

Review of Petition to Annex 5.923 +/- acres from Jackson Township to the City of Grove City Case #ANX-EXP2-27-14 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Thomas R. Clark on October 28, 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 passed resolution no. CR-65-2014 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The respective resolution was passed by the City of Grove City on November 3, 2014.

Review of Petition to Annex 5.923 +/- acres from Jackson Township to the City of Grove City Case #ANX-EXP2-27-14 (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 Grove City, 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 Grove City, Ohio.

Prepared by: D. Anthony Hray

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0858-14

December 02, 2014

REVIEW OF PETITION TO ANNEX 5.923 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY CASE #ANX-EXP2-27-14

(Economic Development and Planning)

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

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

CERTIFIED TRUE COPY

By:  Date: 12/5/14
Franklin County Economic Development
& Planning Department



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
5.923 +/- ACRES FROM
JACKSON TOWNSHIP
TO THE CITY OF GROVE CITY

Description:

Attached is a resolution to consider the annexation of 5.923-acres, more or less, from Jackson Township to the city of Grove City. The petition case number is ANX-EXP2-27-14.

Agent/s:

Thomas R. Clark

Owner/s:

Barbara Helwagen and Reba D. Warren

Site:

0000 Demorest Road (160-000971)

Additional Information:

Approximately 266 feet or 11 percent of the site's total perimeter is contiguous to the city of Grove City.

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 resolution from the city of Grove City identifying the services that will be provided once the annexation has been approved and a statement regarding possible incompatible land uses and zoning buffer. The respective resolution, no. CR-65-14, was passed by the city of Grove City on November 3, 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
Jenny Snapp, Assistant Director, Building, Planning and Zoning
Matthew Brown, Planning Administrator
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be
journalized on the **November 4, 2014** General Session Agenda
for a hearing on **December 2, 2014**.

Case #ANX-EXP2-27-14- An Expedited Type 2 annexation petition ANX-EXP2-27-14 was filed in our office on October 28, 2014. The petition is requesting to annex 5.923 +/- acres from Jackson Township to the City of Grove City.

Site: 0000 Demorest Road (160-000971)



Commissioners
 John O'Grady, President
 Paula Brooks
 Marilyn Brown

Economic Development & Planning Department
 James Schimmer, Director

Application for Annexation Petition

Expedited Type 2
 Pursuant to ORC §709.023

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OCT

Franklin County Public Health Department
 Franklin



Property Information	
Site Address 0000 Demorest Road	
Parcel ID(s) 160-000971	Total Acreage 5.923 acres
From Township Jackson	To Municipality Grove City

Staff Use Only	
Case #	ANX-EXP2
	27-14
Hearing date:	12/2/14
Date filed:	10/28/14
Fee paid	250.00
Receipt #	1489
Notifications deadline: 5 days	11/2/14
Svc statement deadline: 20 days	11/17/14

Property Owner Information	
Name Barbara Helwagen and Reba D. Warren	
Address 4961 Lambert Road Grove City, Ohio 43123	
Phone # (614) 875-5990	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/plot of property
<input checked="" type="checkbox"/> List of adjacent properties

Attorney/Agent Information	
Name Thomas R. Clark	
Address 3083 Columbus Street Grove City, Ohio 43123	
Phone # (614) 875-4895	Fax # (614) 875-2155
Email tclark@clarkandwaughlaw.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>			
<u>Barbara Helwagen</u> Property Owner	<u>10-24-2014</u> Date	<u>Reba D. Warren</u> Property Owner	<u>10-24-2014</u> Date
_____	_____	_____	_____
Property Owner	Date	Property Owner	Date

RECEIVED

OCT 28 2014

**PETITION FOR ANNEXATION
OF 5.923 ACRES MORE OR LESS
TO THE CITY OF GROVE CITY, OHIO
FROM THE TOWNSHIP OF JACKSON**

Franklin County Planning Department
Franklin County, OH

TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO

ANX-EXP 2
27-14

The undersigned Petitioner in the premises, and being ALL of the OWNERS of real estate in the territory described, consisting of 5.923 acres, more or less in the Township of Jackson, which area is contiguous and adjacent to the City of Grove City, does hereby pray that said territory be annexed to the City of Grove City, according to the statutes of the State of Ohio.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto and made part hereof. Attached is a list of the owners of property adjacent to the territory proposed for annexation or adjacent to a road that is adjacent to that territory and located directly across the road from that territory.

In support of said Petition, your Petitioner states that there is within the territory so prayed to be annexed, one owner of real estate.

Thomas R. Clark, is hereby appointed Agent for the undersigned Petitioner, 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 an amended plat and description to the Board of 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 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.

Barbara Helwagen
Barbara Helwagen

Date: 10-27, 2014

Reba D. Warren
Reba D. Warren

Date: 10-27, 2014

RECEIVED

OCT 23 2014

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 10/23/14

October 23, 2014

**PROPOSED ANNEXATION OF 5.923 ACRES
WEST OF ELM STREET, NORTH OF GROVE CITY ROAD**

FROM: JACKSON TOWNSHIP

TO: THE CITY OF GROVE CITY, OHIO

Situated in the State of Ohio, County of Franklin, Township of Jackson, Virginia Military Survey Number 1388, and being all of that 5.923 acre tract as described in a deed to Barbara Helwagen and Reba D. Warren, of record in Instrument Number 200804020049567, all records referenced herein being to those located in the Recorder's Office, Franklin County, Ohio, and being 5.923 acres more particularly described as follows:

Beginning at the southeast corner of said 5.923 acre tract, at the northeast corner of that 1.351 acre tract as described in a deed to Donn A. and Barbara A. Rowe, of record in Instrument Number 200201300027475, in the westerly line of that 10 foot wide vacated alley, originally shown on the plat "Smith's Addn to Beulah", of record in Plat Book 5, Page 310, in the existing corporation line of the City of Grove City as established by annexation plat of record in Plat Book 15, Page 17 and text of record in Miscellaneous Record 17, Page 464;

Thence in a westerly direction, along a common line between said 5.923 acre and said 1.351 acre tracts, leaving said existing corporation line, a distance of approximately 358 feet to a point at the northwest corner of said 1.351 acre tract;

Thence in a southerly direction, along a common line between said 5.923 acre and said 1.351 acre tracts, a distance of approximately 21 feet to a point at a southeast corner of said 5.923 acre tract, the northeast corner of that 4.000 acre tract as described in a deed to Berkley J. Roach, Trustee, of record in Instrument Number 200712040208134;

Thence in a westerly direction, along the common line between said 5.923 acre and said 4.000 acre tracts, a distance of approximately 567 feet to a point at the southwest corner of said 5.923 acre tract, in the easterly line of that 1.002 acre (tax) tract as described in a deed to William C. Thomas, of record in Official Record 33777, Page H02;

Thence in a northerly direction, along the westerly line of said 5.923 acre tract, partially along the easterly line of said 1.002 acre tract and partially along the easterly line of that 2.982 acre (tax) tract as described in a deed to Ohio Conference Association of Seventh Day Adventists, of record in Deed Book 2279, Page 187, a distance of approximately 287 feet to a point at the northwest corner of said 5.923 acre tract, a northeast corner of said 2.982 acre tract, in the southerly line of that 0.053 acre tract as described in a deed to Beulah Park Gaming Ventures, Inc., of record in Instrument Number 201007010082844;


Thence in an easterly direction, along the northerly line of said 5.923 acre tract, partially along the southerly line of said 0.053 acre tract and partially along the southerly line of that 0.487 acre tract as described in a deed to Beulah Park Gaming Ventures, Inc., of record in Instrument Number 201007010082844, a distance of approximately 923 feet to a northeast corner of said 5.923 acre tract, in the westerly line of said vacated 10 foot alley, returning to said existing corporation line;

(continued)

(5.923 acre annexation description, continued)

Thence in a southerly direction, along the easterly line of said 5.923 acre tract, the westerly line of said vacated 10 foot alley, and said existing corporation line, a distance of approximately 266 feet to the place of beginning, containing 5.923 acre of land, being in tax parcel number 160-0009721.

This description was prepared by Westerville Land Surveying, LLC, based on the best available public records (not based on an actual field survey) in October, 2014.

by 
Michael P. Lomano
Registered Surveyor No. 7711
10.23.14

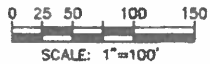
RECEIVED

OCT 28 2014

Franklin County Planning Department
Franklin County, OH

ANX-EXP2

27-14



ANNEXATION PLAT

FROM JACKSON TWP. TO THE CITY OF GROVE CITY
V.M.S. 1388
JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO

RECEIVED

OCT 23 2014

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

BEULAH PARK GAMING
VENTURES, INC.
INS. 201007010082844
0.053 AC.

BEULAH PARK GAMING
VENTURES, INC.
INS. 201007010082844
0.487 AC.

VACATED 10' ALLEY

OHIO CONFERENCE
ASSOCIATION OF
SEVENTH DAY ADVENTISTS
D.B. 2279, PG. 187
2.982 AC. (TAX)

WILLIAM C. THOMAS,
O.R. 33777, PG. H02
1.002 AC. (TAX)

GROVE CITY
JACKSON TWP.

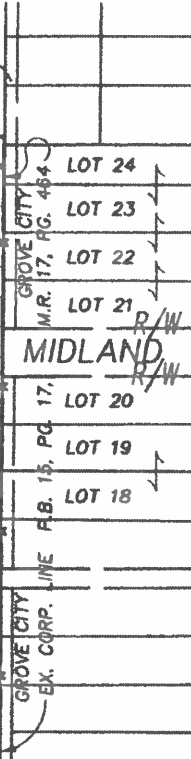
BARBARA HELWAGEN &
REBA D. WARREN
INS. 200804020049567
5.923 AC.
PID 160-000971

BERKLEY J. ROACH, TR.
INS. 200712040208134
4.000 AC.

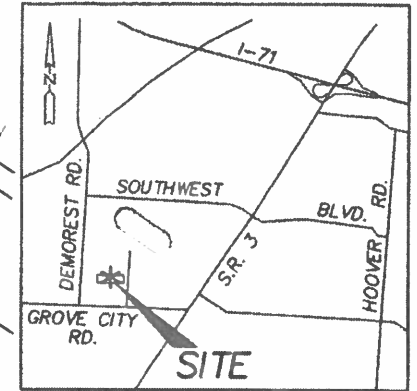
ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By DR Date 10/23/14

DONN A. &
BARBARA A. ROWE
INS. 200201300027475
1.351 AC.



LOCATION MAP (NOT TO SCALE)



LAT 39°53'05"N LON 83°06'14"W

LEGEND

- x = EX. CORP. LINE
- = PROPOSED GROVE CITY CORP. LINE

SUBJECT PROPERTY IS NOT CURRENTLY ASSIGNED A STREET ADDRESS.

LOT NUMBERS REFERENCED TO THE PLAT "SMITH'S ADDN TO BEULAH", OF RECORD IN P.B. 5, PG. 310.

THIS ANNEXATION DOES NOT CREATE AN UNINCORPORATED AREA OF THE TOWNSHIP COMPLETELY SURROUNDED BY THE TERRITORY PROPOSED FOR ANNEXATION.

TOTAL PERIMETER OF ANNEXATION IS 2421 FT., OF WHICH 286 FT. IS CONTIGUOUS WITH THE CITY OF GROVE CITY, RESULTING IN 11.0% OF PERIMETER CONTIGUITY.

ADJOINING OWNERSHIP

LOT 18
TIMOTHY L. &
BRENDA J. SMITH
INS. 201302120025162

LOT 19
TIMOTHY L. &
BRENDA J. SMITH
INS. 201302120025161

LOT 20
STEPHANIE R. CASINO
INS. 200210020246874

LOTS 21-24
BEULAH PARK GAMING
VENTURES, INC.
INS. 201007010082844

DRAWING PREPARED BY:
WESTERVILLE LAND SURVEYING
80 E. COLLEGE AVE.
WESTERVILLE, OH 43081
(614) 899-2209

DRAWING NAME: 14273ANLWING

DATE: 10-23-14
JOB No.: 14-273
CLIENT: Mr. Thomas Clark, Esq.

BY Michael P. Loner
OHIO PROFESSIONAL SURVEYOR No. 7711

27-14

RESOLUTION NO. CR-65-14

Received 11.4.14
ANX-EXP2-27-14

A RESOLUTION TO SET FORTH, AS REQUIRED BY SECTION 709.031 OF THE OHIO REVISED CODE THE MUNICIPAL SERVICES THAT CAN BE FURNISHED TO 5.923 ACRES LOCATED NORTH OF GROVE CITY ROAD AND WEST OF ELM STREET IN JACKSON TOWNSHIP UPON ITS ANNEXATION TO THE CITY OF GROVE CITY

WHEREAS, a petition to annex 5.9234+ acres located North of Grove City Road and West of Elm Street, in Jackson Township to the City of Grove City and signed by Barbara Helwagen and Reba D. Warren, was filed with the Board of County Commissioners of Franklin County, Ohio; and

WHEREAS, a hearing on this petition is scheduled before the Board of County Commissioners of Franklin County; and

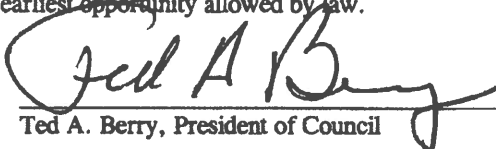
WHEREAS, Section 709.031 of the Ohio Revised Code requires that the legislative authority of the municipality to which the annexation is proposed adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon its annexation.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

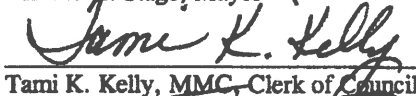
SECTION 1. Upon its annexation to the City of Grove City, the 5.9234+ acres located North of Grove City Road and West of Elm Street, proposed for annexation by Barbara Helwagen and Reba D. Warren, will receive the following municipal services from the City of Grove City:

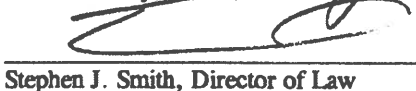
- Fire: Jackson Township will continue to provide Fire protection.
- Police: The City of Grove City, Police department, will provide police protection.
- Water: The City of Grove City has a water service area contract with the City of Columbus, and the subject property is within the service area. Conditional on the ability of the City of Columbus to provide water, the City of Grove City will have the ability to service this area. It is understood that all water line extensions are the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
- Sanitary Sewer: The City has a written service area contract with the City of Columbus and the subject property is within the service area. Conditioned on the ability of the City of Columbus to provide sufficient sewage disposal capacity, the City of Grove City will have the ability to service the area. It is understood that all extensions of the sanitary sewer service is the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
- Solid Waste Collection: Subject property is now serviced by and will continue to be serviced by a publicly bid contract for solid waste and recycling services.
- Zoning: In accordance with Section 1139.05(a) the Codified Ordinances of Grove City, Ohio, all annexed territory zoned under County or Township zoning shall be classified at the most comparable district of the Grove City Zoning Code, unless otherwise requested by the petitioner and approved by the City Council at which time a buffer will be required if the requested zoning classification is clearly incompatible with uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory is to be annexed.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.


Ted A. Berry, President of Council


Richard J. Stage, Mayor


Tami K. Kelly, MMC, Clerk of Council


Stephen J. Smith, Director of Law

Passed: 11-03-14
Effective: 11-03-14

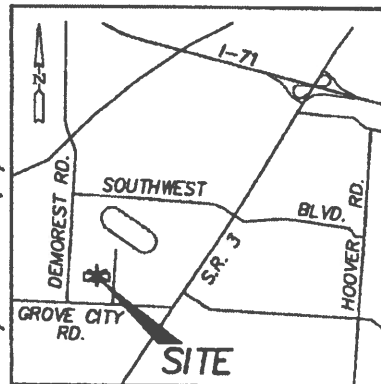
Attest:

I Certify that this resolution is correct as to form.

ANNEXATION PLAT

FROM JACKSON TWP. TO THE CITY OF GROVE CITY
V.M.S. 1388
JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO

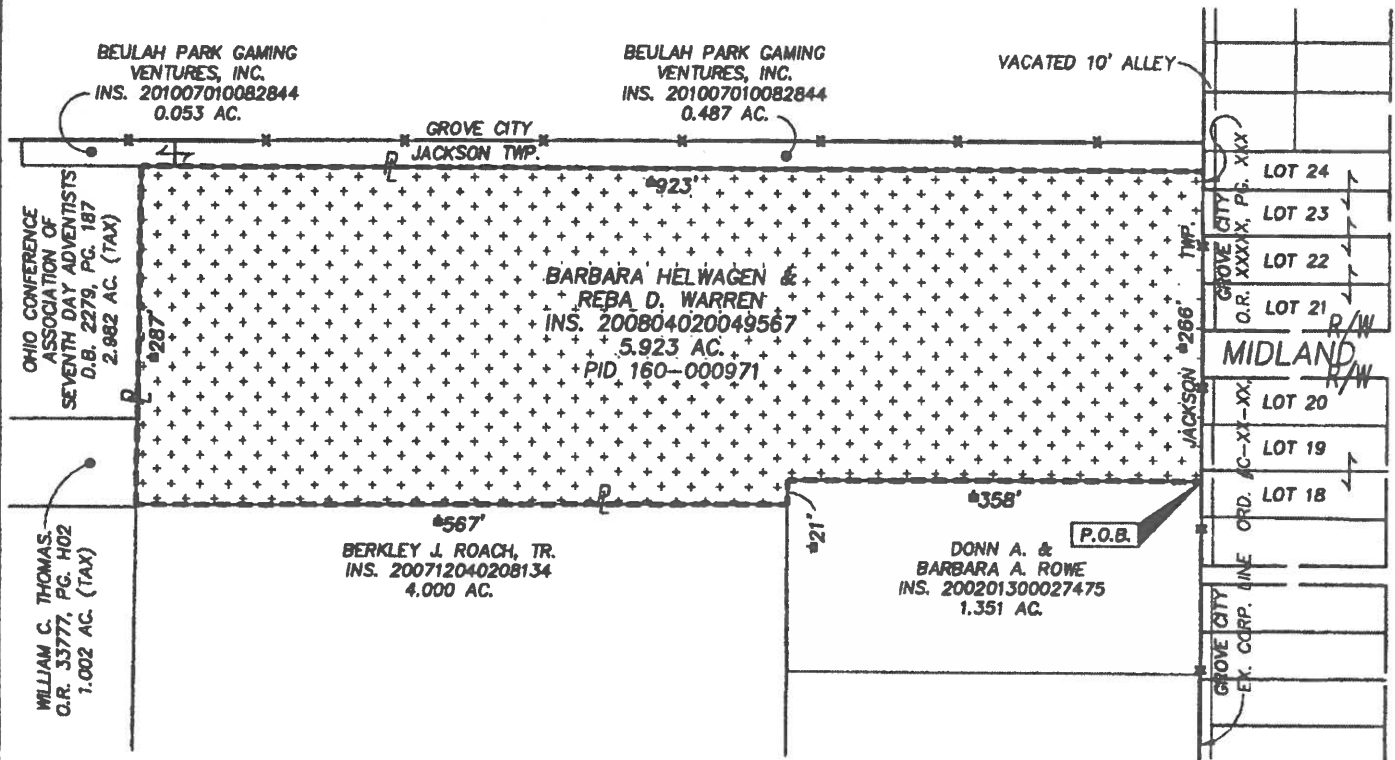
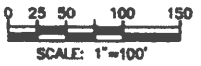
LOCATION MAP (NOT TO SCALE)



LAT 39°53'05"N LON 83°06'14"W

LEGEND

- x — = EX. CORP. LINE
 - - - - - = PROPOSED GROVE CITY CORP. LINE
- SUBJECT PROPERTY IS NOT CURRENTLY ASSIGNED A STREET ADDRESS.
- LOT NUMBERS REFERENCED TO THE PLAT "SMITH'S ADDON TO BELLAH", OF RECORD IN P.B. 5, PG. 310.
- THIS ANNEXATION DOES NOT CREATE AN UNINCORPORATED AREA OF THE TOWNSHIP COMPLETELY SURROUNDED BY THE TERRITORY PROPOSED FOR ANNEXATION.
- TOTAL PERIMETER OF ANNEXATION IS 2421 FT., OF WHICH 288 FT. IS CONTIGUOUS WITH THE CITY OF GROVE CITY, RESULTING IN 11.0% OF PERIMETER CONTIGUITY.



ADJOINING OWNERSHIP

<p>LOT 18 TIMOTHY L. & BRENDA J. SMITH INS. 201302120025162</p>	<p>LOT 19 TIMOTHY L. & BRENDA J. SMITH INS. 201302120025161</p>	<p>LOT 20 STEPHANIE R. CASINO INS. 200210020246874</p>	<p>LOTS 21-24 BEULAH PARK GAMING VENTURES, INC. INS. 201007010082844</p>
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PRELIMINARY

DRAWING PREPARED BY:
WESTERVILLE LAND SURVEYING
50 E. COLLEGE AVE.
WESTERVILLE, OH 43081
(614) 899-2209

DRAWING NAME: 14273AN.DWG

DATE:
JOB No.: 14-273
CLIENT: Mr. Thomas Clark, Esq.

BY
OHIO PROFESSIONAL SURVEYOR No. 7711