

Review of Petition to Annex 0.6 +/- acres from Clinton Township to the city of Columbus by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-09-12 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jackson B. Reynolds, III, Esq filed on behalf of Lennox Town Plaza LLC, Michael Sabo, Sharon Sabo, David Sabo and Sandra Sabo on April 24, 2012 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 #0981-2012, passed on May 7, 2012 by the city of Columbus.

Review of Petition to Annex 0.6 +/- acres from Clinton Township to the city of Columbus by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-09-12 (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, Ohio, 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: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0397-12

May 29, 2012

REVIEW OF PETITION TO ANNEX .06 +/- ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS BY JACKSON B. REYNOLDS, III, ESQ. CASE #ANX-EXP2-09-12

(Economic Development and Planning)

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

Voting:

Marilyn Brown

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.



Debra A Willaman, Clerk
Board of County Commissioners
Franklin County, Ohio



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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
0.6 +/- ACRES FROM
CLINTON TOWNSHIP
TO THE CITY OF COLUMBUS
BY JACKSON B. REYNOLDS, III, ESQ.

Description:

Attached is a resolution to consider the annexation of 0.6-acres, more or less, from Clinton Township to the city of Columbus. The petition case number is ANX-EXP2-09-12.

Applicants:

Lennox Town Plaza LLC
Michael Sabo
Sharon Sabo
David Sabo
Sandra Sabo

Site:

747 & 755 Chambers Road (Parcels #130-003304 & 130-000810)

Additional Information:

The site is contiguous to the city of Columbus on two sides.

Analysis:

The applicant has met all statutory requirements outlined in Section 709.21 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 #0981-2012 passed May 7, 2012.

Recommendation:

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



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

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

TO: Debbie Willaman, County Clerk
Franklin County Commissioners Office

FROM: R. Lee Brown, Planning Administrator
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 **May 1, 2012** General Session Agenda for a
hearing on **May 29, 2012**.

Case #ANX-EXP2-09-12- An Expedited Type 2 annexation ANX-EXP2-09-12 was filed in our office on April 24, 2012. The petition is requesting to annex 0.6+/- acres from Clinton Township to the city of Columbus. The applicant is Jackson B. Reynolds, III, Esq. **Site: 747 Chambers Road & 755 Chambers Road (130-003304 & 130-000810)**



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

RECEIVED

Application for
**Annexation
 Petition**

APR 24 2012 *RSB*

Franklin County Planning Department
 Franklin County, OH

Expedited
 Application

2

Property Information	
Site Address 747 & 755 Chambers Road	
Parcel ID(s) 130-003304/000810	Total Acreage 0.6
From Township Clinton	To Municipality Columbus

Staff Use Only
Case # <i>ANN-EXP2</i> <i>09-12</i>
Hearing date: <i>5/29/12</i>
Date filed: <i>4/24/12</i>
Fee paid <i>250.00</i>
Receipt # <i>240869</i>
Notifications deadline: 5 days <i>4/29/12</i>
Svc statement deadline: 20 days <i>5/14/12</i>

Property Owner Information	
Name Lennox Town Plaza LLC - additional owners attached	
Address 511 N. Park Street Columbus, OH 43215	
Phone # 280-0367	Fax # 280-0368
Email	

Attorney/Agent Information	
Name Jackson B. Reynolds, III	
Address c/o Smith & Hale LLC 37 W. Broad Street, Suite 725 Columbus, OH 43215	
Phone # 221-4255	Fax # 221-4409
Email jreynolds@smithandhale.com	

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			
<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

RECEIVED

APR 24 2012 *RFB*

Franklin County Planning Department
Franklin County, OH

Additional Owners

Michael L. Sabo
755 Chambers Road
Columbus, OH 43212

Sharon E. Sabo
755 Chambers Road
Columbus, OH 43212

David V. Sabo
755 Chambers Road
Columbus, OH 43212

Sandra G. Sabo
755 Chambers Road
Columbus, OH 43212

sabo-propowners.lst (nct)
3/30/12 F:Docs

RECEIVED

MAR 15 2012

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By PR Date 3/15/12

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

**DESCRIPTION OF 0.6 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 that tract conveyed to Michael L. Sabo, Sharon S. Sabo, David V. Sabo and Sandra G. Sabo of record in Official Record 18490C20 (APN 130-000810), part of that tract conveyed to Lennox Town Plaza LLC of record in Instrument Number 201111220152574 (APN 130-003304) and part of an Alley, and described as follows:

Beginning at the northwest corner of Lot 8 of Joseph Berger's Subdivision recorded in Plat Book 4, Page 220, the same being the intersection of the south right-of-way line for Chambers Road with the east right-of-way line for an Alley, being an existing City of Columbus Corporation Line (Ord. No. 25-67);

Thence Southerly, along said east right-of-way line, the same being said corporation line (Ord. No. 25-67), about 130 feet to the an existing City of Columbus Corporation Line (COC No. 37, Ord. No. 327-74);

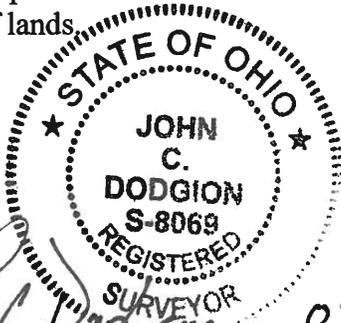
Thence Westerly, across said Alley and Lots 25-28 of said subdivision, and along said corporation line (COC No. 37, Ord. No. 327-74), being 200 feet north from the north right-of-way line for King Avenue, about 192 feet to the west line of Lot 25 of said subdivision;

Thence Northerly, along said west lot line, about 131 feet to the south right-of-way line for said Chambers Road;

Thence Easterly, along said south right-of-way line, about 192 feet to the *Point of Beginning*. Containing approximately 0.6 acre of land, more or less. The above description was written by John C. Dodgion, P.S. 8069 on February 14, 2012. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 645 feet, of which about 322 feet are contiguous with existing City of Columbus Corporation Lines, being about 50% contiguous. This annexation does not create any islands of township property.

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



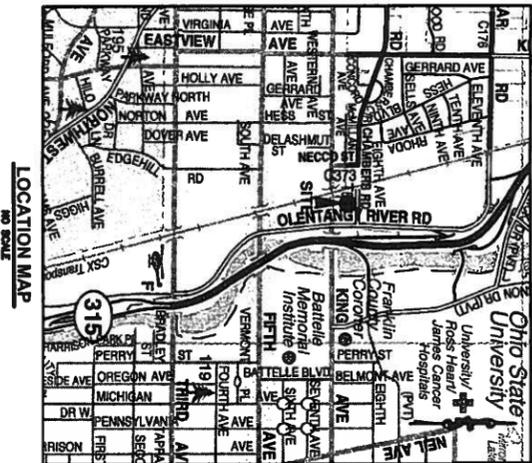
John C. Dodgion
John C. Dodgion, P.S. 8069
Date: 03/15/2012

ADVANCED CIVIL DESIGN, INC.

RECEIVED

APR 24 2012 *LRB*

GRAPHIC SCALE



RECEIVED

MAR 15 2012

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



LEGEND

-  AREA TO BE ANNEXED
-  EXISTING CORP LINE
-  PROPOSED CORP LINE

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

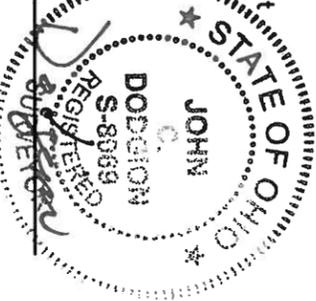
By DR Date 3/15/12

Length of Contiguity: ±322 feet
Total Length of Perimeter: ±645 feet
Percentage of Contiguity: ±50%

No islands of township property are created by this annexation.

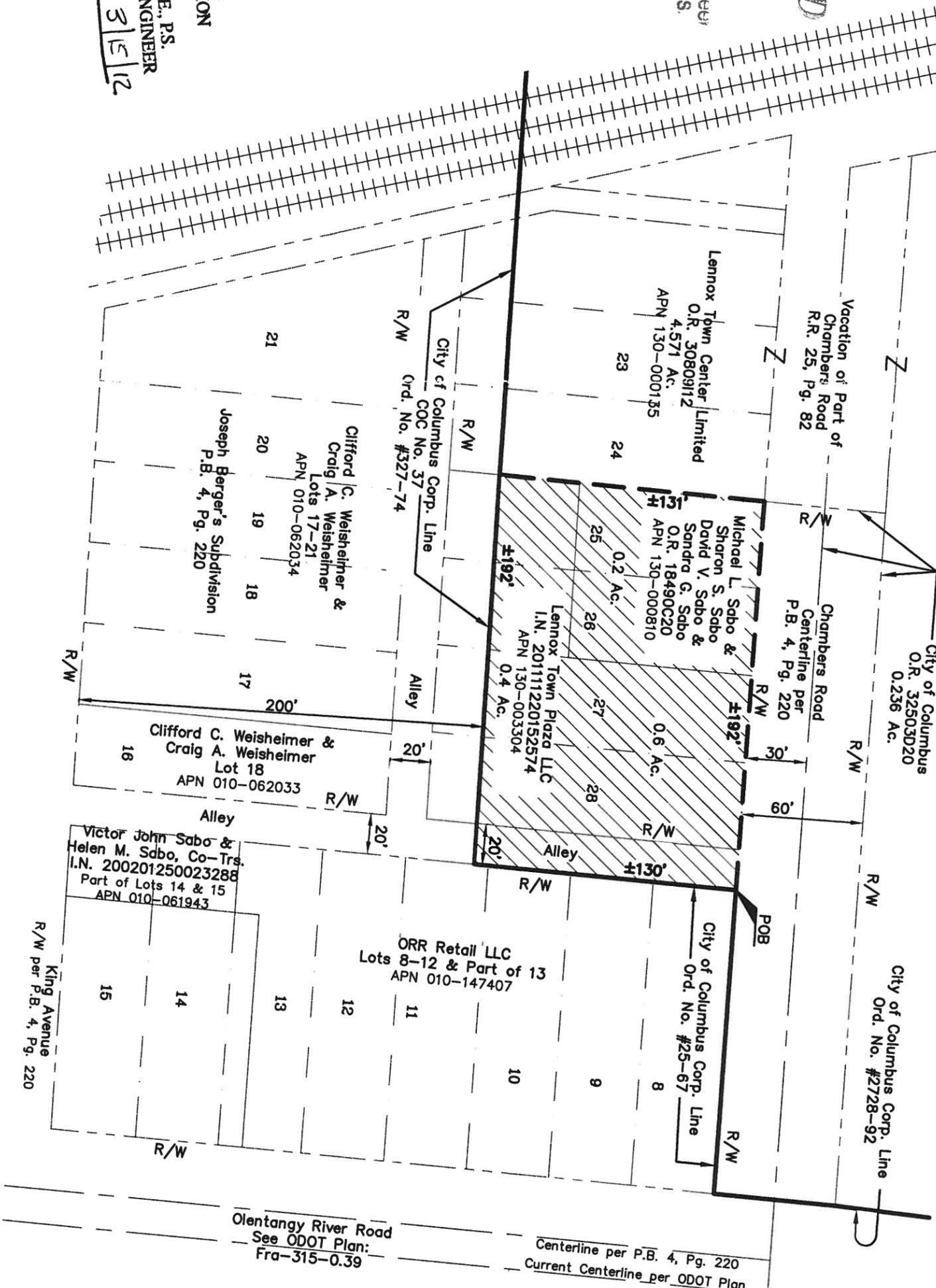
03/15/2012 *John C. Dodgion*

John C. Dodgion, P.S. 8069



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

Job No.: 11-0004-390
Date: 02/14/2012



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

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN,
TOWNSHIP OF CLINTON LOCATED IN QUARTER TOWNSHIP 3,
TOWNSHIP 1, RANGE 18,
UNITED STATES MILITARY DISTRICT

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APR 24 2012 *DR*

Franklin County Planning Department
Franklin County, OH



City of Columbus Legislation Report

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

File Number: 0981-2012

ORIGINAL

Emergency

File ID: 0981-2012

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN12-004: 0.6 Acres, Clinton Township, Lennox Town Plaza, LLC

File Created: 04/25/2012

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

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Floor Action (Clerk's Office Only)
MAY 07 2012 Passed 7-0

MAY 10 2012
ANX-EXP 2 09-12
Franklin County Planning Department
Franklin County, OH

Mayor's Action

MAY 09 2012

Mayor

Date

Council Action

MAY 07 2012

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 (AN12-004) of 0.6 + acres in Clinton Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0981-2012 AN12-004 Legal Description,
ORD0981-2012 AN12-004 Map (747 755 Chambers Rd)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0981-2012 passed by The Council of The City of Columbus Ohio 5/7, 2012, as shown by the record now on file in this office.

Seal

City Clerk

Approval History

Version	Date	Approver	Action
1	04/26/2012	Nichole Brandon	Approved
1	04/26/2012	ATTORNEY APPROVER	Approved
Notes	jsg		

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MAY 10 2012

Franklin County Planning Department
Franklin County, OH

ANX-EXP2 09-12

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.

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Explanation

MAY 10 2012

ANX-EXP2 09-12

Franklin County Planning Department
Franklin County, OH

AN012-004

BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in 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 (AN12-004) of 0.6 ± 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 on behalf of the Lennox Town Plaza LLC, et al. on April 24, 2012; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on May 29, 2012; 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

MAY 10 2012

ANN-EXP2 09-12

Franklin County Planning Department
Franklin County, Ohio

WHEREAS, the parcel is not located within the boundaries of an adopted area plan; and

WHEREAS, upon annexation, properties will have uniform access to City services as they are currently 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 0.6 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 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. However, the City of Columbus has informed the applicant that it will not repair the alley sought within the proposed annexation upon acceptance of the Annexation. 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: The site is served by an existing 8" water main in Chambers Road.

Sanitary Sewer: Records indicate this property can be served by existing sanitary sewers situated within the abutting alleys to the east and south (12-inch and 18-inch, respectively). Any mainline extension is to be designed and constructed at the property owner's expense.

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

Section 2. If this 0.6+ 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.

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MAY 10 2012

Franklin County Planning Department
Franklin County, OH

ANX-EXP2 09-12

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MAY 10 2012

**LEGAL DESCRIPTION
ANNEXATION AN12-004
0.6 ± Acres in Clinton Township
Lennox Town Plaza LLC, et al.**

Franklin County Planning Department
Franklin County, OH

ANX-EXP 2 09-12

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 that tract conveyed to Michael L. Sabo, Sharon S. Sabo, David V. Sabo and Sandra G. Sabo of record in Official Record 18490C20 (APN 130-000810), part of that tract conveyed to Lennox Town Plaza LLC of record in Instrument Number 201111220152574 (APN 130-003304) and part of an Alley, and described as follows:

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Thence Southerly, along said east right-of-way line, the same being said corporation line (Ord. No. 25-67), about 130 feet to the an existing City of Columbus Corporation Line (COC No. 37, Ord. No. 327-74);

Thence Westerly, across said Alley and Lots 25-28 of said subdivision, and along said corporation line (COC No. 37, Ord. No. 327-74), being 200 feet north from the north right-of-way line for King Avenue, about 192 feet to the west line of Lot 25 of said subdivision;

Thence Northerly, along said west lot line, about 131 feet to the south right-of-way line for said Chambers Road;

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RECEIVED

ANNEXATION AN12-004
+ 0.6 Acres in Clinton Township
Lennox Town Plaza LLC, et al.

MAY 10 2012

Franklin County Planning Department
Franklin County, OH

ANX-EXP2 09-12

