY JILL TANGEMAN, ESQ. CASE
#ANX-EXP2-14-12**

**(Economic Development and
Planning)**

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

Voting:

Paula Brooks, President	Aye
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
2.3 +/- ACRES FROM
BLENDON TOWNSHIP
TO THE CITY OF COLUMBUS
BY JILL TANGEMAN, ESQ.

Description:

Attached is a resolution to consider the annexation of 2.3-acres, more or less, from Blendon Township to the city of Columbus. The petition case number is ANX-EXP2-14-12.

Agent:

Jill Tangeman, Esq.

Applicant:

Danny Lalama

Site:

5900 Sunbury Road (Parcel #110-000888)

Additional Information:

The site is contiguous to the city of Columbus 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 Columbus stating the services that will be provided once the annexation has been approved. The city of Columbus has agreed to provide the territory proposed for annexation the services specified in the relevant service ordinance #1489-2012 passed July 9, 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 **June 26, 2012** General Session Agenda for a
hearing on **July 31, 2012**.

Case #ANX-EXP2-14-12- An Expedited Type 2 annexation ANX-EXP2-14-12 was filed in our office on June 25, 2012. The petition is requesting to annex 2.3+/- acres from Blendon Township to the city of Columbus. The applicant is Jill Tangeman, Esq. **Site: 5900 Sunbury Road (110-000888)**



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schlimmer, Director

Application for Annexation Petition

Expedited Type 2
 Pursuant to ORC §709.023

RECEIVED

JUN 25 2012

Franklin County Planning Department
 Franklin County, Ohio

Property Information	
Site Address	5900 Sunbury Road
Parcel ID(s)	110-000888
Total Acreage	2.3+/-
From Township	Blendon
To Municipality	Columbus

Property Owner Information	
Name	Danny A. Lalama
Address	5900 Sunbury Road, Westerville, OH 43081
Phone #	
Fax #	
Email	

Attorney/Agent Information	
Name	Jill S. Tangeman, Esq.
Address	52 East Gay Street, Columbus, OH 43215
Phone #	614-464-5608
Fax #	614-719-4638
Email	jstangeman@vorys.com

Staff Use Only	
Case #	ANN-EXP-14-12
Hearing date:	7/31/12
Date filed:	6/25/12
Fee paid	250.00
Receipt #	240752
Notifications deadline:	5 days
5 days	6/31/12
Svc statement deadline:	20 days
20 days	7/15/12

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/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>			
Danny A. Lalama	by	J. Russell	5/9/12
Property Owner	Date	Property Owner	Date
_____	_____	_____	_____
Property Owner	Date	Property Owner	Date

'12 JUN 25 PM 1:53

**PETITION FOR ANNEXATION
TO THE CITY OF COLUMBUS, OHIO
OF 2.3 ACRES, MORE OR LESS, IN
BLENDON TOWNSHIP,
FRANKLIN COUNTY, OHIO**

RECEIVED

JUN 25 2012 *RLB*

Franklin County Planning Department
Franklin County, Ohio

Now comes the undersigned, petitioner in the premises and being the sole owner of a certain area as hereinafter described, consisting of 2.3+/- acres, more or less, in Blendon Township, Franklin County, Ohio, which is contiguous and adjacent to the City of Columbus, Ohio, according to the statutes of the State of Ohio. Said area is situated in the Township of Blendon, County of Franklin, and State of Ohio; and an accurate legal description of the perimeter is attached hereto and made a part hereof as Exhibit "A" and an accurate map of the territory proposed for annexation is attached hereto and made a part hereof as Exhibit "B".

Jill Stemen Tangeman, Esq., of 52 East Gay Street, Columbus, Ohio 43215, is the person to act as agent for the undersigned petitioner as required by Section 709.02 of the Ohio Revised Code.

This petition is for an Expedited II annexation, under Sections 709.021 and 709.023 of the Ohio Revised Code.

The total number of owners in the territory sought to be annexed is one, and the one owner signed this annexation petition. The person who signed this petition is the only owner of the real estate located within the territory proposed for annexation and constitutes all of the owners of the real estate in that territory. This petition may be signed in parts.

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.

<u>Name</u>	<u>Address</u>	<u>Lot No. or Acreage</u>	<u>Date Signed</u>
<i>Danny A. Lalama</i> Danny A. Lalama	5900 Sunbury Road Westerville, OH 43081	2.3 +/- Acres	<u>5-17-12</u>
by: <i>J. Russell POA</i>			

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

ANX-EXP2-14-12

RECEIVED

APR 27 2012

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

By DRB Date 4/27/12

**DESCRIPTION OF 2.3 ACRES LOCATED IN BLENDON TOWNSHIP
TO BE ANNEXED TO THE CITY OF COLUMBUS
EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023**

Situated in the State of Ohio, County of Franklin, Township of Blendon, Quarter Township 4, Township 2, Range 17, U.S.M.D., and being: all the remainder of that 3.0 acre tract conveyed to Danny A. Lalama of record in Deed Book 3601, Page 247 (APN 110-000888), Parcel 35WV (0.054 acre) as shown in the deed to the City of Columbus of record in Instrument Number 200303040063330 and Parcel 37WV (0.142 acre) as shown in the deed to the City of Columbus of record in Instrument Number 200604040062398 and described as follows:

Beginning at the northeast corner of said 3.0 acre tract, the same being the southeast corner of that tract conveyed to Danny A. Lalama and Elaine Lalama of record in Official Record 27443J13, in a west line of Chilcote's Ingleside Addition of record in Plat Book 19, Page 28, and in a City of Columbus Corporation Line (Case No. 67-88, Ord. No. 3050-88, O.R. 12921A01);

Thence southwest along the east line of said 3.0 acre tract, about 158 feet to the southeast corner thereof;

Thence west along the south line of said 3.0 acre tract, about 618 feet to the southeast corner of said 0.054 acre tract;

Thence south along the east line of said 0.142 acre tract, about 36 feet to the start of a curve in the east line of said 0.142 acre tract;

Thence through a curve to the right along the east line of said 0.142 acre tract, about 41 feet to the end of said curve;

Thence southwest along the east line of said 0.142 acre tract, about 80 feet to the southeast corner of said 0.142 acre tract;

Thence west along the south line of said 0.142 acre tract, about 43 feet to the southwest corner thereof, in a City of Columbus Corporation Line (Case No. 67-88, Ord. No. 3050-88, O.R. 12921A01);

Thence northeast along the west line of said 0.142 acre tract, the same being said City of Columbus Corporation Line), about 158 feet to the southwest corner of said 0.054 acre tract;

Thence northeast along a west line of said 0.054 acre tract, the same being said City of Columbus Corporation Line, about 25 feet;

Thence north along a west line of said 0.054 acre tract, the same being said City of Columbus Corporation Line, about 114 feet to the northwest corner thereof;

Thence east along the north line of said 0.054 acre and 3.0 acre tracts, the same being said City of Columbus Corporation Line, about 694 feet to the *Point of Beginning*.

Containing approximately 2.3 acres of land, more or less. The above description was written by John C. Dodgion, P.S. 8069 on April 12, 2012. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 1967 feet, of which about 991 feet are contiguous with an existing City of Columbus Corporation Line, being about 50% contiguous. This annexation does not create any islands of township property

This description was written for annexation purposes only and is not intended to be used in the transfer of lands.

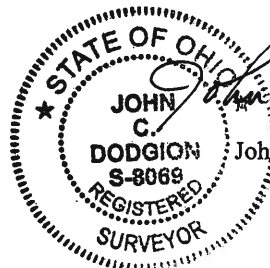
ADVANCED CIVIL DESIGN, INC.

RECEIVED

JUN 25 2012

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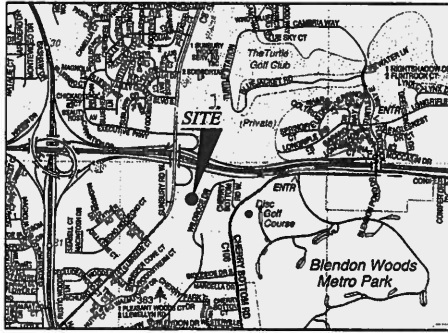
Franklin County Planning Department
Franklin County, Ohio



John C. Dodgion, P.S. 8069




04/27/2012

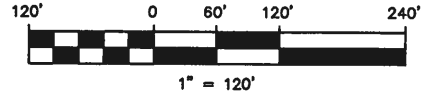
2.3 ACRE ANNEXATION TO THE CITY OF COLUMBUS FROM BLENDON TOWNSHIP
 EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023
 SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF BLENDON,
 QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 17,
 UNITED STATES MILITARY DISTRICT



Location Map - NTS

LEGEND

-  AREA TO BE ANNEXED
-  EXISTING CORP LINE
-  PROPOSED CORP LINE



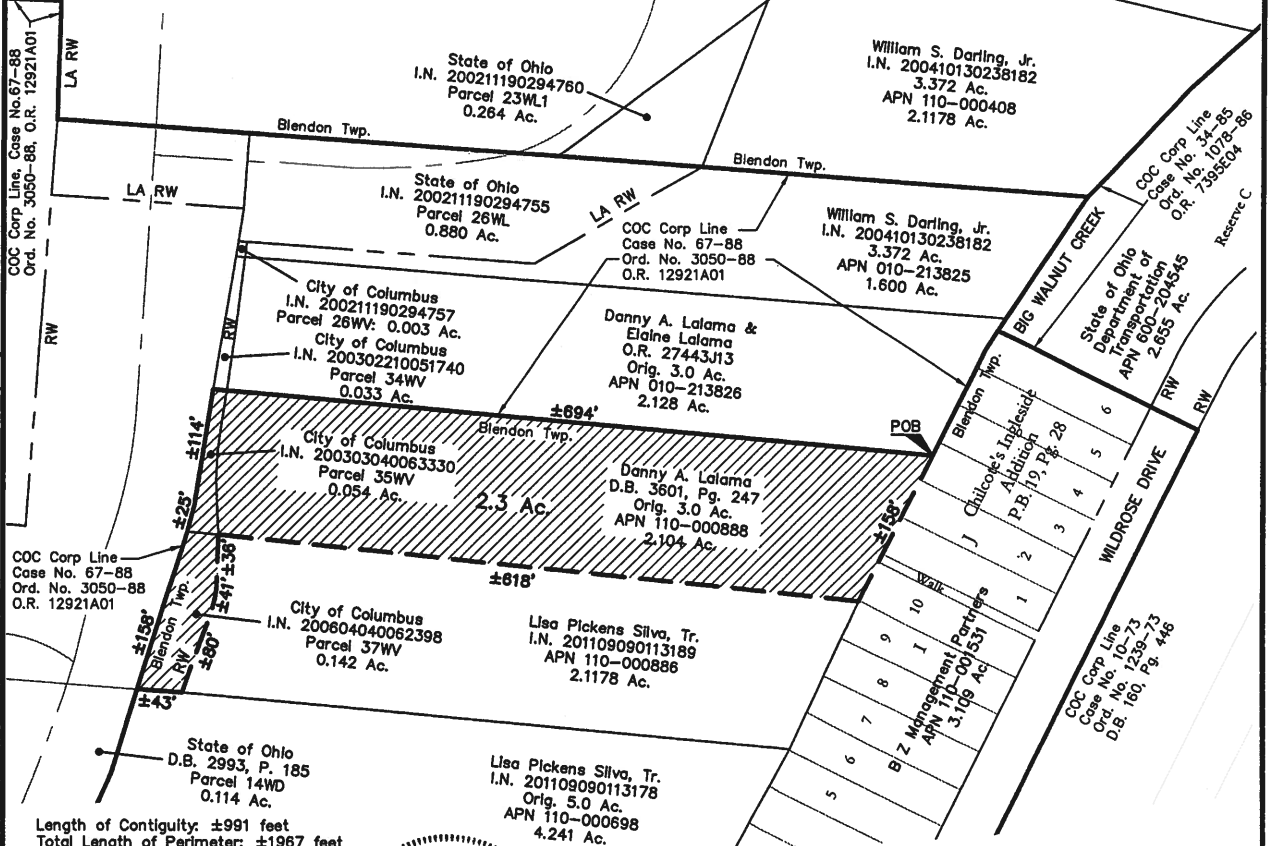
RECEIVED

APR 27 2012

Franklin County Engineer
 DEAN C. RINGLE, P.E., P.S.

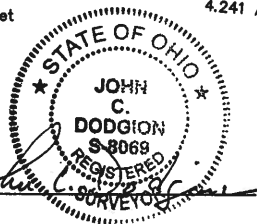
ANNEXATION
 PLAT & DESCRIPTION
 ACCEPTABLE
 DEAN C. RINGLE, P.E., P.S.
 FRANKLIN COUNTY ENGINEER

By *DRB* Date *4/27/12*



Length of Contiguity: ±991 feet
 Total Length of Perimeter: ±1967 feet
 Percentage of Contiguity: ±50%

No islands of township property are created by this annexation.



John C. Dodgion, P.S. 8069

Advanced Civil Design, Inc
 422 Beecher Road
 Gahanna, OH 43230
 Phone 614-428-7750

Job No.: 12-0047-128
 Date: 04/17/2012

RECEIVED

JUN 25 2012 *DRB*

Franklin County Planning Department
 Franklin County, Ohio

Z:\12-0047-128\dwg\0047-128 Lalama annex1.dwg Layout1 Apr 27, 2012 9:24:10am jcdgjon



City of Columbus Legislation Report

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

File Number: 1489-2012

ORIGINAL

Emergency

File ID: 1489-2012

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN12-009: 2.3 Acres, Blendon
Township, Danny A. Lalama

File Created: 06/26/2012

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.: Kevin Wheeler 645-6057

Floor Action (Clerk's Office Only)

JUL 09 2012 Passed 7-0

Mayor's Action

Mayor

JUL 10 2012

Date

Council Action

JUL 09 2012

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 (AN12-009) of 2.3 ± acres in Blendon Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Attachments: ORD1489-2012 AN12-009 Legal Description,
ORD1489-2012 AN12-009 Map (5900 Sunbury
Road)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 1489-2012 passed by The Council of The City of Columbus, Ohio 7/9, 20 12, as shown by the records now on file in this office!

Seal
City Clerk

Approval History

Version	Date	Approver	Action
1	06/26/2012	Nichole Brandon	Approved
1	06/27/2012	ATTORNEY APPROVER	Approved
Notes	jsg		

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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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 Attorney's Office as to its form and legality only.

Explanation
AN12-009

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 Blendon 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. If the petition is approved by the County Commissioners, a second City ordinance accepting the annexation will be necessary to complete the 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 for 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 (AN12-009) of 2.3 ± acres in Blendon 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 Blendon Township was duly filed on behalf of Danny A. Lalama on June 25, 2012; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on July 31, 2012; 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 Northeast Pay As We Grow area and the adopted Northland II Area Plan, which recommends adherence with the Northland Development Standards, infill development compatible with surrounding uses and adequate buffering; and

WHEREAS, upon annexation, properties will have uniform 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 2.3 ± acres in Blendon 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: Single family homes would qualify for city provided 90-gallon front curb refuse collection service. Any other development would require compliance with Title 13 requirements; Commercial/business uses are required to provide their own refuse collection.

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 12" water main located in Sunbury Road. Applicant's Counsel has been advised that the Department of Utilities will not allow water service to enter and/or traverse thru any limited access right of way(s).

Sanitary Sewer: Records indicate this property can be served by extending an existing 8-inch sanitary mainline (CC-2244) which is situated to the south along the east side of Sunbury Road approximately 500 feet from the southwestern property corner. Mainline extension requires formal plan submittal and approval through One Stop Shop and is to be done at the expense of the private developer/owner. Mainline extension would be required with formal plan submittal and approval through One Stop Shop. Said extension and plans

to be done at the expense of the property owner.

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 and developers at their own cost and expense with no cost to the City.

Section 2. If this 2.3 ± 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 Blendon 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 Blendon 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.

LEGAL DESCRIPTION
ANNEXATION AN12-009
2.3 ± Acres in Blendon Township
Danny A. Lalama

Situated in the State of Ohio, County of Franklin, Township of Blendon, Quarter Township 4, Township 2, Range 17, U.S.M.D., and being: all the remainder of that 3.0 acre tract conveyed to Danny A. Lalama of record in Deed Book 3601, Page 247 (APN 110-000888), Parcel 35WV (0.054 acre) as shown in the deed to the City of Columbus of record in Instrument Number 200303040063330 and Parcel 37WV (0.142 acre) as shown in the deed to the City of Columbus of record in Instrument Number 200604040062398 and described as follows:

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Thence southwest along the east line of said 3.0 acre tract, about 158 feet to the southeast corner thereof;

Thence west along the south line of said 3.0 acre tract, about 618 feet to the southeast corner of said 0.054 acre tract;

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Thence through a curve to the right along the east line of said 0.142 acre tract, about 41 feet to the end of said curve;

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Thence north along a west line of said 0.054 acre tract, the same being said City of Columbus Corporation Line, about 114 feet to the northwest corner thereof;

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