

Review of Petition to Annex 5.46 +/- acres from Jackson Township to the City of Grove City Case #ANX-EXP2-08-15 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Stephen J. Bowshier, Attorney on behalf of Christopher and Melanie Flaum, on March 9, 2015, 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-76-14 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 December 15, 2014.

Review of Petition to Annex 5.46 +/- acres from Jackson Township to the City of Grove City Case #ANX-EXP2-08-15 (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

CERTIFIED TRUE COPY
By J. [Signature] Date: 4/21/15
Franklin County Economic Development
& Planning Department

SIGNATURE SHEET

Resolution No. 0320-15

April 14, 2015

REVIEW OF PETITION TO ANNEX 5.46 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY CASE #ANX-EXP2-08-15

(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



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

Description:

Attached is a resolution to consider the annexation of 5.46-acres, more or less, from Jackson Township to the city of Grove City. The petition case number is ANX-EXP2-08-15.

Applicant/Agent:

Stephen J. Bowshier, Attorney

Owner:

Christopher and Melanie Flaum

Site:

Borror Road (160-000483) and adjacent right-of-way

Additional Information:

The total perimeter of the site is 2,287.08 feet; 135 feet or 5.902 percent of which being contiguous to the city of Columbus.

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-76-14, was passed by the city of Grove City on December 15, 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 **March 17, 2015** General Session Agenda for
a hearing on **April 14, 2015**.

Case #ANX-EXP2-08-15 - An Expedited Type 2 annexation petition ANX-EXP2-08-15 was filed in our office on March 9, 2015. The petition is requesting to annex 5.46 +/- acres from Jackson Township to the City of Grove City.

Site: 0000 Borrer Road (160-000483)



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for Annexation Petition

Expedited Type 2
 Form No. 2011-0714-023

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MAR 09 2015

Franklin County Planning Department
 Franklin County, Ohio

Property Information	
Site Address	Borrer Rd., Grove City, Ohio
Parcel ID(s)	Borrer Road 160-000483 + right of way
Total Acreage	5.46
From Township	Jackson Township
To Municipality	Grove City

Property Owner Information	
Name Christopher and Melanie Flaum	
Address 5504 Meadow Grove Dr. Grove City, OH 43123	
Phone #	Fax #
(614) 329-0113	
Email	

Attorney/Agent Information	
Name Stephen J. Bowshier, Attorney	
Address 4030 Broadway Grove City, OH 43123	
Phone #	Fax #
(614) 875-1777	
Email Bowshier22@aol.com	

Staff Use Only	
Case #	ANN - EXP2 08-15
Hearing date:	4/14/15
Date filed:	3/9/15
Fee paid	250.00
Receipt #	1503
Notifications deadline: 5 days	3/11/15
Svc statement deadline: 20 days	3/26/15

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

Waiver of Right to Appeal			
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.			
	12-4-2014	Property Owner	Date
Christopher Flaum		Property Owner	Date
	12-4-2014	Property Owner	Date
Melanie Flaum		Property Owner	Date

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

RECEIVED

By SB Date 3/5/15 ANNEXATION DESCRIPTION
5.46 acres

MAR 05 2015

From: Jackson Township
To: The City of Grove City

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MAR 09 2015
ANX-EXP 2 08-15
Franklin County Planning Department
Franklin County, Ohio

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

Situated in the State of Ohio, County of Franklin and Township of Jackson, in Virginia Military Survey No. 6115, and being all of that 5.25 acre tract conveyed to Christopher E. Flaum and Melanie A. Flaum by deed of record in Instrument No. 201308220143620, out of that 55 acre tract of land conveyed to Michael J. and Tressa L. Baer by the deed recorded in Deed Book 1250, page 454, Recorder's Office, Franklin County Ohio, along with approximately 0.21 acres within Borror Road and the right of Way of Borror Road being in a tract of land known as "RESERVE B" of Meadow Grove South Section 3 conveyed to the City of Grove City, Ohio by Deed of record as Instrument No. 200310280344240, Recorder's Office Franklin County, Ohio, and more particularly described as follows:

Beginning at the northeasterly corner of the said 5.25 acre Flaum tract in common with the northwesterly corner of a 5.9769 acre tract of land conveyed to Steven R. Isaac and Debra S. Isaac, Trustees by deed of record as Instrument No. 201104290056238, and said beginning being at an iron pipe in the present location of Borror Road, which bears South 68 deg. 04' East a distance of 400.25 feet from the Northeast corner of the above mentioned 55 acre tract;

Thence in a South Easterly (predominately southerly) direction a distance of approximately 410.8 feet along the east line of the said 5.25 acre Flaum tract and in common with the west boundary line of the said 5.9769 acre tract of land conveyed to Steven R. Isaac and Debra S. Isaac, Trustees by deed of record as Instrument No. 201104290056238, Recorder's Office, Franklin County, Ohio, to a point;

Thence in a South Easterly (predominantly Easterly) direction a distance of approximately 50.0 feet along the same common east line of the said 5.25 acre Flaum tract and the west boundary line of the previously mentioned 5.9769 Isaac tract of land to a point;

Thence in a South Westerly (predominately southerly) direction a distance of approximately 394.0 feet along the same common east line of the said 5.25 acre Flaum tract and the west boundary line of the previously mentioned 5.9769 Isaac tract to the southeast corner of the said 5.25 acre Flaum tract and being the southwest corner of the previously mentioned 5.969 acre Isaac tract;

Thence in a North Westerly (predominantly westerly) direction a distance of approximately 331.18 feet along the south line of the said 5.25 acre Flaum tract being in common with the north boundary line of the 17.791 acre tract of land conveyed to Andrew M. Sweigart by deed of record as Instrument No. 200504080066065, Recorder's Office, Franklin County, Ohio, passed the northwest corner of the said Sweigart tract to a point in the north boundary line of a 2.6565 acre tract of land conveyed to Raymond M. Baer and Victoria Baer by deed of record as Instrument No. 200504080066064, Recorder's Office, Franklin County, Ohio, to the southwest corner of the said 5.25 acre Flaum tract;

Thence in a North Easterly (predominately northerly) direction a distance of approximately 287.7 feet along the west line of the said 5.25 acre Flaum tract in common with the entire east line of and passed the 3.276 acre tract of land conveyed to Raymond M. Baer and Victoria Baer by deed of record in Deed

Book 2601 page 667, Recorder's Office, Franklin County, Ohio, thence continuing to a point along the common east line of the 5.0 acre tract of land conveyed to Robert L. Bennett and Constance E. Bennett by deed of record in Deed Book 2483 page 423, Recorder's Office, Franklin County, Ohio;

Thence in a North Westerly (predominately northerly) direction a distance of approximately 394.0 feet along the west line of the said 5.25 acre Flaum tract in common with the east line of the aforementioned 5.0 Bennett tract to an iron pipe in the center of the present location of Borrer Road and being the northwest corner of the said 5.25 acre Flaum tract and point in common with the northeast corner of the said 5.0 Bennett tract;

Thence from said northwest corner of the 5.25 acre Flaum tract in a North Westerly (predominately northerly) direction across said Borrer Road and continuing across the right of way of Borrer Road a distance of approximately 68 feet to the northerly right of way line of Borrer Road and to the existing corporation line of the City of Grove City as established by Ordinance Number C-70-75 of record in Record Book 165-584;

Thence in a North Easterly (predominately easterly) direction continuing along the said existing Corporation Line (C-70-75) a distance of approximately 135 feet to the east boundary line of a tract of land known as "RESERVE B" of Meadow Grove South Section 3 conveyed to the City of Grove City, Ohio by Deed of record as Instrument No. 200310280344240, Recorder's Office Franklin County, Ohio also being the west boundary line of a tract of land conveyed to Brian A. Clouser and Katrina L. Clouser by Deed of record as Instrument No. 200500113008504, Recorder's Office, Franklin County, Ohio;

Thence in a South Easterly (predominantly southerly) direction from said right of way line a distance of approximately 68 feet to the center of the present location of Borrer Road to a point in the north boundary line of said 5.25 acre Flaum tract;

Thence, continuing in a North Easterly (predominately easterly) direction along the center line of Borrer Rd. and also the north line of the said 5,25 acre Flaum a distance of approximately 148.40 feet to the northeast corner of the said 5.25 acre tract, and being the place of beginning.

Containing 5.46 acres of land, more or less, subject to all legal highways and easements of record in previous instruments.

The above description was prepared for annexation purposes only by Attorney Stephen J. Bowshier, 4030 Broadway, Grove City, OH 43123 in December 2014, from the best available County Records. This information was not derived from an actual field survey. The above description is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.

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MAR 09 2015

ANX-EXP 08 15
Franklin County Planning Department
Franklin County, Ohio

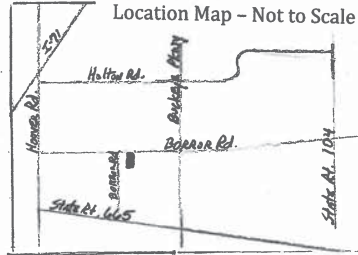
PROPOSED ANNEXATION of 5.46 +/- Acres FROM: JACKSON TOWNSHIP TO: City of GROVE CITY

Legend

EXISTING CITY OF GROVE CITY CORP. LINE

PROPOSED CITY OF GROVE CITY CORP. LINE

AREA TO BE ANNEXED



Total Length of Perimeter +/- 2,287.08 ft.
Total Length of Contiguity +/- 135.00 ft.
Percentage of Contiguity +/- 5.902 %

Scale = 175'
Scale 1" = 175' Grid North

Drawing Prepared By:

Stephen J. Bowshier, Esq.
4030 Broadway, Suite 100
Grove City, OH 43123
(614) 875-1777

ANNEX. NO. _____ ORD No. _____
Proposed ANNEXATION OF 5.46 +/- Acres
To The
CITY OF GROVE CITY
From
JACKSON TOWNSHIP
DATE: _____ SCALE 1" = 175'

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MAR 05 2015

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 BR Date 3/5/15

RESOLUTION NO. CR-76-14

A RESOLUTION TO SET FORTH, AS REQUIRED BY SECTION 709.031 OF THE OHIO REVISED CODE THE MUNICIPAL SERVICES THAT CAN BE FURNISHED TO 5.25 ACRES LOCATED SOUTH AND EAST OF BORROR ROAD IN JACKSON TOWNSHIP UPON ITS ANNEXATION TO THE CITY OF GROVE CITY

WHEREAS, a petition to annex 5.25+ acres located South and East of Borrор Road, in Jackson Township to the City of Grove City and signed by Christopher and Melanie Flaum, 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 5.25+ acres located South and East of Borrор Road, proposed for annexation by Christopher and Melanie Flaum, 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 L. Stage, Mayor


Tami K. Kelly, MMC, Clerk of Council

Attest:


Stephen J. Smith, Director of Law

Passed: Effective:

12/15/14
12/15/14

I Certify that this resolution is correct as to form.

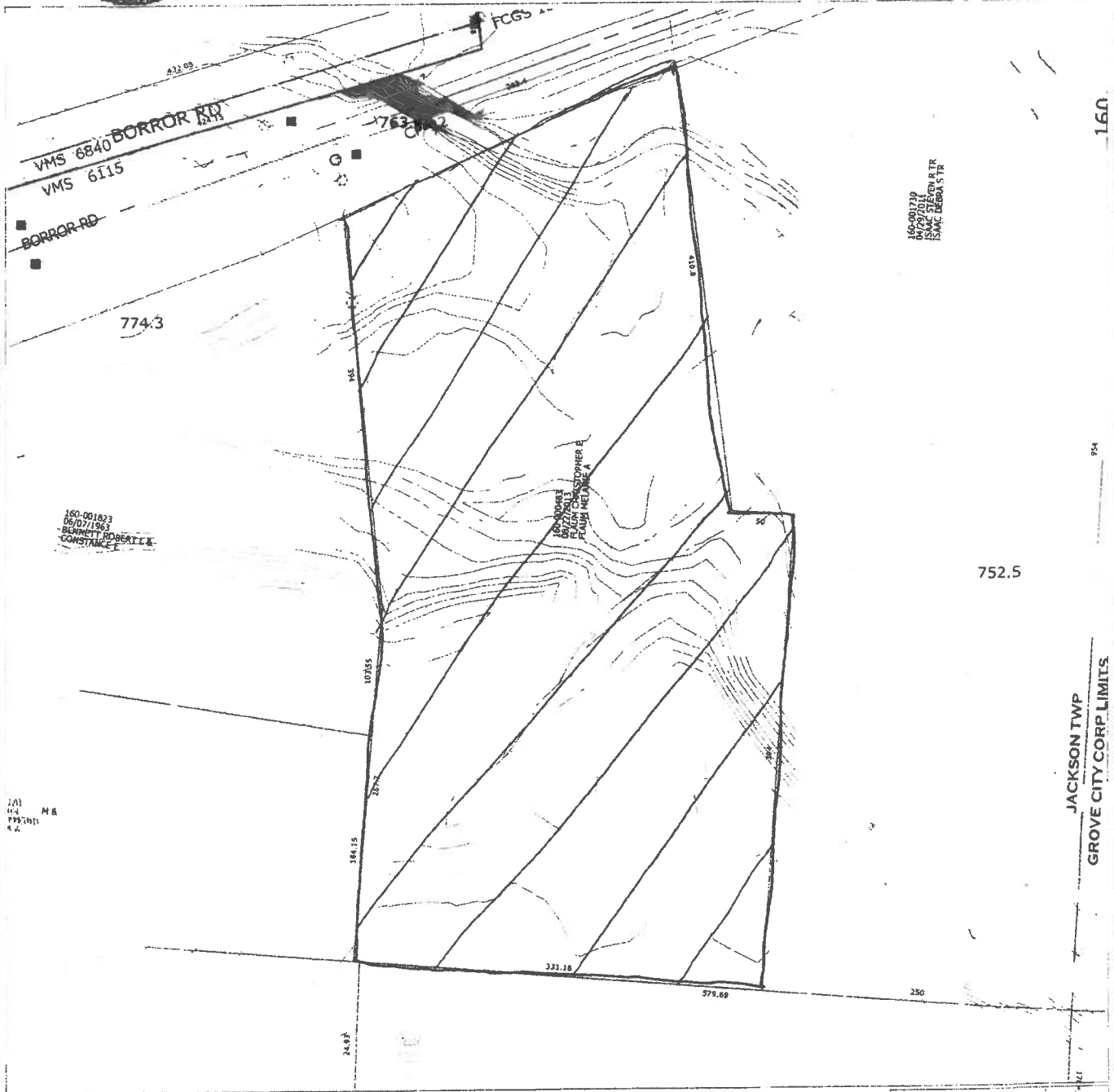
CR-76-14



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 12/9/14



Disclaimer

Scale = 120

Grid North

This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

CR-76-14
Exhibit "A"

Situated in the County of Franklin, in the State of Ohio and in the Township of Jackson, and bounded and described as follows:

In Virginia Military Survey No. 6115, and being a part of a 55 acre tract, known as Lot No. 7 of the Estate of Solomon Zwagler, conveyed by Warranty Deed to Michael J. and Tressa L. Buer, as the same is recorded in Deed Book 1250, page 454, Recorder's Office, Franklin County, Ohio. More particularly bounded and described as follows:

Beginning at an iron pipe in the present location of Borrer Road, which bears South 68 deg. 04' East, a distance of 400.25 feet from the Northeast corner of the above mentioned 55 acre tract:

Thence South 08 deg. 56' East a distance of 410.8 feet to an iron pipe, passing an iron pipe on line at 30 feet:

Thence South 89 deg. 10' East, a distance of 50.0 feet to an iron pipe:

Thence South 00 deg. 52' West, a distance of 394.0 feet to an iron pipe:

Thence North 87 deg. 17' West, a distance of 331.18 feet to an iron pipe:

Thence North, 01 deg. 04' East, a distance of 287.7 feet to an iron pipe;

Thence North 06 deg. 36' West, a distance of 394.0 feet to an iron pipe in the center of the present location of Borrer Road;

Thence North 68 deg. 04' East, along the center of Borrer Road, a distance of 283.4 feet to the place of beginning;

Containing 5.25 acre of land and being subject to all legal highways and easements of record in previous instruments.

PPN: 160-000483

Fidelity National Title - A2190234
One Mill Run
3455 Mill Run Drive, Suite 105
Hilliard, Ohio 43026

0-036-B
ALL OF
(160)
000483

