

To: Members of Dublin City Council
From: Dana L. McDaniel, City Manager
Date: August 18, 2020
Initiated By: Paul Hammersmith, P.E., Director of Engineering/City Engineer
Claudia Husak, Senior Planner
Re: Resolution 45-20 - Adopting a Statement of Services for a Proposed Annexation of 4.998 Acres, More or Less, from Jerome Township, Union County (Petitioner: Peter L. Coratola, Jr.)

Summary

Laura MacGregor Comek, Attorney/Agent for Petitioner, Peter L. Coratola, Jr., filed an annexation petition with the Union County Commissioners on July 27, 2020 for the property located at 7411 Brock Road. The petition is for 4.998 acres, more or less ("the Property").

The petition was filed pursuant to O.R.C. 709.02, as a "regular/majority owner" annexation. The Union County Commissioners must schedule a hearing not less than 60 or more than 90 days after the filing of the petition. The hearing is scheduled for September 29, 2020 at 10 a.m. For a Regular annexation the City must adopt a Statement of Services, included as Resolution No. 45-20.

The Commissioners must adopt a resolution either approving or denying the petition within 30 days following the hearing.

Background

Zoning and Community Plan

Upon annexation, properties are automatically zoned R, Rural District, under the Zoning Code of the City of Dublin. A rezoning application will need to be filed for any development outside of the parameters of this zoning district.

Service Assessment

- **Police Protection**

The City of Dublin has five police districts and deploys a minimum of five cruisers per shift. The Property is located approximately 6 driving miles from the Justice Center, the Police Department headquarters. The City of Dublin provides twenty-four hour police and communications services and has mutual aid agreements with other jurisdictions. The Property will be fully served with these services at the same or similar level now being provided to other areas of the City.

- **Fire Protection and Emergency Medical Service (EMS)**

Jerome Township currently provides fire service to the Property. Dublin will ensure that fire and EMS services will be provided to the Property at the same or similar level now being provided to other areas of the City.

- **Solid Waste Collection**

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

- **Water Distribution**

The Property is located within the exclusive expansion area of the Water Service Agreement with City of Columbus.

- **Sanitary Sewer (Wastewater) Collection**

The Property is located within the exclusive expansion area of the Sanitary Service Agreement with City of Columbus. To enable sanitary sewer service to be extended in the future to parcels to the east of this Property, the City will require that the property owner prepare and dedicate a 20-foot utility easement along the southern property boundary upon annexation.

- **Roads and Streets**

Access to this property is from Brock Road.

Fee Waiver

The City of Dublin has an annexation application fee of \$4,210. Mr. Coratola has requested a waiver of this fee (request attached).

According to the log that is kept by the Clerk of Council, it appears that the following have been granted fee waivers for annexations:

- 7200 Coffman Road (Dublin Baptist Church), waiver approved on 1-9-06
- 8668 Hyland-Croy Road (Robert and Elaine Horr), waiver approved on 4-9-07
- 9341 Jerome Road (Daniel and Melissa Lorenz), waiver approved on 11-19-07
- 7672 Fishel Road (TALG Ltd.), waiver approved on 7-2-12
- 7094 Dublin Road (Harvey Vasha), waiver approved on 4-23-12
- 7250 Coffman Road (Jay Eggspuehler), waiver approved on 9-23-13
- 2.7 Acres (application filed by Washington Township), waiver approved on 8-11-14
- 4.816 Acres (application filed by Washington Township), waiver approved on 1-8-19

The only waivers that have been granted since 2013 have been for public entities. The most recent single-family annexation did not request a waiver and thus paid the annexation application fee. Since the application fee represents the cost of processing an annexation application based on fee studies, Staff would recommend denial of this request.

Recommendation

This Property is within the proposed annexation areas of the Community Plan and is located in the exclusive Dublin Service Area as defined in the water and sewer agreements with the City of Columbus. Approval of Resolution 45-20 regarding the Statement of Services is recommended. Upon City Council's approval, this approved Resolution will be forwarded to the Union County Commissioners for their required hearing. Staff recommends that Council deny the applicant's request for waiver of the annexation application fee.

RECORD OF RESOLUTIONS

Resolution No. 45-20 Passed _____, _____

A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF 4.998 ACRES, MORE OR LESS, FROM JEROME TOWNSHIP, UNION COUNTY TO THE CITY OF DUBLIN.

WHEREAS, a Regular Annexation petition for 4.998 acres, more or less, from Jerome Township, Union County to the City of Dublin was filed in the offices of the Union County Commissioners by Laura MacGregor Comek, Attorney/Agent for Petitioner, Peter L. Coratola, Jr. ("the Property"); and

WHEREAS, Section 709.03 (D) of the Ohio Revised Code requires that, prior to the hearing of the annexation petition, the Municipal 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.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City of Dublin will provide the following municipal services for the Property (the 4.998 acres, more or less at 7411 Brock Road, in Jerome Township, Union County) immediately upon the annexation of the area to the City of Dublin, Ohio, which is expected to be approximately February 15, 2021.

Service Assessment

- **Police Protection**
The City of Dublin has five police districts and deploys a minimum of five cruisers per shift. The Property is located approximately 6 driving miles from the Justice Center, the Police Department headquarters. The City of Dublin provides twenty-four hour police and communications services and has mutual aid agreements with other jurisdictions. The Property will be fully served with these services at the same or similar level now being provided to other areas of the City.
- **Fire Protection and Emergency Medical Service (EMS)**
Jerome Township currently provides fire service to the Property. Dublin will ensure that fire and EMS services will be provided to the Property at the same or similar level now being provided to other areas of the City.
- **Solid Waste Collection**
The City of Dublin provides residential solid waste collection at no additional fee.

RECORD OF RESOLUTIONS

Resolution No. 45-20

Passed _____ Page 2 of 2 _____

- **Water Distribution**

The Property is located within the exclusive expansion area of the Water Service Agreement with City of Columbus.

- **Sanitary Sewer (Wastewater) Collection**

The Property is located within the exclusive expansion area of the Sanitary Service Agreement with City of Columbus. To enable sanitary sewer service to be extended in the future to parcels to the east of this Property, the City will require that the property owner prepare and dedicate a 20-foot utility easement along the southern property boundary upon annexation.

- **Roads and Streets**

Access to this property is from Brock Road.

- **Zoning and Community Plan**

Upon annexation, properties are automatically zoned R, Rural District, under the Zoning Code of the City of Dublin. A rezoning application will need to be filed for any development outside the parameters of this zoning district.

Section 2. The City has Water and Sanitary Sewer Service Agreements with the City of Columbus, and the Property is within the Dublin Exclusive Service area of both agreements. Conditioned upon the ability of the City of Columbus to provide water supply and to provide sufficient sanitary sewerage disposal capacity, sufficient public water distribution and sanitary sewer collection systems exist in this area to serve this property at the current time.

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

Passed this _____ day of _____, 2020

Mayor – Presiding Officer

Attest:

Clerk of Council

LAURA M. COMEK LAW LLC



July 28, 2020

Via Certified Mail, Return Receipt Requested

Anne Clarke, Council Clerk
City of Dublin
5200 Emerald Parkway
Dublin Ohio 43017

Re: NOTICE OF FILING PETITION FOR ANNEXATION
RE: ANNEXATION OF 4.998+/- ACRES
FROM JEROME TOWNSHIP TO THE CITY OF DUBLIN

Dear Ms. Clarke:

This correspondence is provided pursuant to Ohio Revised Code 709.03, as NOTICE that a Petition for Annexation, as captioned above, was filed with the clerk of the Union County Commissioners on July 27, 2020 at approximately 1:40 p.m. A copy of the Petition with attachments is provided herewith.

Pursuant to Ohio law, the Commissioners have scheduled the date and time for the hearing on this matter to be held:

ANNEXATION HEARING
September 29, 2020
10 a.m. in the Commissioners' hearing room located at 233 W. 6th Street,
Marysville, Ohio 43040. (See Commissioners' Notice enclosed).

Enclosed please find a Notice of Filing Annexation Petition Re: Annexation of 4.998 +/- acres, from Jerome Township to the City of Dublin, Ohio, with Petition attached thereto.

At your earliest convenience, please sign in the acknowledgement space provided and use the self-addressed stamped envelope to return the signed copy of

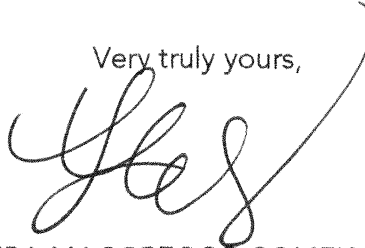
17 S. High Street. Ste. 700 Columbus, Ohio 43215
614.560.1488 Laura@Comeklaw.com

LAURA M. COMEK LAW LLC

17 S. High Street. Ste 700. Columbus, Ohio 43215
614.560.1488 Laura@Comeklaw.com

the Notice to me. If you have questions, please do not hesitate to contact me at 614.560.1488.

Very truly yours,

A handwritten signature in black ink, appearing to read 'L. Comek', with a long, sweeping flourish extending from the end of the signature.

LAURA MACGREGOR COMEK, Esq.

Enclosures:

Petition with attachments

Notice Receipt

Commissioners' Hearing notice

**BOARD OF COUNTY COMMISSIONERS
UNION COUNTY, OHIO**

In Re:

Annexation of 4.998 +/- Acres
Jerome Township

Peter L. Coratola, Jr.,

Petitioner

NOTICE OF ANNEXATION HEARING

To: Laura M. Comek, Esquire
Laura M. Comek Law LLC
17 S. High Street, Suite 700
Columbus, OH 43215

Agent for Petitioners

TAKE NOTICE:

The Board of County Commissioners, Union County, Ohio will consider the Petition for Regular Annexation to the City of Dublin, Ohio, of 4.998 +/- Acres, more or less, from Jerome Township, Union County on Tuesday, September 29, 2020 beginning at 10:00 a.m. The Commissioners general practice has been to conduct meetings and hearings remotely using Zoom. This practice is in effect until the Board decides otherwise. If the hearing will be held in person, you will be notified in advance and it will be held in the Commissioners Hearing Room, in the County Office Building at 233 West Sixth Street, 1st Floor, Marysville, Ohio.

Date: July 28, 2020



Kelly A. Higgins, Clerk
Board of County Commissioners
937-645-3012

**NOTICE OF FILING PETITION FOR ANNEXATION
RE: ANNEXATION OF 4.998 +/- ACRES
FROM JEROME TOWNSHIP TO THE CITY OF DUBLIN**

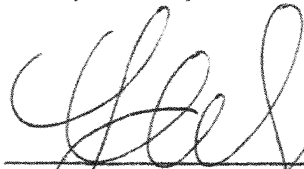
To: Anne Clarke, Dublin City Council Clerk
5200 Emerald Parkway
Dublin, Ohio 43017

You are hereby notified that on the 27th day of July 2020, at approximately 1:40 p.m., the undersigned, as Agent for the Petitioner, filed a Petition for Annexation in the office of the Board of County Commissioners of Union County, Ohio.

Said Petition prays for annexation to the City of Dublin, Ohio, of 4.998 +/- acres in Jerome Township. A copy of said Petition, with description and plat, is attached hereto and made a part hereof.

A hearing to review the annexation will be held on September 29, 2020 at 10 a.m. in the Commissioners' Hearing Room located at 233 W. 6th Street, Marysville, Ohio 43040.

Respectfully submitted,



Laura MacGregor Comek, Esq.
17 S. High Street, Ste 700
Columbus, Ohio 43215
Phone: (614) 560-1488
Agent for Petitioner

cc: Union County Commissioners

RECEIPT OF THE AFOREMENTIONED DOCUMENTS IS HEREBY ACKNOWLEDGED
THIS 3rd DAY OF August, 2020.



Deputy Clerk, Dublin City Council

RECEIVED

**PETITION FOR ANNEXATION OF 4.998 +/- ACRES
FROM JEROME TOWNSHIP TO THE CITY OF DUBLIN, OHIO**

JUL 27 2020

Union County
Commissioners

To the Board of Commissioners of Union County, State of Ohio:

Now comes the undersigned Petitioner, being the sole owner of certain real property situated in the County of Union, Township of Jerome, which property is contiguous and adjacent to the City of Dublin, to wit, see the legal description attached hereto as Exhibit "A."

The undersigned Petitioner requests that said real property be annexed to the City of Dublin, in accordance with the statutes of the State of Ohio, specifically §709.02 and §709.03 as a Regular Annexation proceeding. There is one (1) owner of real estate in the territory sought to be annexed.

The territory sought to be annexed with this Petition is contiguous to the City of Dublin corporate boundaries. On balance, the general good of the territory sought to be annexed will be served, and the benefits to the territory and the surrounding area will outweigh detriments, if any, to the territory sought to be annexed and surrounding area. The territory is not unreasonably large. No island of unincorporated area is being created by this annexation.

Laura MacGregor Comek, Esq., 17 S. High Street, Ste. 700, Columbus, Ohio, 43215, is hereby authorized to act as Agent for the Petitioner in securing such annexation. Said Petitioner's Agent is hereby authorized to make any or all amendments and/or deletions to the Petition, map, plat or description which, in their absolute and complete discretion, are proper under the circumstances then existing. In addition, the Petitioner's Agent is authorized to make such amendments and/or deletions to the Petition, map, plat or description in order to correct any discrepancy or mistake noted by the County Engineer, or other, in their examination of the Petition, map, plat or description. Amendments to correct the map, plat or description may be made by the presentation of an amended map, plat or description to the Board of County Commissioners on, before or after the date set for hearing of this Petition.

An accurate map approved by the Union County Engineer is attached hereto and made a part of this Petition as Exhibit "B."

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Coratola Jr.', written over a horizontal line.

Peter L. Coratola Jr., owner

Date: 7/14/2020

Parcel No.: 1700140570000,
Map No. 127-13-03-001.000
Situated at 7411 Brock Road

PROPERTY OWNERS OF TERRITORY TO BE ANNEXED:

Peter L. Coratola Jr.

Parcel No.: 1700140570000, Map No. 127-13-03-001.000

4.998 +/-ac. situated at 7411 Brock Road

January 16, 2020

DESCRIPTION OF A 4.998 ACRE TRACT OF LAND ON THE SOUTH SIDE OF BROCK ROAD AND EAST OF WILTON CHASE IN THE TOWNSHIP OF JEROME, COUNTY OF UNION, STATE OF OHIO.

Situated in the State of Ohio, County of Union, Township of Jerome, part of Virginia Military Survey No. 2991 and being part of that 5.018 acre tract of land as described in a deed to Peter L. Coratola Jr. of record in Instrument No. 201507220005721 (all references to instruments, official records or plat books refer to the records of the Recorder's Office, Union County, Ohio), said 4.998 acre tract of land being more particularly described as follows:

Beginning, for reference, at a railroad spike (found) in the centerline of Brock Road, the northeasterly corner of said original 5.018 acre tract, said railroad spike also being the northwesterly corner of that 4.93 acre tract of land as described in a deed to Vincent J. Nardone III, of record in Instrument No. 201507070005240;

Thence S 2 deg. 32' 00" E, with the easterly line of said 5.018 acre tract, the westerly line of said 4.93 acre tract, a distance of 30.02 feet to an iron pin (found) in the southerly right-of-way line of said Brock Road and being the true point of beginning;

Thence S 2 deg. 32' 00" E, with the easterly line of said 5.018 acre tract, the westerly line of said 4.93 acre tract, a distance of 724.54 feet to an iron pin (found) at the southeasterly corner of said 5.018 acre tract, the southwesterly corner of said 4.93 acre tract and an angle point in the northerly line of Lot No. 102 as the same is numbered and delineated of the plat of Tartan Ridge Section 2 Part 1, of record in Plat Book 5, Pages 292A-292C;

Thence S 85 deg. 24' 30" W, with the southerly line of said 5.018 acre tract, a portion of the northerly line of said Lot No. 102, Lot No. 101 and a northerly line of Reserve "L" as the same is numbered and delineated on the plat of Tartan Ridge Section 2 Part 2, of record in Plat Book 5, Pages 295a-295C, the City of Dublin corporation line, Ordinance No., a distance of 290.00 feet to an iron pin (found) at the southwesterly corner of said 5.018 acre tract, a corner of said Reserve "L", and an angle point in an easterly line of Lot No. 132 of said Tartan Ridge Section 2 Part 2;

Thence N 2 deg. 32' 00" W, with the westerly line of said 5.018 acre tract, an easterly line of said Lot No. 132, the easterly line of Lot No. 131 of said Tartan Ridge Section 2 Part 2, the easterly line of Lot Nos. 130, 129 128 and Reserve "N" as the same are numbered and delineated on the plat of Tartan Ridge Section 2 Part 3, of record in Plat Book 5, Pages 296A-296B, the City of Dublin corporation line, a distance of 724.54 feet to an iron pin (found) in the southerly right-of-way line of said Brock Road and being the northeasterly corner of said Reserve "N";

Thence N 85 deg. 24' 30" E, with the southerly right-of-way line of said Brock Road and crossing said 5.018 acre tract, a distance of 290.00 feet to true point of beginning and containing 4.998 acres of land, more or less.

Subject to all rights-of-way, easements or restrictions, if any, of previous record.

All iron pins denoted as "set" are 5/8" rebar with a red plastic cap stamped "Compass S7272" and have been set by Compass Surveying Solutions. All iron pins denoted as "found" have been set by others.

The basis of bearing is the centerline of Brock Road being N 85 deg. 24' 30" E as shown in the description of said original 5.018 acre tract in Instrument No. 201507220005721.

The foregoing description was prepared from information obtained from existing deed, plat and survey records also an actual field survey of the premises on November 1, 2019 in accordance with Chapter 4733-37, Ohio Administrative Code by COMPASS SURVEYING SOLUTIONS.

By 

G. Dean Erlenbach
Ohio Registered Surveyor No. 7272



ADJACENT/SURROUNDING PROPERTY OWNERS

Owner - Tax Mailing Address or Property Address - Parcel Number

Adjacent Parcels:

City of Dublin, Ohio
5200 Emerald Parkway
Dublin, Ohio 43017
3900140582360

Diana Patricia Rodriguez
and Carlos Adolfo Piedrahita
7300 Wilton Chase
Dublin, Ohio 43017
3900140582350

Jeffrey R. Schmiesing, Tr.
Kristine M. Schmiesing, Tr.
7292 Wilton Chase
Dublin, Ohio 43017
3900140582340

Josh A. Peoples
Tiffany D. Peoples
7284 Wilton Chase
Dublin, Ohio 43017
3900140582330

Christopher F Lanctot
Susan M Lanctot
7276 Wilton Chase
Dublin, Ohio 43017
3900140582190

Sean Cooney
Michelle Cooney
7268 Wilton Chase
Dublin, Ohio 43017
3900140582180

City of Dublin, Ohio
5200 Emerald Parkway
Dublin, Ohio 43017
3900140582150

Jamey S. Collins
Danielle Collins
7142 Wilton Chase
Dublin, Ohio 43017
3900140581130

Matthew W. Andreas
Gina M. Andreas
7134 Wilton Chase
Dublin, Ohio 43017
3900140581120

Vincent J. Nardone III
7379 Brock Road
Plain City, Ohio 43064
1700140440000

Vincent J. Nardone III
7118 Wilton Chase
Dublin, Ohio 43017
1700140440000

Larry E. Hopper
Patricia J Hopper
7400 Brock Road
Plain City, Ohio 43064
1700120223000

Patrick R. Rengel
Dierdre J. Rengel
7460 Brock Road
Plain City, Ohio 43064
1700120222000