

Review of Petition to Annex 9.6 +/- acres from Madison Township to the City of Groveport Case #ANX-EXP2-10-14 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition filed by Jackson B. Reynolds, III, Attorney on April 9, 2014 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 2 petition, and having considered all the facts with reference thereto, being fully advised, and

WHEREAS, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter:

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant service resolution no. RES. 14-004 passed on April 14, 2014 by the City of Groveport.

Review of Petition to Annex 9.6 +/- acres from Madison Township to the City of Groveport Case #ANX-EXP2-10-14 (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 Groveport, 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 Groveport, Ohio.

Prepared by: D. Anthony Hray

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0342-14

May 13, 2014

**REVIEW OF PETITION TO ANNEX 9.6 +/- ACRES FROM MADISON
TOWNSHIP TO THE CITY OF GROVEPORT CASE #ANX-EXP2-10-14**

**(Economic Development and
Planning)**

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

Voting:

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.



Victoria Caldwell, 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
9.6 +/- ACRES FROM
MADISON TOWNSHIP
TO THE CITY OF GROVEPORT

Description:

Attached is a resolution to consider the annexation of 9.6-acres, more or less, from Madison Township to the city of Groveport. The petition case number is ANX-EXP2-10-14.

Agent:

Jackson B. Reynolds, III, Attorney

Owner/s:

Sharon S. Evans (3269 Rohr Road)
Darren Bishop (3295 Rohr Road)
Karen G. and Franklin D. Charles (3277 Rohr Road)

Site:

3269 Rohr Road (180-001052)
3277 Rohr Road (180-003042)
3295 Rohr Road (180-001048)

Additional Information:

The site is contiguous to the city of Groveport on three (3) sides; being +/- 53 percent of the site's total perimeter.

Analysis:

The applicant has met all statutory requirements outlined in Section 709.021 of the Ohio Revised Code. The applicant has provided proof of notification, and timeline and has provided a service resolution from the city of Groveport stating the services that will be provided once the annexation has been approved. The city of Groveport has agreed to provide the territory proposed for annexation the services specified in the relevant service resolution no. RES. 14-004 passed April 14, 2014.

Recommendation:

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



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

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

TO: Shannon Zee Cross, County Clerk
Franklin County Commissioners Office

FROM: D. Anthony Hray, Planner
Franklin County Economic Development & Planning Department

CC: James Schimmer, Director
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be
journalized on the **April 15, 2014** General Session Agenda for a
hearing on **May 13, 2014**.

Case #ANX-EXP2-10-14- An Expedited Type 2 annexation ANX-EXP2-10-14 was filed in our office on April 9, 2014. The petition is requesting to annex 9.6 +/- acres from Madison Township to the City of Groveport. The agent is Jackson B. Reynolds, III.

Site: 3269 Rohr Road (180-001052), 3277 Rohr Road (180-003042) and 3295 Rohr Road (180-001048)



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for
**Annexation
 Petition**

Expedited Type 2
 Pursuant to ORC §709.023

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APR - 9 2014

2

Franklin County Planning Department
 Franklin County, OH

Property Information	
Site Address 3269, 3277 & 3295 Rohr Road, Groveport, OH 43125	
Parcel ID(s) 180-1052/1048/3042	Total Acreage 9.6± acres
From Township Madison	To Municipality Groveport

Property Owner Information	
Name See attached list	
Address	
Phone #	Fax #
Email	

Attorney/Agent Information	
Name Jackson B. Reynolds, III	
Address c/o Smith & Hale LLC 37 W. Broad Street, Suite 460 Columbus, OH 43215	
Phone # 221-4255	Fax # 221-4409
Email jreynolds@smithandhale.com	

Staff Use Only
Case # <i>ANX-EXP2</i> <i>10-14</i>
Hearing date: <i>5/13/14</i>
Date filed: <i>4/9/14</i>
Fee paid <i>250.00</i>
Receipt # <i>1998</i>
Notifications deadline: 5 days <i>4/14/14</i>
Svc statement deadline: 20 days <i>4/29/14</i>

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

JEFFREY L. BROWN
GLEN A. DUGGER
JACKSON B. REYNOLDS, III
DAVID L. HODGE

SMITH & HALE LLC
ATTORNEYS AND COUNSELORS AT LAW
37 WEST BROAD STREET
COLUMBUS, OHIO 43215-4199
www.smithandhale.com

HARRISON W. SMITH, JR.
1926-2009
OF COUNSEL
BEN W. HALE, JR.

614/221-4255

April 9, 2014

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The Board of County Commissioners of Franklin County
c/o Franklin County Development Department
150 S. Front Street
Columbus, Ohio 43215

Franklin County Planning Department
Franklin County, OH

ANX-EXP2-10-14

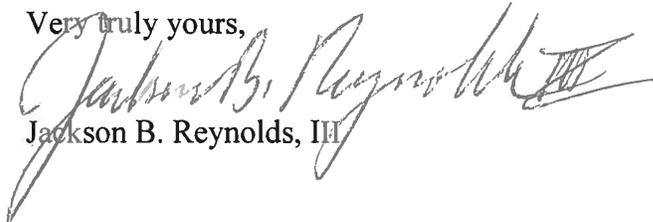
RE: 9.6± acres Annexation Petition from Madison Township to the City of Groveport

Dear Commissioners:

I am filing a petition for annexation of 9.6± acres from Madison Township to the City of Groveport on behalf of Sharon S. Evans et al on April 9, 2014. On behalf of the petitioners, I am requesting consideration of the annexation petition under Section 709.023 of the Ohio Revised Code, or as more commonly known, Expedited Type 2. There is 100% signature rate of property owners and all the requirements under the applicable sections of the Ohio Revised Code have been or will be satisfied by the dates required under the new law.

I will forward to the Clerk the necessary documentation prior to your review and should there be any questions prior to our scheduled meeting please give me a call.

Very truly yours,



Jackson B. Reynolds, III

JBR/nct

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF GROVEPORT
OF 9.6 ACRES MORE OR LESS
IN THE TOWNSHIP OF MADISON

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

Franklin County Planning Department
Franklin County, OH

The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of 9.6 acres with a total perimeter boundary of 3,727, more or less, in the Township of Madison which area is contiguous along 1,985 or 53 % and adjacent to the City of Groveport, do hereby pray that said territory be annexed to the City of Groveport according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

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

In support of said Petition, your petitioners state that there is/are within the territory so prayed to be annexed four (4) OWNER(S) OF REAL ESTATE.

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

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

<u>NAME</u>	<u>DATE</u>	<u>ADDRESS</u>
<u>Sharon S. Evans</u> Sharon S. Evans	3-18-14	3269 Rohr Rd Groveport OH 43125
<u>Darren Bishop</u> Darren Bishop	3-18-14	3295 Rohr rd Groveport OH 43125
<u>Karen G. Charles</u>		
<u>Franklin D. Charles</u> Franklin D. Charles	3-18-2014	3277 Rohr Rd Groveport Ohio 43125
<u>Franklin D. Charles</u>	3-18-2014	3277 Rohr Rd Groveport Ohio 43125

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FEB 14 2014

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

**PROPOSED ANNEXATION
9.6+/- ACRES**

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

By BB Date 2/14/14

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FROM: MADISON TOWNSHIP

APR - 9 2014

TO: VILLAGE OF GROVEPORT

ANX-EXP2-10-14

Franklin County Planning Department

Situate in the State of Ohio, County of Franklin, Township of Madison, ~~located in~~ Section 32, Township 11, Range 21, Congress Lands and being part of the State of Ohio Canal Lands, all of that 1.000 acre tract of land conveyed to Karen G. Charles and Franklin D. Charles by deed of record in Official Record 27979E13, all of that 3.883 acre tract of land conveyed to Sharon S. Evans by deed of record in Instrument Number 201010250114583 and all of that 4.432 acre tract of land conveyed to Darren Bishop by deed of record in Instrument Number 201311120188823 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at a point on the southerly line of that tract of land conveyed to Duke Secured Financing 2009 – 1ALZ, LLC by deed of record in Instrument Number 200907230108085, on a northerly line of said Canal Lands and on the existing Village of Groveport Corporation Line, as established by Ordinance Numbers 2-79 and 07-050 and recorded in Miscellaneous Record 171, Page 779 and Instrument Number 200801240011501;

thence easterly, with the northerly line of said Canal Lands and southerly line of said Duke Secured Financing 2009 – 1ALZ, LLC tract, a distance of 271 feet to a point;

thence southerly, partly across said Canal Lands and Rohr Road (Public) and partly with a common line to said 4.432 acre tract and that 3.952 acre tract of land conveyed to Ronald Fields (one-half interest) and Richard L. Fields (one-half interest) by deed of record in Instrument Number 200707310133194, a distance of 1390 feet to a point on the northerly right-of-way line of London Groveport Road (aka State Route 317, Public) and at the common southerly corner to said 4.432 and 3.952 acre tracts;

thence southwesterly, with southerly lines of said 4.432 and 3.883 acre tracts, a distance of 352 feet to a point at the common corner to said 3.883 acre tract and that 11.38 acre tract of land conveyed to Duke Realty Ohio by deed of record in Instrument Number 200412300293994 and being on an existing Village of Groveport Corporation Line, as established in Ordinance Number 2000-40 and recorded in Instrument Number 200209160228470 and recorded in Instrument Number 200801240011501;

thence westerly, with a common line to said 3.883 and 11.38 acre tracts and said Village of Groveport Corporation Line, a distance of 33 feet to a point at a common corner to said 3.883 and 11.38 acre tracts and that 5.028 acre tract of land conveyed to Columbus Regional Airport Authority by deed of record in Instrument Number 200712200217613 and being on said Village of Groveport Corporation Line, as established in Ordinance Number 07-050;

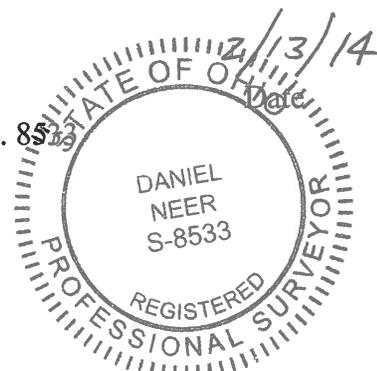
thence northerly, continuing with said existing Village of Groveport Corporation Line and partly with a common line to said 3.883 and 5.028 acre tracts and partly across said Rohr Road and Canal Lands, a distance of 1691 feet to the POINT OF BEGINNING and containing 9.6 acres, more or less.

This description is for annexation purposes only, and is not to be used for deed transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

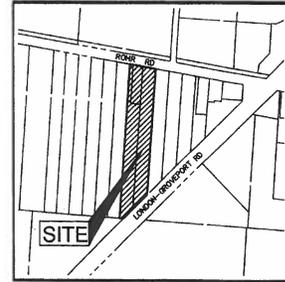
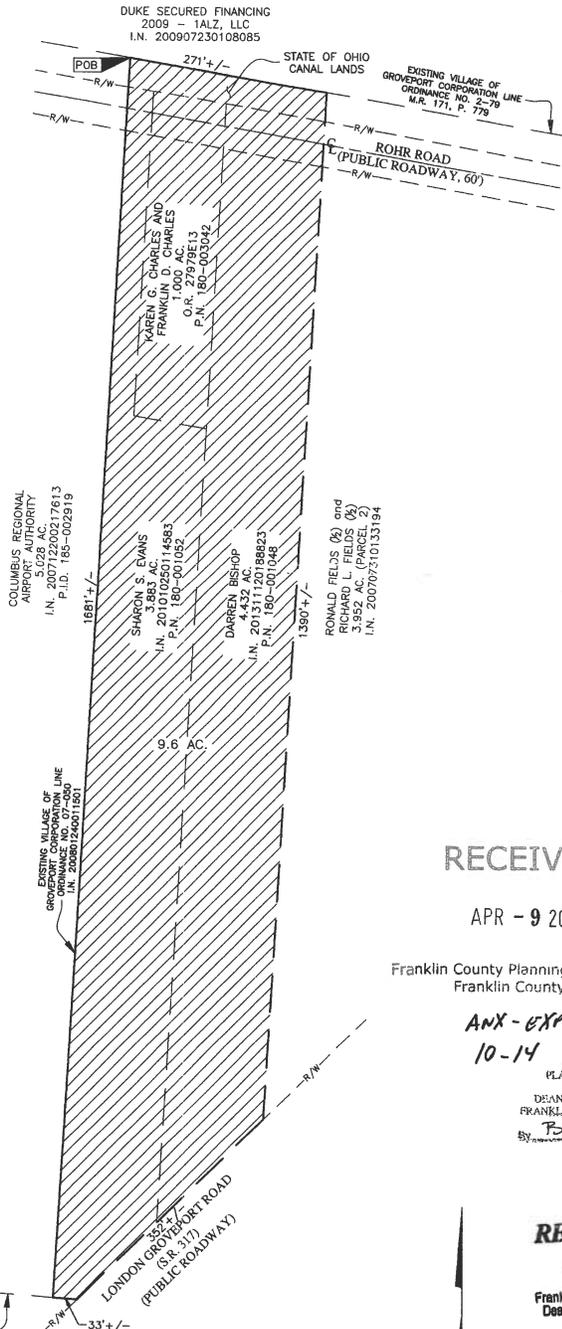
DAN Neer

Daniel A. Neer
Professional Surveyor No. 8533



PROPOSED ANNEXATION OF 9.6+/- ACRES TO THE CITY OF GROVEPORT FROM MADISON TOWNSHIP

SECTION 32, TOWNSHIP 11, RANGE 21
CONGRESS LANDS
MADISON TOWNSHIP, FRANKLIN COUNTY, OHIO



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

AREA TO BE ANNEXED
EXISTING VILLAGE OF GROVEPORT CORPORATION LINE
PROPOSED VILLAGE OF GROVEPORT CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 3727 feet, of which 1985 feet is contiguous with the Village of Groveport by Ordinance Number 35-57, giving 53% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

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Franklin County Planning Department
Franklin County, OH

ANX-EXP2
10-14

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By: *DRB* Date: 2/14/14



By: *Daniel Neer*
Daniel A. Neer
Professional Surveyor No. 8533

2/13/14
Date

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FEB 14 2014

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



GRAPHIC SCALE (in feet)

4-21-2014 10:47 AM C:\Users\jcs\Documents\2013\2013-2086\2013-2086-ANX.dwg Plot Date: 2/12/2014 2:58:15 PM
 PLOTTER: HP DesignJet 2450, PLOTTING METHOD: HP DesignJet 2450, PLOTTING SCALE: 1.0000, PLOTTING SHEET: 1 of 1

EXISTING VILLAGE OF GROVEPORT CORPORATION LINE
ORDINANCE NO. 2000-40
I.N. 200209160228470
DUKE REALTY OHIO
11.38 AC.
I.N. 200412300293994

EMHT		Date: January 17, 2014
Peters, Mechwart, Ronkowitz & Tison, Inc. Engineers, Planners & Surveyors 1000 New Albany Road, Columbus, OH 43264 Phone: (614) 775-9200 Fax: (614) 775-3400 emht.com		Scale: 1" = 100'
		Job No: 2013-2086
		Sheet: 1 of 1
REVISIONS		
NO.	DATE	DESCRIPTION

APR 17 2014

Franklin County Planning Department
 Franklin County, OH
 655 Blacklick St.
 Groveport, OH 43125
 614 830 2052
 www.groveport.org

ANX-EXP2
 10-14



City of Groveport

Master

File Number: RES. 14-004

File ID: RES. 14-004	Type: Resolution	Status: Adopted
Version: 1		In Control: City Council
File Name: Rohr Road Annexation 9.6 Acres		File Created: 04/10/2014
		Final Action: 04/14/2014

Notes:

Attachments:

Sponsors: Hilbert

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	04/14/2014	amend				Pass
1	City Council	04/14/2014	suspend the rules as to the three readings				Pass
1	City Council	04/14/2014	adopt				Pass

Text of Legislative File RES. 14-004

A RESOLUTION REGARDING THE NATURE OF SERVICES TO BE PROVIDED TO 9.6 ACRES, MORE OR LESS, PARCEL NUMBERS 180-001052, 180-001048, AND 180-003042, LOCATED IN MADISON TOWNSHIP UPON ANNEXATION OF SAID TRACT TO THE CITY OF GROVEPORT (JACKSON B. REYNOLDS, III, AGENT FOR PETITIONERS)

WHEREAS, Jackson B. Reynolds, III, agent, has filed a petition for annexation of 9.6, more or less, acres located on Parcel Numbers 180-001052, 180-001048, and 180-003042, in Madison Township upon annexation of said tract to the City of Groveport; and

WHEREAS, Section 709.03 and 709.31 (B) of the Ohio Revised Code provides that a municipal legislative authority shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation, upon annexation; and

WHEREAS, the City is required to submit this Resolution to the Franklin County Commissioners within 20 days of filing with the Clerk of Council.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVEPORT, FRANKLIN COUNTY, OHIO, A MAJORITY OF ITS MEMBERS CONCURRING:

Section 1: That the Council of the City of Groveport, pursuant to Section 709.03 and 709.031 (B) states that upon annexation of 9.6 acres, more or less, of land in Madison Township as fully described in the

description filed with the petition for annexation, will provide the following services to the territory annexed:

A. Police - Groveport municipal police service will be available upon annexation with an average response time of 4 minutes or less. The existing Township police services will also remain in effect, as incorporated Groveport is a part of Madison Township for police protection services.

B. Fire - Fire service will continue through Madison Township Fire Department, with no changes in response times, since Groveport is part of Madison Township for fire protection services. The current response times are estimated to be 4 minutes daytime and 6 minutes nighttime.

C. Emergency Medical Services - EMT services will continue through Madison Township Fire Department per the above stated conditions and response times.

D. Sanitary Sewers - Sanitary Sewer Service is available via the existing Groveport Sewer Contract with the City of Columbus. The entire tract is located within the existing contract area. Sanitary Sewer Service will be available to the annexed territory upon extension of and connection to the Sanitary Sewer System by the owner/petitioner.

E. Water - Water service is available via the existing Groveport Water contract with the City of Columbus. The entire tract is located within the existing contract area. Extensions, which may be made to the water system within the contract area, could be used to serve the subject tract, upon extension of and connection to the water utility system by owner/petitioner and per the terms of the water contract with Columbus.

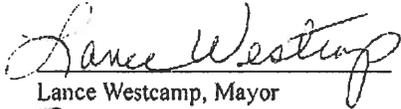
F. Storm Sewers - To the extent that the annexed territory is currently served by a roadway drainage ditch, no significant impact to the City's Storm Sewer System is expected. The City will be able to receive storm water runoff upon completion of necessary site improvements and connections by owner/petitioner subject to normal approval by the City's Engineer.

G. Roadway Maintenance - The City has equipment and staffing to handle road repair and maintenance, snow and ice removal, and any other road related activities should roadway be annexed as part of this petition.

H. Staffing Impact - the City expects to be able to serve the subject tract without significant impact to the existing staffing levels.

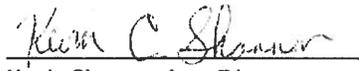
Section 2: If this 9.6 acres, more or less site is annexed and if the City of Groveport permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under the current county or township zoning regulations in the adjacent land remaining with the Township, the City 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 the 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 are made a part hereof, this Resolution shall take effect and be in full force from and after the earliest period allowed by law.


Lance Westcamp, Mayor


Ruthanne Sargus Ross, Clerk of Council

Approved as to form:


Kevin Shannon, Law Director

Sponsor: Council Member Hilbert

CERTIFICATE

The undersigned Clerk of Council of the City of Groveport hereby certifies that the attached RES. NO. 14-004 is a true and accurate copy and was duly adopted by the Council of the City of Groveport, Ohio on April 14, 2014.

Certified, this 16th day of April, 2014.


Ruthanne Sargus Ross
Clerk of Council