

**Review of Petition to Annex 2.1 +/- acres from Jefferson Township to the City of Gahanna Case #ANX-EXP2-34-15 (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Mark D. Ludwig, on October 6, 2015, 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. ORD-0110-2015 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The resolution was passed by the City of Gahanna on October 19, 2015.

*Rec'd  
11/13/15  
KMB*

**Review of Petition to Annex 2.1 +/- acres from Jefferson Township to the City of Gahanna Case #ANX-EXP2-34-15 (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 Gahanna, 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 Gahanna, Ohio.

Prepared by: Matt Brown

C: Economic Development & Planning Department

SIGNATURE PAGE FOLLOWS

**SIGNATURE SHEET**

Resolution No. 0811-15

November 03, 2015

**REVIEW OF PETITION TO ANNEX 2.1 +/- ACRES FROM JEFFERSON  
TOWNSHIP TO THE CITY OF GAHANNA CASE #ANX-EXP2-34-15**

**(Economic Development and  
Planning)**

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

**Voting:**

**Marilyn Brown, President**

**Aye**

**Paula Brooks**

**Aye**

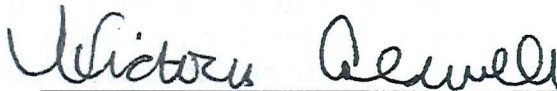
**John O'Grady**

**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.



\_\_\_\_\_  
Victoria Caldwell, 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 2.1 +/- acres from Jefferson Township to the City of Gahanna Case #ANX-EXP2-34-15

**Description:**

Attached is a resolution to consider the annexation of 2.1-acres, more or less, from Jefferson Township to the City of Gahanna. The petition case number is ANX-EXP2-34-15.

**Owner/Agent:**

Mark D. Ludwig

**Site:**

6607 Clark State Road (170-000647)

**Additional Information:**

The total perimeter of the site is approximately 1,412 feet; approximately 315 feet or 22 percent of which is contiguous to the City of Gahanna.

**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 resolution from the City of Gahanna identifying the services that will be provided once the annexation has been approved and a statement regarding possible incompatible land uses and zoning buffer. The resolution, Ordinance No. ORD-0110-2015, was passed by the City of Gahanna on October 19, 2015.

**Recommendation:**

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

**MEMO  
JOURNALIZATION**

**TO:** Victoria Caldwell, Acting 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 **October 6, 2015** General Session Agenda for  
consideration on **November 3, 2015**.

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**Case #ANX-EXP2-34-15** - An Expedited Type 2 annexation petition ANX-EXP2-34-15 was filed with the Franklin County Economic Development and Planning Department on October 1, 2015. The petition is requesting to annex 2.1 +/- acres from Jefferson Township to the City of Gahanna. The petition will be considered by the Board of Commissioners on November 3, 2015.

**Site: 6607 Clark State Road (PID# 170-000647)**

**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	6607 CLARK STATE RD. BLACKLICK
Parcel ID(s)	170-000647
From Township	JEFFERSON
Total Acreage	1.862 ± 2.1 Acres
To Municipality	CITY OF GAHANNA 9/29/15

Property Owner Information	
Name	MARK D. LUDWIG
Address	2571 KEMPERWOOD DR. BLACKLICK, OHIO 43009
Phone #	614-939-9966
Fax #	
Email	MARK.LUDWIG20@SBCGLOBAL.NET

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

Staff Use Only	
Case #	34-15
Hearing date:	11/3/15
Date filed:	10/1/15
Fee paid	\$250.00
Receipt #	685547
Notifications deadline: 5 days	10/6/15
Svc statement deadline: 20 days	10/21/15

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>			
	9/9/15	_____	_____
Property Owner	Date	Property Owner	Date
_____	_____	_____	_____
Property Owner	Date	Property Owner	Date

Adjacent Properties to 6607 Clark State Rd.

September 9, 2015



North Boundary: Scott and Lori Lofton  
1774 Harrison Pond Dr.  
Blacklick, Ohio 43004  
Parcel # 025-012091

Northeast Boundary: Minh Nguyen (vacant property)  
*CG 24* Clark State Rd  
Blacklick, Ohio 43004  
Parcel # 170-000505

East Boundary: Sherman Watkins  
6625 Clark State Rd  
Blacklick, Ohio 43004  
Parcel # 170-001394

South Boundary: Eva J. Muller  
6595 Clark State Rd.  
Blacklick, Ohio 43004  
Parcel # 170-001500

West Boundary: Jonathan and Frances Railton  
6555 Clark State Rd  
Blacklick, Ohio 43004  
Parcel # 025-012657

Northwest Boundary: John and Amy Keyser  
1775 Harrison Pond Dr.  
Blacklick, Ohio 43004  
Parcel # 025-012092

*ANX - ExA2 - 34-15*

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

By RR Date 9/30/15

RECEIVED

OCT 01 2015

ANX-EXP2-39-15

Franklin County Planning Department  
Franklin County, Ohio

RECEIVED

SEP 30 2015

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

**PROPOSED ANNEXATION OF 2.1+/- ACRES  
FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO**

Situated in the State of Ohio, County of Franklin, Township of Jefferson, located in part of Quarter Township 2, Township 1, Range 16, United States Military District, being all of that 1.862 acre tract of land (170-000647) described in the deed to Mark Ludwig, recorded in Instrument No. 200803240044351, and that portion of the 2.138 acre tract of land (170-001500) described in the deed to Eva J. Muller, recorded in Instrument No. 200406210141806, which lies within the current right-of-way of Clark State Road (record references recited herein are to those of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning at the southwesterly corner of the 36.5 acres annexed to the City of Gahanna by Ordinance No. 48-93 (Sally G. Lewis annexation), recorded in Official Record 23449, Page C-05, being in the northerly right-of-way line of Clark State Road (60 feet in width);

thence leaving the City of Gahanna Corporation line in a southerly direction, being along the easterly line of said 1.862 acre tract, and the northerly extension thereof, (passing the southerly right-of-way line of said Road at 60 feet) a distance of 450 feet, more or less, to the southeasterly corner of said 1.862 acre tract, being a northeasterly corner of said 2.138 acre tract;

thence westerly along the line common to said 1.862 & 2.138 acre tracts, a distance of 195 feet, more or less, to the southwesterly corner of said 1.862 acre tract;

thence northerly along the line common to said 1.862 & 2.138 acre tracts, a distance of 389.4 feet, more or less, to the intersection of said line with said southerly right-of-way line of Clark State Road;

thence westerly across said 2.138 acre tract, being along said southerly right-of-way line of Clark State Road, a distance of 60 feet more or less, to the westerly line of said 2.138 acre tract, being the easterly line of those land annexed to the City of Gahanna by Ordinance No. 215-00, recorded in Instrument No. 200010260216938;

thence northerly with said City of Gahanna Corporation Line, being the westerly line of said 2.138 acre tract and the northerly extension thereof, a distance 60 feet, more or less, to aforesaid northerly right-of-way line of Clark State Road, being an angle point in said City of Gahanna Corporation Line, as annexed to the City of Gahanna by said Ordinance No. 48-93;

thence easterly along said City of Gahanna Corporation Line, a distance of 255 feet, more or less, returning to the place of beginning, containing 2.1 acres of land, more or less, as described in September of 2015, for annexation purposes only, by Carl E. Turner Jr., Registered Professional Surveyor No. S-6702.

Terra Surveying Services, LLC



Carl E. Turner Jr.  
Professional Surveyor No. 6702  
2 September 2015



\*End of Description\*



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

By BR Date 9/30/15

RECEIVED

OCT 01 2015

ANK-EXP2-3475

Franklin County Planning Department  
 Franklin County, Ohio

RECEIVED

SEP 30 2015

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

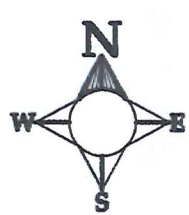
**T TERRA**  
 Surveying Services LLC

238 Academy Woods Drive  
 Gahanna, Ohio 43230-2184  
 614/471-0663

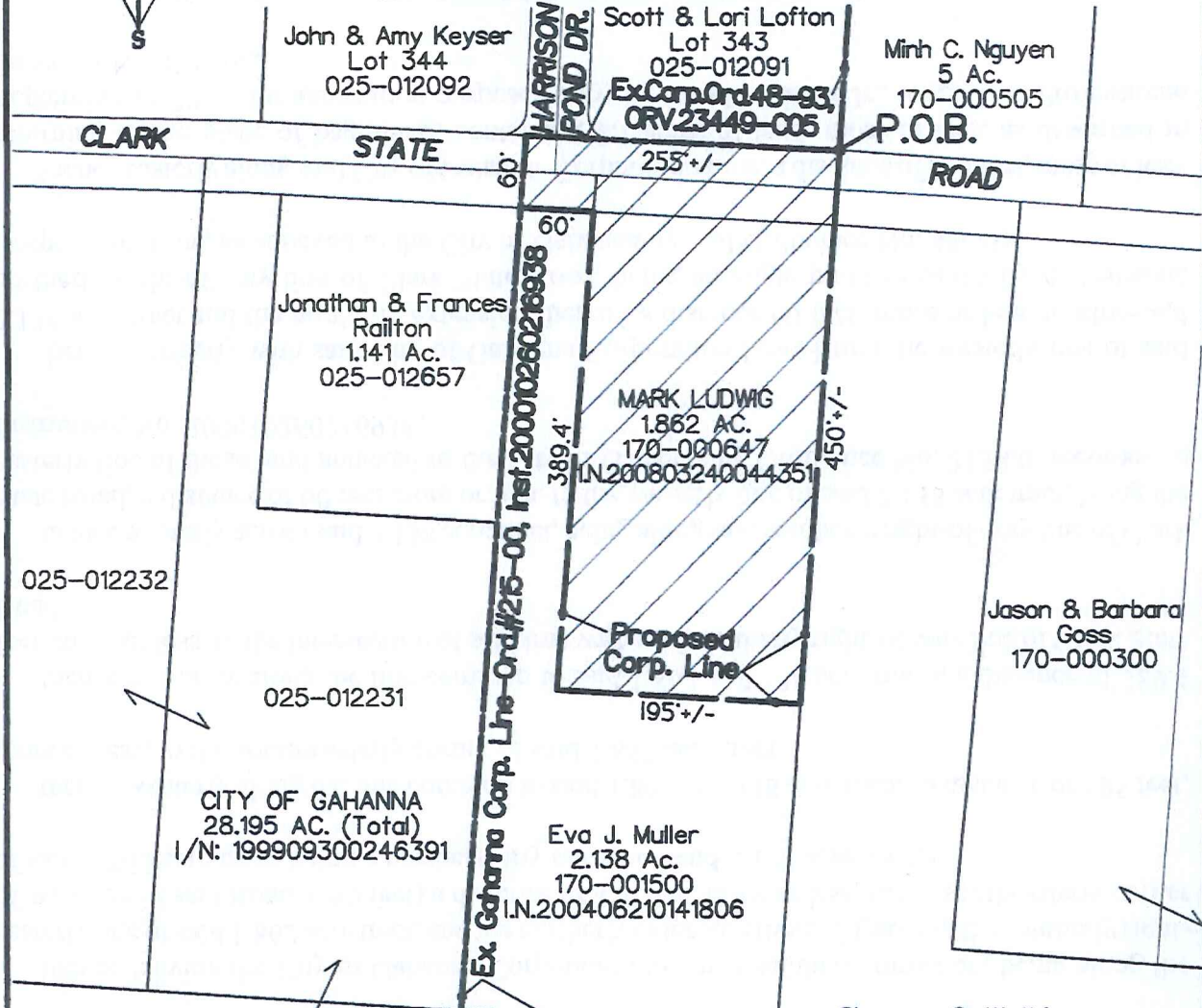
www.terrasurveyingservices.com

TITLE: **PROPOSED ANNEXATION OF 2.1+/- ACRES**  
**FROM JEFFERSON TWP., TO THE CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

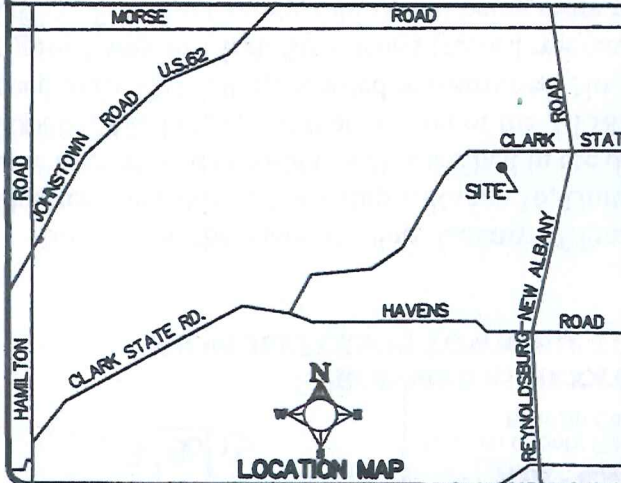
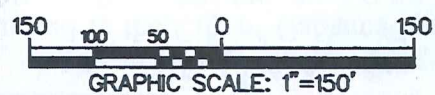
PREPARED EXCLUSIVELY FOR: 2 SEPTEMBER 2015 INSTRUMENT NO. 200010260216938  
 FRANKLIN COUNTY COMMISSIONERS and/or Rev.9/29/15 INSTRUMENT NO. 200803240044351  
 THE CITY OF GAHANNA FRANKLIN CO. TAX MAP NO. 0-37C



INDICATES AREA TO BE ANNEXED  
 PROPOSED CORPORATION LINE  
 EXISTING CORPORATION LINE



CONTIGUITY NOTE: 025-012233  
 Total perimeter of annexation is 1412', of which 315' is contiguous with existing Gahanna Corporation Line, giving 22% perimeter contiguity.  
 NOTE:  
 Within the limits of this annexation it does not create islands of unincorporated areas.



ANNEXATION NO. \_\_\_\_\_  
 FILED: \_\_\_\_\_ PASSED: \_\_\_\_\_  
 ORDINANCE NO. \_\_\_\_\_  
 INSTRUMENT NO. \_\_\_\_\_

By: Carl E. Turner Jr.  
 CARL E. TURNER JR.  
 P.S.6702



NOT AN AUTHORIZED DOCUMENT UNLESS SURVEYOR'S SEAL APPEARS IN BLUE INK.




©2015 TERRA SURVEYING SERVICES LLC



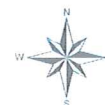
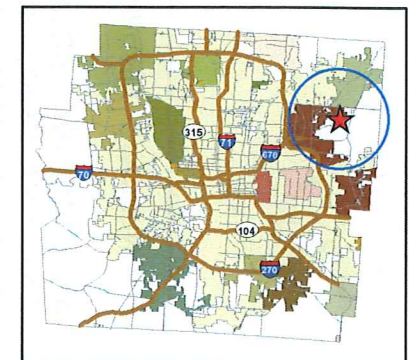
# ANX-EXP2-34-15

Petition to annex 2.1+/- acres from Jefferson Township into the City of Gahanna.

2.1+/- acres  
Jefferson Township

-  Annexation Area
-  Parcels
-  Streets

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



**City of Gahanna**

Office of the Clerk of  
Council  
200 South Hamilton Road  
Gahanna, Ohio 43230

**Certified Copy**

Ordinance: ORD-0110-2015

File Number: ORD-0110-2015

**AN ORDINANCE ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF GAHANNA, OHIO, WILL PROVIDE TO THE 2.1+/- ACRES LOCATED IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, PROPOSED TO BE ANNEXED TO THE CITY OF GAHANNA UPON ANNEXATION; SAID PROPERTY LOCATED AT 6607 CLARK STATE ROAD; REQUEST BY MARK D. LUDWIG; AND CITY BUFFER REQUIREMENTS AS PROVIDED IN OHIO REVISED CODE 709.023; AND TO DECLARE AN EMERGENCY.**

WHEREAS, a Petition has been filed with the Board of County Commissioners of Franklin County, Ohio by Mark D. Ludwig for the annexation of 2.1+/- acres located on parcel numbers 170-000647 and 170-001500 in Jefferson Township to the City of Gahanna; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires that a municipal corporation shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory upon annexation, which legislation must be adopted and filed with the county commissioners within twenty (20) days after the petition is filed; and

WHEREAS, fire service is now being provided to the annexation territory by Jefferson Township and the territory will remain in Jefferson Township and continue to receive Jefferson Township fire services as a matter of law following the annexation, if approved; and

WHEREAS, Ohio Revised Code Section 709.023(C) also requires that a municipal corporation shall, by ordinance or resolution, require buffers separating any new uses that clearly are incompatible with the uses permitted under current township zoning regulations in the adjacent land remaining in the unincorporated township; and

WHEREAS, it is necessary to effect this legislation immediately to adopt it within the time required by law and for the orderly progression of the annexation procedure, and for the preservation of the public peace, property, health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That within ten (10) days of the effective date of the annexation of the 2.1+/- acres to the City of Gahanna, as shown on the map and description attached hereto as EXHIBIT A, the City of Gahanna will provide to the entire annexed territory the following services: police, water, sanitary sewer, roadway maintenance, sanitation, economic development and planning, and parks and recreation. Water service is available through the City of Gahanna from an existing 12-inch waterline on Clark State Road across the frontage of the property. Sanitary sewer service is available from the City of Gahanna from an existing 8-inch sanitary sewer approximately 250 feet west of the proposed annexation. Upon being annexed to the City of Gahanna, the proposed annexation shall receive roadway maintenance, service and sanitation services as provided in Chapter 941 (Garbage and Refuse Collection) of the Codified Ordinances of Gahanna.

Section 2. That the 2.1+/- acre annexation territory is subject to Jefferson Township zoning regulations. If the territory is annexed and becomes subject to Gahanna zoning and the city zoning permits uses in the annexed territory that the city determines are clearly incompatible with the uses permitted under applicable township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexation territory remaining within Jefferson Township, then Gahanna City Council will require the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Jefferson

Township. The landscape "buffer" may include open space, landscaping, fences, walls, and other structured elements, streets and street rights-of-way, or bicycle and pedestrian paths and sidewalks.

Section 3. That if any street or highway is divided or segmented by the boundary line between the township and the City of Gahanna as to create a maintenance problem, Gahanna agrees to assume the maintenance of the portion of the street or highway for which there is a maintenance problem or to otherwise correct the problem.

Section 4. That pursuant to Section 121.05(b) of the Codified Ordinances of the City of Gahanna the Clerk of Council shall obtain from the City Engineer the right-of-way required by the approved Master Thoroughfare Plan for the City. The City Engineer has stated that in accordance with the adopted Gahanna Thoroughfare Plan of the City, Clark State Road is identified to require 80 feet of right-of-way; the current right-of-way for this property is 60 feet, therefore the dedication of an additional 10 feet of right-of-way shall be designated as a condition of accepting the proposed annexation.

Section 5. That the Clerk of Council is hereby authorized and directed to deliver a copy of this legislation to the office of the Board of Commissioners of Franklin County within twenty (20) days of the date of the filing of the petition.

Section 6. That, for the reasons set forth in the preamble hereinabove, this Ordinance is declared emergency legislation, and shall be in full force and effect immediately upon passage by this Council and on date of signature approval by the Mayor.

The City of Gahanna City Council met on 10/19/2015 to consider along with other business, ORD-0110-2015.

A motion was made by Leeseberg, seconded by Schnetzer to introduce, waive second reading, and adopted as emergency on the Consent Agenda. The vote carried unanimously.

Please consider this an official certified copy of ORD-0110-2015. If you have any further questions, please call 614-342-4090.



Kim Banning, CMC, Clerk of  
Council

October 20, 2015

Date Certified



# City of Gahanna

Office of the Clerk of Council  
200 South Hamilton Road  
Gahanna, Ohio 43230

## Signature

Ordinance: ORD-0110-2015

**File ID:** ORD-0110-2015

**Type:** Ordinance

**Status:** Passed

**In Control:** City Council

**Version:** 1

**Final Action:** 10/19/2015

At a meeting of the City Council on 10/19/2015, a motion was made by Jamie Leeseberg, seconded by Michael Schnetzer, that this Ordinance be Introduced, Second Reading Waived, and Adopted as an Emergency. The motion passed.

**Yes:** 7 Angelou, Jolley, Leeseberg, Renner, Schnetzer, Kneeland and Larick

**AN ORDINANCE ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF GAHANNA, OHIO, WILL PROVIDE TO THE 2.1+/- ACRES LOCATED IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, PROPOSED TO BE ANNEXED TO THE CITY OF GAHANNA UPON ANNEXATION; SAID PROPERTY LOCATED AT 6607 CLARK STATE ROAD; REQUEST BY MARK D. LUDWIG; AND CITY BUFFER REQUIREMENTS AS PROVIDED IN OHIO REVISED CODE 709.023; AND TO DECLARE AN EMERGENCY.**

WHEREAS, a Petition has been filed with the Board of County Commissioners of Franklin County, Ohio by Mark D. Ludwig for the annexation of 2.1+/- acres located on parcel numbers 170-000647 and 170-001500 in Jefferson Township to the City of Gahanna; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires that a municipal corporation shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory upon annexation, which legislation must be adopted and filed with the county commissioners within twenty (20) days after the petition is filed; and

WHEREAS, fire service is now being provided to the annexation territory by Jefferson Township and the territory will remain in Jefferson Township and continue to receive Jefferson Township fire services as a matter of law following the annexation, if approved; and

WHEREAS, Ohio Revised Code Section 709.023(C) also requires that a municipal corporation shall, by ordinance or resolution, require buffers separating any new uses that clearly are incompatible with the uses permitted under current township zoning regulations in the adjacent land remaining in the unincorporated township; and

WHEREAS, it is necessary to effect this legislation immediately to adopt it within the time required by law and for the orderly progression of the annexation procedure, and for the preservation of the public peace, property, health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That within ten (10) days of the effective date of the annexation of the 2.1+/- acres to the City of Gahanna, as shown on the map and description attached hereto as EXHIBIT A, the City of Gahanna will provide to the entire annexed territory the following services: police, water, sanitary sewer, roadway maintenance, sanitation, economic development and planning, and parks and recreation. Water service is available through the City of Gahanna from an existing 12-inch waterline on Clark State Road across the frontage of the property. Sanitary sewer service is available from the City of Gahanna from an existing 8-inch sanitary sewer approximately 250 feet west of the proposed annexation. Upon being annexed to the City of Gahanna, the proposed annexation shall receive roadway maintenance, service and sanitation services as provided in Chapter 941 (Garbage and Refuse Collection) of the Codified Ordinances of Gahanna.

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Section 6. That, for the reasons set forth in the preamble hereinabove, this Ordinance is declared emergency legislation, and shall be in full force and effect immediately upon passage by this Council and on date of signature approval by the Mayor.

President  Date 10/20/15  
Thomas R. Kneeland

Attest by Kimberly Banning  
Kimberly Banning, CMC  
Clerk of Council

Date 10/20/15

Approved by the Mayor Rebecca W. Stinchcomb  
Rebecca W. Stinchcomb

Date 10/20/15

Approved as to Form Shane W. Ewald  
Shane W. Ewald  
City Attorney

Date 10/20/15