

Review of Petition to Annex 6.1 +/- acres from Jefferson Township to the city of Columbus by Gregory B. Mathews, Esq. Case #ANX-EXP2-08-13 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Gregory B. Mathews, Esq. filed on behalf of Eastside Grace Brethren Church on February 7, 2013 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 #0226-2013, passed on January 28, 2013 by the city of Columbus.

Review of Petition to Annex 6.1 +/- acres from Jefferson Township to the city of Columbus by Gregory B. Mathews, Esq. Case #ANX-EXP2-08-13 (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. 0186-13

March 12, 2013

**REVIEW OF PETITION TO ANNEX 6.1 +/- ACRES FROM JEFFERSON
TOWNSHIP TO THE CITY OF COLUMBUS BY GREGORY B. MATHEWS, ESQ.
CASE #ANX-EXP2-08-13**

**(Economic Development and
Planning)**

Upon the motion of Commissioner Marilyn Brown, seconded by Commissioner Paula Brooks:

Voting:

John O'Grady, President	Aye
Paula Brooks	Aye
Marilyn Brown	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.



Shannon Z Cross, Clerk
Board of County Commissioners
Franklin County, Ohio



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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
6.1 +/- ACRES FROM
JEFFERSON TOWNSHIP
TO THE CITY OF COLUMBUS
BY GREGORY B. MATHEWS, ESQ.

Description:

Attached is a resolution to consider the annexation of 6.1-acres, more or less, from Jefferson Township to the city of Columbus. The petition case number is ANX-EXP2-08-13.

Applicant/Agent:

Gregory B. Mathews, Esq.

Owner:

Eastside Grace Brethren Church

Site:

7550 East Broad Street (170-001204)

Additional Information:

The site is contiguous to the city of Columbus on four (4) 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 #0226-2013 passed January 28, 2013.

Recommendation:

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



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

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

TO: Sandy Menedis, 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 **February 12, 2013** General Session Agenda
for a hearing on **March 12, 2013**.

Case #ANX-EXP2-08-13- An Expedited Type 2 annexation ANX-EXP2-08-13 was filed in our office on February 7, 2013. The petition is requesting to annex 6.1 +/- acres from Jefferson Township to the city of Columbus. The agent is Gregory B. Mathews, Esq. **Site: 7550 East Broad Street (170-001204)**



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

FEB - 7 2013

Franklin County Planning Department
 Franklin County, OH



Property Information	
Site Address 7550 East Broad Street, Blacklick, OH 43004	
Parcel ID(s) 170-001204	Total Acreage 6.1 Acre
From Township Jefferson Township	To Municipality City of Columbus

Property Owner Information	
Name Eastside Grace Brethren Church	
Address 7510 East Broad Street Blacklick, Ohio 43004	
Phone # 614-861-5810	Fax #
Email chipheim@gmail.com	

Attorney/Agent Information	
Name Gregory B. Mathews	
Address 655 Cooper Road Westerville, OH 43081	
Phone # 614-523-7575	Fax # 614-523-7580
Email greg@ohiolaws.com	

Staff Use Only	
Case # ANX-EXP-08-13	
Hearing date:	3/12/13
Date filed:	2/7/13
Fee paid	250.00
Receipt #	#1006
Notifications deadline: 5 days	2/12/13
Svc statement deadline: 20 days	2/27/13

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

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.

Eastside Grace Brethren Church

Ted Harmony, Trustee 2-5-13
 Property Owner _____ Date _____

By: Ted Harmony, Trustee

Property Owner _____ Date _____

Property Owner _____ Date _____

Property Owner _____ Date _____

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

By B.B./PAC Date 2/7/2013

RECEIVED

FEB - 7 2013 *RRB*

Franklin County Planning Department
Franklin County, OH

RECEIVED

FEB 07 2013

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

**DESCRIPTION OF 6.1 ACRES LOCATED IN JEFFERSON 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 Jefferson, Quarter Township 4, Township 1, Range 16, United States Military District, and being all the residuum of Parcels I and II (APN 170-001204) as shown in the deed to East Side Grace Brethren Church of record in Instrument Number 201207090097783 and described as follows:

Beginning at the northwest corner of said Parcel I, the same being an angle point in the existing City of Columbus Corporation Line per Case No. 56-90, Ordinance No. 934-91, Official Record 19392D09;

Thence Southeasterly, along the north line of said Parcel I, the same being said existing corporation line, about 663 feet to the northeast corner of said Parcel I;

Thence Southwesterly, along the most east line of said Parcel I, the same being said existing corporation line, about 329 feet to a southeast corner of said Parcel I, the same being the most east corner of said Parcel II;

Thence Southwesterly, along an east line of said Parcel II, the same being said existing corporation line, about 137 feet to the north right-of-way line for East Broad Street conveyed to State of Ohio in Official Record 20170F06 and in an existing City of Columbus Corporation Line per Case No. 7-00, Ordinance No. 1513-00, Instrument Number 200009130184756;

Thence Southwesterly, along said north right-of-way line, the same being a south line of said Parcel II and said existing corporation line, about 231 feet;

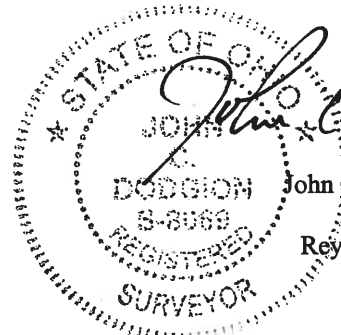
Thence Southwesterly, along said north right-of-way line, the same being a south line of said Parcel II and said existing corporation line, about 92 feet;

Thence Southwesterly, along said north right-of-way line, the same being a south line of said Parcels I and II and said existing corporation line, about 96 feet to the current southwest corner of said Parcel I;

Thence Northerly, along the west line of said Parcel I, the same being said existing City of Columbus Corporation Line per Case No. 56-90, Ordinance No. 934-91, Official Record 10392D09, about 657 feet to the *Point of Beginning*. Containing approximately 6.1 acres, more or less. The above description was written by John C. Dodgion, P.S. 8069 on August 20, 2012. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 2205 feet, of which about 2205 feet are contiguous with existing City of Columbus Corporation Lines, being 100% contiguous. This annexation does not create any islands of township property.

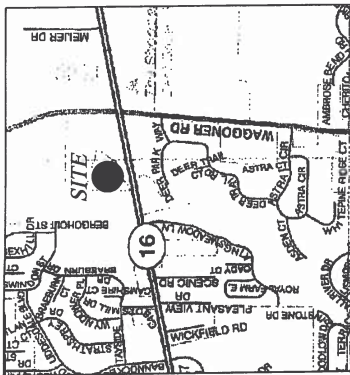
This description was written for annexation purposes only and is not intended to be used in the transfer of lands.


John C. Dodgion
John C. Dodgion, P.S. 8069
979 Noyes Drive
Reynoldsburg, OH 43068
614-866-9062

02/05/2013

**6.1 ACRE ANNEXATION TO THE CITY OF COLUMBUS FROM JEFFERSON TOWNSHIP
EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023**

Township of Jefferson, Franklin County, Ohio
Quarter Township 4, Township 1, Range 16, U.S.M.D.



Location Map - NTS



1" = 120'

RECEIVED

FEB 07 2013

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

Eastside Grace
Brethren Church
D.B. 3336, Pg. 691
D.B. 3461, Pg. 439
O.R. 3938807
APN 010-222044
13.74 Ac.

Columbus Corp. Line
Case No. 56-90
Ord. No. 934-91
O.R. 19392D09

Columbus Corp. Line
Case No. 56-90
Ord. No. 934-91
O.R. 19392D09

East Side Grace
Brethren Church
I.N. 201207090097783
Parcel I: Orig. 3.22 Ac.
APN 170-001204

East Side Grace
Brethren Church
I.N. 201207090097783
Parcel II: Orig. 3.46
APN 170-001204

Columbus Corp. Line
Case No. 7-00
Ord. No. 1519-00
O.R. 200009180184766
I.N. 200009180184766

State of Ohio
O.R. 20170F06
0.602 Ac.

State of Ohio
O.R. 16572A12
0.410 Ac.

State of Ohio
O.R. 16572A12
0.410 Ac.

State of Ohio
O.R. 16572A12
0.410 Ac.

State of Ohio
O.R. 16572A12
0.410 Ac.

State of Ohio
O.R. 16572A12
0.410 Ac.

Columbus Corp. Line
Case No. 56-90
Ord. No. 934-91
O.R. 19392D09

John A. Wilson
APN 515-262758
1.674 Ac.

Speedway
Superamerica LLC
I.N. 200107050152735
2.846 Ac.
APN 515-258140

City of Columbus
I.N. 200104050070531
0.749 Ac.

State of Ohio
O.R. 1771G10
10.200 Ac.

East Broad Street

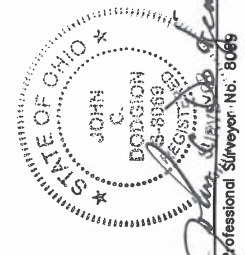
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Franklin County Planning Department
Franklin County, OH

- Area to be Annexed
- Existing Corp Line
- Proposed Corp Line

Length of Contiguity: ±2205 feet
Total Length of Perimeter: ±2205 feet
Percentage of Contiguity: ±100%

No islands of township property are created by this annexation.

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By A.S./PAC Date 2/7/2013



Date: 02/05/2013
Professional Surveyor No.: 8066
John C. Dodgion, P.S.
979 Noyes Drive
Reynoldsburg, OH 43068
Phone 614-866-9062

Job No.: ESCBC Shadwick Annx
Date: 08/20/2012
Rev: 01/29/2013



City of Columbus Legislation Report

RECEIVED *RB*
Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org
FEB - 7 2013

Franklin County Planning Department
Franklin County, OH

File Number: 0226-2013

ORIGINAL

Emergency

File ID: 0226-2013

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN12-022: 6.1 Acres, Jefferson
Township, Eastside Grace Brethren Church

File Created: 01/16/2013

Cost: \$0.00

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

Floor Action (Clerk's Office Only)

JAN 28 2013 Passed 7-0

Mayor's Action

M. B. H. JAN 31 2013

Mayor

Date

Council Action

JAN 28 2013

Date Passed/ Adopted

Andrew Blowers

President of Council

Judith Blowers

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 (AN12-022) of 6.1 + acres in Jefferson Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0226-2013 AN12-022 Legal Description,
ORD0226-2013 AN12-022 Map (7550 East Broad Street)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0226-2013 passed by The Council of The City of Columbus, Ohio 1/28, 2013, as shown by the records now on file in this office.

Seal *Andrew Blowers/GJS*
City Clerk

Approval History

Version	Date	Approver	Action
1	01/16/2013	Nichole Brandon	Approved
1	01/16/2013	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**AN012-022**

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 Jefferson 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 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 (AN12-022) of 6.1 ± acres in Jefferson 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 Jefferson Township was duly filed on behalf of Eastside Grace Brethren Church on January 15, 2013; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on February 19, 2013; 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 Broad -Blacklick Area Plan, which recommends commercial development;

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 6.1 ± acres in Jefferson 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: This site will be served by the existing Columbus Division of Water meter currently servicing Eastside Grace Brethren Church.

Sanitary Sewer: Our records indicate the subject properties can be served by an existing 18" sanitary sewer situated within an easement along the north side of East Broad Street. The sewer appears to fall within the property limits of both parcels at the southwest corner of each property. Mainline extension may be required depending on the nature of any future developments. In addition, there is a large stream along the eastern property limits that will require a stream corridor protection zone upon future development in regards to stormwater management. Costs associated with plan approval, construction, and inspections are to be incurred by the property owner or developer.

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 6.1 ± 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 Jefferson 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 Jefferson 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 AN12-022
6.1 ± acres in Jefferson Township
Eastside Grace Brethren Church

Situated in the State of Ohio, County of Franklin, Township of Jefferson, Quarter Township 4, Township 1, Range 16, United States Military District, and being all the residuum of Parcels I and II (APN 170-001092 and APN 170-001204) as shown in the deed to East Side Grace Brethren Church of record in Instrument Number 201207090097783 and described as follows:

Beginning at the northwest corner of said Parcel I, the same being an angle point in the existing City of Columbus Corporation Line per Case No. 56-90, Ordinance No. 934-91, Official Record 19392D09;

Thence Southeasterly, along the north line of said Parcel I, the same being said existing corporation line, about 663 feet to the northeast corner of said Parcel I;

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Thence Southwesterly, along said north right-of-way line, the same being a south line of said Parcel II and said existing corporation line, about 231 feet;

Thence Southwesterly, along said north right-of-way line, the same being a south line of said Parcel II and said existing corporation line, about 92 feet;

Thence Southwesterly, along said north right-of-way line, the same being a south line of said Parcels I and II and said existing corporation line, about 96 feet to the current southwest corner of said Parcel I;

Thence Northerly, along the west line of said Parcel I, the same being said existing City of Columbus Corporation Line per Case No. 56-90, Ordinance No. 934-91, Official Record 10392D09, about 657 feet to the *Point of Beginning*. Containing approximately 6.1 acres, more or less. The above description was written by John C. Dodgion, P.S. 8069 on August 20, 2012. A drawing of the above description has been prepared and is a part hereof.

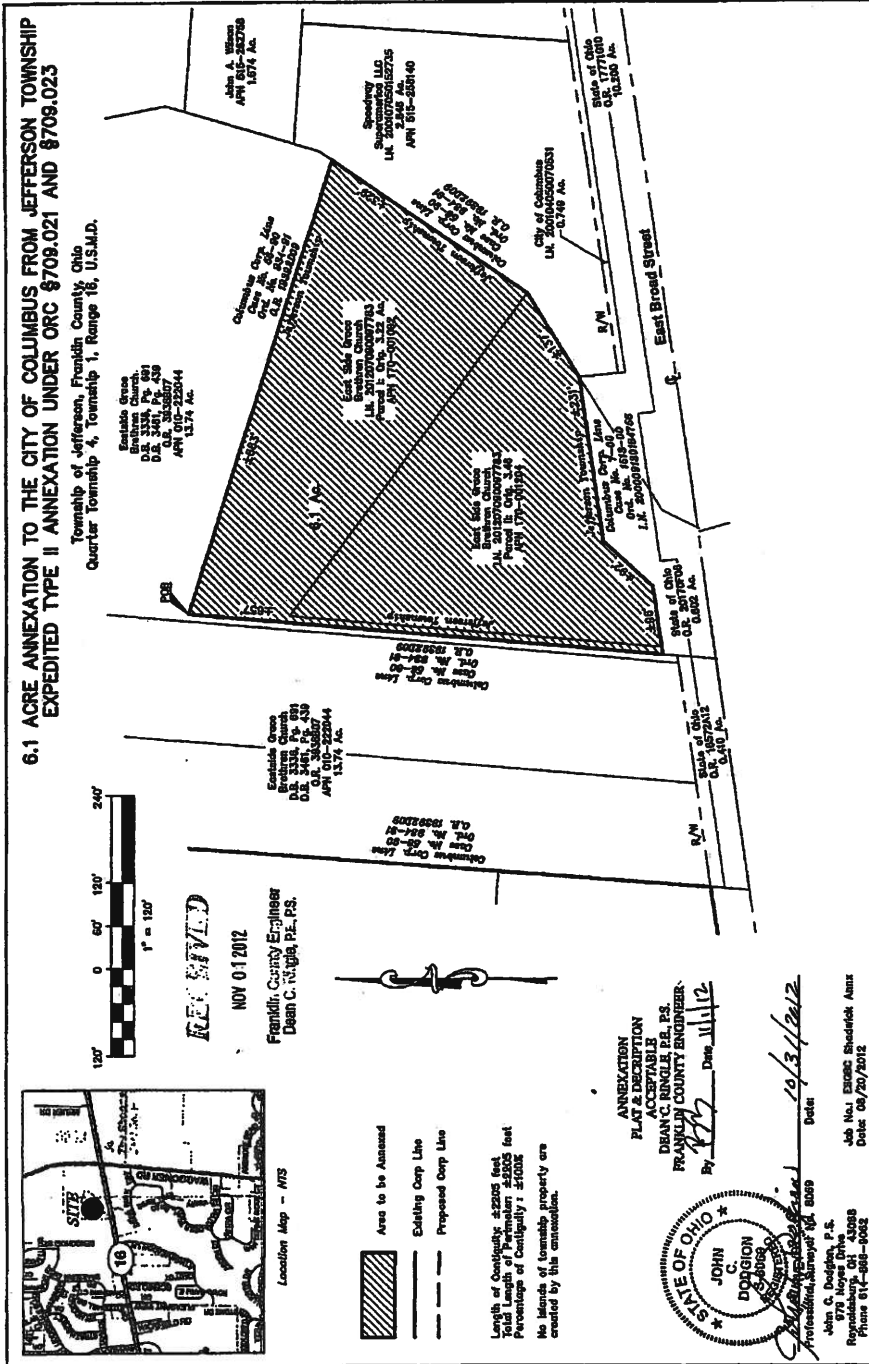
The total length of the annexation perimeter is about 2205 feet, of which about 2205 feet are contiguous with existing City of Columbus Corporation Lines, being 100% contiguous. This annexation does not create any islands of township property.

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

John C. Dodgion, P.S. 8069
979 Noyes Drive
Reynoldsburg, OH 43068
614-866-9062

ANNEXATION AN12-022

+ 6.1 Acres in Jefferson Township Eastside Grace Brethren Church



6.1 ACRE ANNEXATION TO THE CITY OF COLUMBUS FROM JEFFERSON TOWNSHIP
EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023
 Township of Jefferson, Franklin County, Ohio
 Quarter Township 4, Township 1, Range 16, U.S.M.D.



REVISED
 NOV 01 2012
 Franklin County Engineer
 Dean C. Ringle, P.E., P.S.

Area to be Annexed
 Existing Corp. Line
 Proposed Corp. Line

Length of Contiguity: 42295 feet
 Total Length of Perimeter: 42655 feet
 Percentage of Contiguity: 99.16%
 No interests of township property are created by this annexation.

ANNEXATION
 PLAN & DESCRIPTION
 ACCEPTABLE
 DEAN C. RINGLE, P.E., P.S.
 FRANKLIN COUNTY ENGINEER
 By: *[Signature]* Date: 11/12
 Date: 10/31/2012

John C. Dodgion, P.E.
 Job No. 12085, Siederfeldt Annex
 579 Hayes Drive
 Reynoldsburg, OH 43088
 Phone 614-885-9002

