

Review of Petition to Annex 1.206+/- acres from Franklin Township to the City of Columbus by Catherine A. Cunningham Case #ANX-EXP2-21-13 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Catherine A. Cunningham filed on behalf of Frederick F. Campbell on August 28, 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 no. 2106-2013, passed on September 9, 2013 by the City of Columbus.

Review of Petition to Annex 1.206+/- acres from Franklin Township to the City of Columbus by Catherine A. Cunningham Case #ANX-EXP2-21-13 (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, 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: D. Anthony Hray

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0757-13

October 01, 2013

REVIEW OF PETITION TO ANNEX 1.206+/- ACRES FROM FRANKLIN TOWNSHIP TO THE CITY OF COLUMBUS BY CATHERINE A. CUNNINGHAM CASE #ANX-EXP2-21-13

(Economic Development and Planning)

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

Voting:

**John O'Grady, President
Marilyn Brown**

**Aye
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
1.206+/- ACRES FROM
FRANKLIN TOWNSHIP
TO THE CITY OF COLUMBUS
BY CATHERINE A. CUNNINGHAM

Description:

Attached is a resolution to consider the annexation of 1.206-acres, more or less, from Franklin Township to the city of Columbus. The petition case number is ANX-EXP2-21-13.

Applicant/Agent:

Catherine A. Cunningham

Owner:

Frederick F. Campbell, Bishop of the Catholic Diocese of Columbus

Site:

4166 Clime Road (140-003300)

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 709.021 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 no. 2106-2013 passed September 9, 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: Shannon Zee Cross, County Clerk
Franklin County Commissioners Office

FROM: D. Anthony Hray, Planner
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 **September 3, 2013** General Session Agenda
for a hearing on **October 1, 2013**.

Case #ANX-EXP2-21-13- An Expedited Type 2 annexation ANX-EXP2-21-13 was filed in our office on August 28, 2013. The petition is requesting to annex 1.206 +/- acres from Franklin Township to the city of Columbus. The agent is Catherine A. Cunningham **Site: 4166 Clime Road (140-003300)**



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

AUG 28 2013

Franklin County Planning Department
 Franklin County, OH **2**

Property Information	
Site Address	4166 Clime Road, Columbus, OH 43228
Parcel ID(s)	140-003300-00
Total Acreage	1.206 Acres
From Township	Franklin
To Municipality	Columbus

Property Owner Information	
Name	Frederick F. Campbell, Bishop of The Catholic Diocese of Columbus
Address	4166 Clime Road Columbus, OH 43228
Phone #	Fax #
Email	

Attorney/Agent Information	
Name	Catherine A. Cunningham, Agent for Petitioner
Address	Kegler, Brown, Hill & Ritter LPA 65 E. State Street, Suite 1800 Columbus, OH 43215
Phone #	(614) 462-5486
Fax #	(614) 464-2634
Email ccunningham@keglerbrown.com	

Staff Use Only
Case # <i>ANX-EX/2</i> <i>21-13</i>
Hearing date: <i>10.1.13</i>
Date filed: <i>8.28.13</i>
Fee paid <i>250.00</i>
Receipt # <i>1766</i>
Notifications deadline: 5 days <i>9/2/13</i>
Svc statement deadline: 20 days <i>9/17/13</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 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>J. J. Campbell</i>	<i>5/17/13</i>	_____	_____
Property Owner	Date	Property Owner	Date
_____	_____	_____	_____
Property Owner	Date	Property Owner	Date

RECEIVED

JUN 04 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 DR Date 6/4/13

**ANNEXATION OF 1.206 ACRES
FROM FRANKLIN TOWNSHIP
TO THE CITY OF COLUMBUS, OHIO**

Situate in the State of Ohio, County of Franklin, Township of Franklin, Virginia Military District Survey Number 2442, being all of a 0.666 acre tract conveyed to Fredrick F. Campbell, Bishop of The Catholic Diocese of Columbus by deed of record in Instrument Number 200707270131481 and a portion of the right-of-way area of Clime Road (County Road 125);

Beginning at an angle point in the existing City of Columbus Corporation line as established by Ordinance Number 521-65 of record in Miscellaneous Record 138, Page 330, also being an angle in the southerly right-of-way line of Clime Road located 54.71 feet south of the P.I. Station 20+14.15 as shown in the plans entitled "Establishing Altering Widening and Relocation of Clime Road Sec. "A" Part, County Road No. 125, Franklin Township, Franklin County Ohio";

Thence Northwesterly a distance of 135.94 feet, along the existing corporation line across Clime Road (110 feet in width) to a point at the intersection of northerly right-of-way line Clime Road and the southerly right-of-way line of Clime Road North (80 feet in width);

Thence Northeasterly a distance of 88.35 feet, across Clime Road North to a point on the northerly right-of-way line at the southwest corner of the 0.666 acre tract;

Thence the following two (2) courses and distances along the westerly lines of the 0.666 acre a line common to a 1.510 acre tract conveyed to Fredrick L. and Deborah P. Poindexter:

1. Thence Northeasterly a distance of 102.11 feet, to an angle point;
2. Thence Northwesterly a distance of 30.00 feet, to a point at the northwesterly corner of said 0.666 acre tract, a common corner to Lot 17 of Neff Addition;

Thence Easterly a distance of 119.36 feet, along the northerly line of said 0.666 acre tract the line common to Lot 17 to a point on the right-of-way line of Bainbridge Place at the northeasterly corner of said 0.666 acre tract;

Thence Southeasterly a distance of 35.00 feet, along the curve (50 foot radius) of the right-of-way line of Lucy Place to a point at the common corner to a 0.813 acre tract conveyed to David A. Campbell and Marjorie L. Thompson;

Thence Southwesterly a distance of 329.23 feet, along the easterly line of 0.666 acre tract a line common to the said 0.813 acre tract and the extension across Clime Road (100 feet in width) to a point on the existing corporation line, being the southerly right-of-way line of Clime Road;

Thence Northwesterly a distance of 125.82 feet, along the existing corporation line a (22,868.32 foot radius) to the **Point of beginning**, containing 1.206 acres, more or less.

This description was prepared from record information obtained from the Franklin County, Ohio Auditor's and Recorder's Offices and not from an actual field survey. This description is intended to be used for annexation purposes only and is not valid for transfer of real property.



STANTEC CONSULTING SERVICES INC.

Robert J. Sands 06/03/13

Robert J. Sands Date
Professional Surveyor No. S-8053

RECEIVED

AUG 28 2013

Franklin County Planning Department
Franklin County, OH

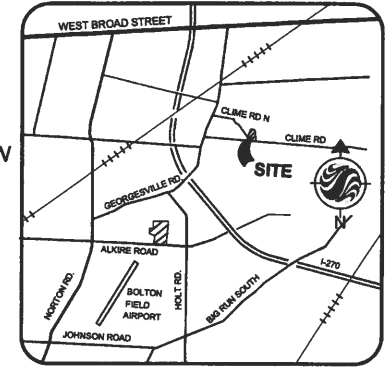
ANX-EXP2
-1-12

**NEFF ADDITION
P.B. 28, PG. 35**



PROPOSED ANNEXATION OF
1.206 ACRES
FROM FRANKLIN TOWNSHIP
TO CITY OF COLUMBUS
SITUATE IN
STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF FRANKLIN
SURVEY NO. 2442

VIRGINIA MILITARY DISTRICT
100 0 100 200
SCALE IN FEET



VICINITY MAP
(NOT TO SCALE)

Annexation Information
Perimeter of Annexation Territory: 965.56 feet
Continuous Contiguous boundary with City of Columbus: 261.76 feet
percent of Contiguous Perimeter: 27.1%

Annexation Acreage
0.666 Acre Tract
0.540 Acre RAW area
1.206 Acre Total area

LEGEND

Existing City of Columbus Corporation Line
Proposed City of Columbus Corporation Line
Area to be Annexed



RECEIVED

JUN 04 2013

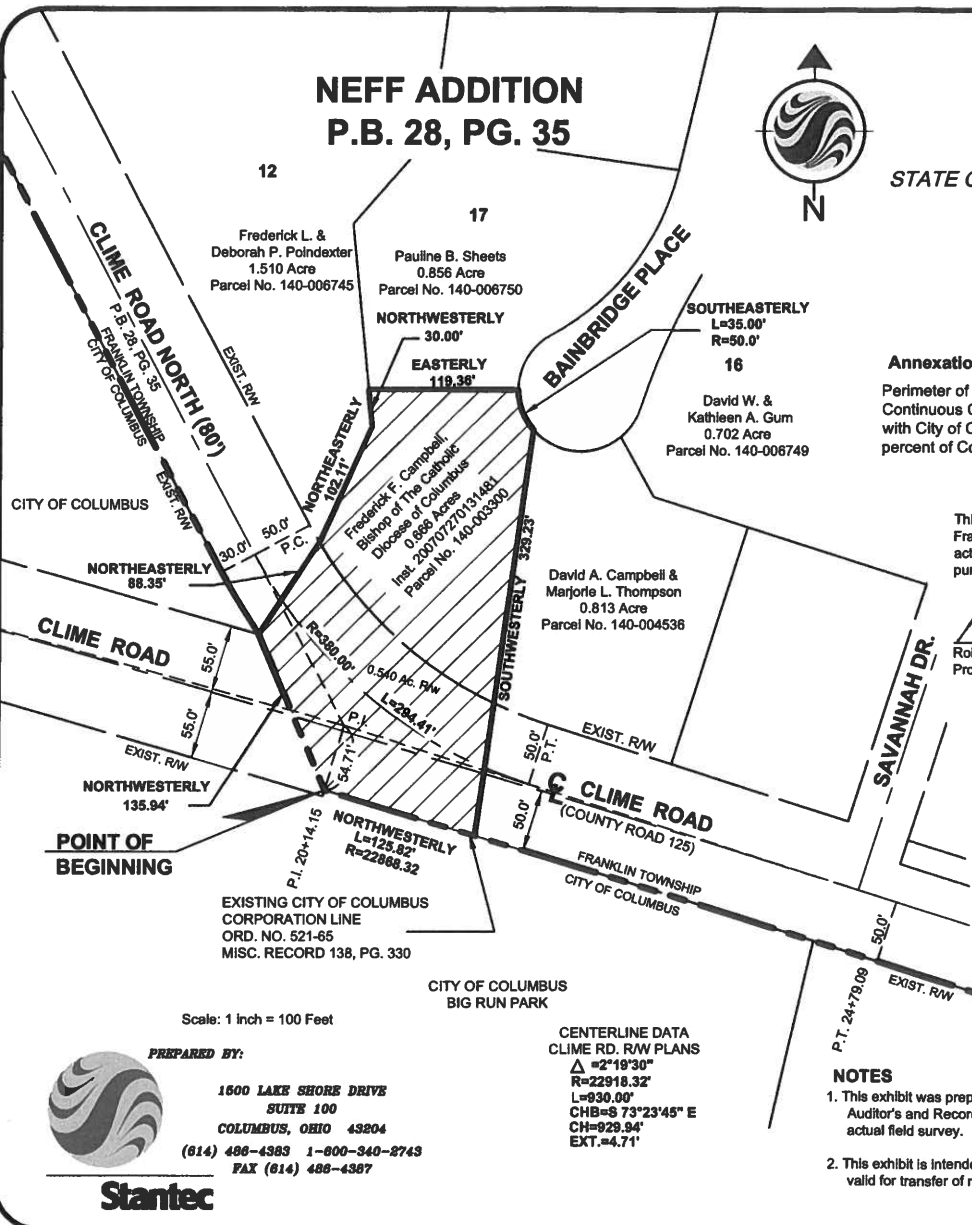
Franklin County Engineer
Dean C. Ringle, P.E., P.S.

RECEIVED

AUG 28 2013

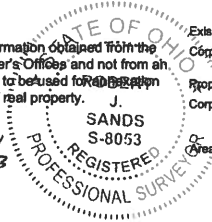
Franklin County Planning Department
Franklin County, OH

ANX-EXP 2
21-13



This drawing was prepared from record information obtained from the Franklin County, Ohio Auditor's and Recorder's Offices and not from an actual field survey. This drawing is intended to be used for information purposes only and is not valid for transfer of real property.

Robert J. Sands
Robert J. Sands Date 6/4/13
Professional Surveyor No. S-8053



ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By *BB* Date 6/4/13

NOTES
1. This exhibit was prepared from record information obtained from the Auditor's and Recorder's Offices, Franklin County, Ohio, and not from an actual field survey.
2. This exhibit is intended to be used for annexation purposes only and is not valid for transfer of real property.

Scale: 1 inch = 100 Feet
PREPARED BY:
1500 LAKE SHORE DRIVE
SUITE 100
COLUMBUS, OHIO 43204
(614) 486-4383 1-800-340-2743
FAX (614) 486-4387



Stantec

**CENTERLINE DATA
CLIME RD. RW PLANS**
Δ = 2°19'30"
R = 22918.32'
L = 930.00'
CHB = S 73°23'45" E
CH = 929.94'
EXT. = 4.71'

U:\73410311\survey\drawing\73410311 Clime Rd Annex.dwg Layout1 Jun 03, 2013 - 3:06:09pm rwallace



RECEIVED City of Columbus
Legislation Report

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

SEP 16 2013

ORIGINAL

Franklin County Planning Department File Number: 2106-2013
Franklin County, Ohio

Emergency

ANX-EXP 2

File ID: 2106-2013 21-13

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN13-004: 1.2 Acres, Franklin Township, Bishop Frederick F. Campbell

File Created: 08/28/2013

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)

SEP 09 2013 Passed 6-0 CRAIG ABSENT

Mayor's Action

[Signature]

SEP 13 2013

Mayor

Date

Council Action

SEP 09 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 (AN13-004) of 1.206 ± acres in Franklin Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Attachments: ORD2106-2013 AN13-004 Legal Description, ORD2106-2013 AN13-004 Map (4166 Clime Road)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 2106-2013 passed by The Council of The City of Columbus, Ohio 9/9, 2013, as shown by the records now on file in this office.

Seal [Signature] City Clerk

Approval History

Version	Date	Approver	Action
1	08/28/2013	Steven Schoeny	Approved
1	08/29/2013	ATTORNEY APPROVER	Approved
Notes	jsg		

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
------	--------------	-------	---------	----------	-----------	--------------	---------

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
AN013-004

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 Franklin 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 (AN13-004) of 1.206 ± acres in Franklin 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 Franklin Township was duly filed on behalf of Bishop Frederick F. Campbell, on August 28, 2013; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on October 1, 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 property is located within the boundaries of the adopted Greater Hilltop Plan Amendment, which recommends low and medium density residential development. The property is not located in a Pay As We Grow 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 1.206 ± acres in Franklin 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 is currently receiving water service from an existing 12" water main located in Clime Road. Service was established on an emergency basis due to well failure pending annexation.

Sewers: 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.

Sanitary: Records indicate that this property can be served by an existing 42-inch sub-trunk sewer situated on

the east side of Big Run Creek at the southwest corner of the property. A Mainline extension would be required to extend through to a point within the annexed property that is accessible for all adjacent properties to which the sewer is tributary.

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.

Section 2. If this 1.206 ± 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 Franklin 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 Franklin 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 AN13-004
1.206 ± Acres in Franklin Township
Bishop Frederick F. Campbell

S Situate in the State of Ohio, County of Franklin, Township of Franklin, Virginia Military District Survey Number 2442, being all of a 0.666 acre tract conveyed to Fredrick F. Campbell, Bishop of The Catholic Diocese of Columbus by deed of record in Instrument Number 200707270131481 and a portion of the right-of-way area of Clime Road (County Road 125);

Beginning at an angle point in the existing City of Columbus Corporation line as established by Ordinance Number 521-65 of record in Miscellaneous Record 138, Page 330, also being an angle in the southerly right-of-way line of Clime Road located 54.71 feet south of the P.I. Station 20+14.15 as shown in the plans entitled "Establishing Altering Widening and Relocation of Clime Road Sec. "A" Part, County Road No. 125, Franklin Township, Franklin County Ohio";

Thence Northwesterly a distance of 135.94 feet, along the existing corporation line across Clime Road (110 feet in width) to a point at the intersection of northerly right-of-way line Clime Road and the southerly right-of-way line of Clime Road North (80 feet in width);

Thence Northeasterly a distance of 88.35 feet, across Clime Road North to a point on the northerly right-of-way line at the southwesterly corner of the 0.666 acre tract;

Thence the following two (2) courses and distances along the westerly lines of the 0.666 acre a line common to a 1.510 acre tract conveyed to Fredrick L. and Deborah P. Poindexter:

1. Thence Northeasterly a distance of 102.11 feet, to an angle point;
2. Thence Northwesterly a distance of 30.00 feet, to a point at the northwesterly corner of said 0.666 acre tract, a common corner to Lot 17 of Neff Addition;

Thence Easterly a distance of 119.36 feet, along the northerly line of said 0.666 acre tract the line common to Lot 17 to a point on the right-of-way line of Bainbridge Place at the northeasterly corner of said 0.666 acre tract;

Thence Southeasterly a distance of 35.00 feet, along the curve (50 foot radius) of the right-of-way line of Lucy Place to a point at the common corner to a 0.813 acre tract conveyed to David A. Campbell and Marjorie L. Thompson;

Thence Southwesterly a distance of 329.23 feet, along the easterly line of 0.666 acre tract a line common to the said 0.813 acre tract and the extension across Clime Road (100 feet in width) to a point on the existing corporation line, being the southerly right-of-way line of Clime Road;

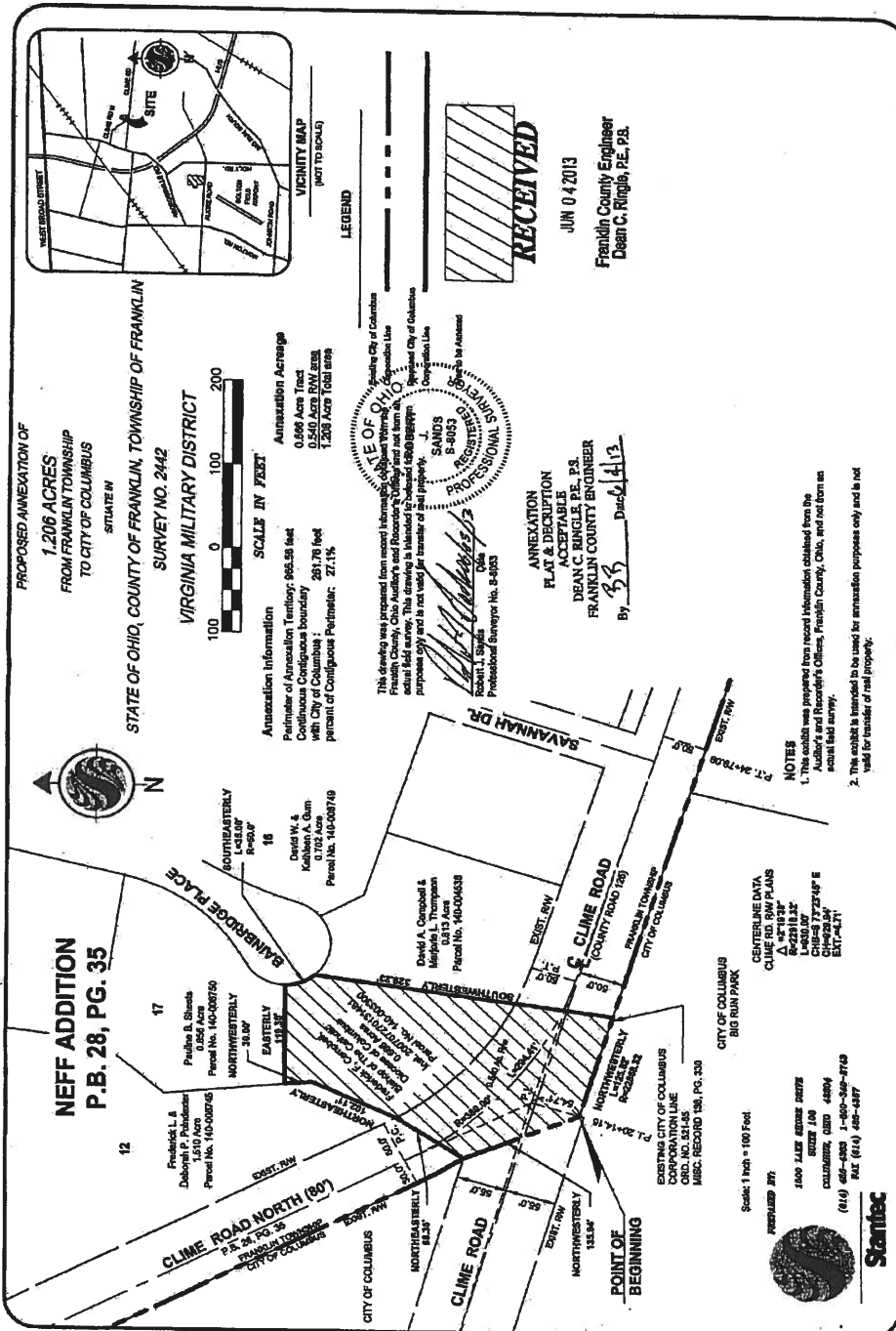
Thence Northwesterly a distance of 125.82 feet, along the existing corporation line a (22,868.32 foot radius) to the **Point of beginning**, containing 1.206 acres, more or less.

This description was prepared from record information obtained from the Franklin County, Ohio Auditor's and Recorder's Offices and not from an actual field survey. This description is intended to be used for annexation purposes only and is not valid for transfer of real property.

ANNEXATION AN13-004

+ 1.206 Acres in Franklin Township

Frederick F. Campbell, Bishop



L:\17210111\Survey\An13-004\17210111_City of Columbus\17210111.dwg Jun 03, 2013 - 3:02:09pm