

Review of Petition to Annex 0.846+/- acres from Perry Township to the City of Columbus Case #ANX-EXP2-25-13 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition filed by Pauline B. Kossow and James L. Kossow, Trustees on November 5, 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. 2659-2013, passed on November 18, 2013 by the City of Columbus.

Review of Petition to Annex 0.846+/- acres from Perry Township to the City of Columbus Case #ANX-EXP2-25-13 (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. 0914-13

December 10, 2013

**REVIEW OF PETITION TO ANNEX 0.846+/- ACRES FROM PERRY TOWNSHIP
TO THE CITY OF COLUMBUS CASE #ANX-EXP2-25-13**

**(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
0.846+/- ACRES FROM
PERRY TOWNSHIP
TO THE CITY OF COLUMBUS

Description:

Attached is a resolution to consider the annexation of 0.846-acres, more or less, from Perry Township to the city of Columbus. The petition case number is ANX-EXP2-25-13.

Applicant/s:

Pauline B. Kossow and James L. Kossow, Trustees

Owner/s:

Pauline B. Kossow and James L. Kossow, Trustees

Site:

3426 Skyline Drive (212-001017)

Additional Information:

The site is one-hundred percent (100%) contiguous to the city of Columbus on all four (4) 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. 2659-2013 passed November 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: 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 **November 12, 2013** General Session
Agenda for a hearing on **December 10, 2013**.

Case #ANX-EXP2-25-13- An Expedited Type 2 annexation ANX-EXP2-25-13 was filed in our office on November 5, 2013. The petition is requesting to annex 0.846 +/- acres from Perry Township to the city of Columbus. The property owner is Pauline B. Kossow and James L. Kossow, Trustees.
Site: 3426 Skyline Drive (212-001017)



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

NOV 5 2013

Franklin County Planning Department
 Franklin County, OH



Property Information	
Site Address <u>3426 Skyline Drive Columbus, Ohio 43235</u>	
Parcel ID(s) <u>212-001017-00</u>	Total Acreage <u>0.846</u>
From Township <u>Perry</u>	To Municipality <u>Columbus</u>

Staff Use Only
Case # <u>ANX-EXP2</u> <u>25-13</u>
Hearing date: <u>12/10/13</u>
Date filed: <u>11.5.13</u>
Fee paid <u>250.00</u>
Receipt # <u>1841</u>
Notifications deadline: 5 days <u>11/10/13</u>
Svc statement deadline: 20 days <u>11/25/13</u>

Property Owner Information	
Name <u>Pauline B. Kossow and James L. Kossow, Trustees</u>	
Address <u>3426 Skyline Drive</u> <u>Columbus, Ohio</u> <u>43235</u>	
Phone # <u>614-889-1909</u>	Fax #
Email <u>kossowp@nationwide.com</u>	

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

Attorney/Agent Information	
Name <u>None</u>	
Address	
Phone #	Fax #
Email	

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>			
<u>Pauline B Kossow</u>	<u>11-5-2013</u>	<u>James L. Kossow</u>	<u>11-05-13</u>
Property Owner	Date	Property Owner	Date
Property Owner	Date	Property Owner	Date

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

RECEIVED

By BB Date 9/12/13 0.846 ACRE PROPOSED ANNEXATION FROM PERRY TOWNSHIP
TO THE CITY OF COLUMBUS

SEP 12 2013

Franklin County Engin
Dean C. Ringle, P.E., I

Situated in the State of Ohio, County of Franklin, Township of Perry, and being the Pauline Kossow and James L. Kossow, Trustees, 0.846 acre tract of record in Instrument Number 199912160308460 and also being Auditors Parcel Number 212-001017 and being more particularly described as follows:

Beginning at the intersection of the centerline of Skyline Drive and the easterly line of Skyline Addition #3 of record in Plat Book 24, page 109, the same being the southwesterly corner of said 0.846 acre tract;

thence Northerly approximately 307 feet, in the easterly line of said Skyline Addition #3 and the westerly line of said 0.846 acre tract, the same further being in the existing Columbus Corporation line as established by City Ordinance Number 989-90 of record in Official Record 15206 G07 and City Ordinance Number 8-91 of record in Official Record 17924 D07, to the northwesterly corner of said 0.846 acre tract, the southwesterly corner of a 0.925 acre tract of record in Official Record 35093 I06 and an angle point in said existing Columbus Corporation line;

thence easterly approximately 120 feet, in the northerly line of said 0.846 acre tract, the southerly line of said 0.925 acre tract and in the existing Columbus Corporation line as established by City Ordinance Number 638-89 of record in Official Record 13293 E18, to the northeasterly corner of said 0.846 acre tract, the southeasterly corner of said 0.925 acre tract and an angle point in said Columbus Corporation line;

thence southerly approximately 307 feet, in the easterly line of said 0.846 acre tract, in the westerly line of a 21.644 acre tract of record in Instrument Number 200507280150766 and in the existing Columbus Corporation line as established by City Ordinance 1842-71 of record in Deed Volume 155, page 481, to the southeasterly corner of said 0.846 acre tract, the northeasterly corner of a 0.803 acre tract of record in Instrument Number 199807090171895 and an angle point in the Columbus Corporation line;

thence easterly approximately 120 feet, in the southerly line of said 0.846 acre tract, the northerly line of said 0.803 acre tract, in the existing Columbus Corporation line as established by City Ordinance 60-95 of record in Official Record 28616 E03, to the place of beginning containing 0.846 acres more or less.

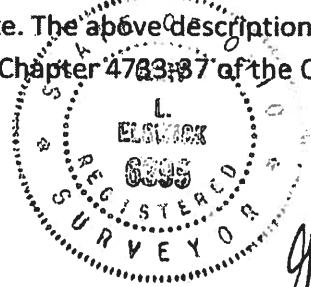
The above description was prepared by Gary L. Elswick, Professional Surveyor #6395 from available Franklin County records. This description was not prepared from an actual field survey and is not to be used for the transfer of Real Estate. The above description is not to be used in place of an actual Boundary Survey as defined by Chapter 4763-87 of the Ohio Administrative Code

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NOV 5 2013

Franklin County Planning Department
Franklin County, OH

ANX-EXP2



Gary Elswick
9-12-13




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NOV 5 2013

Franklin County Planning Department
Franklin County, OH

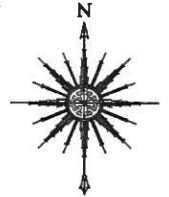
ANX-EX12
25-13

0.846 ACRE PROPOSED ANNEXATION FROM PERRY TOWNSHIP TO THE CITY OF COLUMBUS.

LEGEND:
 COLUMBUS CORP. LINE: 
 PARCEL LINE: 
 AREA TO BE ANNEXED: 

SCALE: 1" = 50'

 50' 25' 0 50' 100'

JOYCE L. VERYSER &
 FREDERICK J. VERYSER
 0.925 ACRES
 OFFICIAL RECORD
 95099 106
 PARCEL # 590-214651



JOHN F. &
 CAROLYN J. SCHRECK
 0.634 ACRES
 INSTRUMENT NUMBER
 20061250137991
 PARCEL # 590-227441

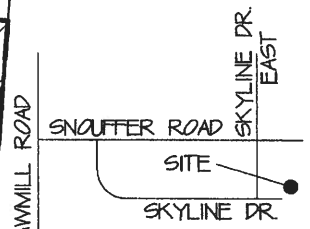
EXISTING COLUMBUS
 CORPORATION LINE
 ORDINANCE # 989-90
 OFFICIAL RECORD
 15106 607

EXISTING COLUMBUS
 CORPORATION LINE
 ORDINANCE # 638-89
 OFFICIAL RECORD
 13293 E1B

SKYLINE ADDITION #3
 PLAT BOOK 24,
 PAGE 109
 RESERVE "A"

CREATIVE HOUSING, INC.
 0.634 ACRES
 INSTRUMENT NUMBER
 2010A10050920
 PARCEL # 590-221975

PAULINE B. KOSSOW AND
 JAMES L. KOSSOW,
 TRUSTEES
 0.846 ACRE
 INSTRUMENT NUMBER
 199912160308460
 PARCEL # 212-001017



LOCATION SKETCH

EXISTING COLUMBUS
 CORPORATION LINE
 ORDINANCE # 1965-91
 OFFICIAL RECORD
 17924 D07

CREATIVE HOUSING, INC.
 0.668 ACRES
 INSTRUMENT NUMBER
 2010A10050920
 PARCEL # 590-221976

BENT TREE APARTMENT
 MANAGER, LLC
 21.644 ACRES
 INSTRUMENT NUMBER
 200501180150166
 PARCEL # 590-209192

EXISTING COLUMBUS
 CORPORATION LINE
 ORDINANCE # 1842-71
 DEED VOLUME 155, PAGE 181

PLACE OF BEGINNING

SUMMARY STATEMENT
OF CONTIGUITY:

TOTAL LENGTH OF
 PERIMETER: 854'
 TOTAL LENGTH OF
 CONTIGUITY: 854'
 PERCENTAGE OF
 CONTIGUITY: 100%

SKYLINE DRIVE
 50' R/W

EXISTING COLUMBUS
 CORPORATION LINE
 ORDINANCE # 989-90
 OFFICIAL RECORD
 15106 607

EXISTING COLUMBUS
 CORPORATION LINE
 ORDINANCE # 972-95
 OFFICIAL RECORD
 29162 A0B

DANIEL C. TROUTNER AND JENNIFER
 K. TROUTNER
 0.803 ACRES
 INSTRUMENT NUMBER
 19980709071895
 PARCEL # 590-231141

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

By BB Date 9/12/13



Gary Elswick
 9-12-13

PROPOSED ANNEXATION OF 0.846 ACRES
 TO THE CITY OF COLUMBUS;
 UNITED STATES MILITARY LANDS,
 PERRY TOWNSHIP, FRANKLIN COUNTY, OHIO
 REVISED 7/05/13
 PREPARED BY: GARY L. ELSWICK, P.S. 6395
 RW SURVEY, LLC



City of Columbus Legislation Report

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

File Number: 2659-2013

ORIGINAL

Emergency

File ID: 2659-2013

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN13-007: .846 Acres, Perry Township, Pauline B. Kossow, Trustee

File Created: 11/06/2013

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)

NOV 18 2013

Passed 7-0

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NOV 22 2013

Franklin County Planning Department
Franklin County, Ohio
ANX-6742-25-13

Mayor's Action

Mayor

NOV 19 2013

Date

Council Action

NOV 18 2013

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 (AN13-007) of .846 ± acres in Perry Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Attachments: ORD2659-2013 AN13-007 Legal Description,
ORD2659-2013 AN13-007 Map (3426 Skyline Drive)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 2659-2013 passed by The Council of The City of Columbus Ohio 11/18, 20 13, as shown by the records now on file in this office.

Seal

City Clerk

Approval History

Version	Date	Approver	Action
1	11/06/2013	Steven Schoeny	Approved
1	11/06/2013	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
AN013-007

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 Perry 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 (AN13-007) of .846 ± acres in Perry 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 Perry Township was duly filed by Pauline B. Kossow, Trustee on November 5, 2013; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on December 10, 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 Northwest Plan, which recommends preserving existing residential areas. 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 time frame set forth in 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 .846 ± acres in Perry 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 Division of Water from an existing 1.5- inch water main located in Skyline Drive.

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 10" sanitary sewer situated in an easement approximately 30 feet south of the southern property line. Mainline extension is required. There is

an approved CC sanitary plan proposed to be constructed under our Sewer Assessment Program. The Sewer Assessment mainline was designed to provide service to this property.

Storm: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and applicable codes in effect at the time of development.

Section 2. If this .846 ± 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 Perry 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 Perry 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 AN13-007
.846 ± Acres in Perry Township
Pauline B. Kossow and James L. Kossow, Trustees

Situated in the State of Ohio, County of Franklin, Township of Perry, and being the Pauline B. Kossow and James L. Kossow, Trustees, 0.846 acre tract of record in Instrument Number 199912160308460 and also being Auditors Parcel Number 212-001017 and being more particularly described as follows:

Beginning at the intersection of the centerline of Skyline Drive and the easterly line of Skyline Addition #3 of record in Plat Book 24, page 109, the same being the southwesterly corner of said 0.846 acre tract;

thence Northerly approximately 307 feet, in the easterly line of said Skyline Addition #3 and the westerly line of said 0.846 acre tract, the same further being in the existing Columbus Corporation line as established by City Ordinance Number 989-90 of record in Official Record 15206 G07 and City Ordinance Number 8-91 of record in Official Record 17924 D07, to the northwesterly corner of said 0.846 acre tract, the southwesterly corner of a 0.925 acre tract of record in Official Record 35093 I06 and an angle point in said existing Columbus Corporation line;

thence easterly approximately 120 feet, in the northerly line of said 0.846 acre tract, the southerly line of said 0.925 acre tract and in the existing Columbus Corporation line as established by City Ordinance Number 638-89 of record in Official Record 13293 E18, to the northeasterly corner of said 0.846 acre tract, the southeasterly corner of said 0.925 acre tract and an angle point in said Columbus Corporation line;

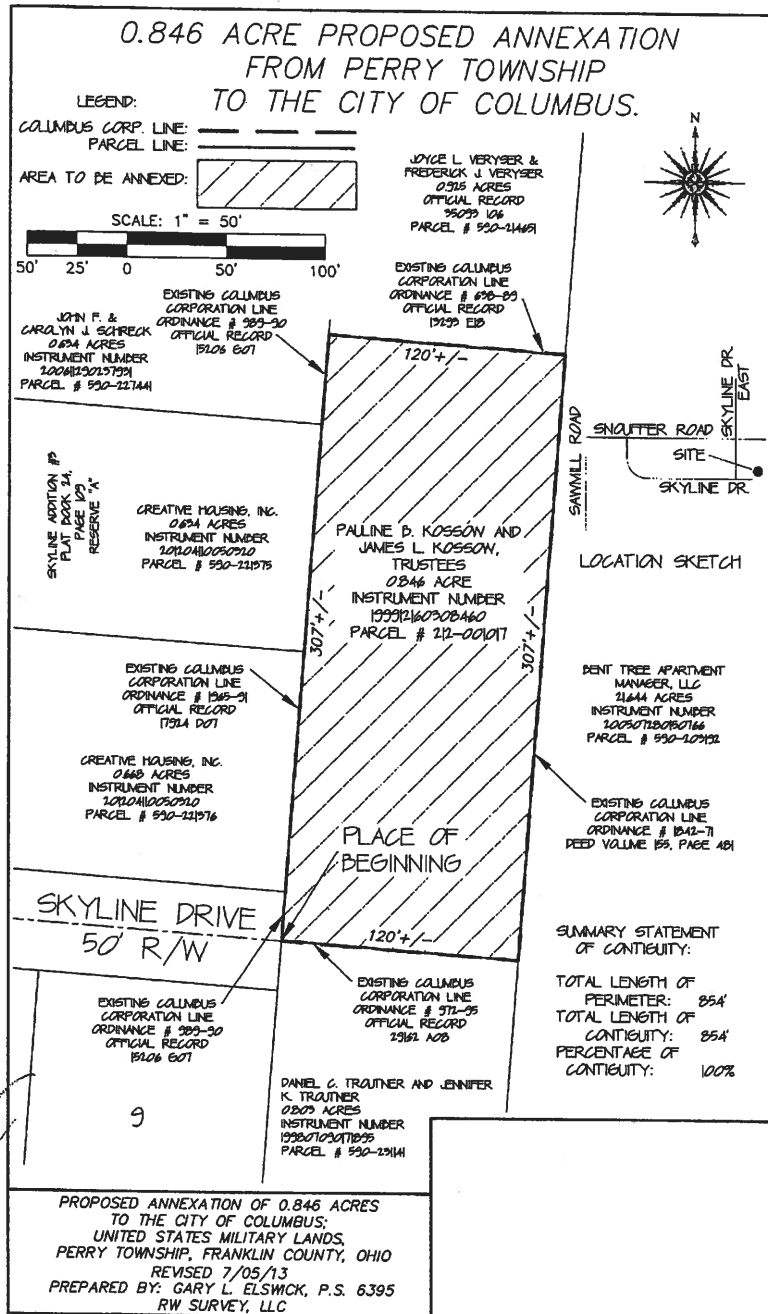
thence southerly approximately 307 feet, in the easterly line of said 0.846 acre tract, in the westerly line of a 21.644 acre tract of record in Instrument Number 200507280150766 and in the existing Columbus Corporation line as established by City Ordinance 1842-71 of record in Deed Volume 155, page 481, to the southeasterly corner of said 0.846 acre tract, the northeasterly corner of a 0.803 acre tract of record in Instrument Number 199807090171895 and an angle point in the Columbus Corporation line;

thence easterly approximately 120 feet, in the southerly line of said 0.846 acre tract, the northerly line of said 0.803 acre tract, in the existing Columbus Corporation line as established by City Ordinance 60-95 of record in Official Record 28616 E03, to the place of beginning containing 0.846 acres more or less.

ANNEXATION AN13-007

± .846 Acres in Perry Township

Pauline B. & James L. Kossow, Trustees



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SEP 12 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 9/12/13



Handwritten signature and date:
 9-12-13

PROPOSED ANNEXATION OF 0.846 ACRES TO THE CITY OF COLUMBUS; UNITED STATES MILITARY LANDS, PERRY TOWNSHIP, FRANKLIN COUNTY, OHIO
 REVISED 7/05/13
 PREPARED BY: GARY L. ELSWICK, P.S. 6395
 RW SURVEY, LLC