

Review of Petition to Annex 0.1+/- acres from Clinton Township to the City of Columbus Case #ANX-EXP2-05-14 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition filed by Jackson B. Reynolds, III on February 12, 2014 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. 0418-2014, passed on February 24, 2014 by the City of Columbus.

Review of Petition to Annex 0.1+/- acres from Clinton Township to the City of Columbus Case #ANX-EXP2-05-14 (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. 0197-14

March 18, 2014

REVIEW OF PETITION TO ANNEX 0.1+/- ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS CASE #ANX-EXP2-05-14

(Economic Development and Planning)

Upon the motion of Commissioner Paula Brooks, seconded by Commissioner John O'Grady:

Voting:

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

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



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



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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
0.1 +/- ACRES FROM
CLINTON TOWNSHIP
TO THE CITY OF COLUMBUS

Description:

Attached is a resolution to consider the annexation of 0.1-acres, more or less, from Clinton Township to the city of Columbus. The petition case number is ANX-EXP2-05-14.

Agent:

Jackson B. Reynolds, III

Owner:

Guy P. Williams Jr.

Site:

1507 Chesapeake Avenue (130-002454)

Additional Information:

The site is contiguous to the city of Columbus on one (3) side; being +/- 10 percent of the site's total perimeter.

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. 0418-2014 passed February 24, 2014.

Recommendation:

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



Commissioner Marilyn Brown · Commissioner Paula Brooks · Commissioner John O' Grady
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 **February 18, 2014** General Session Agenda
for a hearing on **March 18, 2014**.

Case #ANX-EXP2-05-14- An Expedited Type 2 annexation ANX-EXP2-05-14 was filed in our office on February 12, 2014. The petition is requesting to annex 0.1 +/- acres from Clinton Township to the City of Columbus. The agent is Jackson B. Reynolds, III.

Site: 1507 Chesapeake Road (130-002454)



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 5709.023

RECEIVED

FEB 12 2014

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

Property Information	
Site Address	1507 Chesapeake Avenue
Parcel ID(s)	130-002454
Total Acreage	0.1 acres
From Township	Clinton
To Municipality	Columbus

Staff Use Only	
Case #	ANX-EXP 2 05-15
Hearing date:	3/18/14
Date filed:	2/12/14
Fee paid	250.00
Receipt #	1940
Notifications deadline: 5 days	2/17/14
Svc statement deadline: 20 days	3/4/14

Property Owner Information	
Name	Guy P. Williams Jr.
Address	1387 Chambers Road Columbus, OH 43212
Phone #	486-1232
Fax #	
Email	

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	Jackson B. Reynolds, III
Address	Smith & Hale LLC 37 West Broad Street, Suite 460 Columbus, OH 43215
Phone #	221-4255
Fax #	221-4409
Email	jreynolds@smithandhale.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>			
Property Owner	Date	Property Owner	Date
Property Owner	Date	Property Owner	Date

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF COLUMBUS
OF 0.1 ACRES MORE OR LESS
IN THE TOWNSHIP OF CLINTON

RECEIVED

FEB 12 2014

TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO:

Franklin County Planning Department
Franklin County, OH

ANX-EXP2 05-14

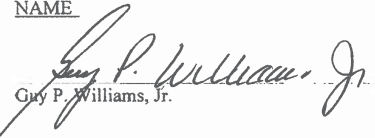
The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of 0.1 acres with a total perimeter boundary of 400', more or less, in the Township of Clinton which area is contiguous along 40' or 10% and adjacent to the City of Columbus, do hereby pray that said territory be annexed to the City of Columbus according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto and made part hereof.

In support of said Petition, your petitioners state that there is/are within the territory so prayed to be annexed one (1) OWNER OF REAL ESTATE.

Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 460, Columbus, Ohio 43215, is hereby appointed Agent for the undersigned Petitioner(s), as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Franklin County Engineer in his examination of the Petition and Plat. Said amendment shall be made by the presentation of an amended plat and description to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

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 THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

<u>NAME</u>	<u>DATE</u>	<u>ADDRESS</u>
 Guy P. Williams, Jr.	1-7-14	1387 Chambers Rd Columbus Oh 43212
_____	_____	_____
_____	_____	_____
_____	_____	_____

**DESCRIPTION OF 0.1 ACRE LOCATED IN CLINTON 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 Clinton, Quarter Township 3, Township 1, Range 18, United States Military District, and being all of Lot 65 (A.P.N. 130-002454) as conveyed to Guy P. Williams Jr. of record in Official Record 12127B02, said Lot being part of Lincoln Heights of record in Plat Book 7, Page 63, and described as follows:

Beginning at the northwest corner of said Lot 65, the same being the northeast corner of Lot 64 of said Lincoln Heights, the same also being in the south right-of-way line of Chesapeake Avenue as dedicated in said Lincoln Heights and being in a current City of Columbus Corporation Line (Case No. 17-12, Ordinance No. 2305-2012, Instrument Number 201212100188742);

Thence **Easterly**, along the north line of said Lot 65, the same being said south right-of-way line of said Chesapeake Avenue, and along said City of Columbus Corporation Line, about **40 feet** to a northeast corner thereof, the same being the northwest corner of Lot 66 of said Lincoln Heights;

Thence **Southerly**, leaving said City of Columbus Corporation Line, along the common line of said Lots 65 and 66, about **160 feet** to the a common corner thereof, the same being in the northeast corner of a 10 foot vacated alley, the same being a northwest corner of a 10' alley as dedicated in said Lincoln Heights;

Thence **Westerly**, along the south line of said Lots 65, the same being the north right-of-way line of said 10 foot alley, about **40 feet** to the southwest corner of said Lot 65, the same being the southeast corner of said Lot 64, the same being in the north line of said vacated alley;

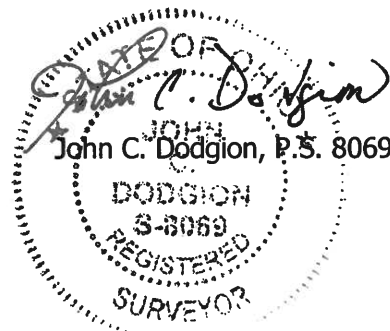
Thence **Northerly**, along the common line of said Lots 64 and 65, about **160 feet** to the **Point of Beginning**. Containing approximately 0.1 acre of land, more or less. The above description was written by Advanced Civil Design on December 12, 2013. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 400 feet, of which about 40 feet are contiguous with existing City of Columbus Corporation Lines, being 10% contiguous. This annexation does not create any islands of township property.

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

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By B.B./FAR Date 12/26/2013

ADVANCED CIVIL DESIGN, INC.



12/26/2013

Date:

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RECEIVED

DEC 26 2013

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

ANX-EXP2 05-14

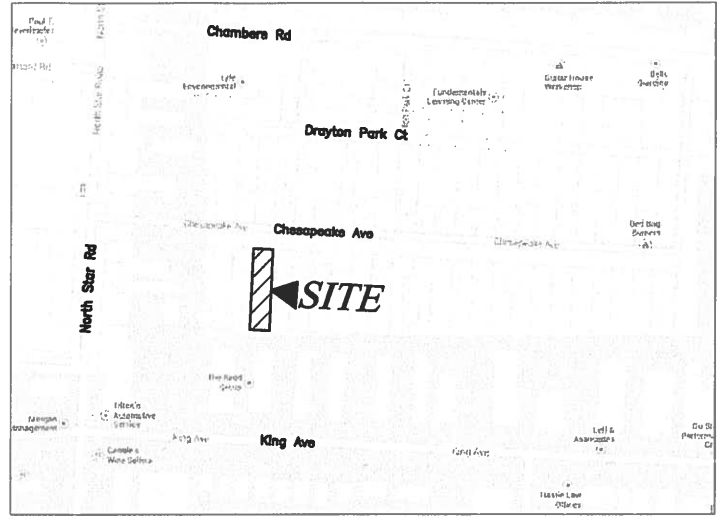
RECEIVED

FEB 12 2014

Franklin County Planning Department
Franklin County, OH

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

Township of Clinton, Franklin County, Ohio
Quarter Township 3, Township 1, Range 18, U.S.M.D.



Location Map - NTS

- Legend**
- Area to be Annexed
 - Existing City of Columbus Corp Line
 - Proposed City of Columbus Corp Line

RECEIVED

DEC 26 2013

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

Chesapeake Avenue (50')

Case No. 17-12
Ord. No. 2305-2012
I.N. 201212100188742

- (A) APN 130-001385
Linsue Inc.
Lot 64 of Lincoln Heights
- (B) APN 130-002454
Guy P. Williams Jr.
O.R. 12127B02
Lot 65 of Lincoln Heights
- (C) APN 130-011872
Star King Two Real Estate
IN. 201204300059371
Vacated Alley of Lincoln Heights
- (D) APN 130-006601
Star King Two Real Estate
IN. 201204300059371
Lot 66 of Lincoln Heights

RECEIVED

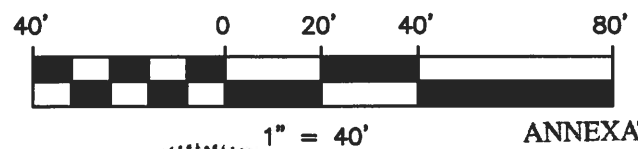
FEB 12 2014

Franklin County Planning Department
Franklin County, OH

ANX-EXP 2 05-14

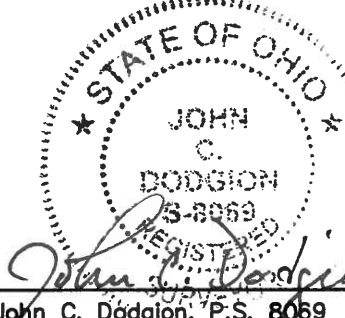
Length of Contiguity: ±40 feet
Total Length of Perimeter: ±400 feet
Percentage of Contiguity: ±10%

No islands of township property are created by this annexation.



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

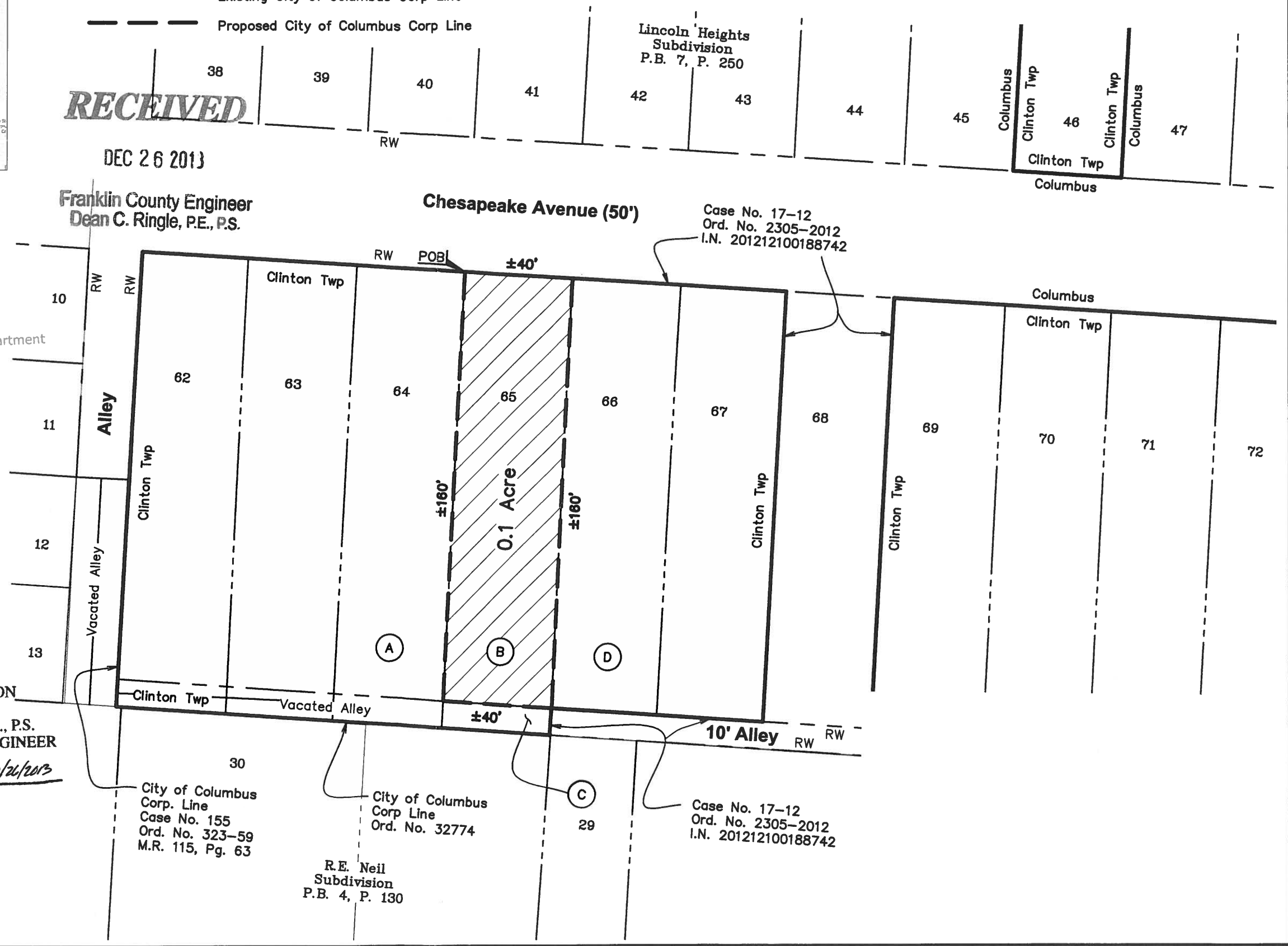
By B.B./km Date 12/26/2013



John C. Dodgion, P.S. 8069

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

Job No.: 12-0018-07
Date: 12/13/2013



City of Columbus Corp. Line
Case No. 155
Ord. No. 323-59
M.R. 115, Pg. 63

City of Columbus Corp Line
Ord. No. 32774

R.E. Neil
Subdivision
P.B. 4, P. 130

Case No. 17-12
Ord. No. 2305-2012
I.N. 201212100188742

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City of Columbus Legislation Report

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

ORIGINAL

File Number: 0418-2014

Emergency

File ID: 0418-2014

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN14-002: .1 Acre, Clinton
Township, Guy P. Williams, Jr.

File Created: 02/12/2014

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)

FEB 24 2014 Passed 7-0

RECEIVED
FEB 28 2014
ANX-EXP2-05-14
Franklin County Planning Department
Franklin County, Ohio

Mayor's Action

 FEB 25 2014

Mayor

Date

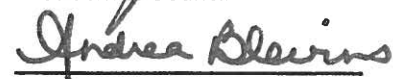
Council Action

FEB 24 2014

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 (AN14-002) of .1 + acres in Clinton Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0418-2014 AN14-002 Legal Description,
ORD0418-2014 AN14-002 Map (1507 Chesapeake Avenue)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. ~~0418-2014~~ passed by The Council of The City of Columbus, Ohio 2/24, 20 14, as shown by the records now on file in this office.

Seal 
City Clerk

Approval History

Version	Date	Approver	Action
1	02/12/2014	Steven Schoeny	Approved
1	02/14/2014	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**AN14-002**

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 (AN14-002) of .1 ± 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 by Attorney Jackson B. Reynolds, on behalf of Guy P. Williams, Jr. on February 12, 2014; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on March 18, 2014 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 Fifth by Northwest Neighborhood Plan, which recommends mixed use (office and multifamily development). It is not 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 ± 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 or 300-gallon alley refuse service, the method of which to be determined by Division of Refuse Collection management. 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 by an existing 6" water main in Chesapeake Ave.

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-inch sanitary sewer situated in an easement along the south property line.

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 .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 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 AN14-002
.1 ± Acres in Clinton Township
Guy P. Williams, Jr.

Situated in the State of Ohio, County of Franklin, Township of Clinton, Quarter Township 3, Township 1, Range 18, United States Military District, and being all of Lot 65 (A.P.N. 130-002454) as conveyed to Guy P. Williams Jr. of record in Official Record 12127B02, said Lot being part of Lincoln Heights of record in Plat Book 7, Page 63, and described as follows:

Beginning at the northwest corner of said Lot 65, the same being the northeast corner of Lot 64 of said Lincoln Heights, the same also being in the south right-of-way line of Chesapeake Avenue as dedicated in said Lincoln Heights and being in a current City of Columbus Corporation Line (Case No. 17-12, Ordinance No. 2305-2012, Instrument Number 201212100188742);

Thence **Easterly**, along the north line of said Lot 65, the same being said south right-of-way line of said Chesapeake Avenue, and along said City of Columbus Corporation Line, about **40 feet** to a northeast corner thereof, the same being the northwest corner of Lot 66 of said Lincoln Heights;

Thence **Southerly**, leaving said City of Columbus Corporation Line, along the common line of said Lots 65 and 66, about **160 feet** to the a common corner thereof, the same being in the northeast corner of a 10 foot vacated alley, the same being a northwest corner of a 10' alley as dedicated in said Lincoln Heights;

Thence **Westerly**, along the south line of said Lots 65, the same being the north right-of-way line of said 10 foot alley, about **40 feet** to the southwest corner of said Lot 65, the same being the southeast corner of said Lot 64, the same being in the north line of said vacated alley;

Thence **Northerly**, along the common line of said Lots 64 and 65, about **160 feet** to the **Point of Beginning**. Containing approximately 0.1 acre of land, more or less. The above description was written by Advanced Civil Design on December 12, 2013. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 400 feet, of which about 40 feet are contiguous with existing City of Columbus Corporation Lines, being 10% contiguous. This annexation does not create any islands of township property.

