

**Review of Petition to Annex 0.418+/- acres from Madison Township to the city of Columbus by Jeffrey D. Porter, Esq.  
Case #ANX-EXP2-05-09  
(ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jeffrey D. Porter, Esq. filed on behalf of Gregory J. Prorock on February 18, 2009 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 #0293-2009, passed on March 2, 2009 by the city of Columbus.

**Review of Petition to Annex 0.418+/- acres from Madison  
Township to the city of Columbus by Jeffrey D. Porter, Esq.  
Case #ANX-EXP2-05-09  
(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. 0235-09

March 24, 2009

**REVIEW OF PETITION TO ANNEX 0.418+/- ACRES FROM MADISON  
TOWNSHIP TO THE CITY OF COLUMBUS BY JEFFREY D. PORTER, ESQ.  
CASE #ANX-EXP2-05-09**

**(Economic Development and  
Planning)**

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

**Voting:**


**Paula Brooks, President  
Marilyn Brown  
John O'Grady**

**Aye  
Aye  
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

RECEIVED

FEB 18 2009

Per DAH

2

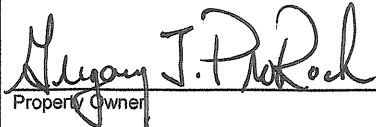
Property Information	
Site Address	6649 ALUM CREEK DRIVE
Parcel ID(s)	180-001857-00
Total Acreage	.418
From Township	MADISON
To Municipality	COLUMBUS

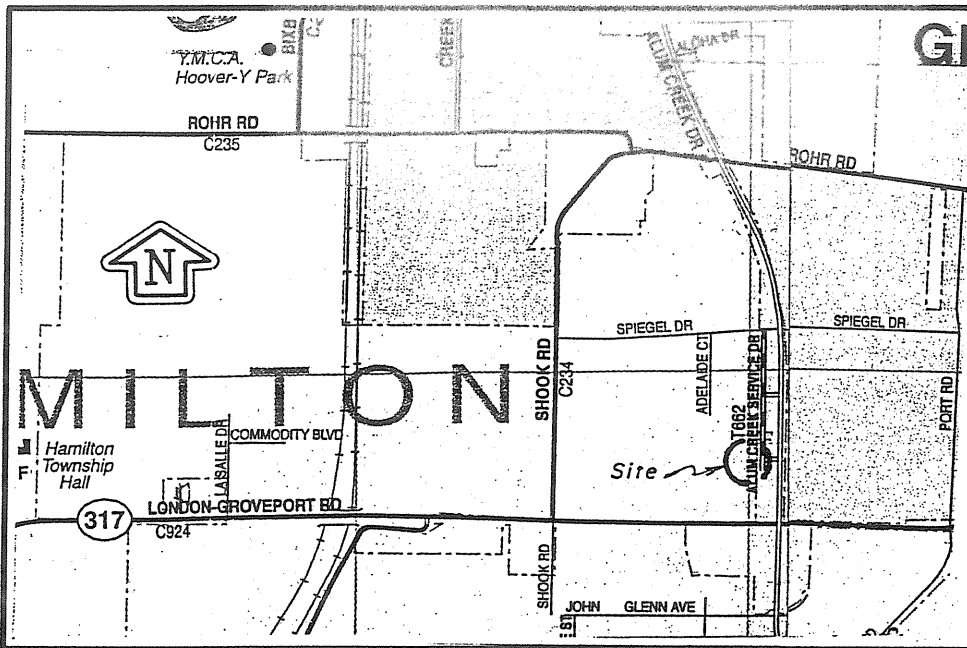
Property Owner Information	
Name	GREGORY J PROROCK
Address	3711 PEVENSEY DRIVE
	COLUMBUS OHIO 43220
Phone #	614 457 0515
Fax #	N.A.
Email	LPROROCK@NETSCAPE.COM

Attorney/Agent Information	
Name	Jeffrey D. Porter, Attorney
Address	Kegler, Brown, Hill & Ritter Co., L.P.A.
	65 East State Street, Suite 1800
	Columbus, Ohio 43215
Phone #	614/462-5418
Fax #	614/464-2634
Email	JPorter@keglerbrown.com

Staff Use Only	
Case #	05-09
Hearing date:	3-24-09
Date filed:	2-18-09
Fee paid	250.00
Receipt #	7918
Notifications deadline: 5 days	2-22-09
Svc statement deadline: 20 days	3-9-09

Document Submission
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:
<input checked="" type="checkbox"/> Legal description of property
<input checked="" type="checkbox"/> Map/plot of property
<input checked="" type="checkbox"/> List of adjacent properties

Waiver of Right to Appeal	
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.	
 Property Owner	11-24-2008 Date
Property Owner	Date



Vicinity Map

Proposed Annexation of 0.42 Acres situated in Section 31, Township 11, Range 21, Congress Lands East of Scioto River, Madison Township, Franklin County, to the City of Columbus, Ohio, being Lot 18 of "AIR HAVEN ESTATES" as shown of record in Plat Book 32, Page 10-A, Recorder's Office, Franklin County, Ohio.



*Matthew D. Farley* 2/10/19 (rev.)  
Matthew D. Farley, P.S. #7566.

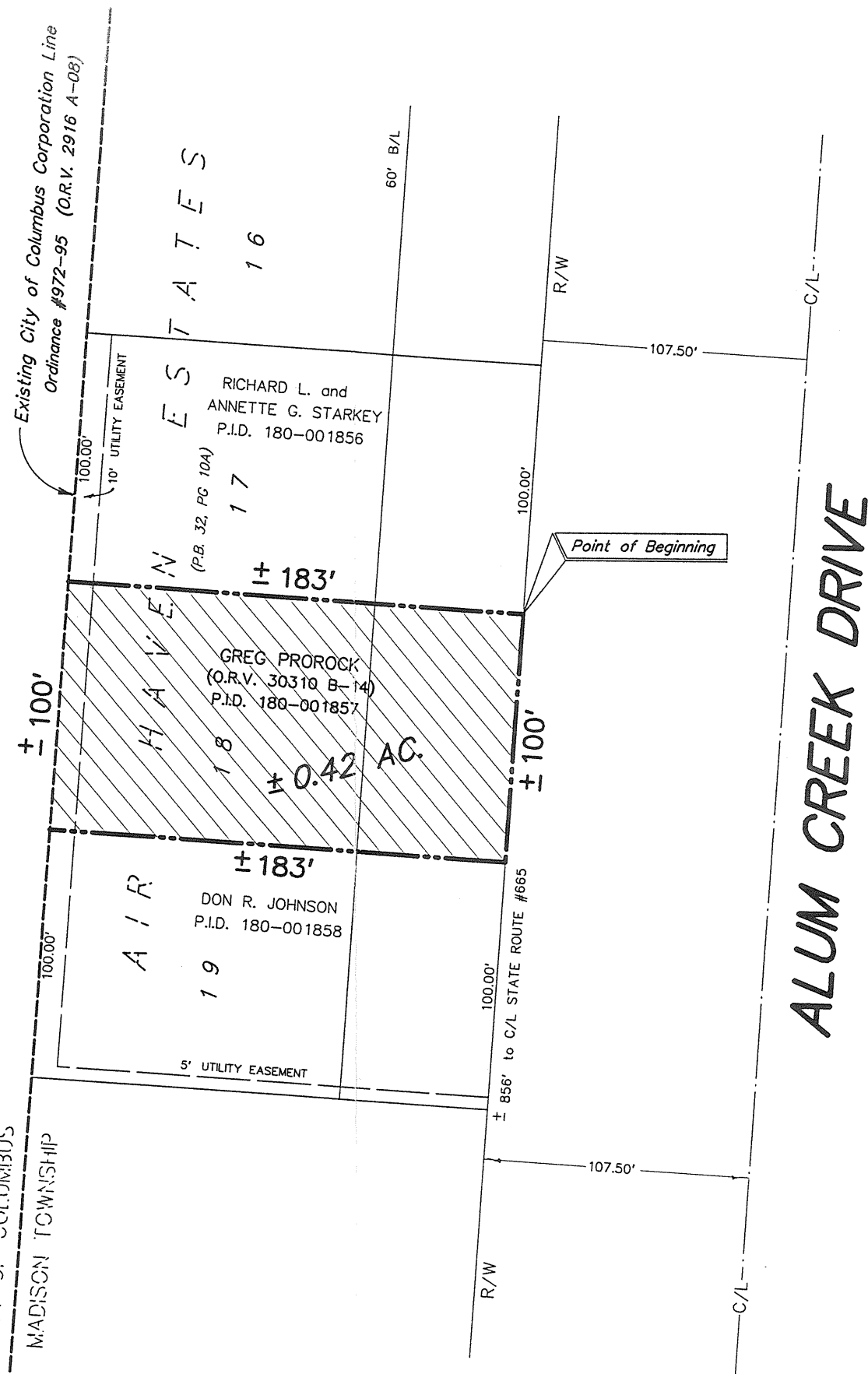
**MyersSurveying**  
COMPANY

2740 East Main Street (614) 235 - 8677  
Bexley, Ohio 43209-2577 info@myerssurveying.com

PCO ADELAIDE COURT, LP - 22.6705 AC. - P.I.D. 495-259219

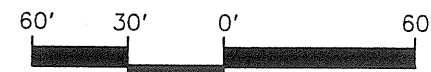
CITY OF COLUMBUS  
MADISON TOWNSHIP

Existing City of Columbus Corporation Line  
Ordinance #972-95 (O.R.V. 2916 A-08)



ALUM CREEK DRIVE

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER  
By *BB* Date 2/11/09

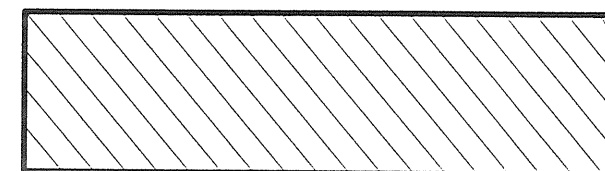


**RECEIVED** Scale 1" = 60'

FEB 11 2009

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

AREA TO BE ANNEXED



Existing City of Columbus Corporation Line

Proposed City of Columbus Corporation Line

# RECEIVED

FEB 11 2009

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

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER  
By BB Date 2/11/09

**0.42 ACRES IN MADISON TOWNSHIP, FRANKLIN COUNTY, OHIO  
TO BE ANNEXED TO THE CITY OF COLUMBUS, OHIO**

Situated in the State of Ohio, County of Franklin, Township of Madison, in Section 31, Township 11, Range 21, Congress Lands East of Scioto River, being Lot 18 of AIR HAVEN ESTATES, as same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 32, Page 10-A, Recorder's Office, Franklin County, Ohio, as conveyed to Greg Prorock, as shown of record in Official Records Volume 30310 B-14, said Recorder's Office, and being more particularly described as follows:

Beginning at a point in the west right-of-way of Alum Creek Drive at the northeast corner of said Lot 18, and the southeast corner of Lot 17 of said AIR HAVEN ESTATES;

Thence, southerly, along the east line of said Lot 18 and said right-of-way, approximately 100 feet to the southeast corner of said Lot 18, and the northeast corner of Lot 19 of said AIR HAVEN ESTATES;

Thence, westerly, along the south line of said Lot 18 and the north line of said Lot 19, approximately 183 feet to the southwest corner of said Lot 18, northwest corner of said Lot 19, in the east line of the 22.6705 Acre tract conveyed to PCO Adelaide Court LP tract, and being an existing City of Columbus Corporation Line, as established by Ordinance Number 972-95, as shown of record in Official Records Volume 2916 A-08, said Recorder's Office;

Thence, northerly, along the west line of said Lot 18, east line of said 22.6705 acre tract and said existing corporation line, approximately 100 feet to the northwest corner of said Lot 18 and the southwest corner of said Lot 17;

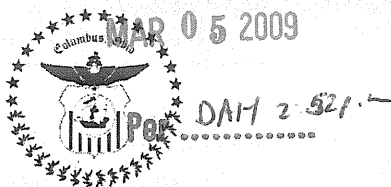
Thence, easterly, along the north line of said Lot 18 and the south line of said Lot 17, approximately 183 feet to the place of beginning **CONTAINING APPROXIMATELY 0.42 ACRES.**

**THE FOREGOING DESCRIPTION IS FOR ANNEXATION PURPOSES ONLY, BASED ON RECORDS AND NOT FROM AN ACTUAL FIELD SURVEY.**



Matthew D. Farley 2/10/09  
Matthew D. Farley, P.S. #7566 (rev)

RECEIVED



# City of Columbus Legislation Report

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

ORIGINAL

File Number: 0293-2009

## Emergency

File Number: 0293-2009

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN09-001: .42 acres, Madison Township,  
Gregory Prorock

Introduced: 2/19/2009

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)

MAR 02 2009

PASSED 7-0

I hereby certify that the above or attached is a true and correct copy of Ordinance No. passed by The Council of The City of Columbus Ohio 3/2, 20 09, as shown by the record now on file in this office.

Seal

Andrea Blewins  
City Clerk

Mayor's Action

Mayor

Mar 3 2009

Date

Council Action

MAR 02 2009

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 (AN09-001) of .42± acres in Madison Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0293-2009 AN09-001 Legal Description.doc, ORD0293-2009 AN09-001 Map.doc

## History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	2/19/09	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note: Planning Division						
1	DEVELOPMENT DIRECTOR	2/19/09	Reviewed and Approved	Dev Drafter			
	Action Note: nmb						
1	Dev Drafter	2/19/09	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

**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 Madison 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. Should the petition be approved by the County Commissioners, a second City ordinance accepting the annexation will be required 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 (AN09-001) of .42± acres in Madison 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 Madison Township was duly filed on behalf of Gregory Prorock on February 18, 2009; and

**WHEREAS,** a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on March 24, 2009; 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 South Central Accord 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 .42 ± acres in Madison 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:** Water service can be provided to this site by the Columbus Division of Power and Water through an existing 24" water main located in Alum Creek Drive.

**Sewer:**

**Sanitary Sewer:**

Sanitary sewer service can be accessed for this site from an existing 12-inch sanitary sewer situated in an easement approximately 85 feet west of the westerly property line. An easement or declaration of restrictive covenant may be required prior to installation of service.

**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 .42 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 Madison 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 Madison 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 AN09-001  
.42 Acres in Madison Township  
Gregory Prorock**

**0.42 ACRES IN MADISON TOWNSHIP, FRANKLIN COUNTY, OHIO  
TO BE ANNEXED TO THE CITY OF COLUMBUS, OHIO**

Situated in the State of Ohio, County of Franklin, Township of Madison, in Section 31, Township 11, Range 21, Congress Lands East of Scioto River, being Lot 18 of AIR HAVEN ESTATES, as same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 32, Page 10-A, Recorder's Office, Franklin County, Ohio, as conveyed to Douglas R. McAdam and Dorothy J. McAdam, as shown of record in Deed Book 2989, Page 650, said Recorder's Office, and being more particularly described as follows:

Beginning at a point in the west right-of-way of Alum Creek Drive at the northeast corner of said Lot 18, and the southeast corner of Lot 17 of said AIR HAVEN ESTATES;

Thence, southerly, along the east line of said Lot 18 and said right-of-way, approximately 100 feet to the southeast corner of said Lot 18, and the northeast corner of Lot 19 of said AIR HAVEN ESTATES;

Thence, westerly, along the south line of said Lot 18 and the north line of said Lot 19, approximately 183 feet to the southwest corner of said Lot 18, northwest corner of said Lot 19, in the east line of the 22.6705 Acre tract conveyed to PCO Adelaide Court LP tract, and being an existing City of Columbus Corporation Line, as established by Ordinance Number 972-95, as shown of record in Official Records Volume 2916 A-08, said Recorder's Office;

Thence, northerly, along the west line of said Lot 18, east line of said 22.6705 acre tract and said existing corporation line, approximately 100 feet to the northwest corner of said Lot 18 and the southwest corner of said Lot 17;

Thence, easterly, along the north line of said Lot 18 and the south line of said Lot 17, approximately 183 feet to the place of beginning **CONTAINING APPROXIMATELY 0.42 ACRES.**

**MAP**  
**ANNEXATION AN09-001**  
**.42 acres in Madison Township**  
**Gregory Prorock**

