

Review of Petition to Annex 1.3 +/- acres from Mifflin Township to the city of Columbus by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-22-12 (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 Mary and Reginald Hayes on October 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 #2381-2012, passed on November 5, 2012 by the city of Columbus.

Review of Petition to Annex 1.3 +/- acres from Mifflin Township to the city of Columbus by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-22-12 (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 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 City of Columbus, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0813-12

November 27, 2012

REVIEW OF PETITION TO ANNEX 1.3 +/- ACRES FROM MIFFLIN TOWNSHIP TO THE CITY OF COLUMBUS BY JACKSON B. REYNOLDS, III, ESQ. CASE #ANX-EXP2-22-12

(Economic Development and Planning)

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

Voting:

Paula Brooks, President	Aye
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
1.3 +/- ACRES FROM
MIFFLIN TOWNSHIP
TO THE CITY OF COLUMBUS
BY JACKSON B. REYNOLDS, III, ESQ.

Description:

Attached is a resolution to consider the annexation of 1.3-acres, more or less, from Mifflin Township to the city of Columbus. The petition case number is ANX-EXP2-22-12.

Applicant/Agent:

Jackson B. Reynolds, III, Esq.

Owner:

Mary and Reginald Hayes

Site:

2848 Johnstown Road (Parcel #190-001885)

Additional Information:

The site is contiguous to the city of Columbus on one (1) side.

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 #2381-2012 passed November 9, 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 **October 30, 2012** General Session Agenda
for a hearing on **November 27, 2012**.

Case #ANX-EXP2-22-12- An Expedited Type 2 annexation ANX-EXP2-22-12 was filed in our office on October 24, 2012. The petition is requesting to annex 1.3+/- acres from Mifflin Township to the city of Columbus. The agent is Jackson B. Reynolds, III, Esq. **Site: 2848 Johnstown Road (190-001885)**



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for
**Annexation
 Petition**

Expedited Type 2

RECEIVED

OCT 24 2012 *KRB*

Franklin County Planning Department
 Franklin County, OH

2

Property Information	
Site Address 2848 Johnstown Road, Columbus, OH 43219	
Parcel ID(s) 190-001885	Total Acreage 1.3 acres
From Township Mifflin	To Municipality Columbus

Property Owner Information	
Name Mary and Reginald Hayes	
Address 2848 Johnstown Road Columbus, OH 43219	
Phone # 596-8293	Fax #
Email	

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

Staff Use Only	
Case # <i>ANN-EXP2-22-12</i>	
Hearing date: <i>11/27/12</i>	
Date filed: <i>10/24/12</i>	
Fee paid <i>250.00</i>	
Receipt # <i>24126</i>	
Notifications deadline: 5 days	
Svc statement deadline: 20 days	

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

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 _____

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

By DR Date 9/18/12

DESCRIPTION OF 1.3 ACRES LOCATED IN MIFFLIN 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 Mifflin, Quarter Township 4, Township 1, Range 17, United States Military District, and being all of the remainder of that 1.151 acre tract conveyed to Reginald J. Hayes and Mary E. Hayes of record in Instrument Number 199901060003702 (A.P.N. 190-001885), all that 0.114 acre tract conveyed to Franklin County Commissioners of record in Instrument Number 201207270107671 and part of that 2.805 acre tract conveyed to Columbus Municipal Airport Authority of record in Instrument Number 199910050250577 (A.P.N. 010-150363) and described as follows:

Beginning at the southwest corner of said 0.114 acre tract, in the centerline of Johnstown Road;

Thence **northwesterly**, along the west line of said 0.114 acre tract and said Hayes tract, about **286 feet** to the northwest corner of said Hayes tract, in the south limited access right-of-way line for Interstate 670;

Thence **northeasterly**, along the north line of said Hayes tract, the same being the south line of said limited access right-of-way line, about **243 feet** to the northeast corner of said Hayes tract;

Thence **southwesterly**, along the east line of said Hayes tract and said 0.114 acre tract, about **345 feet** to the southeast corner of said 0.114 acre tract, in the centerline of said Johnstown Road;

Thence **northeasterly**, along the centerline of said Johnstown Road, the same being the north line of said Columbus Municipal Airport Authority tract, about **143 feet** to the northeast corner of thereof;

Thence **southwesterly**, along the east line of said Columbus Municipal Airport Authority tract, about **35 feet** to the south right-of-way line for said Johnstown Road, in a City of Columbus Corporation Line (Ordinance Number 09-68, Miscellaneous Record 144, Page 491);

Thence **southwesterly**, along said south right of way line of Johnstown Road, the same being said City of Columbus Corporation Line, about **253 feet** to the west line of said Columbus Municipal Airport Authority tract;

Thence **northeasterly**, along the west line of said Columbus Municipal Airport Authority tract, about **35 feet** to the northwest corner thereof, being the south line of said 0.114 acre tract, in said centerline of Johnstown Road;

Thence **southwesterly**, along said centerline of Johnstown Road, the same being the south line of said 0.114 acre tract about **9 feet** to the **Point of Beginning** and containing approximately **1.3 acres** of land, more or less. The above description was prepared by Advanced Civil Design, Inc. on July 12, 2012. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 1,349 feet, of which about 253 feet are contiguous with existing City of Columbus Corporation Lines, being 19% contiguous. This annexation does not create any islands of township property.

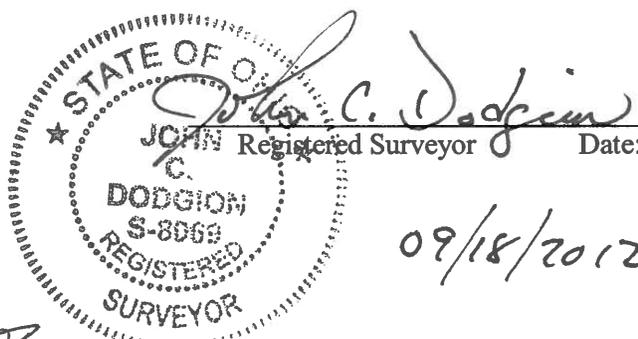
This description was written for annexation purposes only and is not to be used in the transfer of lands.

RECEIVED

ADVANCED CIVIL DESIGN, INC.

SEP 18 2012

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



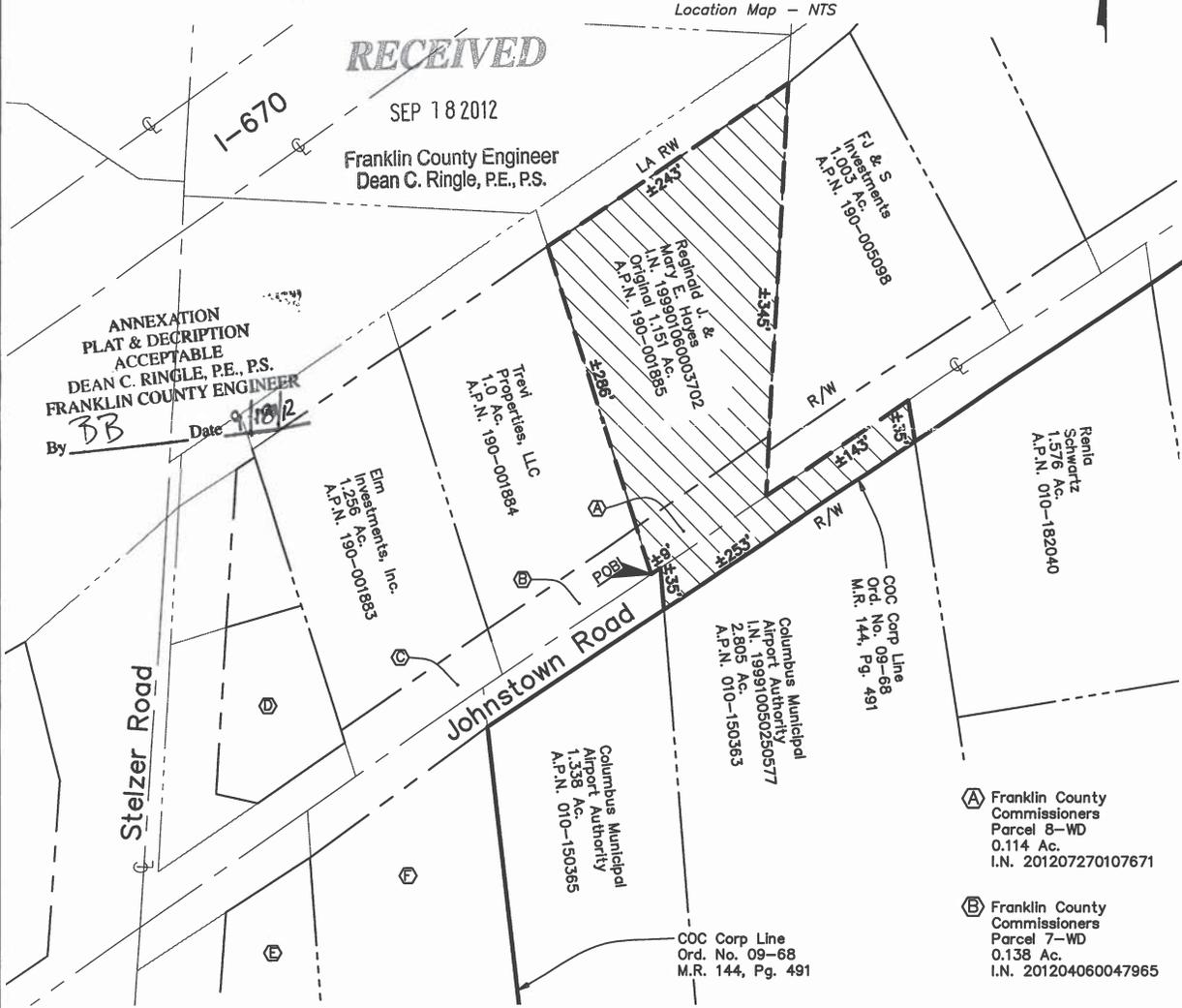
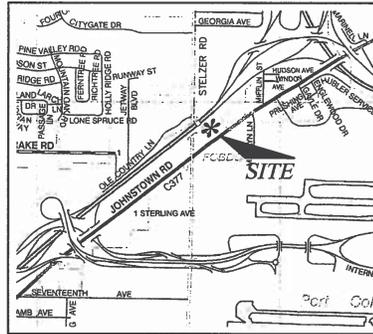
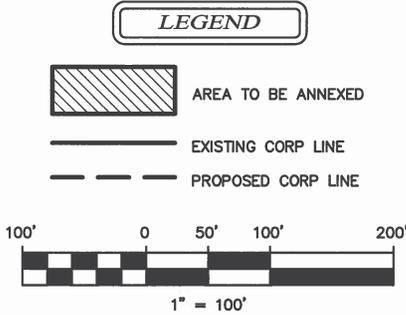
Z:\12-0001-523\survey\1.3Ac annex desc1.doc

RECEIVED

OCT 24 2012 *DR*

Franklin County Planning Department
Franklin County, OH

**1.3 ACRE ANNEXATION TO THE CITY OF COLUMBUS FROM MIFFLIN TOWNSHIP
EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF MIFFLIN
LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 1, RANGE 17
UNITED STATES MILITARY DISTRICT**



**ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE**
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By *BB* Date *9/18/12*

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SEP 18 2012
Franklin County Engineer
Dean C. Ringle, P.E., P.S.

Length of Contiguity: ±253 feet
Total Length of Perimeter: ±1,349 feet
Percentage of Contiguity: ±19%

No islands of township property are created by this annexation

- Ⓐ Franklin County Commissioners Parcel 8-WD 0.114 Ac. I.N. 201207270107671
- Ⓑ Franklin County Commissioners Parcel 7-WD 0.138 Ac. I.N. 201204060047965
- Ⓒ Franklin County Commissioners Parcel 6-WD 0.138 Ac. I.N. 20122240026149
- Ⓓ Oday Properties, LLC 0.614 Ac. A.P.N. 190-000340
- Ⓔ Mattlin Holdings, LLC 0.625 Ac. A.P.N. 010-211704
- Ⓕ Columbus Municipal Airport Authority 1.088 Ac. A.P.N. 010-002518

John C. Dodge
 Registered Surveyor Date: *09/18/2012*

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OCT 24 2012 *RFB*

Franklin County Planning Department
Franklin County, OH

Advanced Civil Design,
422 Beecher Road
Gahanna, OH 43230
Phone 614-428-7750
Job No.: 12-0001-523
Date: 07/12/2012

Z:\12-0001-523\DWG\0001-523 annex3.dwg Layout1 Sep 18, 2012 10:09:22am jcdgion



City of Columbus
Legislation Report

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

ORIGINAL

File Number: 2381-2012

Emergency

File ID: 2381-2012

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN12-016: 1.3 Acres, Mifflin
Township, Mary and Reginald Hayes and the
Columbus Municipal Airport

File Created: 10/24/2012

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

Floor Action (Clerk's Office Only)

NOV 05 2012 Passed 7-0

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NOV - 9 2012

ANX-EXP2-22-12

Franklin County Planning Department
Franklin County, OH

Mayor's Action

[Signature]

Mayor

NOV 07 2012

Date

Council Action

NOV 05 2012

Date Passed/ Adopted

[Signature]

President of Council

[Signature]

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 (AN12-016) of 1.3 + acres in Mifflin
Township to the City of Columbus as required by the Ohio Revised Code; and to
declare an emergency.

Sponsors:

Indexes:

Attachments: ORD2381-2012 AN12-016 Legal Description,
ORD2381-2012 AN12-016 Map (2848 Johnstown
Road)

I hereby certify that the above or attached is
a true and correct copy of Ordinance No. 2381-2012
passed by The Council of The City of Columbus.
Ohio 11/5, 2012, as shown by the records
now on file in this office.

Seal [Signature]
City Clerk

Approval History

Version	Date	Approver	Action
1	10/24/2012	Nichole Brandon	Approved
1	10/25/2012	ATTORNEY APPROVER	Approved
Notes	jsg		

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

Explanation**AN12-016**

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 Mifflin 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 (AN12-016) of 1.3 ± acres in Mifflin 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 Mifflin Township was duly filed on behalf of the Mary and Reginald Hayes and the Columbus Municipal Airport on October 24, 2012; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on November 27, 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

WHEREAS, the property is located within the boundaries of the adopted 2008 Port Columbus Area Development Partnership Joint Economic Development Strategy, which recommends mixed use at this location; and

WHEREAS, upon annexation, properties will have 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 1.3 ± acres in Mifflin Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

Sanitation: Single family homes would qualify for city provided 90-gallon front curb refuse collection service. Any other development would require compliance with Title 13 requirements; Commercial/business uses are required to provide their own refuse collection.

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: The site can be served by an existing twelve-inch (12") located in Johnstown Road.

Sanitary Sewer: Records indicate that this property is tributary to an existing 8-inch sanitary sewer situated approximately 200 feet to the south on the south side of Johnstown Road. A mainline extension is required to serve this property. Mainline extension requires an approved engineered sanitary sewer "CC" plan to be designed, approved and constructed at the private property owner's expense. The extension shall be aligned such that it is available to adjacent properties which are within the design tributary boundary of the downstream 8-inch sewer.

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 1.3± 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 Mifflin 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 Mifflin 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 AN12-016
1.3 ± Acres in Mifflin Township
Mary and Reginald Hayes and the Columbus Municipal Airport

Situated in the State of Ohio, County of Franklin, Township of Mifflin, Quarter Township 4, Township 1, Range 17, United States Military District, and being all of the remainder of that 1.151 acre tract conveyed to Reginald J. Hayes and Mary E. Hayes of record in Instrument Number 199901060003702 (A.P.N. 190-001885), all that 0.114 acre tract conveyed to Franklin County Commissioners of record in Instrument Number 201207270107671 and part of that 2.805 acre tract conveyed to Columbus Municipal Airport Authority of record in Instrument Number 199910050250577 (A.P.N. 010-150363) and described as follows:

Beginning at the southwest corner of said 0.114 acre tract, in the centerline of Johnstown Road;

Thence **northwesterly**, along the west line of said 0.114 acre tract and said Hayes tract, about **286 feet** to the northwest corner of said Hayes tract, in the south limited access right-of-way line for Interstate 670;

Thence **northeasterly**, along the north line of said Hayes tract, the same being the south line of said limited access right-of-way line, about **243 feet** to the northeast corner of said Hayes tract;

Thence **southwesterly**, along the east line of said Hayes tract and said 0.114 acre tract, about **345 feet** to the southeast corner of said 0.114 acre tract, in the centerline of said Johnstown Road;

Thence **northeasterly**, along the centerline of said Johnstown Road, the same being the north line of said Columbus Municipal Airport Authority tract, about **143 feet** to the northeast corner of thereof;

Thence **southwesterly**, along the east line of said Columbus Municipal Airport Authority tract, about **35 feet** to the south right-of-way line for said Johnstown Road, in a City of Columbus Corporation Line (Ordinance Number 09-68, Miscellaneous Record 144, Page 491);

Thence **southwesterly**, along said south right of way line of Johnstown Road, the same being said City of Columbus Corporation Line, about **253 feet** to the west line of said Columbus Municipal Airport Authority tract;

Thence **northeasterly**, along the west line of said Columbus Municipal Airport Authority tract, about **35 feet** to the northwest corner thereof, being the south line of said 0.114 acre tract, in said centerline of Johnstown Road;

Thence **southwesterly**, along said centerline of Johnstown Road, the same being the south line of said 0.114 acre tract about **9 feet** to the ***Point of Beginning*** and containing approximately **1.3 acres** of land, more or less. The above description was prepared by Advanced Civil Design, Inc. on July 12, 2012. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 1,349 feet, of which about 253 feet are contiguous with existing City of Columbus Corporation Lines, being 19% contiguous. This annexation does not create any islands of township property.

