



LEGISLATIVE COVER MEMO

Date: October 20, 2025

Agenda Item: Resolution 2025-74

ADOPTING A STATEMENT OF SERVICES AND ZONING BUFFER REQUIREMENT FOR A PROPOSED ANNEXATION OF 36.073 ACRES, MORE OR LESS, FROM FRANKLIN TOWNSHIP, WARREN COUNTY AND MIAMI TOWNSHIP, MONTGOMERY COUNTY TO THE CITY OF FRANKLIN, OHIO

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: Camp Chautauqua, using Bricker Graydon as agent, has filed an expedited type 2 annexation petition for approximately 36.073 acres into the City in order to acquire City services.

City staff recommends that Council approve this Resolution, which the Clerk will then file with the Montgomery County Board of County Commissioners as required by Ohio Revised Code Section 709.023.

Budget Impact: None

Exhibits: N/A

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2025-74

**A RESOLUTION ADOPTING A STATEMENT OF SERVICES AND ZONING BUFFER
REQUIREMENT FOR A PROPOSED ANNEXATION OF 36.073 ACRES, MORE OR LESS,
FROM FRANKLIN TOWNSHIP, WARREN COUNTY AND MIAMI TOWNSHIP,
MONTGOMERY COUNTY TO THE CITY OF FRANKLIN, OHIO**

Whereas, on October 8, 2025, an expedited type 2 annexation petition for 36.073 acres, more or less, was filed in the offices of the Montgomery County Commissioners by Camp Chautauqua, using the law director's office as Attorney/Agent for Petitioner; and,

Whereas, the annexation territory includes 12.18 acres from Franklin Township, Warren County to the City of Franklin ("the City") and 23.893 acres from Miami Township, Montgomery County to the City; and

Whereas, per Ohio Revised Code Section 709.11, where territory for annexation is located in more than one county, the annexation proceedings shall be in the county in which the majority of acreage of territory proposed for annexation is situated therefore this annexation was filed in Montgomery County; and,

Whereas, Section 709.023 (C) of the Ohio Revised Code requires that, within twenty days after the annexation petition is filed, the municipal corporation to which annexation is proposed shall adopt a resolution stating 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, Ohio Revised Code Section 709.023(C) requires that a municipal corporation, by ordinance or resolution, require buffers separating any new uses in the annexed territory that the legislative authority determines are clearly incompatible with the uses permitted under current township or county zoning regulations in the adjacent land remaining within the township from which the territory was annexed; and

WHEREAS, the City will provide the services set forth in this Resolution to the territory proposed for annexation, upon annexation taking effect; and,

WHEREAS, the City will require zoning buffer if deemed necessary;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of members present concurring, that:

Section 1. The City will provide the following municipal services for the annexation territory once the City's resolution or ordinance accepting the annexation becomes final as provided by law. The property owners and/or their designee(s) are responsible, at their sole expense, for any and all necessary connection(s) to the City's water main and/or sanitary sewer main, as set forth below. Said services will be provided by the City on the terms and conditions, and shall be subject to the rates, rules and regulations, established by City ordinances, to the same extent as such are provided to other territory and properties located within the City:

- a. Sanitary Sewer Service and Potable Water Service

- b. Solid Waste Collection
- c. Wastewater Services
- c. Police Services
- d. Zoning Services
- e. Fire & EMS Services

Section 2. Upon annexation, the Property will be zoned PAR Parks and Recreation, as that is the zoning classification of land already within the City and adjacent to the annexation territory. Planning Commission will then recommend the appropriate permanent zoning district in accordance with Section 1115.03 of the Franklin Codified Ordinances. If City zoning permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under Franklin Township or Miami Township zoning regulations, in effect at the time of the filing of the petition, in the adjacent land remaining within the Townships, the City will require, in the zoning ordinance permitting the incompatible uses, that the owner(s) of the annexed territory provide a buffer separating the use of the annexed territory and the adjacent land remaining within Franklin and Miami Townships. "Buffer" may include open space, landscaping, fences, walls, and other structured elements, streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. The Clerk of Council shall file a certified copy of this Resolution with the Montgomery County Board of County Commissioners within twenty (20) days of the filing of the annexation petition.

Section 4. This Resolution shall become effective immediately upon its passage.

ADOPTED: October 20, 2025

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of a resolution passed by that body on October 20, 2025.

Khristi Dunn, Clerk of Council