

Review of Petition to Annex 1.15 +/- acres from Clinton Township to the City of Columbus Case #ANX-EXP2-16-16 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Joshua McElhaney, on June 14, 2016, 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 passed Ordinance No. 1345-2016 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The ordinance was passed by the City of Columbus on May 23, 2016.

Review of Petition to Annex 1.15 +/- acres from Clinton Township to the City of Columbus Case #ANX-EXP2-16-16 (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: Matt Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0515-16

July 12, 2016

REVIEW OF PETITION TO ANNEX 1.15 +/- ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS CASE #ANX-EXP2-16-16.

(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.



Antwan Booker, 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 1.15 +/- acres from Clinton Township to the City of Columbus Case #ANX-EXP2-16-16

Description:

Attached is a resolution to consider the annexation of 1.15-acres, more or less, from Clinton Township to the City of Columbus. The petition case number is ANX-EXP2-16-16.

Agent/Owner:

Joshua and Abby McElhaney

Site:

3913 Karl Road (PID# 130-004032) and a portion of the Karl Road public right-of-way

Additional Information:

The total perimeter of the site is approximately 1,163 feet; approximately 476 feet, or 41 percent, of which is contiguous to the City of Columbus.

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 an ordinance from the City of Columbus identifying the services that will be provided once the annexation has been approved and a statement regarding possible incompatible land uses and zoning buffer. Ordinance No. 1345-2016 was passed by the City of Columbus on May 23, 2016.

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: Antwan Booker, County Clerk
Franklin County Commissioners Office

FROM: Matthew Brown, Planning Administrator
Franklin County Economic Development & Planning Department

CC: James Schimmer, Director
Jenny Snapp, Assistant Director, Building, Planning and Zoning
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be
journalized on the **June 14, 2016** General Session Agenda for
consideration on **July 12, 2016**.

Case #ANX-EXP2-16-16 - An Expedited Type 2 annexation petition ANX-EXP2-16-16 was filed with the Franklin County Economic Development and Planning Department on June 7, 2016. The petition is requesting to annex 1.15 +/- acres from Clinton Township to the City of Columbus. The petition will be considered by the Board of Commissioners on July 12, 2016.

Site: 3913 Karl Road (PID# 130-004032) and a portion of the Karl Road public right-of-way

Commissioners

Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for

Annexation Petition

Expedited Type 2
Pursuant to ORC §709.023



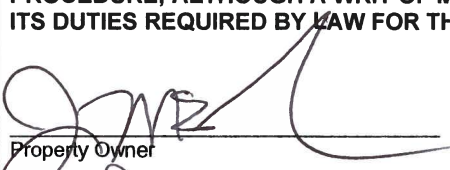
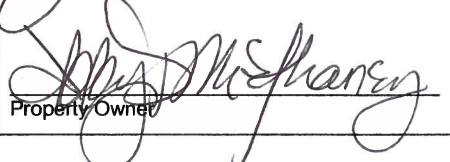
Property Information	
Site Address	3913 Karl Road
Parcel ID(s)	130-004032-00
From Township	Clinton
Total Acreage	1.15
To Municipality	Columbus

Property Owner Information	
Name	Joshua & Abby McElhane
Address	3913 Karl Road Columbus OH 43224
Phone #	614.784.5041
Fax #	
Email	Joshua.mcelhane@gmail.com

Attorney/Agent Information	
Name	
Address	
Phone #	
Fax #	
Email	

Staff Use Only	
Case #	ANX-EXP2-16-16
Hearing date:	7/12/2016
Date filed:	6/7/2016
Fee paid	N/A
Receipt #	See ANX-EXP2-12-16
Notifications deadline:	5 days 6/13/2016
Svc statement deadline:	20 days 6/27/2016

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

Waiver of Right to Appeal			
<p>WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.</p>			
 Property Owner	6/6/2016 Date	_____ Property Owner	_____ Date
 Property Owner	6/6/2016 Date	_____ Property Owner	_____ Date

INDIVIDUAL ACKNOWLEDGMENT

State/Commonwealth of Ohio
County of Franklin } ss.

On this the 6 day of June, 2016, before me,

Daniel A Smith Jr, the undersigned Notary Public,
Name of Notary Public

personally appeared Josh McElhane,
Name(s) of Signer(s)

☐ personally known to me – OR –

☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.

WITNESS my hand and official seal.



[Signature]
Signature of Notary Public

Exp 21 June 2020

Place Notary Seal/Stamp Above

Any Other Required Information
(Printed Name of Notary, Expiration Date, etc.)

OPTIONAL

This section is required for notarizations performed in Arizona but is optional in other states. Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Franklin County Annexation Petition

Document Date: 6/6/16 Number of Pages: 1

Signer(s) Other Than Named Above: Abbey McElhane



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

By BB Date 4/5/16

THE FRANKLIN COUNTY
COMMISSIONERS
0.068 AC.
I.N. 201602240021823

Clinton Township
City of Columbus

C/L

E. COOKE ROAD 60'

C/L

EX. R/W

30.0'

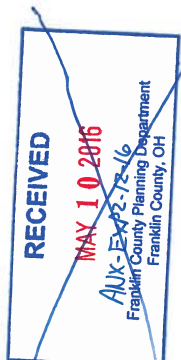
105.6' ±

Easterly

37.5'

30.0'

Point of Beginning



JACQUELINE LEWIS
1.116 AC.
P.I.D. 130-011644

JOSHUA L. &
ABBY D. McELHANEY
I.N. 201503270038102
P.I.D. 130-004032

1.15 AC. ±

476' ±
Northerly

1.07 AC. ±

Southerly
476' ±
CITY OF COLUMBUS - 0.436 AC. - D.B. 2834, PG. 594

KARL ROAD 75'

RECEIVED

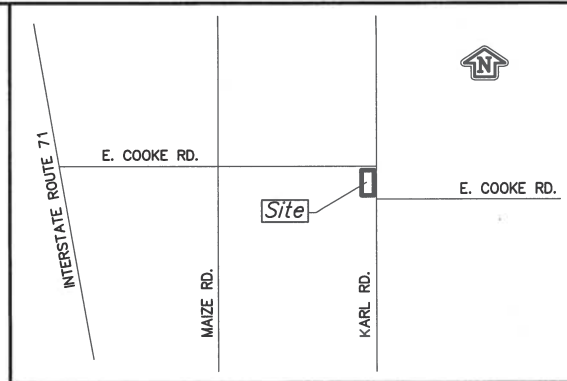
APR 05 2016

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

DOROTHY C. ANDERSON, TOD
1 AC.
P.I.D. 130-004896

EX. R/W

C/L



Vicinity Map

60' 30' 0' 60'

Scale 1" = 60'

March 29, 2016

Situated in the State of Ohio, County of Franklin,
Township of Clinton, being part of Lot 9 of the
Plat of Partition made by the Scioto Company of
Quarter Township 1, Township 1, Range 18,
United States Military Lands.

PROPOSED ANNEXATION
OF APPROXIMATELY 1.15 ACRES
FROM: CLINTON TOWNSHIP
TO: CITY OF COLUMBUS

AREA TO BE ANNEXED



Existing City of Columbus Corporation Line

Proposed City of Columbus Corporation Line



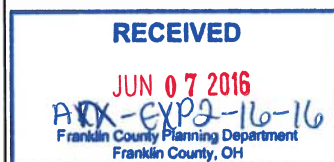
Joseph P. Myers 3/29/2016

Joseph P. Myers, P.S. #7361

MyersSurveying
COMPANY

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

Existing City of Columbus Corporation Line
Case No. COC No. 72; P.B. 24, PG. 54
Ordinance #121-55; Passed January 31, 1955



2740 East Main Street
Bexley, Ohio 43209-2577
(614) 235-8677
Telefax 235-4559
Email: info@myerssurveying.com

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

March 29, 2016

From: Clinton Township

To: City of Columbus

By BB Date 4/5/16

Situated in the State of Ohio, County of Franklin, Township of Clinton, being part of Lot 9 of the Plat of Partition made by the Scioto Company of Quarter Township 1, Township 1, Range 18, United States Military Lands, and being all of the remaining land conveyed to Joshua L. & Abby D. McElhaney as shown of record in Instrument No. 201503270038102, Recorder's Office, Franklin County, Ohio and being part of the 0.436 Acre tract conveyed to the City of Columbus, Ohio, as shown of record in Deed Book 2834, Page 594 and being more particularly described as follows:

Commencing at the centerline intersection of E. Cooke Rd. (60 feet wide) with Karl Rd (75 feet wide), also being the northeast corner of said 0.436 Acre tract;

Thence, along part of the easterly line of said 0.436 Acre tract, along the centerline of said Karl Road, Southerly, 30 feet to a point;

Thence, across said 0.436 Acre tract, Westerly, 30 feet to a point on the existing City of Columbus Corporation Line, as established by City of Columbus Case No. 72, Ordinance No. 121-55, passed on January 31, 1955, and recorded in Plat Book 24, Page 54, and being the TRUE POINT OF BEGINNING:

Thence, along said existing City of Columbus Corporation Line, across said 0.436 Acre tract, Southerly, approximately 476 feet to a point on the south line of said 0.436 Acre tract;

Thence, along part of the southerly line of said 0.436 Acre tract, along the southerly line of said McElhaney tract, Westerly, approximately 105.6 feet, (passing the west right of way line at 7.5 feet) to the southwest corner of said McElhaney tract;

Thence, along part of the westerly line of said McElhaney tract, Northerly, approximately 476 feet to the existing south right of way line of said E. Cooke Road, being 30 feet south of centerline;

Thence, across said McElhaney tract, along said south right of way line, Easterly, approximately 105.6 feet to the place of beginning **CONTAINING APPROXIMATELY 1.15 ACRES**, more or less. The above description was prepared by record information and not an actual field survey. For annexation purposes ONLY.

Myers Surveying Company, Inc.

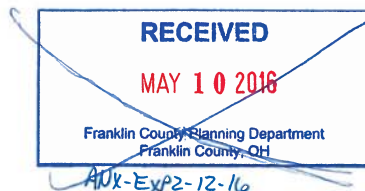
Joseph P. Myers 4/29/2016
Joseph P. Myers, PS 7361

JPM/kmp

407242015legal



ANX-EXP2-16-16



RECEIVED

APR 05 2016

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



City of Columbus Legislation Report

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

File Number: 1345-2016

ORIGINAL

Emergency

File ID: 1345-2016

Type: Ordinance

Status: Consent

Version: 1

*Committee: Economic Development Committee

File Name: Annexation Service AN16-002: 1.15 Acres, Clinton
Township, Joshua L. McElhaney

File Created: 05/10/2016

Final Action:

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Kevin Wheeler 645-6057

Floor Action (Clerk's Office Only)

TYSON ABSENT

MAY 23 2016 P 6-0

Mayor's Action

MAY 25 2016

Mayor

Date

Council Action

MAY 23 2016

Date Passed/ Adopted

President of Council

Veto

Date

ACTING 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 (AN16-002) of 1.15 + acres in Clinton Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Attachments: ORD1345-2016 AN16-002 Legal Description,
ORD1345-2016 AN16-002 Plat

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 1345-2016, passed by The Council of The City of Columbus, Ohio 5/23, 20 16, as shown by the records now on file in this office.

Seal

City Clerk

RECEIVED

MAY 27 2016

ANX-EXP2-16-16
Franklin County Planning Department
Franklin County, Ohio

Approval History

Version	Date	Approver	Action
1	05/11/2016	DEVELOPMENT DIRECTOR	Approved
1	05/12/2016	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	05/23/2016					
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**AN16-002**

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 Clinton 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 (AN16-002) of 1.15 ± acres in Clinton 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 Clinton Township was duly filed by Joshua L. McElhaney on May 10, 2016; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on June 14, 2016 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 North Linden Neighborhood Plan Amendment; 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 1.15 ± acres in Clinton 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 is served by an existing 24-inch water main in Karl Road, the connection to which already exists.

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: In order to obtain gravity sewer service, this property would be required to extend the mainline sewer from an existing 42-inch sub-trunk sewer situated approximately 4,700 feet to the west where it flows south across Cooke Road. The mainline extension would be designed and constructed at the property owner's expense.

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 1.15 ± 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 Clinton 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 Clinton 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 AN16-002
1.15 ± Acres in Clinton Township

Situated in the State of Ohio, County of Franklin, Township of Clinton, being part of Lot 9 of the Plat of Partition made by the Scioto Company of Quarter Township 1, Township 1, Range 18, United States

Military Lands, and being all of the remaining land conveyed to Joshua L. & Abby D. McElhaney as shown of record in Instrument No. 201503270038102, Recorder's Office, Franklin County, Ohio and being part of the 0.436 Acre tract conveyed to the City of Columbus, Ohio, as shown of record in Deed Book 2834, Page 594 and being more particularly described as follows:

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Thence, across said 0.436 Acre tract, Westerly, 30 feet to a point on the existing City of Columbus Corporation Line, as established by City of Columbus Case No. 72, Ordinance No. 121-55, passed on January 31, 1955, and recorded in Plat Book 24, Page 54, and being the TRUE POINT OF BEGINNING:

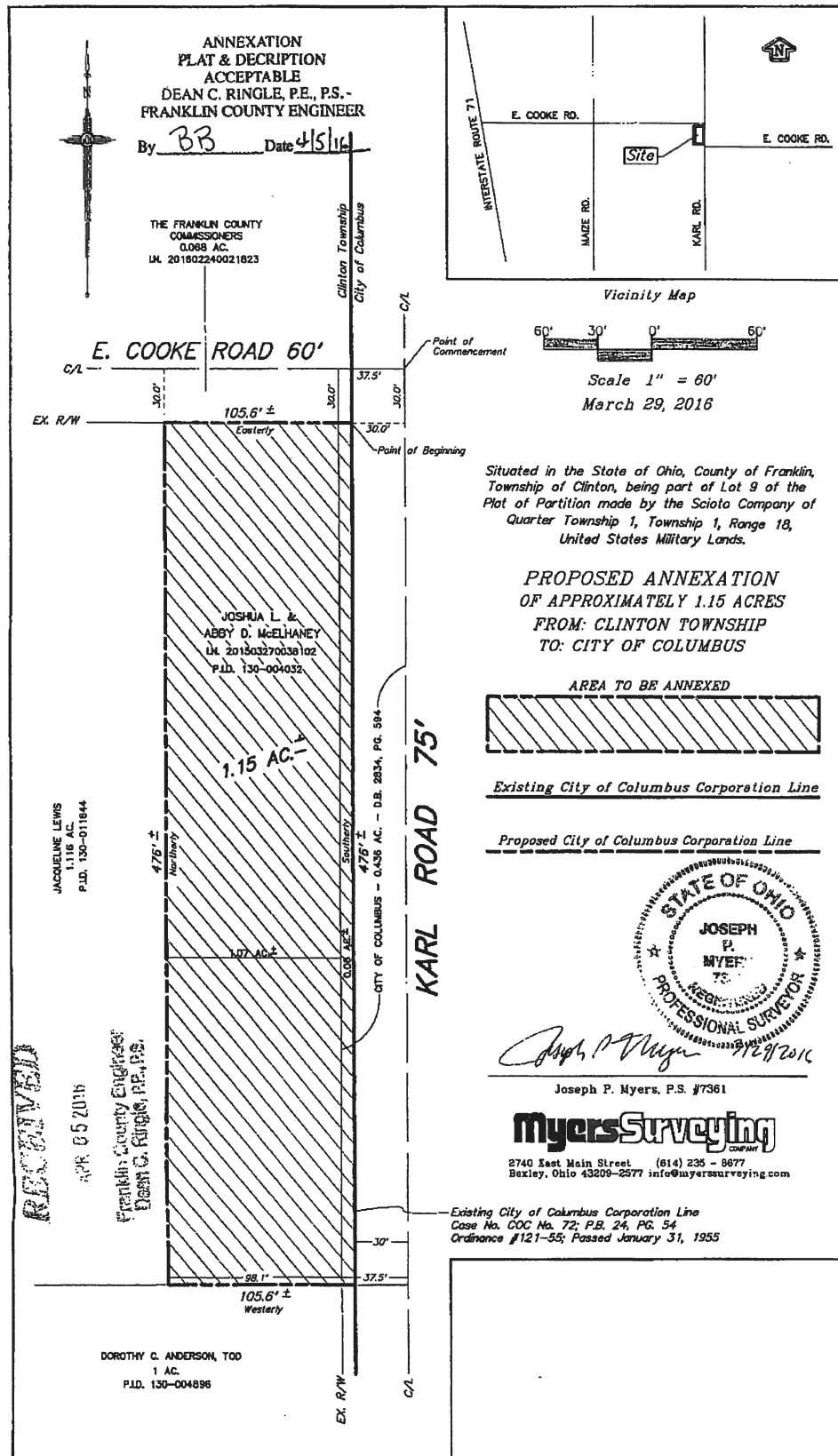
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ANNEXATION AN16-002
± 1.15 Acres / Clinton Township
Joshua McElhaney
(3913 Karl Road)






ANX-EXP2-16-16

Petition to annex 1.15+/- acres from Clinton Township to the City of Columbus.


1.15+/- acres
Clinton Township

 Annexation Area

 Parcels

 Streets

Corporate Boundaries

 City of Columbus

Note: Boundary shown is approximate area to be annexed. See petition plat for exact area.

