

Review of Petition to Annex 2.8 +/- acres from Mifflin Township to the city of Columbus by SV, Inc.

CASE #ANX-EXP2-14-08 **(ECONOMIC DEVELOPMENT & PLANNING)**

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Michael T. Shannon, Esq. filed on May 7, 2008 on behalf of SV, Inc. and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited 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 #0834-08, passed on May 19, 2008 by the city of Columbus.

Resolution No. 0483-08

June 10, 2008

Review of Petition to Annex 2.8 +/- acres from Mifflin Township to the city of Columbus by SV, Inc.

(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 PAGE FOLLOWS

SIGNATURE SHEET

Resolution No. 0483-08

June 10, 2008

REVIEW OF PETITION TO ANNEX 2.8 +/- ACRES FROM MIFFLIN TOWNSHIP TO THE CITY OF COLUMBUS BY SV, INC.(CASE #ANX-EXP2-14-08)

(Economic Development and
Planning)

Upon the motion of Commissioner Mary Jo Kilroy, seconded by Commissioner Paula
Brooks:

Voting:

Marilyn Brown, President

Aye

Mary Jo Kilroy

Aye

Paula Brooks

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 adopted 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

**Commissioners**

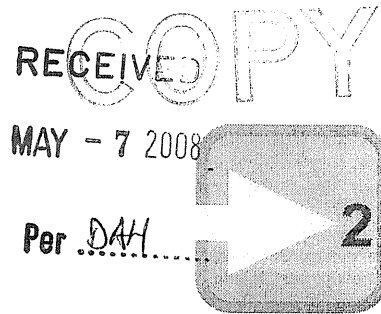
Marilyn Brown, President
Mary Jo Kilroy
Paula Brooks

Economic Development & Planning Department
James Schimmer, Director

Application for

Annexation Petition

Expedited Type 2
Pursuant to ORC §709.023



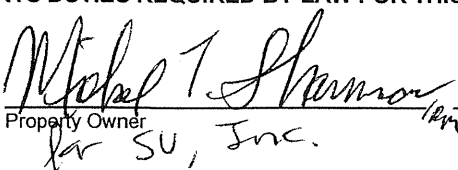
Property Information	
Site Address	2422 Sunbury Rd.
Parcel ID(s)	190-002214
From Township	Mifflin
Total Acreage	2.8
To Municipality	Columbus

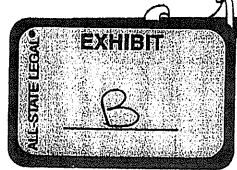
Property Owner Information	
Name	SV, Inc.
Address	8727 Dostin Rd. Galena, OH 43021
Phone #	
Fax #	
Email	

Attorney/Agent Information	
Name	Michael T. Shannon, Esq.
Address	Crabbe, Braun & James, LLP 500 S. Front St., Ste 1200 Columbus, OH 43215
Phone #	(614) 229-4504
Fax #	229-4559
Email	mshannon@cbjlawyers.com r.martin@cbjlawyers.com

Staff Use Only
Case #
ANX -EXP2 - 14-08
Hearing date:
Date filed:
Fee paid
Receipt #
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 type="checkbox"/> Legal description of property
<input type="checkbox"/> Map/plat of property
<input 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 for SV, Inc.	5-7-08 Date	_____ Property Owner	_____ Date
_____ Property Owner	_____ Date	_____ Property Owner	_____ Date



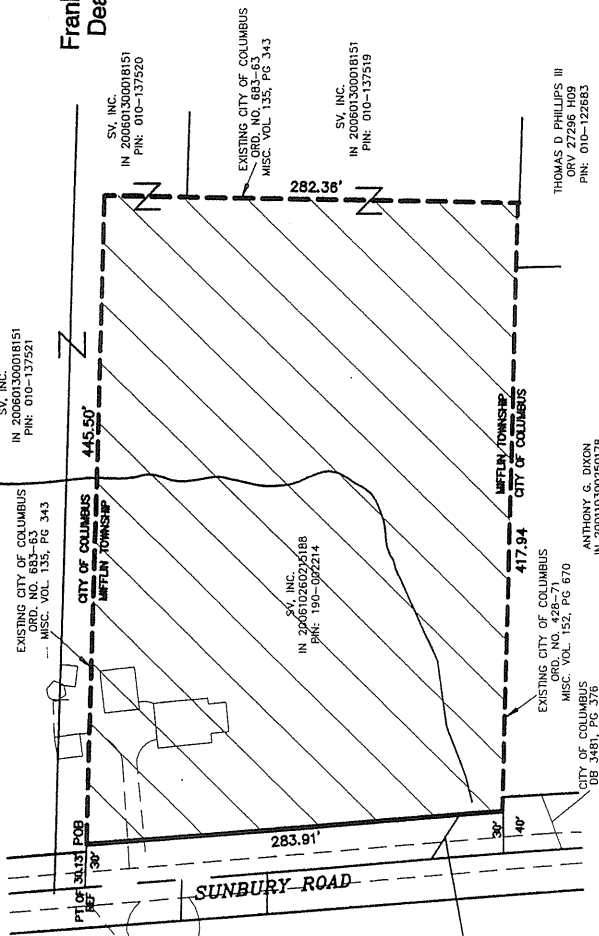
PROPOSED 2.80 ACRE ANNEXATION FROM MIFFLIN TOWNSHIP
TO THE CITY OF COLUMBUS.

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN,
MIFFLIN TOWNSHIP, THIRD QUARTER, TOWNSHIP 1,
RANGE 17, UNITED STATES MILITARY LANDS.

RECEIVED

APR 15 2008

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



GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

FRANKLIN COUNTY
COMMISSIONER
IN 2006330008747
0.196 ACRES

NOTE: THIS EXHIBIT WAS PREPARED FROM INFORMATION OF RECORD OBTAINED FROM THE
FRANKLIN COUNTY'S RECORDERS OFFICE AND NOT AN ACTUAL FIELD SURVEY.



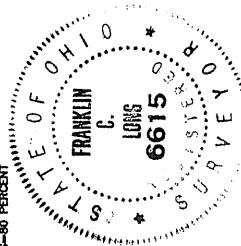
PREPARED BY:

HOCKADEN AND ASSOCIATES, INC.
Consulting Engineers & Surveyors
888 North Cassady Avenue
Columbus, Ohio 43219
Tel.: (614) 252-0993
Fax: (614) 252-0444

SCALE: 1"=100'

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

By Franklin Date 4/15/08



HOCKADEN AND ASSOCIATES, INC.
CONSULTING ENGINEERS & SURVEYORS

By Franklin P.S. No. 6615

RECEIVED

MAY - 7 2008

Per

RECEIVED

MAY - 7 2008

DESCRIPTION OF 2.80 ACRE TRACT
TO BE ANNEXED FROM MIFFLIN TOWNSHIP
TO THE CITY OF COLUMBUS

Per

Situated in the State of Ohio, County of Franklin, Township of Mifflin, Third Quarter, Township 1, Range 17, United States Military Lands and being approximately 2.80 acres of the land conveyed to S.V., Inc. (Auditors Tax Parcel Number 090-002214) as recorded in Instrument Number 200610260215188 (all references refer to records in the Franklin County Recorder's Office, Ohio) and being more fully described as follows:

Beginning for reference at the northwest property corner of Franklin County Commissioners (IN 200803310048247) 0.196 acre tract in the centerline of Sunbury Road (60' R/W);

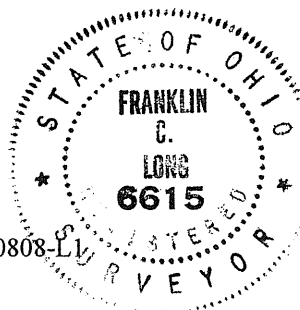
Thence easterly 30.13 feet, along the northerly property line of said 0.196 acre tract, to a point in the easterly right of way of said Sunbury Road (60' R/W) and the northwest property corner of said S.V., Inc. being the Point of Beginning;

Thence easterly 445.50 feet, along the northerly property line of said S.V., Inc. and existing City of Columbus Corporation line (ORD. No. 683-63, :Misc Vol 135, Pg 343), to a point at the northeasterly property corner of said S.V., Inc.;

Thence Southerly 282.36 feet, along the easterly property line of said S.V., Inc. and existing City of Columbus Corporation line (ORD. No. 683-63, Misc Vol 135, Pg 343), to a point in the northerly property line of Thomas D. Phillips III (ORV 27296 H09, Auditors Tax Parcel Number 010-122683);

Thence Westerly 417.94 feet, along a southerly property line of said S.V., Inc. and existing City of Columbus Corporation line (ORD. No. 428-71, Misc Vol 152, Pg 670) the northerly property line of said Phillips and Anthony G. Dixon (IN 200110300250178, Auditors Tax Parcel Number 010-201388), to a point at the south east property corner of said 0.196 acre tract in the easterly right of way line of said Sunbury Road;

Thence Northerly 283.91 feet, along the easterly right of way line of said Sunbury Road (60' R/W) and 0.196 acre tract, to the Point of Beginning containing 2.80 acres more or less based upon previous deeds and information of record and not an actual field survey.



HOCKADEN AND ASSOCIATES, INC.
Consulting Engineers and Surveyors

Frank C. Long
Frank C. Long
Professional Surveyor No. 6615

42626/10.2-020808-L

ANNEXATION
FLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By FAR/B.B. Date 4/15/08





City of Columbus Legislation Report

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

ORIGINAL

File Number: 0834-2008

Emergency

File Number: 0834-2008

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service, AN08-009, 2.8 acres, Mifflin Township, SV, Inc.

Introduced: 5/7/2008

Requester: Dev Drafter

Cost:

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.: Kevin Wheeler 645-6057

Floor Action (Clerk's Office Only)

MAY 19 2008 Passed 7-0

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0834-08 passed by The Council of The City of Columbus, Ohio 5-19, 2008 as shown by the record now on file in this office.

Seal

Andrea Owens/dncj
City Clerk

Mayor's Action

[Signature]

Mayor

MAY 20 2008

Date

Council Action

MAY 19 2008

Date Passed/ Adopted

President of Council

[Signature]

Veto

Date

ACTING City Clerk

[Signature]

Title:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation AN08-009 of 2.8± acres in Mifflin Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0834-2008 AN08-009 Legal Description.doc, ORD0834-2008 AN08-009 Map.doc

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	5/7/08	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note: Planning Division						
1	DEVELOPMENT DIRECTOR	5/7/08	Reviewed and Approved	Dev Drafter			
	Action Note: nmb						
1	Dev Drafter	5/8/08	Sent to Clerk's Office for Council	City Clerk Inbox			

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

AN08-009

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 as enacted by the General Assembly of the State of Ohio. Notice of the annexation request was received from Franklin County. The ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information to determine the municipal services that would be available was compiled following the receipt of the notice. This process takes a minimum of two weeks to complete. Preparation of the ordinance and submission to the City Clerk in order to have a timely hearing before City Council requires a minimum additional time of two weeks. All of the above creates the necessity for emergency legislation in order to meet the hearing deadline.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The 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 AN08-009 of 2.8± 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 by S.V. Inc. on May 7, 2008; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on June 10, 2008; 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 to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the Northeast planning area; and

WHEREAS, upon annexation, properties will have uniform 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 2.8 ± 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: Residential refuse collection services will be available upon annexation of the property.

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 proposed annexation site can receive water service from the Division of Power and Water via an existing 12" water main located in Sunbury Road

Sewer:

Sanitary Sewer:

This property is tributary to an existing 12-inch sanitary sewer situated within an easement on the east side along Sunbury Road approximately 2,000 feet south of proposed annexation. Mainline extension is required and to be designed and constructed privately.

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/developers at their own cost and expense with no cost to the city.

Section 2. If this 2.8 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 AN08-009
2.8 acres in Mifflin Township
S.V. Inc.

Situated in the State of Ohio, County of Franklin, Township of Mifflin, Third Quarter, Township 1, Range 17, United States Military Lands and being approximately 2.80 acres of the land conveyed to S.V., Inc. (Auditors Tax Parcel Number 090-002214) as recorded in Instrument Number 200610260215188 (all references refer to records in the Franklin County Recorder's Office, Ohio) and being more fully described as follows:

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MAP
ANNEXATION AN08-009
2.8 Acres in Mifflin Township
S.V. Inc.

