

Review of Petition to Annex 0.457 +/- acres from Prairie Township to the City of Columbus Case #ANX-EXP2-16-14 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition filed by James B. Morrow Sr. and Darlene Morrow on June 30, 2014 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 2 petition, and having considered all the facts with reference thereto, being fully advised, and

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

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant service ordinance no. 1648-2014 passed on July 14, 2014 by the City of Columbus.

Review of Petition to Annex 0.457 +/- acres from Prairie Township to the City of Columbus Case #ANX-EXP2-16-14 (ECONOMIC DEVELOPMENT & PLANNING)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be *approved*, and the territory sought to be annexed by the petition filed herein *shall* be annexed to the City of Columbus, 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: D. Anthony Hray

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0568-14

August 12, 2014

REVIEW OF PETITION TO ANNEX 0.457 +/- ACRES FROM PRAIRIE TOWNSHIP TO THE CITY OF COLUMBUS CASE #ANX-EXP2-16-14

**(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.



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



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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
0.457 +/- ACRES FROM
PRAIRIE TOWNSHIP
TO THE CITY OF COLUMBUS

Description:

Attached is a resolution to consider the annexation of 0.457-acres, more or less, from Prairie Township to the city of Columbus. The petition case number is ANX-EXP2-16-14.

Agent:

Not Applicable

Owner/s:

James B. Morrow Sr. & Darlene Morrow

Site:

979 Doherty Road (241-000075)

Additional Information:

Approximately 205 linear feet of the site is adjacent to the city of Columbus, which constitutes approximately 35 percent of the total site perimeter.

Analysis:

The applicant has met all statutory requirements outlined in Section 709.021 of the Ohio Revised Code. The applicant has provided proof of notification, and timeline and has provided a service ordinance from the city of Columbus stating the services that will be provided once the annexation has been approved. The city of Columbus has agreed to provide the territory proposed for annexation the services specified in the relevant service ordinance no. 1648-2014 passed July 14, 2014.

Recommendation:

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



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

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

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

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

CC: James Schimmer, Director
Franklin County Economic Development & Planning Department
Rollin Seward, Assistant Director
Franklin County Economic Development & Planning Department
Matt Brown, Planning Administrator
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be
journalized on the **July 8, 2014** General Session Agenda for a
hearing on **August 5, 2014**.

Case #ANX-EXP2-16-14- An Expedited Type 2 annexation petition ANX-EXP2-16-14 was filed in our office on June 30, 2014. The petition is requesting to annex 0.457 +/- acres from Prairie Township to the City of Columbus.

Site: 979 Doherty Road (241-000075)

Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for Annexation Petition

Franklin County Planning Department
Franklin County, OH

RECEIVED

JUN 30 2014

2

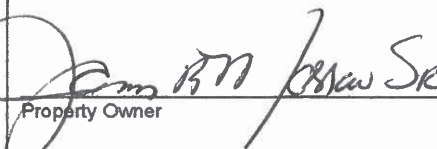

Property Information	
Site Address	979 DOHERTY RD. GARCOWNEY, OH 43119
Parcel ID(s)	241-000075
From Township	PRAIRIE
Total Acreage	0.457
To Municipality	CITY OF COLUMBUS

Property Owner Information	
Name	JAMES B. MORROW SR & DARLENE MORROW
Address	979 DOHERTY RD GARCOWNEY, OH 43119
Phone #	614.870.8877
Fax #	614.870.8877
Email	Jim.morrow@Wenp4S.com

Attorney/Agent Information	
Name	N/A
Address	
Phone #	
Fax #	
Email	

Staff Use Only	
Case #	ANX-EXP 2 16-14
Hearing date:	8.5.14
Date filed:	6/30/14
Fee paid	250.00
Receipt #	1397
Notifications deadline: 5 days	7/5/14
Svc statement deadline: 20 days	2/20/14

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

Waiver of Right to Appeal			
<p>WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.</p>			
 Property Owner	6.4.14 Date	_____ Property Owner	_____ Date
 Property Owner	6-4-14 Date	_____ Property Owner	_____ Date

RECEIVED

MAY 13 2014

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 BR Date 5/13/14

PROPOSED ANNEXATION OF 0.457± ACRE IN PRAIRIE TOWNSHIP
TO BE ANNEXED TO THE CITY OF COLUMBUS

Situated in the State of Ohio, County of Franklin, Prairie Township, and being part of Virginia Military Survey No. 6636, and containing 0.457 acre of land, more or less, and being all of that 0.457 acre tract of land conveyed to James B. Morrow, Sr. and Darlene Morrow, of record in Instrument Number 201403260037222, (all references used in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 0.457 acre tract being more particularly described as follows:

Beginning, for reference, at the northeasterly corner of Thornapple Grove Section 1, Part 2, as shown for record in Plat Book 79, Page 23, also being the northwesterly corner of that 0.484 acre tract of land conveyed to Dolores Pritts and Minnie Hickey, of record in Instrument Number 201310290181924, also being a northeasterly corner in the City of Columbus Corporation Line as shown in Ordinance Number 830-79 and Miscellaneous Record 174, Page 439;

Thence with the easterly line of said Thornapple Grove Section 1, Part 2, also with the westerly line of said 0.484 acre Pritts & Hickey tract, also with an easterly City of Columbus Corporation Line (Ord. No. 830-79) South 1°33'20" West, a distance of 100.35 feet to the southwesterly corner of said 0.484 acre Pritts & Hickey tract, also being the northwesterly corner of said 0.457 acre Morrow tract, said corner being the true point of beginning of the herein described 0.457 acre parcel to be annexed to the City of Columbus;

Thence with the southerly line of said 0.484 acre Pritts & Hickey tract, also with the northerly line of said 0.457 acre Morrow tract, South 87°52'20" East, a distance of 194.15 feet to the northeasterly corner of said 0.457 acre Morrow tract, also being in the westerly right of way line of Doherty Road, also being in a westerly City of Columbus Corporation Line as shown in Ordinance Number 0017-204 and Instrument Number 200403110053679;

Thence with the easterly line of said 0.457 acre Morrow tract, also with the westerly right of way line of said Doherty Road, also with a westerly City of Columbus Corporation Line (Ord. No. 0017-204) South 1°30'00" West, a distance of 102.50 feet to the southeasterly corner of said 0.457 acre Morrow tract, also being the northeasterly corner of that 0.506 acre tract of land conveyed to Delbert C. & Barbara S. Holley, of record in Instrument Number 200209060221355;

Thence with the southerly line of said 0.457 acre Morrow tract, also with the northerly line of said 0.506 acre Holley tract, North 87°52'20" West, a distance of 194.25 feet to the southwesterly corner of said 0.457 acre Morrow tract, also being the northwesterly corner of said 0.506 acre Holley tract, also being in the easterly line of the aforesaid Thornapple Grove Section 1, Part 2, also being in an easterly City of Columbus Corporation Line (Ord. No. 830-79);

Thence with the westerly line of said 0.457 acre Morrow tract, also with the easterly line of said Thornapple Grove Section 1, Part 2, also with an easterly City of Columbus Corporation Line (Ord. No. 830-79), North 1°33'20" East, a distance of 102.50 feet to the point of beginning, and containing 0.457 acre of land, more or less.

The above description was written by Kevin Beechy, Ohio Professional Surveyor No. 7891 of Geo Graphics, Inc., and is based on information obtained from all available records.

Kevin Beechy 4/30/14
Kevin Beechy date
Ohio Professional Surveyor No. 7891



N:\2014\14044\14044annex-desc.doc

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JUN 30 2014

Franklin County Planning Department
Franklin County, OH

ANX - UXP 2

Prokie Township
City of Columbus
Ord. No. 830-79
M.R. 174, Pg. 439

Sherri VanMeter
Lot No. 36
Instr. No. 2007110189651
Parcel # 560-226523

THORNAPPLE GROVE
PLAT SECTION 1, PART 2
PLAT BOOK 79, PAGE 23

Kevin A. Stiversen &
Candice A. Dzialkowicz
Lot No. 37
Instr. No. 200503080042481
Parcel # 560-226524

Caryl J. Berry
Lot No. 38
Instr. No. 200806090087667
Parcel # 560-226525

Dolores Pritts & Minnie Hickey
0.484 Acre
Instr. No. 201310290181924
Parcel # 241-000079

James B. Morrow, Sr.
& Darlene Morrow
0.457 Acre
Instr. No. 201403260037222
Parcel # 241-000075

Delbert C. & Barbara S. Halley
0.506 Acre
Instr. No. 200209060221355
Parcel # 241-000074

SITUATED IN AND BEING PART OF
VIRGINIA MILITARY SURVEY NO. 6636
PRAIRIE TOWNSHIP, FRANKLIN COUNTY, OHIO

Point of
Reference

Point of
Beginning

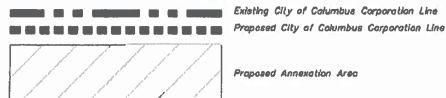
0.457 Acre
(Proposed Annexation)

Prokie Township
City of Columbus

S 13°00' W 102.50'
Ord. No. 0017-204
Instr. No. 20040316053679

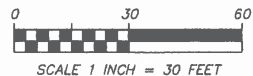
Doherty Road (R/W varies)

LEGEND



Contiguity Note:

Total perimeter of annexation area is 593.4 feet,
of which 205.0 feet are contiguous with the City
of Columbus by Ordinance Numbers 830-79 and
0017-204, giving 35% contiguity.



Prepared by:

Kevin Beechy
Ohio Professional Surveyor No. 7891

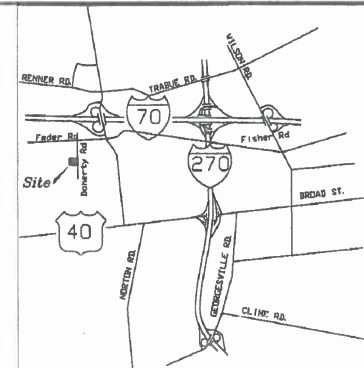
Geo-Graphics Inc.
Land Surveying & Civil Engineering
3331 Livingston Avenue Columbus, Ohio 43227
Phone: 614-231-2016 Fax: 614-231-2018



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MAY 13 2014

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 5/13/14

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JUN 30 2014

Franklin County Planning Department
Franklin County, OH

ANX - EXP 2

16-14



City of Columbus

Legislation Report

File Number: 1648-2014

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

JUL 18 2014

ANX-EXP 2 18-14

Franklin County Planning Department
Franklin County, Ohio

Emergency

File ID: 1648-2014

Type: Ordinance

Status: Passed

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN14-007: 0.49 Acres, Prairie
Township, James B. Morrow, Sr.

File Created: 07/01/2014

Final Action: 07/17/2014

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)

Mayor's Action

Council Action

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 (AN14-007) of 0.49 ± acres in Prairie Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Attachments: ORD1648-2014 AN14-007 Legal Description,
ORD1648-2014 AN14-007 Map

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 1648-2014, passed by The Council of The City of Columbus, Ohio 7/14, 2014, as shown by the records now on file in this office.

Seal

Andrea Blevins

City Clerk

Approval History

Version	Date	Approver	Action
1	07/01/2014	Steven Schoeny	Approved
1	07/01/2014	ATTORNEY APPROVER	Approved
Notes	wsb		

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	07/14/2014	Approved				Pass
1	COUNCIL PRESIDENT	07/14/2014	Signed				
1	MAYOR	07/16/2014	Signed				
1	CITY CLERK	07/17/2014	Attest				

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**AN14-007**

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 Prairie 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. If the petition is approved by the County Commissioners, a second City ordinance accepting the annexation will be necessary 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 (AN14-007) of 0.49 ± acres in Prairie 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 Prairie Township was duly filed by James B. Morrow, Sr. on June 30, 2014; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on August 5, 2014 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 property is located within the boundaries of the adopted Big Darby Accord and Trabue-Roberts Plan; 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 0.49 ± acres in Prairie 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: Single family homes would qualify for city provided 90-gallon front curb or 300-gallon alley[®] refuse service, the method of which to be determined by Division of Refuse Collection management. Any other development would require compliance with Title 13 requirements; 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: This site will be served by an existing 12" water main located in Doherty Road, the connection to which will be made at the owners expense.

Sewers: All sanitary and storm sewers required shall be constructed privately by the owners and developers at their own cost and expense with no cost to the City.

Sanitary: Has gravity sewer access to an existing 8-inch sanitary sewer situated along the western property line in an easement within the abutting subdivision to the west. Permission to tap this sewer may be required, which could result in additional fees if the sewer is still privately owned.

Storm: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and applicable codes in effect at the time of development.

SECTION 2. If this 0.49 ± 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 Prairie 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 Prairie 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 AN14-007
0.49 ± Acres in Prairie Township

Situated in the State of Ohio, County of Franklin, Prairie Township, and being part of Virginia Military Survey No. 6636, and containing 0.457 acre of land, more or less, and being all of that 0.457 acre tract of land conveyed to James B. Morrow, Sr. and Darlene Morrow, of record in Instrument Number 201403260037222, (all references used in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 0.457 acre tract being more particularly described as follows:

Beginning, for reference, at the northeasterly corner of Thornapple Grove Section 1, Part 2, as shown for record in Plat Book 79, Page 23, also being the northwesterly corner of that 0.484 acre tract of land conveyed to Dolores Pritts and Minnie Hickey, of record in Instrument Number 201310290181924, also being a northeasterly corner in the City of Columbus Corporation Line as shown in Ordinance Number 830-79 and Miscellaneous Record 174, Page 439;

Thence with the easterly line of said Thornapple Grove Section 1, Part 2, also with the westerly line of said 0.484 acre Pritts & Hickey tract, also with an easterly City of Columbus Corporation Line (Ord. No. 830-79) South 1°33'20" West, a distance of 100.35 feet to the southwesterly corner of said 0.484 acre Pritts & Hickey tract, also being the northwesterly corner of said 0.457 acre Morrow tract, said corner being the true point of beginning of the herein described 0.457 acre parcel to be annexed to the City of Columbus;

Thence with the southerly line of said 0.484 acre Pritts & Hickey tract, also with the northerly line of said 0.457 acre Morrow tract, South 87°52'20" East, a distance of 194.15 feet to the northeasterly corner of said 0.457 acre Morrow tract, also being in the westerly right of way line of Doherty Road, also being in a westerly City of Columbus Corporation Line as shown in Ordinance Number 0017-204 and Instrument Number 200403110053679;

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Thence with the southerly line of said 0.457 acre Morrow tract, also with the northerly line of said 0.506 acre Holley tract, North 87°52'20" West, a distance of 194.25 feet to the southwesterly corner of said 0.457 acre Morrow tract, also being the northwesterly corner of said 0.506 acre Holley tract, also being in the easterly line of the aforesaid Thornapple Grove Section 1, Part 2, also being in an easterly City of Columbus Corporation Line (Ord. No. 830-79);

Thence with the westerly line of said 0.457 acre Morrow tract, also with the easterly line of said Thornapple Grove Section 1, Part 2, also with an easterly City of Columbus Corporation Line (Ord. No. 830-79), North 1°33'20" East, a distance of 102.50 feet to the point of beginning, and containing 0.457 acre of land, more or less.

