

Review of Petition to Annex 1.073 +/- acres from Norwich Township to the city of Columbus by Amy Kuhn, Esq. Case #ANX-EXP2-03-11 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Amy Kuhn, Esq. filed on behalf of the Helen M. Wilt, TR and John L. Wilt TR on January 11, 2011 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 #0088-2011, passed on January 24, 2011 by the city of Columbus

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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. 0126-11

February 22, 2011

**REVIEW OF PETITION TO ANNEX 1.073 +/- ACRES FROM NORWICH
TOWNSHIP TO THE CITY OF COLUMBUS BY AMY KUHN, ESQ. CASE #ANX-
EXP2-03-11**

**(Economic Development and
Planning)**

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

Voting:

Marilyn Brown, President

Aye

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.



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

**Commissioners**

John O'Grady, President
Paula Brooks
Marilyn Brown

Economic Development & Planning Department
James Schimmer, Director

Application for
**Annexation
Petition**

Expedited Type 2
Pursuant to ORC §709.023

RECEIVED

JAN 11 2011

Franklin County Planning Department
Franklin County, OH

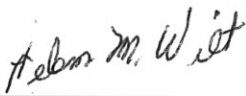
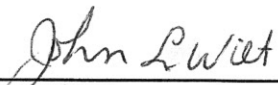
Property Information	
Site Address 2000 Spindler Rd., Hilliard, Oh 43026	
Parcel ID(s) 200-000654	Total Acreage 1.073 acres
From Township Norwich Township	To Municipality City of Columbus

Property Owner Information	
Name Helen M Wilt, TR and John L. Wilt TR	
Address 2000 Spindler Road Hilliard, OH 43026	
Phone # 614 736 3426	Fax #
Email	

Attorney/Agent Information	
Name Don Plank and Amy Kuhn, Plank Law Firm, LPA	
Address 145 East Rich Street Columbus, Ohio 43215	
Phone # 614 947 8600	Fax # 614 228 1790
Email dplank@planklaw.com and akuhn@planklaw.com	

Staff Use Only
Case # ANK-EX12-03-11
Hearing date: 2/15/11
Date filed: 1-11-11
Fee paid 250.00
Receipt # 228199
Notifications deadline: 5 days 1/16/11
Svc statement deadline: 20 days 1/31/11

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			
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 Helen M. Wilt TR	<u>1/8/11</u> _____ Date	 _____ Property Owner John L. Wilt TR	<u>1-8-2011</u> _____ Date
_____ Property Owner	_____ Date	_____ Property Owner	_____ Date

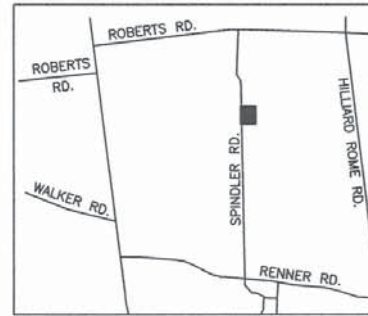
PROPOSED ANNEXATION OF 1.073 ACRES

FROM: NORWICH TOWNSHIP
TO: CITY OF COLUMBUS

SITUATED IN THE STATE OF OHIO, COUNTY
OF FRANKLIN, TOWNSHIP OF NORWICH,
BEING PART OF VIRGINIA SURVEY MILITARY
NO. 6542.

JOHN WILT & HELEN WILT
DEED VOL. 1555, PG. 453
(200-000654)
1.238 ACRES (DEED)
1.073 ACRES (TO BE ANNEXED)

LEGEND	
EXISTING CITY OF COLUMBUS CORP. LINE	
AREA TO BE ANNEXED	

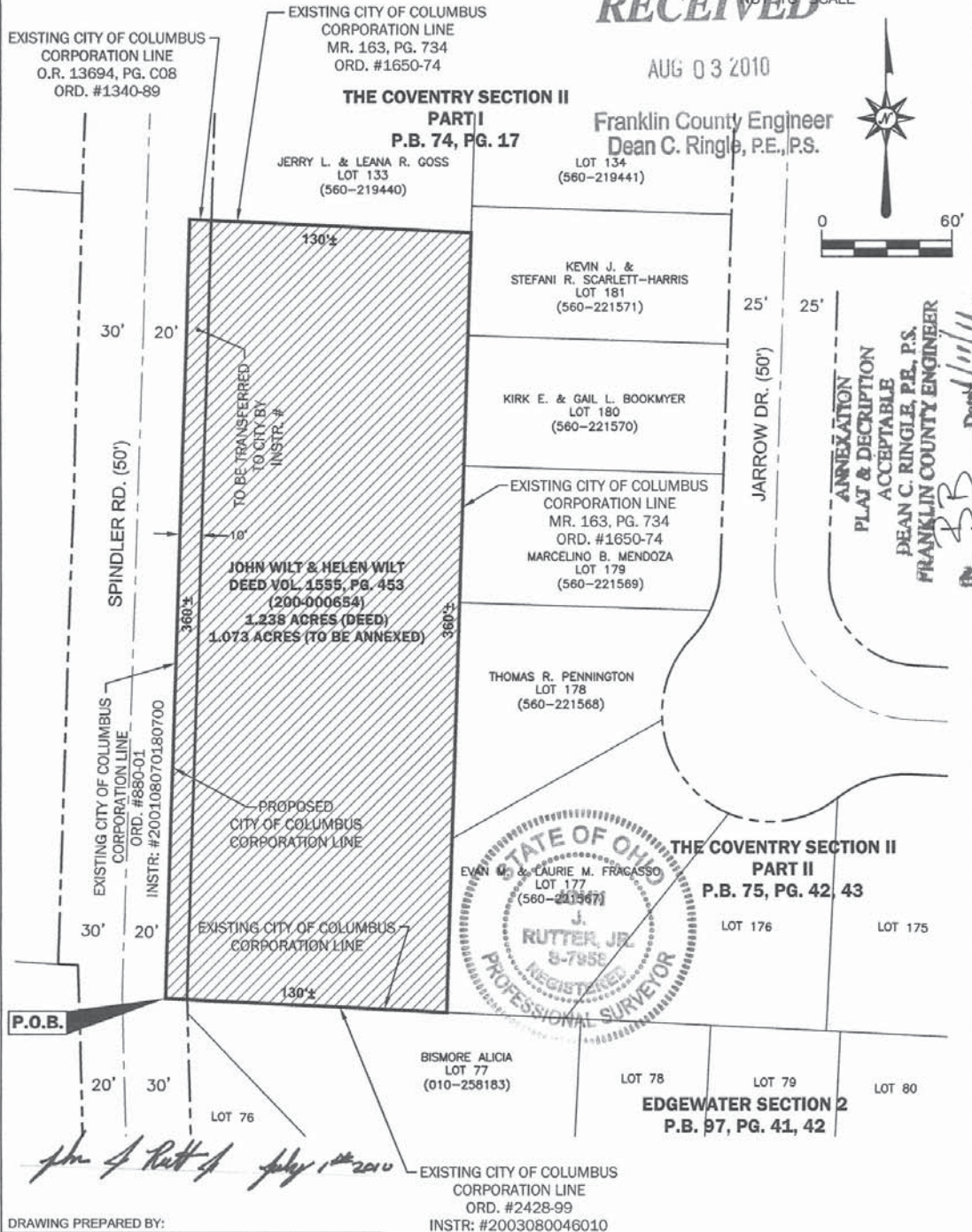


LOCATION MAP
NOT TO SCALE

RECEIVED

AUG 03 2010

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



DRAWING PREPARED BY:

ACKISON SURVEYING LLC

"Your Survey Solution"
8519 OLD FIELD BIRCH DR.
BLACKLICK, OHIO 43004
614-866-4600

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AUG 03 2010

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 1/11/10

PROPOSED ANNEXATION OF 1.073 ACRES

From: Norwich Township

To: The City of Columbus

Situated in the State of Ohio, County of Franklin, Township of Norwich, Being part of Virginia Military Survey No. 6542. Being 1.073 acres of land out of a 1.238 acre tract of land as conveyed to John Wilt & Helen Wilt in Deed Volume 1555, Page 453.

Beginning at the intersection of the South line of the aforementioned John Wilt & Helen Wilt Tract, and the East right-of-way line of Spindler Road, and being a point in the existing corporation line for the city of Columbus, as established by Ordinance 880-01, in Instrument No. 200108070180700;

Thence in a northerly direction, a distance of approximately 360 feet along the easterly right-of-way line of said Spindler Road, and continuing along the previously mentioned city corporation line, to the intersection of the northerly line of said John Wilt & Helen Wilt Tract, and the East right-of-way line of Spindler Road, also being a point on the existing corporation line for the city of Columbus, as established by Ordinance 1340-89 in O.R. 13694 C08;

Thence in a easterly direction, a distance of approximately 130 feet along the northerly line of said John Wilt & Helen Wilt Tract, and continuing along the previously mentioned city corporation line, and the city Corporation line by Ordinance 1650-74 in MR 163, PG. 734, passing the southwesterly corner of Lot 133 of The Coventry Section II, Part I, as numbered and delineated upon the record Plat thereof, of record in Plat Book 74, Page 17, at 10.0 feet, to the northeasterly corner of said Wilt Tract, and a point on the westerly line of Lot 181 of The Coventry Section II, Part II, as numbered and delineated upon the record Plat thereof, of record in Plat Book 75, Page 42,;

Thence in a southerly direction, a distance of approximately 360 feet along the easterly line of said John Wilt & Helen Wilt Tract, and the westerly line of the said Coventry Subdivision as numbered and delineated upon the record Plat thereof, of record in Plat Book 75, Page 42, and continuing along the previously mentioned city corporation line by Ordinance 1650-74, to the southeasterly corner of said Wilt Tract, and the southwesterly corner of Lot 177 of The Coventry Section II, Part II, as numbered and delineated upon the record Plat thereof, of record in Plat Book 75, Page 42, and on the northerly line of Lot 77 of The Edgewater Section 2, as numbered and delineated upon the record Plat thereof, of record in Plat Book 79, Page 41, and also being a point on the existing corporation line for the city of Columbus, as established by Ordinance 2428-99 in Instrument No. 2003080046010;

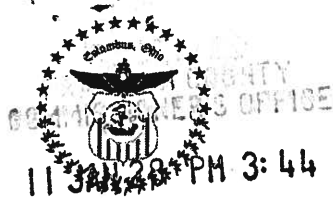
Thence in a westerly direction, a distance of approximately 130 feet along the southerly line of said John Wilt & Helen Wilt Tract, passing the northwesterly corner of said Lot 77 at approximately 120, and continuing along the previously mentioned city corporation line, to the place of beginning, containing 1.073 acres, more or less.

The above description was prepared by Ackison Surveying, LLC (8519 Old Field Birch Drive, Blacklick, Ohio 43004 (614) 866-4600) from the best available County Records. The information displayed was not derived from an actual field survey. This description is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.

John J. Rutter Jr. P.S. 7958 July 1, 2010

John J. Rutter Jr. July 1st 2010





City of Columbus Legislation Report

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

ORIGINAL

File Number: 0088-2011

Emergency

File Number: 0088-2011

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN10-007: 1.073 acres, Norwich Township, Wilt

Introduced: 1/12/2011

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.: Lori Baudro 645-6986

Floor Action (Clerk's Office Only)

JAN 24 2011 P 7-0

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0088-2011 passed by The Council of The City of Columbus, Ohio 1/24, 2011, as shown by the records now on file in this office.

Seal Andrea Bleivins
City Clerk

Mayor's Action

JAN 25 2011

Council Action

JAN 24 2011

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

Title:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN10-007) of 1.073 ± acres in Norwich Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

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11 JAN 31 AM 9:17

JAN 31 2011

Sponsors:

Indexes:

Attachments: ORD0088-2011 AN10-007 Legal Description.doc, ORD0088-2011 AN10-007 Map.doc

Franklin County Planning Department
Franklin County, OH

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	1/12/11	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note: Planning Division						
1	DEVELOPMENT DIRECTOR	1/12/11	Reviewed and Approved	Dev Drafter			
	Action Note: nmb						
1	Dev Drafter	1/12/11	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**AN010-007**

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 Norwich 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 (AN10-007) of 1.073 ± acres in Norwich 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 Norwich Township was duly filed on behalf of John L. & Helen M. Wilt on January 11, 2011; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on February 15, 2011; 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 parcel is located within the boundaries of the 2006 Big Darby Accord Watershed Master Plan and the April 2009 Big Darby Accord Revenue Program; and

WHEREAS, upon review by the City's Sustainability and Regional Development Coordinator, it was determined that due to the size and nature of the site and proposed development, the provisions of the Revenue Program will not be applied at this time; the switch from an existing septic system to centralized utilities will benefit the environment and is in the spirit of the Big Darby Accord. Applicant's legal council has been informed that the City reserves the right to reassess this decision should there be a change from the development plan presented; 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 1.073 ± acres in Norwich 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 for residential uses upon annexation of the property. However, 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 will be served by an existing 12" water main located in Spindler Road.

Sanitary Sewer: Department of Utility records indicate this property can be served by an existing 8-inch sanitary sewer situated within an easement and located along the eastern property line within the Coventry subdivision to the east.

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 1.073 ± 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 Norwich 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 Norwich 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 AN10-007
1.073 ± Acres in Norwich Township
John L. & Helen M. Wilt

Situated in the State of Ohio, County of Franklin, Township of Norwich, Being part of Virginia Military Survey No. 6542. Being 1.073 acres of land out of a 1.238 acre tract of land as conveyed to John Wilt & Helen Wilt in Deed Volume 1555, Page 453.

Beginning at the intersection of the South line of the aforementioned John Wilt & Helen Wilt Tract, and the East right-of-way line of Spindler Road, and being a point in the existing corporation line for the city of Columbus, as established by Ordinance 880-01, in Instrument No. 200108070180700;

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John J. Rutter Jr. P.S. 7958 July 1, 2010

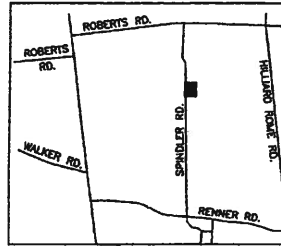
ANNEXATION AN10-007
± 1.073 Acres in Norwich Township
John L. & Helen M. Wilt

**PROPOSED ANNEXATION
OF 1.073 ACRES**

FROM: NORWICH TOWNSHIP
TO: CITY OF COLUMBUS

SITUATED IN THE STATE OF OHIO, COUNTY
OF FRANKLIN, TOWNSHIP OF NORWICH,
BEING PART OF VIRGINIA SURVEY MILITARY
NO. 6542.

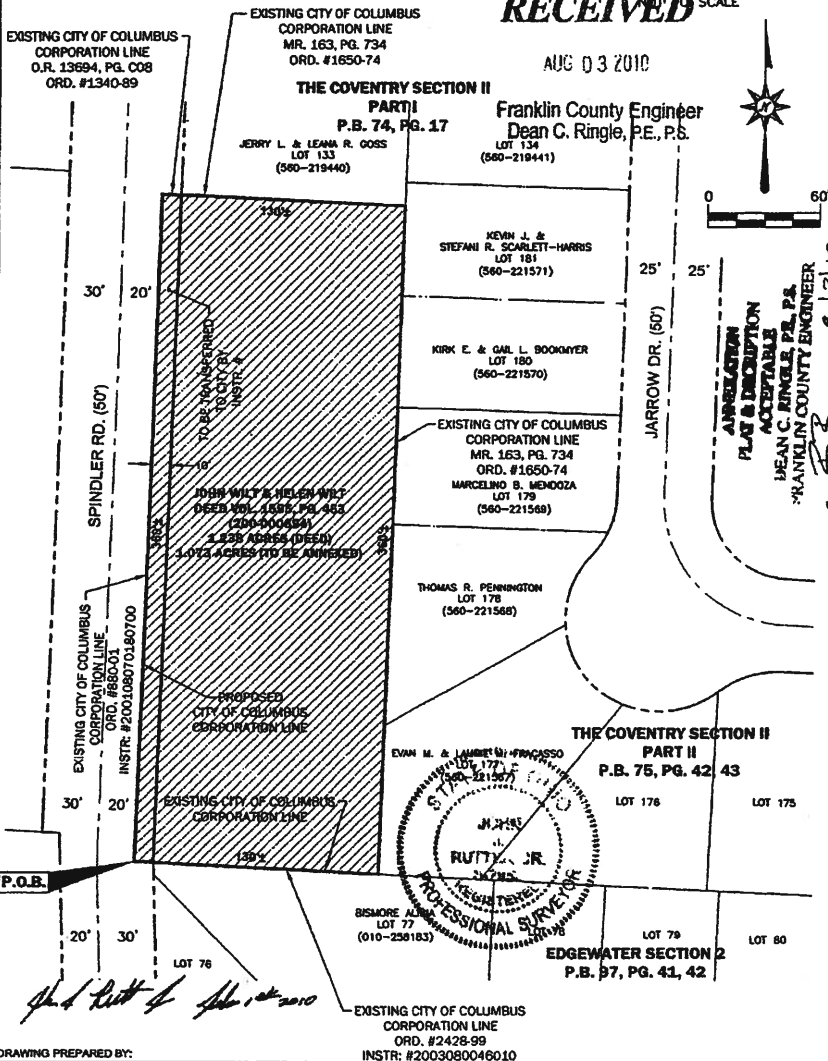
JOHN WILT & HELEN WILT
DEED VOL. 1555, PG. 453
(200-000654)
1.238 ACRES (DEED)
1.073 ACRES (TO BE ANNEXED)



RECEIVED

AUG 03 2010

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



DRAWING PREPARED BY:

ACKISON SURVEYING LLC
"Your Survey Solution"
8519 OLD FIELD BIRCH DR.
BLACKICK, OHIO 43004
614-866-4600

EXISTING CITY OF COLUMBUS
CORPORATION LINE
ORD. #2428-99
INSTR. #2003080046010