

Review of Petition to Annex 1.2 +/- acres from Clinton Township to the city of Columbus by David Ingalls. Case #ANX-EXP2-09-13 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that David Ingalls filed on behalf of Raymond E. Mason III on March 4, 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 #0655-2013, passed on March 18, 2013 by the city of Columbus.

Review of Petition to Annex 1.2 +/- acres from Clinton Township to the city of Columbus by David Ingalls. Case #ANX-EXP2-09-13 (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. 0270-13

April 09, 2013

REVIEW OF PETITION TO ANNEX 1.2 +/- ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS BY DAVID INGALLS. CASE #ANX-EXP2-09-13

(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
1.2 +/- ACRES FROM
CLINTON TOWNSHIP
TO THE CITY OF COLUMBUS
BY DAVID INGALLS

Description:

Attached is a resolution to consider the annexation of 1.2-acres, more or less, from Clinton Township to the city of Columbus. The petition case number is ANX-EXP2-09-13.

Applicant/Agent:

David Ingalls

Owner:

Raymond E. Mason III

Site:

Northwest corner of Taylor Avenue and Corwin Avenue (130-003975, 130-003452, 130,003974, 130-001319, 130-003456, 130-004612, 130-003455, 130-003454, 130-003453 and 130-000192)

Additional Information:

The site is contiguous to the city of Columbus on two (2) 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 #0655-2013 passed March 18, 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 **March 12, 2013** General Session Agenda for
a hearing on **April 9, 2013**.

Case #ANX-EXP2-09-13- An Expedited Type 2 annexation ANX-EXP2-09-13 was filed in our office on March 4, 2013. The petition is requesting to annex 1.2+/- acres from Clinton Township to the city of Columbus. The agent is David Ingalls. **Site: Northwest corner of Taylor Avenue and Corwin Avenue (130-003975, 130-003452, 130,003974, 130-001319, 130-003456, 130-004612, 130-003455, 130-003454, 130-003453 and 130-000192)**



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

MAR 4 2013

2

Franklin County Planning Department
 Franklin County, OH

Property Information	
Site Address SEE Attached	
Parcel ID(s) SEE Attached	Total Acreage 1.2 AC
From Township Clinton Township	To Municipality Columbus

Staff Use Only	
Case #	ANX-EX
	09-13
Hearing date:	4.9.13
Date filed:	3.4.13
Fee paid	250.00
Receipt #	1030
Notifications deadline: 5 days	3.9.13
Svc statement deadline: 20 days	3.24.13

Property Owner Information	
Name Raymond E. Mason III	
Address P.O. Box 83250 Columbus, Ohio 43203	
Phone # 614-252-3111	Fax # 614-252-7327
Email RMASON@Columbus-Truck.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 type="checkbox"/>	Map/plat of property
<input checked="" type="checkbox"/>	List of adjacent properties

Attorney/Agent Information	
Name David S. Ingalls	
Address 5761 JARDIN PLACE Columbus, Ohio 43213	
Phone # 614-228-0077	Fax # 614-626-2111
Email Davidingalls@worldway.com	

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>			
	3/4/2012	_____	_____
Property Owner	Date	Property Owner	Date
_____	_____	_____	_____
Property Owner	Date	Property Owner	Date

Parcel numbers to be annexed to the City of Columbus

1. 130-003975
2. 130-003452
3. 130-003974
4. 130-001319
5. 130-003456
6. 130-004612
7. 130-003455
8. 130-003454
9. 130-003453
10. 130-000192

RECEIVED

MAR 4 2013

Franklin County Planning Department
Franklin County, OH

ANX-EXP2

09-13

RECEIVED

FEB 19 2013

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 BB Date 2/19/13

MyersSurveying
COMPANY

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

February 13, 2013

*Proposed Annexation of Approximately 1.2 Acres
to the City of Columbus from Clinton Township
(Parcel's 130-000192, 130-003456, 130-004612, 130-003455,
130-003454, 130-003453, 130-003975, 130-003452, 130-003974 & 130-001319)*

Situated in the State of Ohio, County of Franklin, Township of Clinton, in the Fourth Quarter of Township 1, Range 18, United States Military Lands, being Lots 5 through 14, inclusive and portions of a 10 foot wide alley vacated by Road Record 23, Page 60-63; granted on September 26, 1978 and being all of the tracts of land conveyed to Raymond E. Mason III as shown of record in Instrument No. 201212310201389 and part of the tracts of land conveyed to Raymond E. Mason III as shown of record in Instrument No. 20121230201391, Recorder's Office, Franklin County, Ohio (all references made are of said Recorder's Office, unless otherwise noted) and being more particularly described as follows:

Beginning at a northwest corner of Tract One, Parcel No. 2 tract of said Instrument No. 201212310201389, and in the City of Columbus Corporation Line as established by Ordinance No. 86-56 of record in Miscellaneous Record 92, Page 133;

Thence, easterly, along the north line of said tract and along said Corporation Line, approximately 340 feet, to the northeast corner of said Taylor Avenue;

Thence, southerly, continuing along said Corporation Line and the east right of way line of said Taylor Avenue, approximately 154 feet, to the intersection of the east right of way line of said Taylor Avenue with the north right of way line of Corwin Avenue (50 feet wide) produced easterly;

Thence, westerly, across said Taylor Avenue, along the north right of way line of said Corwin Avenue, along the south lines of said Lots 5, 9, 10, 11, 12, 13 and 14 of said Addition and a southerly line of said vacated alley, approximately 340 feet, to the southwest corner of said Lot 14;

Thence, northerly, along the west line of said Lot 14, across said vacated alley and the west line of said Tract One, Parcel No. 2 tract of said Instrument No. 201212310201389, approximately 154 feet, to the place of beginning **CONTAINING APPROXIMATELY 1.2 ACRES FOR ANNEXATION PURPOSES ONLY.**

Myers Surveying Co., Inc.

Albert J. Myers 2/13/13
Albert J. Myers, P.S. 6579
(AOMIII 1011132012)



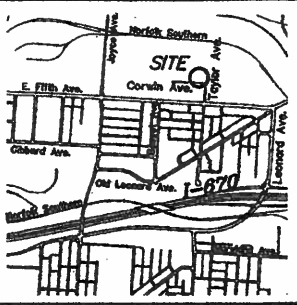
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MAR 4 2013

Franklin County Planning Department
Franklin County, OH

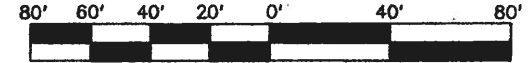
ANX-EXP2

09-13



Vicinity Map
(not to scale)

Proposed Annexation of Approximately 1.2 Acres to the City of Columbus from Clinton Township in the Fourth Quarter of Township 1, Range 18, United States Military Lands and part of Lindsey's Fifth Avenue Addition, P.B. 4, P. 114, Franklin County, Ohio.



Scale 1" = 40'
February 13, 2013
Annexation Plat



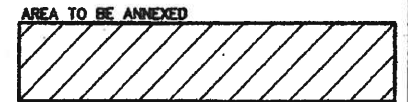
RECEIVED

FEB 19 2013

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 BB Date 2/19/13

EXISTING CITY OF COLUMBUS CORPORATION LINE
PROPOSED CITY OF COLUMBUS CORPORATION LINE

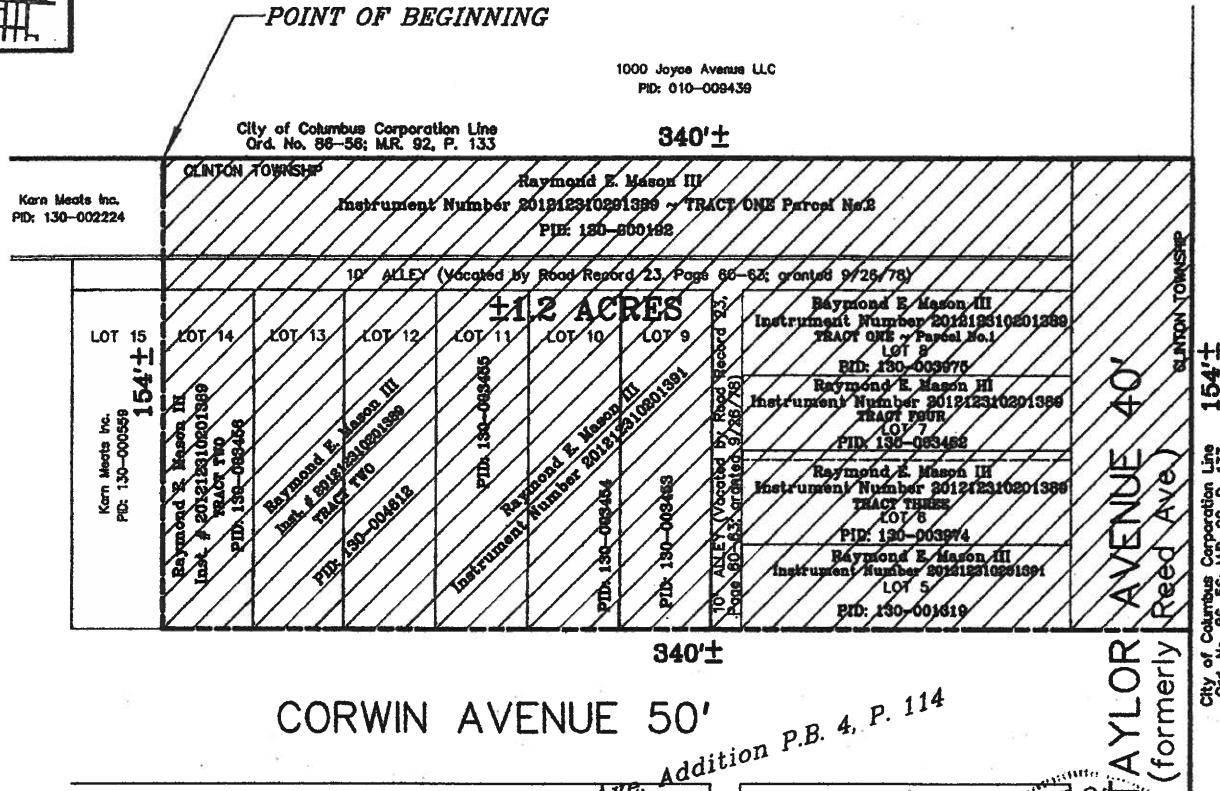


RECEIVED

MAR 4 2013

Franklin County Planning Department
Franklin County, OH

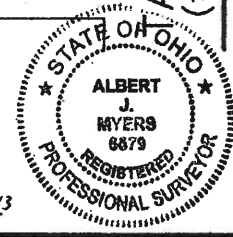
ANN-EX-2
09-13



Myers Surveying
COMPANY

2740 E. Main St., Bexley, Ohio 43209-2577
(614)235-8677 ~ (614)235-4559 fax
info@myerssurveying.com

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Albert J. Myers 2-13-13
Albert J. Myers, P.S. 6579



RECEIVED

City of Columbus

MAR 21 2013

Legislation Report

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

Franklin County Planning Department
Franklin County, OH

File Number: 0655-2013

ORIGINAL

Emergency

File ID: 0655-2013

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN12-020: 1.2 Acres, Clinton
Township, Columbus Truck and Equipment
Company

File Created: 03/06/2013

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)

MAR 18 2013 Passed 6-0 MILLS ABSENT

Mayor's Action

[Signature]

Mayor

MAR 19 2013

Date

Council Action

MAR 18 2013

Date Passed/ Adopted

[Signature]

President of Council

[Signature]

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 (AN12-020) of 1.2+ acres in Clinton
Township to the City of Columbus as required by the Ohio Revised Code; and to
declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0655-2013 AN12-020 Legal Description,
ORD0655-2013 AN12-020 Map

I hereby certify that the above or attached is
a true and correct copy of Ordinance No. 0655-2013
passed by The Council of The City of Columbus,
Ohio 3-18, 2013, as shown by the records
now on file in this office.

Seal [Signature] / GJS
City Clerk

Approval History

Version	Date	Approver	Action
1	03/06/2013	Nichole Brandon	Approved
1	03/07/2013	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
AN012-020

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 Clinton 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 (AN12-020) of 1.2+ acres in Clinton 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 Clinton Township was duly filed on behalf of Columbus Truck and Equipment Company on March 4, 2013; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on April 9, 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 North Central Area Plan, which recommends office and light manufacturing uses for the area; 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 1.2 ± acres in Clinton 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 can be served by the Columbus Division of Water via an existing two-inch (2") water main located in Corwin Avenue.

Sanitary Sewer: Records indicate that this property can be served by an existing 8-inch sanitary sewer situated within Taylor Avenue (west side of right of way). Mainline extension to the subject's western boundary would be required to provide access to remaining un-sewered properties on the north side of Corwin Avenue and west of subject annexation. Said mainline sanitary CC plan would be property owner's expense.

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 1.2± 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 Clinton 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 Clinton 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 AN12-20
1.2 ± Acres in Clinton Township
Columbus Truck and Equipment Company

Situated in the State of Ohio, County of Franklin, Township of Clinton, in the Fourth Quarter of Township 1, Range 18, United States Military Lands, being Lots 5 through 14, inclusive and portions of a 10 foot wide alley vacated by Road Record 23, Page 60-63; granted on September 26, 1978 and being all of the tracts of land conveyed to Raymond E. Mason III as shown of record in Instrument No. 201212310201389 and part of the tracts of land conveyed to Raymond E. Mason III as shown of record in Instrument No. 20121230201391, Recorder's Office, Franklin County, Ohio (all references made are of said Recorder's Office, unless otherwise noted) and being more particularly described as follows:

Beginning at a northwest corner of Tract One, Parcel No. 2 tract of said Instrument No. 201212310201389, and in the City of Columbus Corporation Line as established by Ordinance No. 86-56 of record in Miscellaneous Record 92, Page 133;

Thence, easterly, along the north line of said tract and along said Corporation Line, approximately 340 feet, to the northeast corner of said Taylor Avenue;

Thence, southerly, continuing along said Corporation Line and the east right of way line of said Taylor Avenue, approximately 154 feet, to the intersection of the east right of way line of said Taylor Avenue with the north right of way line of Corwin Avenue (50 feet wide) produced easterly;

Thence, westerly, across said Taylor Avenue, along the north right of way line of said Corwin Avenue, along the south lines of said Lots 5, 9, 10, 11, 12, 13 and 14 of said Addition and a southerly line of said vacated alley, approximately 340 feet, to the southwest corner of said Lot 14;

Thence, northerly, along the west line of said Lot 14, across said vacated alley and the west line of said Tract One, Parcel No. 2 tract of said Instrument No. 201212310201389, approximately 154 feet, to the place of beginning **CONTAINING APPROXIMATELY 1.2 ACRES FOR ANNEXATION PURPOSES ONLY.**

