

**Review of Petition to Annex 4.6+/- acres from Washington Township to the City of Dublin by Jackson B. Reynolds, Esq. Case #ANX-EXP2-22-13 (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jackson B. Reynolds, Esq. filed on behalf of Jay B. Eggspuehler on September 9, 2013 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. 55-13, passed on September 23, 2013 by the City of Dublin.

**Review of Petition to Annex 4.6+/- acres from Washington Township to the City of Dublin by Jackson B. Reynolds, Esq. Case #ANX-EXP2-22-13 (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 Dublin, 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 Dublin, Ohio.

Prepared by: D. Anthony Hray

C: Economic Development & Planning Department

**SIGNATURE SHEET**

Resolution No. 0787-13

October 15, 2013

**REVIEW OF PETITION TO ANNEX 4.6+/- ACRES FROM WASHINGTON  
TOWNSHIP TO THE CITY OF DUBLIN BY JACKSON B. REYNOLDS, ESQ.  
CASE #ANX-EXP2-22-13**

**(Economic Development and  
Planning)**

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

**Voting:**

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

**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 acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



---

Shannon Z Cross, Clerk  
Board of County Commissioners  
Franklin County, Ohio



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

Economic Development & Planning Department  
James Schimmer, Director

## RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX  
4.6+/- ACRES FROM  
WASHINGTON TOWNSHIP  
TO THE CITY OF DUBLIN  
BY JACKSON B. REYNOLDS, ESQ.

### **Description:**

Attached is a resolution to consider the annexation of 4.6-acres, more or less, from Washington Township to the city of Dublin. The petition case number is ANX-EXP2-22-13.

### **Applicant/Agent:**

Jackson B. Reynolds, Esq.

### **Owner:**

Jay B. Eggspuehler

### **Site:**

7250 Coffman Road (270-000762)

### **Additional Information:**

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

### **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 Dublin stating the services that will be provided once the annexation has been approved. The city of Dublin has agreed to provide the territory proposed for annexation the services specified in the relevant service resolution no. 55-13 passed September 23, 2013.

### **Recommendation:**

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



Commissioner John O'Grady · Commissioner Paula Brooks · Commissioner Marilyn Brown  
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 **September 17, 2013** General Session  
Agenda for a hearing on **October 15, 2013**.

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**Case #ANX-EXP2-22-13-** An Expedited Type 2 annexation ANX-EXP2-22-13 was filed in our office on September 9, 2013. The petition is requesting to annex 4.6 +/- acres from Washington Township to the city of Dublin. The agent is Jackson B. Reynolds, Esq. **Site: 7250 Coffman Road (270-000762)**



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

**Economic Development & Planning Department**  
James Schimmer, Director

Application for

# Annexation Petition

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SEP 9 2013

Franklin County Planning Department  
Franklin County, OH

2

|                             |                   |
|-----------------------------|-------------------|
| <b>Property Information</b> |                   |
| Site Address                | 7250 Coffman Road |
| Parcel ID(s)                | 270-00762 000762  |
| Total Acreage               | 4.6 acres         |
| From Township               | Washington        |
| To Municipality             | Dublin            |

|                                   |                                       |
|-----------------------------------|---------------------------------------|
| <b>Property Owner Information</b> |                                       |
| Name                              | Jay B. Eggspuehler                    |
| Address                           | 7250 Coffman Road<br>Dublin, OH 43017 |
| Phone #                           | 221-5216                              |
| Fax #                             | 221-5962                              |
| Email                             | jeggspuehler@wileslaw.com             |

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

|                                    |                   |
|------------------------------------|-------------------|
| <b>Staff Use Only</b>              |                   |
| Case #                             | ANX-EXP2<br>22-13 |
| Hearing date:                      | 10/15/13          |
| Date filed:                        | 9/9/13            |
| Fee paid                           | 250.00            |
| Receipt #                          | 1775              |
| Notifications deadline:<br>5 days  | 9/14/13           |
| Svc statement deadline:<br>20 days | 9/29/13           |

|   |                               |
|---|-------------------------------|
| <b>Document Submission</b>  |                               |
| 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 | Date | Property Owner | Date |
| Property Owner | Date | Property Owner | Date |

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)  
TO THE CITY OF DUBLIN  
OF 4.6 ACRES MORE OR LESS  
IN THE TOWNSHIP OF WASHINGTON

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SEP 9 2013

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

Franklin County Planning Department  
Franklin County, OH

ANX-EXP2  
22-13

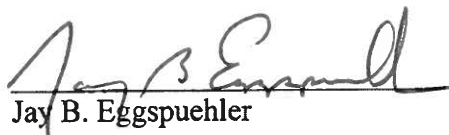
The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of 4.6 acres with a total perimeter boundary of 2,014', more or less, in the Township of Washington which area is contiguous along 721' or 36% and adjacent to the City of Dublin, do hereby pray that said territory be annexed to the City of Dublin 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 ONE OWNER OF REAL ESTATE.

Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 725, 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>               |
|---|-------------|------------------------------|
| <br>Jay B. Eggspuehler | 9-6-13      | 7250 COFFMAN RD., DUBLIN, OH |
| _____   | _____       | _____                        |
| _____   | _____       | _____                        |
| _____   | _____       | _____                        |
| _____   | _____       | _____                        |

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER  
By BB Date 9/30/13

RECEIVED

AUG 30 2013

PROPOSED ANNEXATION  
4.6+/- ACRES

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

FROM: WASHINGTON TOWNSHIP

TO: CITY OF DUBLIN

Situated in the State of Ohio, County of Franklin, Township of Washington, lying in Virginia Military Survey Number 2543 and being all of that 4.663 acre tract conveyed to Jay B. Eggspuehler by deed of record in Instrument Number 201308280146516 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING at a common southerly corner to said 4.663 acre tract and that 6.342 acre tract conveyed to Lee A. Jenkins, Trustee and David R. Jenkins Trustee by deed of record in Deed Book 3678, Page 220, being a northerly corner of Lot 12 of that subdivision entitled "The Woods of Indian Run" of record in Plat Book 76, Page 9 and being on an existing northerly City of Dublin Corporation line, as established in Ordinance Number 22-86 and recorded in Official Record 11893C04;

thence westerly, with the southerly line of said 4.663 acre tract, a northerly line of said "The Woods of Indian Run" and said existing Corporation Line (22-86), a distance of approximately 721 feet to a point at the common southerly corner to said 4.663 acre tract and the remainder of that 7.057 acre tract conveyed to Jay B. Eggspuehler by deed of record in Official Record 21629A01;

thence northerly, with a common line to said 4.663 acre tract and the remainder of said 7.057 acre tract, a distance of approximately 310 feet to a point at a common northerly corner to said 4.663 acre tract and the remainder of said 7.057 acre tract and being on the southerly line of that 6.679 acre tract conveyed to Albert A. Gabel Trustee and Lucille A. Gabel Trustee by deed of record in Instrument Number 200206070142618;

thence easterly, with a common line to said 4.663 acre and 6.679 acre tracts, a distance of approximately 733 feet to a point at the common easterly corner to said 4.663 acre and 6.679 acre tracts and being at a westerly corner of said 6.342 acre tract;

thence southerly, with the easterly line of said 4.663 acre tract and a westerly line of said 6.342 acre tract, a distance of approximately 250 feet to the POINT OF BEGINNING, and containing 4.6 acres of land, more or less.

This description was prepared for annexation purposes only, and is NOT to be used for deed transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



Daniel A. Neer  
Registered Surveyor No. 8533

8/30/13

Date

DAN  
4.6 ac. 20130856-VS-ANNX

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Franklin County Planning Department  
Franklin County, OH

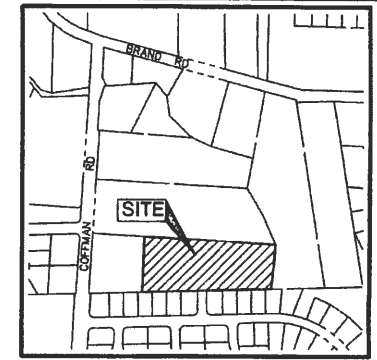
ANN-EXP 2

22-13

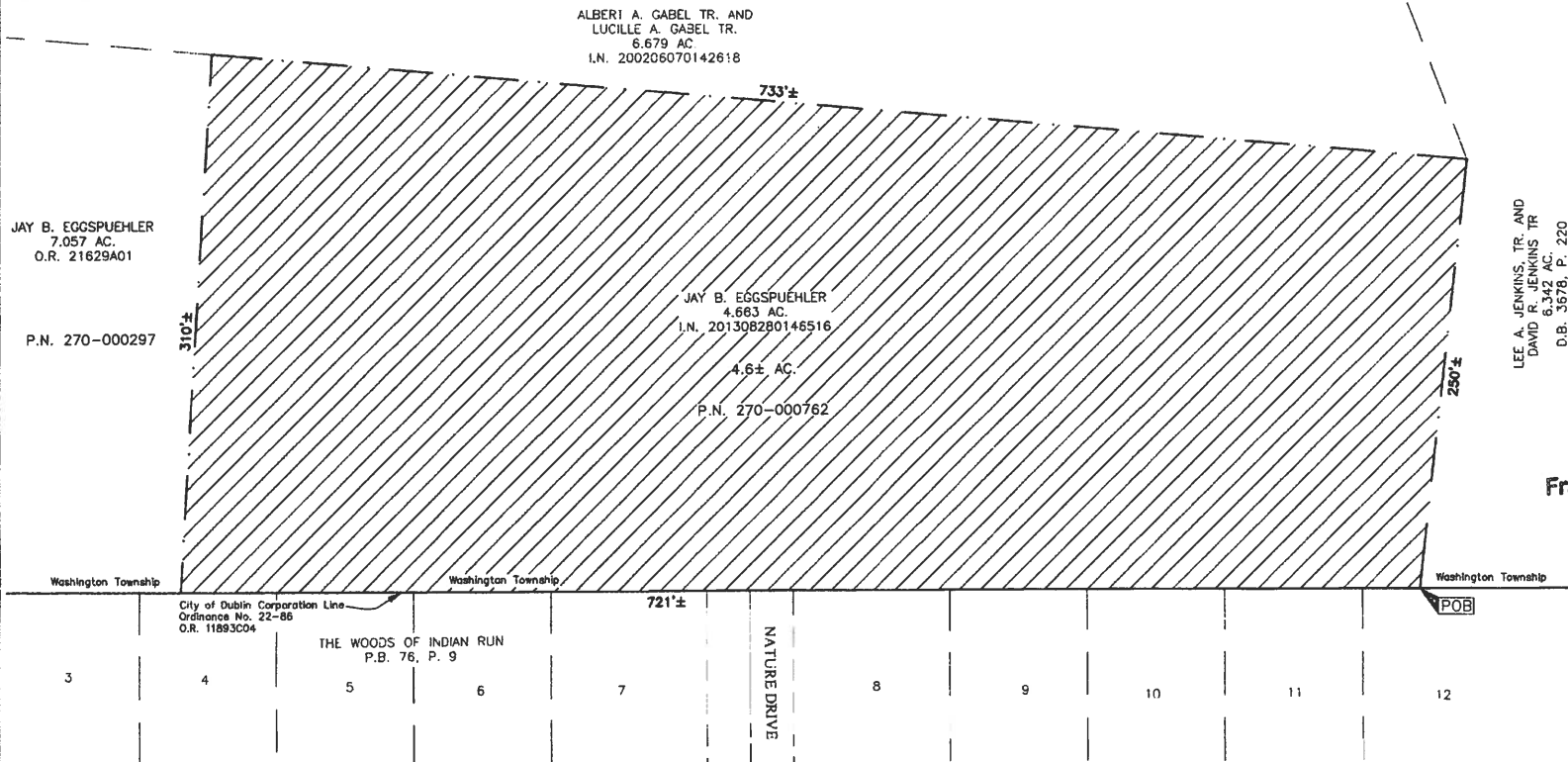




# ANNEXATION OF 4.6± ACRES TO THE CITY OF DUBLIN FROM WASHINGTON TOWNSHIP VIRGINIA MILITARY SURVEY NO. 2543 TOWNSHIP OF WASHINGTON, COUNTY OF FRANKLIN, STATE OF OHIO



LOCATION MAP AND BACKGROUND DRAWING  
NOT TO SCALE



LEE A. JENKINS, TR. AND  
DAVID R. JENKINS TR.  
6.542 AC.  
D.B. 3076, P. 220

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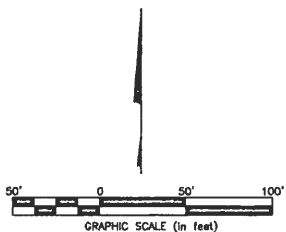
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Franklin County, OH

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22-13

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



AREA TO BE ANNEXED

EXISTING CITY OF DUBLIN CORPORATION LINE

Contiguity Note:  
Total perimeter of annexation area is 2014 feet, of which 721 feet  
is contiguous with the City of Dublin by Ordinance Number  
22-86, giving 36% perimeter contiguity.

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

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER  
By DR Date 9/3/13

By Daniel A. Neer 9/3/13  
Date  
Daniel A. Neer  
Professional Surveyor No. 8533

|  |      |                     |
|--|------|---------------------|
| <b>EMHT</b>  |      | Date: July 10, 2013 |
| Dean, Macchewitz, Hambelton & Thon, Inc.<br>Engineers - Surveyors - Planners - Scientists<br>3000 New Albany Road, Columbus, OH 43264<br>Phone: 614-775-4300 Fax: 614-775-4344<br>emht.com |      | Scale: 1" = 50'     |
|  |      | Job No: 2013-0856   |
|  |      | Sheet: 1 of 1       |
| REVISIONS  |      |                     |
| MARK   | DATE | DESCRIPTION         |
|  |      |                     |
|  |      |                     |
|  |      |                     |
|  |      |                     |
|  |      |                     |



**Dublin City Council**

5200 Emerald Parkway  
Dublin, Ohio 43017  
Phone: 614.410.4400  
[www.dublinohiousa.gov](http://www.dublinohiousa.gov)

**Mayor**

*Timothy A. Lecklider*

**Vice Mayor**

*Amy J. Salay*

*Cathy A. Boring*

*Marilee Chinnici-Zuercher*

*Richard S. Gerber*

*Michael H. Keenan*

*John G. Reiner*

**Clerk of Council**

*Anne C. Clarke*

September 23, 2013

**Lee Brown**

**Planning Administrator**

**Franklin County Development Department**

**150 South Front Street - FSL Suite 10**

**Columbus, OH 43215**

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SEP 30 2013

Franklin County Planning Department  
Franklin County, Ohio

*ANX - LXP*  
*22-13*

**Resolution 55-13**

Adopting a Statement of Services for a Proposed Annexation of 4.6 Acres, More or Less, from Washington Township, Franklin County, to the City of Dublin. (Petitioner: Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio)

**Resolution 56-13**

Adopting a Statement Regarding Possible Incompatible Land Uses and Zoning Buffer for a Proposed Annexation of 4.6 Acres, More or Less, from Washington Township, Franklin County, to the City of Dublin, Ohio as Required by Section 709.023(C) of the Ohio Revised Code. (Petitioner: Jay B. Eggspuehler, 7250 Coffman Road, Dublin)

Dear Mr. Brown:

Enclosed are certified copies of the above-referenced resolutions as approved by City Council on September 23, 2013.

Please let me know if you need additional information.

Sincerely,

Anne C. Clarke

Clerk of Council

Enclosures

c: Jackson B. Reynolds, Agent for Petitioner

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

55-13

Resolution No.

Passed

20

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SEP 30 2013

Franklin County Planning Department  
Franklin County, Ohio

ANX-EXP 2

22-13

**A RESOLUTION ADOPTING A STATEMENT OF SERVICES  
FOR A PROPOSED ANNEXATION OF 4.6 ACRES, MORE  
OR LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN  
COUNTY, TO THE CITY OF DUBLIN**

**WHEREAS**, an Expedited Type II annexation petition for 4.6 acres, more or less, from Washington Township, Franklin County to the City of Dublin was filed in the offices of the Franklin County Commissioners on September 9, 2013 by Jackson B. Reynolds, III, agent for Petitioner Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio 43017 ; and

**WHEREAS**, Section 709.023(C) of the Ohio Revised Code requires that, prior to the hearing of the annexation petition, the legislative authority shall adopt a statement indicating what services the municipal corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory proposed for annexation, upon annexation; and

**WHEREAS**, the area proposed for annexation lies within Dublin's exclusive water and sewer service extension area, as provided under the agreements with the City of Columbus; and

**WHEREAS**, the proposed annexation is in conformance with the annexation expectations of the City Community Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Dublin, 7 of its elected members concurring, that:

**Section 1.** The City of Dublin will provide the following municipal services for the 4.6 acres, more or less in Washington Township, Franklin County immediately upon the annexation of the area to the City of Dublin, Ohio:

**Police.** The City of Dublin has five police districts and deploys a minimum of five cruisers. The subject annexation is located approximately 1.3 driving miles from the Justice Center, the Division of Police headquarters. The annexation area will be fully served with police and communications services at the same or similar level now being provided to other areas of the City with similar land use and population.

**Fire and EMS.** The City of Dublin will provide, cause to provide, or contract with Washington Township to provide fire protection and EMS services to this area of Dublin at the same or similar level now being provided to other areas of the City with similar land use and population. The closest Washington Township station is 1.2 driving miles away on Brand Road.

**Solid Waste Collection.** Residential refuse collection services are contracted by the City and will be currently provided at no additional charge.

**Street Maintenance.** The City's Streets and Utilities Division provides excellent service in the area of street and road maintenance. The City already maintains right-of-way near this annexation for snow and ice and will continue to do so at the same levels as other similar streets in the City.

**Section 2.** The City has Water and Sanitary Sewer Service Agreements with the City of Columbus, and the subject property is within the exclusive service area of the agreements. Conditioned upon the ability of the City of Columbus to provide water supply and to provide sufficient sanitary sewerage disposal capacity,

I, Anne C. Clarke, Clerk of Council, hereby certify that the foregoing is a true copy of Ordinance/Resolution No. 55-13 duly adopted by the Council of the City of Dublin, Ohio, on the 23rd Day of September, 2013.

*Anne C. Clarke*  
Clerk of Council, Dublin, Ohio

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

55-13

Page 2 of 2

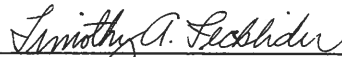
Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

sufficient public water distribution and sanitary sewer collection systems exist in this area to serve this property. Water distribution, Sanitary Sewer and Wastewater collection are available to this location at the present time.

**Section 3.** This resolution shall be effective immediately upon passage, as provided under Section 4.04(a) of the Revised Charter.

Passed this 23rd day of September, 2013.



Mayor - Presiding Officer

ATTEST:



Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

56-13

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_

20 \_\_\_\_\_

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SEP 30 2013

Franklin County Planning Depa  
Franklin County, Ohio

ANX - EXP2

22 - 13

**A RESOLUTION ADOPTING A STATEMENT REGARDING  
POSSIBLE INCOMPATIBLE LAND USES AND ZONING BUFFER  
FOR A PROPOSED ANNEXATION OF 4.6 ACRES, MORE OR  
LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY,  
TO THE CITY OF DUBLIN, OHIO AS REQUIRED BY SECTION  
709.023(C) OF THE OHIO REVISED CODE.**

**WHEREAS**, a petition for an Expedited II method of annexation of 4.6 acres, more or less, from Washington Township, Franklin County was filed in the offices of the Board of County Commissioners of Franklin County, Ohio on September 9, 2013 by Jackson B. Reynolds, III, agent for Petitioner Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio 43017; and

**WHEREAS**, the Expedited II method of annexation, pursuant to Section 709.023(C) of the Ohio Revised Code, requires that within 20 days of the petition being filed, the municipality to which annexation is proposed must adopt an ordinance or resolution relating to land uses and buffers if the territory proposed to be annexed is currently subject to either county zoning pursuant to Chapter 303 of the Ohio Revised Code or township zoning pursuant to Chapter 519 of the Ohio Revised Code; and

**WHEREAS**, the territory proposed for annexation is currently subject to township zoning, pursuant to Chapter 519 of the Ohio Revised Code; and

**WHEREAS**, pursuant to Section 709.023(C) of the Ohio Revised Code, this resolution must state that should (a) the territory be annexed and (b) subsequently becomes subject to municipal zoning, and (c) the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then the Dublin 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 the township; and

**WHEREAS**, pursuant to Section 709.023(C) of the Ohio Revised Code, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks; and

**WHEREAS**, Section 153.004(D) of the Dublin Codified Ordinances requires that upon annexation, the annexed territory be automatically rezoned to R Rural District subject to regulations and procedures contained in the City of Dublin Zoning Code and amendments; and

**WHEREAS**, the territory proposed for annexation is adjacent to the City of Dublin to the south and, adjacent areas to the north and south and east are unincorporated Washington Township territory.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Dublin, 7 of its elected members concurring, that:

Section 1. The City of Dublin adopts the following statement for the 4.6 acres, more or less, in Washington Township, Franklin County:

Should the territory (a) be annexed and (b) subsequently become subject to zoning pursuant to the Dublin Codified Ordinances, and (c) the municipal zoning permits uses in the annexed territory that Dublin City Council determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then the Dublin City Council will require, in the zoning ordinance

I, Anne C. Clarke, Clerk of Council, hereby certify that the foregoing is a true copy of Ordinance/Resolution No. 56-13 on the 23rd day of September, 2013.

*Anne C. Clarke*  
Clerk of Council, Dublin, Ohio

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

56-13

Page 2 of 2

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

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 should land adjacent to the territory be determined to be unincorporated territory.

Section 2. This resolution shall be effective immediately upon its passage as provided under Section 4.04(a) of the Revised Charter.

Passed this 23rd day of September, 2013.

Timothy A. Leebster  
Mayor - Presiding Officer

ATTEST:

Anne C. Clarke  
Clerk of Council



City of Dublin

**Office of the City Manager**

5200 Emerald Parkway • Dublin, OH 43017-1090

Phone: 614-410-4400 • Fax: 614-410-4490

RECEIVED **Memo**

SEP 30 2013

**To:** Members of Dublin City Council

**From:** Marsha I. Grigsby, City Manager *MIG*

Franklin County Planning Department  
Franklin County, Ohio

**Date:** September 19, 2013

**Initiated By:** Steve Langworthy, Director Land Use and Long Range Planning  
Paul Hammersmith, P.E., Director of Engineering/City Engineer  
Gary P. Gunderman, Planning Manager  
Barbara Cox, P.E., Engineering Manager – Development

**Re: Resolution 55-13** - A Resolution adopting a Statement of Services for a Proposed Annexation of 4.6 acres More or Less from Washington Township, Franklin County by Jackson B. Reynolds, III, agent for Petitioner Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio 43017 (Case No. 13-098 ANEX)

**Resolution 56-13** - A Resolution Adopting a Statement Regarding Possible Incompatible Land Uses And Zoning Buffer for a Proposed Annexation of 4.6 Acres, More Or Less, from Washington Township, Franklin County to the City of Dublin, Ohio as Required by Section 709.023(C) of the Ohio Revised Code.

**Request from applicant for Fee Waiver for annexation petition processing**

### **Background**

On September 9, 2013, agent Jackson B. Reynolds, III filed an annexation petition on behalf of Jay B. Eggspuehler 7250 Coffman Road, Dublin, Ohio 43017. The petition is for 4.6 acres, more or less of land, in Washington Township, located east of Coffman Road adjacent to the Woods of Indian Run subdivision. The petition was filed pursuant to R.C. 709.023, the "Expedited Two" annexation method.

Under this process, the City must adopt an ordinance or resolution relating to municipal services within 20 days after the petition is filed. Within 20 days after the petition is filed, the City must also adopt an ordinance or resolution relating to land uses and zoning buffers, if the territory proposed to be annexed is currently subject to either county or township zoning. Resolutions Nos. 55-13 and 56-13 have been prepared for these purposes and for your consideration.

The Franklin County Commissioners will grant the proposed annexation, without a hearing, if neither the municipality nor the township object to the annexation by ordinance or resolution within 25 days after the petition is filed. If neither the municipality nor the township object, the Commissioners must grant the proposed annexation without a hearing, if certain criteria established in R.C. 709.023 have been met.

This proposed annexation is for 4.6 acres, more or less, and includes no right-of-way.

### **Fee Waiver**

The applicant has requested that the City waive the annexation fees of \$3,700. The staff supports this request in keeping with some previous City annexations where property in a township island was proposed for annexation.

### **Background**

#### **ZONING**

The current Washington Township zoning classification for this property is R-SR Suburban Residential District, which allows for single-family housing on larger lots. Upon annexation, the property will be automatically zoned R Rural District, under the Zoning Code of the City of Dublin. This would allow up to four single-family residences on this property.

The adjacent properties are parcels similar to this application -- large lots stretching from Coffman Road to the North fork of the Indian Run Creek, with some parcels vacant and some with single-family homes. This application does not include annexation of the area adjacent to Coffman Road where an existing single-family home is located.

#### **FUTURE DEVELOPMENT AND COMMUNITY PLAN**

The Community Plan anticipated annexation of this area. The adopted Future Land Use Map calls for Residential Medium Density development for this area.

This site is currently vacant.

#### **SERVICE ASSESSMENT**

- **POLICE PROTECTION**

The City of Dublin has five police districts and deploys a minimum of five cruisers. The subject annexation is located 1.3 driving miles from the Justice Center, the Division of Police headquarters. The City of Dublin provides police and communications services on a 24-hour basis and has mutual aid agreements with other jurisdictions. The annexation area will be fully served with police and communications services at the same or similar level now being provided to other areas of the City with similar land use and population.

- **FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE (EMS)**

The Washington Township Fire Department provides fire protection to this area of Dublin and already provides service to the subject property. The closest station is located 1.2 miles away on Brand Road. The annexation area will be fully served with fire and EMS services at the same or similar level now being provided to other areas of the City with similar land use and population.

- **SOLID WASTE COLLECTION**

The City of Dublin provides residential solid waste collection at no additional fee.

- **WATER DISTRIBUTION**

The property is located within Dublin's exclusive annexation area of the Water Service Agreement with the City of Columbus. Currently, the nearest public water in the City of Dublin



is located at the terminus of Nature Drive. This eight-inch line should be extended through any proposed development.

- **SANITARY SEWER (WASTEWATER) COLLECTION**

The property is located within Dublin's exclusive annexation area within the Sanitary Service Agreement with the City of Columbus. This property is located within the tributary area of the North Fork Indian Run trunk sewer. A 24-inch sewer runs along the rear of the lots of the Indian Run subdivision and will provide sanitary sewer service to the property.

- **STORMWATER MANAGEMENT AND FLOODPLAIN**

This property is located in the North Fork Indian Run watershed as defined by the Stormwater Master Plan. The property slopes from west to east and is adjacent to the North Fork Indian Run waterway. Any development of this property will be required to meet the requirements of the Stormwater Regulations (Chapter 53).

The eastern portion of this property is located within the FEMA-designated floodplain for the North Fork Indian Run. Any development of this property within the floodplain boundaries will be required to meet the Floodplain Control regulations (Chapter 151).

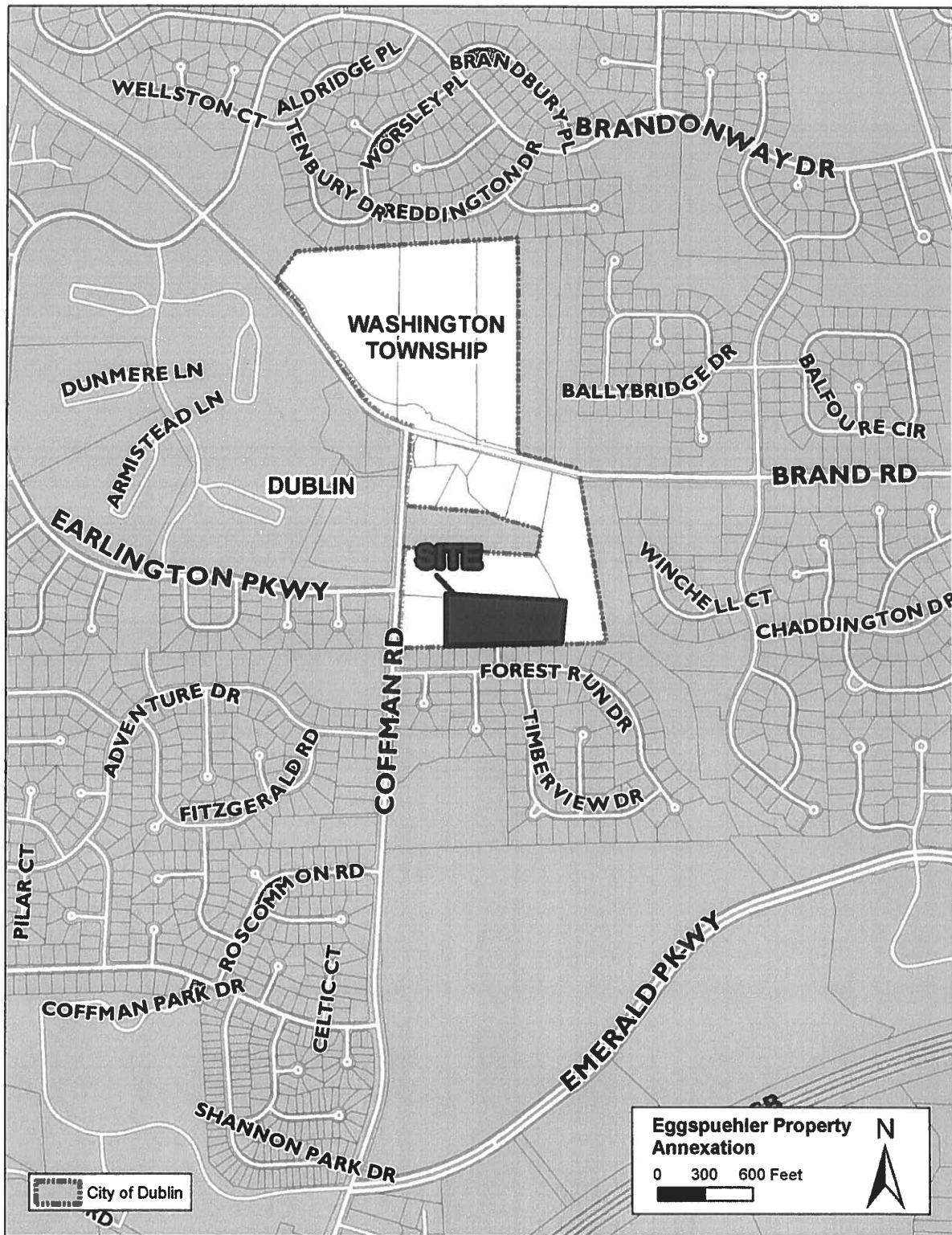
- **ROADS AND STREETS**

The primary roads serving this acreage are Coffman Road, Forest Run Drive, and Nature Drive stub street north into the property, all existing streets. Nature Drive is currently within the jurisdiction of the City of Dublin for management and maintenance purposes. Any new roads or streets, which would be dedicated to the City within a proposed development would be maintained to the same degree and extent that these public facilities are maintained in areas with similar land use and population.

### **Recommendation**

Staff recommends approval of the resolutions regarding the Statement of Services and Possible Incompatible Land Uses and approval of a motion for a fee waiver. Upon City Council's approval, these resolutions will be forwarded to the Franklin County Commissioners for their consideration of the annexation of the 4.6 acres, more or less, from Washington Township to the City of Dublin.

# Eggspuehler Annexation September 2013



NOTICE OF FILING OF ANNEXATION PETITION

TO: Anne Clarke, Dublin Council Clerk  
City of Dublin  
5200 Emerald Parkway  
Dublin, OH 43017

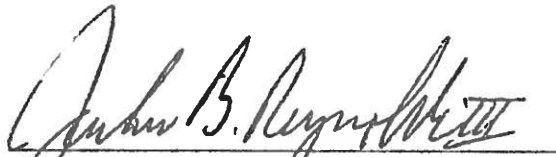
In accordance with the provisions of Section 709.03 of the Ohio Revised Code, you are hereby notified that, on the 9<sup>th</sup> day of September, 2013, the undersigned, as Agent for the Petitioners, filed an Annexation Petition in the office of the Board of County Commissioners of Franklin County, Ohio.

Said Petition prays for annexation to the City of Dublin, Ohio, of 4.6 acres, more or less, in Washington Township.

A copy of said Petition, with description and plat, is attached hereto and made a part hereof.

Dated: \_\_\_\_\_

9/9/13

  
Jackson B. Reynolds, III  
Agent for Petitioners

RECEIPT OF THE AFOREMENTIONED DOCUMENT(S) IS HEREBY ACKNOWLEDGED  
THIS 9<sup>th</sup> day of September, 2013.

  
CLERK'S OFFICE



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

**Economic Development & Planning Department**  
James Schimmer, Director

Application for  
**Annexation  
Petition**

|                                |                            |
|--------------------------------|----------------------------|
| <b>Property Information</b>    |                            |
| Site Address 7250 Coffman Road |                            |
| Parcel ID(s)<br>270-00762      | Total Acreage<br>4.6 acres |
| From Township<br>Washington    | To Municipality<br>Dublin  |

|  |                   |
|--|-------------------|
| <b>Property Owner Information</b>                |                   |
| Name Jay B. Eggspuehler                          |                   |
| Address<br>7250 Coffman Road<br>Dublin, OH 43017 |                   |
| Phone #<br>221-5216                              | Fax #<br>221-5962 |
| Email<br>jeggspuehler@wileslaw.com               |                   |

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

|                                   |
|-----------------------------------|
| <b>Staff Use Only</b>             |
| Case #                            |
| Hearing date                      |
| Date filed                        |
| Fee paid                          |
| Receipt #                         |
| Notifications deadline:<br>5 days |
| Svc statement deadline<br>20 days |

|  |
|--|
| <b>Document Submission</b>   |
| 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                                       |

|   |      |                |      |
|---|------|----------------|------|
| <b>Waiver of Right to Appeal</b>  |      |                |      |
| 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  | Date | Property Owner | Date |
| Property Owner  | Date | Property Owner | Date |

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)  
TO THE CITY OF DUBLIN  
OF 4.6 ACRES MORE OR LESS  
IN THE TOWNSHIP OF WASHINGTON

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


The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of 4.6 acres with a total perimeter boundary of 2,014', more or less, in the Township of Washington which area is contiguous along 721' or 36% and adjacent to the City of Dublin, do hereby pray that said territory be annexed to the City of Dublin 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 ONE OWNER OF REAL ESTATE.

Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 725, 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>               |
|---|-------------|------------------------------|
| <br>Jay B. Eggspuehler | 9-6-13      | 7250 COFFMAN RD., DUBLIN, OH |
|   |             |                              |
|   |             |                              |
|   |             |                              |
|   |             |                              |

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER  
By BB Date 9/3/13

PROPOSED ANNEXATION  
4.6+/- ACRES

RECEIVED

AUG 30 2013

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

FROM: WASHINGTON TOWNSHIP

TO: CITY OF DUBLIN

Situated in the State of Ohio, County of Franklin, Township of Washington, lying in Virginia Military Survey Number 2543 and being all of that 4.663 acre tract conveyed to Jay B. Eggspuehler by deed of record in Instrument Number 201308280146516 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING at a common southerly corner to said 4.663 acre tract and that 6.342 acre tract conveyed to Lee A. Jenkins, Trustee and David R. Jenkins Trustee by deed of record in Deed Book 3678, Page 220, being a northerly corner of Lot 12 of that subdivision entitled "The Woods of Indian Run" of record in Plat Book 76, Page 9 and being on an existing northerly City of Dublin Corporation line, as established in Ordinance Number 22-86 and recorded in Official Record 11893C04;

thence westerly, with the southerly line of said 4.663 acre tract, a northerly line of said "The Woods of Indian Run" and said existing Corporation Line (22-86), a distance of approximately 721 feet to a point at the common southerly corner to said 4.663 acre tract and the remainder of that 7.057 acre tract conveyed to Jay B. Eggspuehler by deed of record in Official Record 21629A01;

thence northerly, with a common line to said 4.663 acre tract and the remainder of said 7.057 acre tract, a distance of approximately 310 feet to a point at a common northerly corner to said 4.663 acre tract and the remainder of said 7.057 acre tract and being on the southerly line of that 6.679 acre tract conveyed to Albert A. Gabel Trustee and Lucille A. Gabel Trustee by deed of record in Instrument Number 200206070142618;

thence easterly, with a common line to said 4.663 acre and 6.679 acre tracts, a distance of approximately 733 feet to a point at the common easterly corner to said 4.663 acre and 6.679 acre tracts and being at a westerly corner of said 6.342 acre tract;

thence southerly, with the easterly line of said 4.663 acre tract and a westerly line of said 6.342 acre tract, a distance of approximately 250 feet to the POINT OF BEGINNING, and containing 4.6 acres of land, more or less.

This description was prepared for annexation purposes only, and is NOT to be used for deed transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

  
Daniel A. Neer  
Registered Surveyor No. 8533

8/30/13  
Date

DAN  
4.6 ac 20130856-VS-ANNX



David R & Lee A Jenkins  
5071 Brand Road  
Dublin, OH 43017  
270-000025

LDS Church Real Estate Div.  
50 East North Temple  
Salt Lake City, UT 84150  
273-001046

Scott T & Rachael P Binder, Co-Trs.  
5294 Forest Run Drive  
Dublin, OH 43017  
273-005987

Robert A II & Holly M Judson  
5276 Forest Run Drive  
Dublin, OH 43017  
273-005990

Mukaddes & Erdem Gunn  
5258 Forest Run Drive  
Dublin, OH 43017  
273-005993

Andrew Paul & Carly Marie Dendinger  
5240 Forest Run Drive  
Dublin, OH 43017  
273-005996

Colleen M & Jonathan L Reynolds  
5222 Forest Run Drive  
Dublin, OH 43017  
273-005999

Lucille A & Albert A Gabel  
7190 Coffman Road  
Dublin, OH 43017  
270-000274

John M & Dawn M Mcadow  
5301 Earlington PW  
Dublin, OH 43017  
273-002937

Todd M & Denise A Howe  
5288 Forest Run Drive  
Dublin, OH 43017  
273-005988

Daniel C & Amy E Skuce  
5270 Forest Run Drive  
Dublin, OH 43017  
273-005991

Joan M Wintermantel  
5252 Forest Run Drive  
Dublin, OH 43017  
273-005994

Dennis D Liston  
5234 Forest Run Drive  
Dublin, OH 43017  
273-005997

Floyd S E Bostic  
7143 Coffman Road  
Dublin, OH 43017  
273-000427

Dublin Baptist Church  
7195 Coffman Road  
Dublin, OH 43017  
273-003145

Donald J & Sharon L Filibeck  
5282 Forest Run Drive  
Dublin, OH 43017  
273-005989

Joseph A & Kathryn A Malagisi  
5264 Forest Run Drive  
Dublin, OH 43017  
273-005992

Munjal R & Rupa M Sanghavi  
5246 Forest Run Drive  
Dublin, OH 43017  
273-005995

Reddy Ballakrishna  
5228 Forest Run Drive  
Dublin, OH 43017  
273-005998

# ANNEXATION OF 4.6± ACRES TO THE CITY OF DUBLIN FROM WASHINGTON TOWNSHIP VIRGINIA MILITARY SURVEY NO. 2543 TOWNSHIP OF WASHINGTON, COUNTY OF FRANKLIN, STATE OF OHIO

ALBERT A. GABEL TR. AND  
LUCILLE A. GABEL TR.  
6.678 AC.  
LN 2002060701+2818

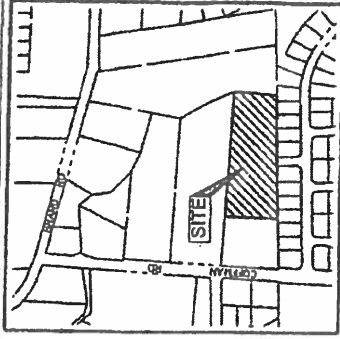
JAY B. EGGSPUHLER  
7.057 AC.  
O.R. 21629401

P.N. 270-000297

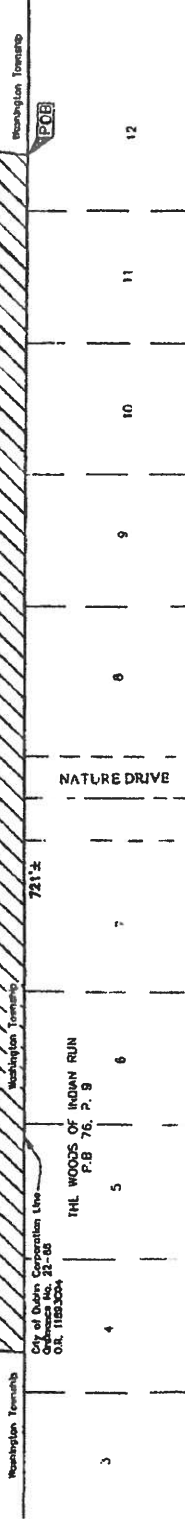
JAY B. EGGSPUHLER  
4.6± AC.  
LN 201308230145516

4.6± AC.  
P.N. 270-000762

LEE A. JENKINS TR. AND  
DAVID R. JENKINS TR.  
8.342 AC.  
D.B. 3678, P. 223



LOCATION MAP AND BACKGROUND DRAWING  
NOT TO SCALE



DATE: 3/10/2013  
Framingham County Eng'g  
DRAFT: Right, P.C. P.S.

|  |                  |
|--|------------------|
| <b>EMPIRE</b><br>Surveying & Mapping, Inc.<br>10000 Old Franklin Road, Suite 100<br>Dublin, Ohio 43015-1000<br>Phone: (614) 233-1000<br>Fax: (614) 233-1001<br>Email: info@empire-surveying.com<br>Website: www.empire-surveying.com |                  |
| Date:  | July 10, 2013    |
| Scale:   | 1" = 50'         |
| Job No.:   | 2013-0058        |
| Sheet:   | 1 of 1           |
| Project:   | ANNEXATION       |
| Drawn By:  | DAVID R. JENKINS |

ANNEXATION  
PLAN & DESCRIPTION  
ACCEPTABLE  
DEAN C. BINGLE, P.E., R.S.  
FRANKLIN COUNTY ENGINEER

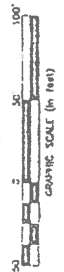
By: DB Date: 9/13/13

AREA TO BE ANNEXED

EXISTING CITY OF DUBLIN CORPORATION LINK

Contiguity Note:  
Total perimeter of annexation area is 2014 feet, of which 721 feet is contiguous with the City of Dublin by Ordinance Number 22-86, giving 26% perimeter contiguity.

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



By: David A. Near Date: 9/30/13  
David A. Near  
Professional Surveyor No. 8533