



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

Economic Development & Planning Department  
James Schimmer, Director

# Technical Review Committee Agenda

Franklin County Engineer's Office  
970 Dublin Road  
Columbus, OH 43215

Wednesday, February 26, 2013  
1:30 p.m.

## 1. New Business

### A. Planning Commission

#### i. PERRY-13-04 – Anthony Hray

<b>Applicant:</b>	Perry Township Zoning Commission
<b>Township:</b>	Perry Township
<b>Request:</b>	Requesting to amend Section 531.083(1) and Section 531.084(2) of the Perry Township Zoning Resolution.

### B. BZA

#### i. VA-3786 – Anthony Hray

<b>Applicant:</b>	Bruce McCormick
<b>Owner:</b>	Urban Renewal Investments
<b>Agent:</b>	Fred Reister
<b>Township:</b>	Madison Township
<b>Site:</b>	4582 Katherine Road (PID #180-000775)
<b>Acreage:</b>	0.39-acres
<b>Zoning:</b>	Rural
<b>Utilities:</b>	Private Water and Wastewater
<b>Request:</b>	Requesting a Variance from Section 504.01 of the Franklin County Zoning Resolution to legitimize an accessory building that fails to meet the required building setback in area zoned Rural.

#### ii. VA-3787 – Scott Ulrich

<b>Applicant:</b>	Ronald T. Durrer
<b>Township:</b>	Hamilton Township
<b>Site:</b>	4850 Reese Road (PID #150-000163)
<b>Acreage:</b>	3.25-acres
<b>Zoning:</b>	Rural
<b>Utilities:</b>	Onsite septic and well
<b>Request:</b>	Requesting a Variance from Section 531.054 to allow the storage of more than one inoperable vehicle per dwelling unit in an area zoned Rural.

**iii VA-3788 – Anthony Hray**

<b>Applicant:</b>	Agler Tire c/o Jamal Hemamou
<b>Owner:</b>	Farida Boa
<b>Agent:</b>	David Hodge, Esq.
<b>Township:</b>	Clinton Township
<b>Site:</b>	2925 Westerville Road (PID #130-000008)
<b>Acreage:</b>	.301-acres
<b>Zoning:</b>	Community Service (CS)
<b>Utilities:</b>	Private Water and Wastewater
<b>Request:</b>	Requesting a Variance from Sections 332.042(c), 332.045, 501.012 and 501.024 to allow for the operation of a used tire store that fails to meet the minimum landscaped open space, front green belt, fence height and fence material requirements in an area zoned Community Service (CS).

**2. Adjournment of Meeting to March 26, 2013**



**Commissioners**  
 John O'Grady, President  
 Paula Brooks  
 Marilyn Brown

**Economic Development & Planning Department**  
 James Schimmer, Director

Request for

# Township Zoning Recommendation

Franklin County Planning Commission

Township	
<input type="checkbox"/> Jackson	<input type="checkbox"/> Plain
<input type="checkbox"/> Jefferson	<input type="checkbox"/> Prairie
<input checked="" type="checkbox"/> Perry	<input type="checkbox"/> Washington

Case Number
PERRY-13-04

Amendment Type	
<input type="checkbox"/> Map amendment	
<input checked="" type="checkbox"/> Text amendment	
<input type="checkbox"/> Land use plan amendment	

Meeting Dates	
Review Body	Date
Tech Review	2/26/13
Planning Commission	3/13/13
Board of Commissioners:	n/a

Amendment information		
Amendment type	Information required	
Map amendment:	List all parcel IDs to be amended	Zoning district Current: Proposed:
Text amendment	List sections of zoning resolution to be amended <a href="#">Requesting to amend Section 531.083(1) and Section 531.084(2) of the Perry Township Zoning Resolution.</a>	
Plan amendment	Document type: <input type="checkbox"/> New plan <input type="checkbox"/> Existing Plan Plan name:	

Township Zoning Inspector Contact Information	
Name <a href="#">Robin Fellure</a>	
Address <a href="#">7125 Sawmill Road</a>	
<a href="#">Dublin, OH 43016</a>	
Phone # <a href="#">(614) 889-1211</a>	Fax # <a href="#">(614) 791-7894</a>
Email <a href="mailto:Rfellure@perrytp.org">Rfellure@perrytp.org</a>	

# PERRY-13-04

**531.083 Driveway Development Standards in the R-1, R-2 and R-4 Residential Zoning Districts.** A driveway in the R-1, R-2 and R-4 Residential Zoning Districts shall meet the following additional development standards:

- 1) Driveway Width. No driveway in an R-1, R-2 or R-4 Residential Zoning District shall exceed 20 feet in width at the street right-of-way line (except for curb returns), and 33 feet in width beyond the street right-of-way line. For purposes of this section, driveway width limitations are established to maintain a minimum of green space between a residential structure and a public right-of-way in R-1, R-2 and R-4 Residential Zoning Districts. Off-street parking of motor vehicles ~~in front of an established building line~~ shall be permitted only on a permitted driveway ~~and not on the required green area.~~
- 2) Number of Driveways. Each lot in an R-1, R-2 and R-4 Residential Zoning District shall contain one (1) driveway which has only one (1) point of ingress and egress.
- 3) The Driveway as an Accessory Use. No driveway shall be constructed on a lot unless the principal structure is located on the same lot.
- 4) Driveway Setback. Driveways may be permitted in required yards but shall have a setback of no less than three (3) feet from any property line, except where such driveways are developed jointly as a common drive to adjoining lots.
- 5) Turning Pads. All side load garages shall have a turning pad of no less than twenty four (24) feet.

**531.084 Driveway Other Than As Permitted.** A driveway in the R-1, R-2 and R-4 Residential Zoning Districts, except as permitted above, shall be allowed only as a conditional use established in accordance with Section 815 of this Resolution. In addition to the requirements of Section 815, the Applicant shall meet the following conditions:

- 1) Any driveway in excess of 25 feet in width shall maintain at least sixty percent (60%) of the existing front yard area between the building and front lot line at the street right-of-way as natural vegetation and landscaping.
- 2) Off-street parking of motor vehicles ~~in front of an established building line~~ shall only occur on an approved driveway ~~and not on any required green area.~~
- 3) In cases of a loop driveway, the lot width shall be greater than 140 feet along the public right-of-way (corner lots can only count the longest side) feet and there shall be no more than two (2) points of ingress and egress and the width of the drive shall be not greater than ten (10) feet. If established trees are to be affected by the drive location, tree plantings must be replaced with like caliper inches lost as may be determined by the Board of Zoning Appeals.
- 4) No driveway shall be constructed on a lot unless the principal structure is located on the same lot.

**MOTION BY THE  
PERRY TOWNSHIP ZONING COMMISSION  
TO INITIATE A PROPOSED AMENDMENT  
TO THE PERRY TOWNSHIP  
ZONING RESOLUTION**

Motion by Gary Collins seconded by Lucy Plahy to initiate for consideration, pursuant to Ohio Revised Code Section 519.12, a proposed amendment to the Perry Township Zoning Resolution which would, if adopted, revise the following textual provisions of the Zoning Resolution – Amend Section 531.083 (1) Revised Driveway Development Standards by deleting the words: in front of an established building line and not on the required green area. Amend Section 531.084 (2) Revised Driveway other than permitted by deleting the words: in front of an established building line and not on any required green area; with all such proposed textual revisions being reflected in the Zoning Amendment Text having a cover page entitled “Perry Township Zoning Amendment Number 142-RZ-13 dated January 16, 2013 (a copy of which Text shall be appended to the minutes of this meeting). Furthermore and as part of this motion, the Zoning Commission hereby directs that a public hearing on this proposed amendment be held on March 6, 2013 at Perry Township Hall at 6:30 p.m.. located at 7125 Sawmill Road, Dublin, Ohio 43016, and further authorizes and directs the Zoning Inspector to transmit this proposed amendment to the Franklin County Planning Commission for its recommendation, to make the amendment available for public examination and to give notice of this public hearing by publication, all in accordance with applicable law.



**Commissioners**  
 Marilyn Brown, President  
 Paula Brooks  
 John O'Grady

**Economic Development & Planning Department**  
 James Schimmer, Director

# Application for Zoning Variance

Revised January 1, 2009



Franklin County Planning Department  
 Franklin County, OH

Property Information	
Site Address	4532 Katherine Rd, Col. Oh. 43232
Parcel ID(s)	780-600775-00
Zoning	Rural
Township	Madison
Acreage	.39
Water Supply	Wastewater Treatment
<input type="checkbox"/> Public (Central) <input checked="" type="checkbox"/> Private (Onsite)	<input type="checkbox"/> Public (Central) <input checked="" type="checkbox"/> Private (Onsite)

Applicant Information	
Name/Company Name	Bruce Mc Cormick
Address	4532 Katherine Rd Col. Oh. 43232
Phone #	(614) 834-5961
Fax #	Same w/prior notice
Email	rumbfish1966@yahoo.com

Property Owner Information	
Name/Company Name	Urban Renewal Investments
Address	4532 Katherine Rd Col. Oh. 43232
Phone #	(614) 834-5961
Fax #	Same w/prior notice
Email	

Agent Information (if applicable)	
Name/Company Name	Fred Reister
Address	Merullo Reister and Swinford attys, 772 S. Front St. Columbus, Ohio 43206
Phone #	(614) 443-7455
Fax #	
Email	freister@msn.com

Staff Use Only	
Case #	VA-3786
Date filed:	1/22/13
Fee paid	350.00
Receipt #	146013
Received by:	DAM
Hearing date:	3/18/13
Zoning Compliance:	R2+51-08 B0508-8425

Document Submission	
The following documents must accompany this application:	
<input checked="" type="checkbox"/>	Completed application
<input checked="" type="checkbox"/>	Fee Payment (Checks only)
<input checked="" type="checkbox"/>	Auditor's map (8 1/2" x 11")
<input checked="" type="checkbox"/>	Site Map (max 11" x 17")
<input checked="" type="checkbox"/>	Covenants and deed
<input checked="" type="checkbox"/>	Notarized signatures
<input checked="" type="checkbox"/>	Proof of water & waste water supply
Please see the Application Instructions for complete details	

JAN 2

Case #

VA-3786

<b>Variance(s) Requested</b>		Franklin County Planning Department
Section	504.0	Franklin, OH
Description	<del>Setback</del> Building placement minimum 30' from centerline of ROW	
Section	or 15 ft. from edge of ROW	
Description		
Section		
Description		

<b>Describe the project</b>
Pole Barn for storage of lawnmowers, race cars, boats and RV. not for commercial use

**NOTE: To receive a variance, you must meet all the variance requirements** in Section 810.04 of the Franklin County Zoning Resolution. Your answers to the following questions will help the Board of Zoning Appeals determine whether you meet the requirements for a variance. If you don't answer the questions, we will consider your application incomplete.

1. Are there special conditions or circumstances applying to the property involved that do not generally apply to other properties in the same zoning district.

Yes, placement of existing building and waste water system prevent proposed building from being placed anywhere else

2. That a literal interpretation of the requirements of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same Zoning District under the terms of the Zoning Resolution.

Yes, there are numerous properties in this neighborhood that have attached and detached pole barns that are not within the current setback requirement.

3. That the special conditions and circumstances, listed under question #1, do not result from any actions of the applicant.

no they do not

This is verifiable by Joe Bailey who is very familiar with the neighborhood

JAN 22 2013

Case #  
VA-3786

Franklin County Planning Department

4. That approving the variance requested will not grant the applicant any special privilege that is denied by this Zoning Resolution to other lands or structures in the same Zoning District.

no it will not

5. Would granting the variance adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity?

no it will not

6. Can there be any beneficial use of the property without the variance?

not for my purposes

7. How substantial is the variance? (i.e. 10 feet vs. 100 feet - Required frontage vs. proposed)

required setback is 30ft. from centerline of ROW, proposed is 22ft.

8. Would the essential character of the neighborhood be substantially altered or would the adjoining properties suffer substantial harm as a result of the variance?

no

9. How would the variance adversely affect the delivery of governmental services? (e.g., water, sewer, garbage, fire, police - Verification from local authorities - i.e. fire might be required)

not at all

10. Did the applicant purchase the property with knowledge of the zoning restrictions?

no

11. Could the applicant's predicament feasibly be obtained through some method other than a variance?

not without substantial hardship

12. Would the spirit and intent behind the zoning requirement be observed and would substantial justice be done by granting the variance?

yes

JAN 22 2013

Case # VA-3786

**Affidavit**

Franklin County Planning Department  
Franklin County, OH

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the County. I hereby certify that I have read and fully understand all the information required in this application form.

Bruce J. McCormick  
Applicant

1-22-2013  
Date

Urban Renewal Investments Inc.  
Property Owner (Signature must be notarized)

1-22-2013  
Date

Bruce J. McCormick  
Pres. Urban renewal investments, inc.  
Property Owner (Signature must be notarized)

1-22-2013  
Date

**\*Agent must provide documentation that they are legally representing the property owner.**

**\*\*Approval does not invalidate any restrictions and/or covenants that are on the property.**

Donna L Jenkins  
Donna L Jenkins

Sworn and subscribed in my presence by Bruce J. McCormick this 22nd day of January, 2013

**DONNA L. JENKINS**  
Notary Public, State of Ohio  
My Commission Expires 12-22-2014

Select Language

Powered by Google Translate



- Auditor Home
- Real Estate Home
- Search
- Specialty Maps
- Auditor Services
- Contact Us
- On-Line Tools

**MAP(GIS)**

Parcel ID: **180-000775-00**    Map Routing Number: **180-N054L -034-00**    Owner: **URBAN RENEWAL INVESTMENTS LTD**    Location: **4532 KATHERINE RD**  
Click owner name for additional records

- Summary
- Property Profile
- Land
- Building
- Improvements
- Interactive Map
- MAP(GIS)**

- Sketch
- Photo
- Transfer History
- 2010/2011 BOR
- CAUV Status
- Area Sales Activity
- Area Rentals
- Tax/Payment Info
- Current Levy Info
- Assessment Payoff
- Tax Distribution
- Rental Contact
- Property Reports

Recorder's Office Document Search

Area Sex Offender Inquiry

Pay Real Estate Taxes Here



Data updated on: 2012-11-24 06:51:00

Zoom In

OUT

Move

Current Map: 1222 x 907

Click to view map using:

Google

Yahoo!

bing



Image Date: Sat Nov 24 12:35:16 EST 2012

Ortho Photographs taken in

The closest fire station from the center of this map is 1.4 miles away. Measurements are over straight-line distances.

Closest Fire Departments	
Columbus Station 4	1.4 miles
Madison Township - 181	2.0 miles
Columbus Station 23	2.6 miles

County Recorder Documents

RECEIVED

JAN 22 2013

Franklin County Planning Department  
Franklin County, OH

VA-3786

Disclaimer

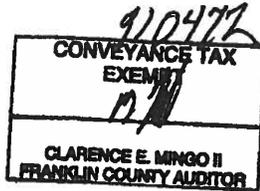
The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that this is not a public utility information source and should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

	Parcel ID: 180-000801-00 Owner: GREEN STEPHANIE L GREEN JASON L Location: KATHERINE RD
	Parcel ID: 180-000800-00 Owner: GREEN STEPHANIE L GREEN JASON L Location: 4471 KATHERINE RD
	Parcel ID: 180-000799-00 Owner: GREEN STEPHANIE L GREEN JASON L Location: KATHERINE RD

TRANSFERRED

NOV 01 2011

CLARENCE E. MINGO II  
AUDITOR  
FRANKLIN COUNTY, OHIO



201111010140490  
Pgs: 3 \$36.00 T2011070369  
11/01/2011 2:08PM PLURIBANK RENE  
Daphne Hawk  
Franklin County Recorder

RECEIVED

JAN 22 2013

Franklin County Planning Department  
Franklin County, OH

VA-3786

QUIT-CLAIM DEED\*

Bruce Julian McCormick, unmarried (1), of Franklin County, Ohio for valuable consideration paid, grant(s) and quit-claims all right, title and interest of Grantor(s) to Urban Renewal Investments, Ltd., an Ohio Limited Liability Company, whose tax-mailing address is 4532 Katherine Road, Columbus, OH 43232 the following REAL PROPERTY: Situated in the County of Franklin, in the State of Ohio and in the Township of Madison:(2)

See attached Exhibit "A"  
aka 4532 Katherine Road, Columbus, OH 43232

Prior Instrument Reference: 200504200073731 of the Deed Records of Franklin County, Ohio.

Signed this 28<sup>th</sup> day of Oct, 2011.

Bruce Julian McCormick

State of Ohio County of Franklin

BE IT REMEMBERED, That on this 28<sup>th</sup> day of October, 2011, before me, the subscriber, a Notary Public in and for said county, personally came, Bruce Julian McCormick the Grantor in the foregoing Deed, and acknowledged the signing thereof to be his voluntary act and deed.

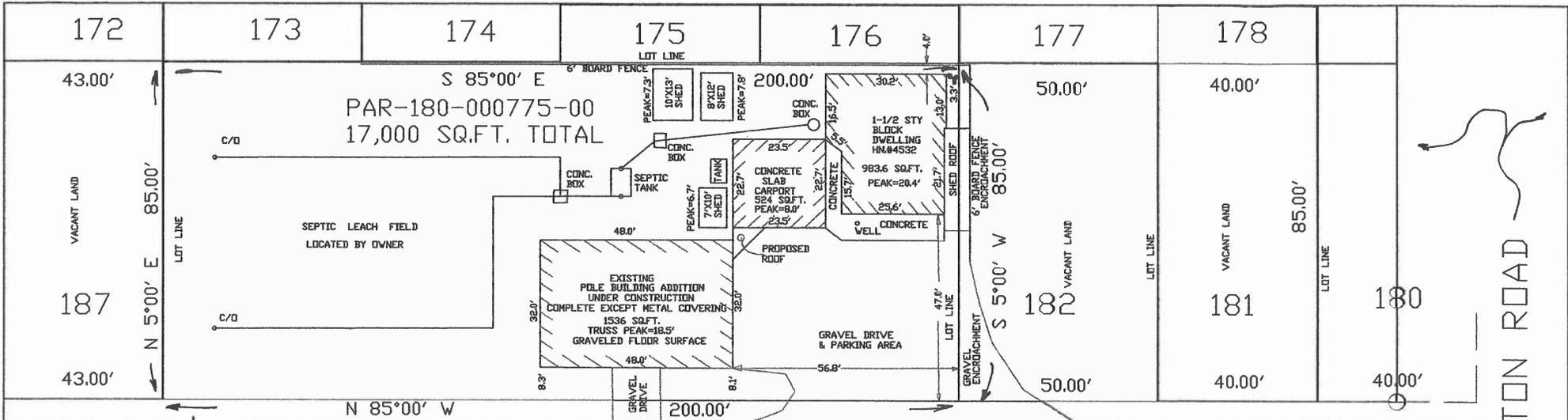
IN TESTIMONY WHEREOF, I have subscribed my name and affixed my seal on this day and year.  
NOTARY PUBLIC, STATE OF OHIO  
My commission has no expiration date.  
Section 147.03 R.C.

This instrument was prepared by: Merullo, Reister & Swinford Co., L.P.A.  
772 South Front Street, Columbus, Ohio 43206

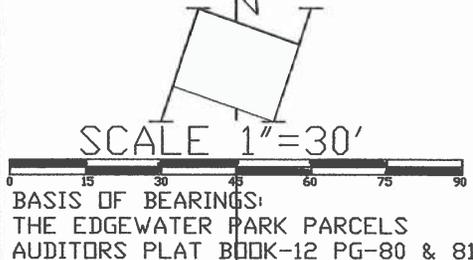
- 1. Name of Grantor(s) and marital status.
- 2. Description of land or interest therein, and encumbrances, reservations, exceptions, taxes and assessments, if any.
- 3. Delete whichever does not apply.
- 4. Execution in accordance with Chapter 5301 of the Revised Code of Ohio.

Auditor's and Recorder's Stamps

\*See Sections 5302.11 Ohio Revised Code



HAMILTON ROAD



**Louis Haines**  
354 Kessler Street  
Groveport, Ohio 43125  
Phone 837-2181



LOCATION & SITE DRAWING  
OF PARCEL #180-000775-00, IN THE  
EDGEWATER PARK PARCELS SOUTH,  
MADISON TWP., FRANKLIN CO., OHIO  
FOR  
URBAN RENEWAL INVESTMENTS, LTD.

"FLOOD CERTIFICATION"  
THIS PROPERTY APPEARS IN  
ZONE "X" ON FIRM PANEL  
39049C0342L, JUNE 16, 2011.  
0.2% ANNUAL CHANCE FLOOD.

I HEREBY CERTIFY THE PLAT SHOWN HEREON  
IS CORRECT AS SURVEYED BY US.  
DATE: January 11, 2013  
SIGNED: [Signature]

Frankli

BRUCE McCORMICK  
4532 KATHERINE



**Commissioners**  
 Marilyn Brown, President  
 Paula Brooks  
 John O'Grady

**Economic Development & Planning Department**  
 James Schimmer, Director

# Application for Zoning Variance

Revised January 1, 2009



Property Information	
Site Address 4850 REESE Rd., LOCKBOURNE OH 43137	
Parcel ID(s) 150-000163	Zoning RURAL
Township HAMILTON	Acres 3.25
Water Supply <input type="checkbox"/> Public (Central) <input checked="" type="checkbox"/> Private (Onsite)	Wastewater Treatment <input type="checkbox"/> Public (Central) <input checked="" type="checkbox"/> Private (Onsite)

Applicant Information	
Name/Company Name NONE	
Address SAME	
Phone # 614-491-7482	Fax #
Email	

Property Owner Information	
Name/Company Name	
Address SAME	
Phone #	Fax #
Email	

Agent Information (if applicable)	
Name/Company Name	
Address	
Phone #	Fax #
Email	

Staff Use Only
Case # VA-3787
Date filed: 02/04/2013
Fee paid \$350.00
Receipt # 1002
Received by: S. Ulrich
Hearing date:
Zoning Compliance:

Document Submission
The following documents must accompany this application:
<input type="checkbox"/> Completed application
<input type="checkbox"/> Fee Payment (Checks only)
<input type="checkbox"/> Auditor's map (8 1/2" x 11")
<input type="checkbox"/> Site Map (max 11" x 17")
<input type="checkbox"/> Covenants and deed
<input type="checkbox"/> Notarized signatures
<input type="checkbox"/> Proof of water & waste water supply
Please see the Application Instructions for complete details

**Variance(s) Requested**

Section	531.054 INOPERABLE Vehicles including motor
Description	vehicles
Section	
Description	
Section	
Description	

**Describe the project**

LIVED HERE 44 years I worked on Hamilton's school buses, helped farmers on Tractor  
I have some old cars & trucks I'm restoring

**NOTE: To receive a variance, you must meet all the variance requirements** in Section 810.04 of the Franklin County Zoning Resolution. Your answers to the following questions will help the Board of Zoning Appeals determine whether you meet the requirements for a variance. If you don't answer the questions, we will consider your application incomplete.

1. Are there special conditions or circumstances applying to the property involved that do not generally apply to other properties in the same zoning district.

The vehicles and parts were part of a previous business fixing school buses for Hamilton Township schools for over 22 years.

2. That a literal interpretation of the requirements of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same Zoning District under the terms of the Zoning Resolution.

It would stop my repair and restoration of my private vehicles.

3. That the special conditions and circumstances, listed under question #1, do not result from any actions of the applicant.

The neighborhood has changed zoning requirements that would stop my continued use of my property which I have owned for over 44 years

4. That approving the variance requested will not grant the applicant any special privilege that is denied by this Zoning Resolution to other lands or structures in the same Zoning District.

*no property use of over 44 years can be considered "special privilege" and there are similar use variances granted to other on nearby properties.*

5. Would granting the variance adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity?

*My son and I are the only ones working in the storage area. We all reside in the house on the premises and have never been harmed.*

6. Can there be any beneficial use of the property without the variance?

*No, without the variance I will be forced to abandon the property as I could not put together enough to move.*

7. How substantial is the variance? (i.e. 10 feet vs. 100 feet - Required frontage vs. proposed)

*no new frontage is required - fences cover all frontage.*

8. Would the essential character of the neighborhood be substantially altered or would the adjoining properties suffer substantial harm as a result of the variance?

*no, the essential character of the neighborhood would be unchanged.*

9. How would the variance adversely affect the delivery of governmental services? (e.g., water, sewer, garbage, fire, police - Verification from local authorities - i.e. fire might be required)

*There have been no such problems in over 44 years.*

10. Did the applicant purchase the property with knowledge of the zoning restrictions?

*No, there were no restrictions when I purchased the property.*

11. Could the applicant's predicament feasibly be obtained through some method other than a variance?

*no I am under court order to seek a variance.*

12. Would the spirit and intent behind the zoning requirement be observed and would substantial justice be done by granting the variance?

*yes. I have and will continue to maintain a visually effective fence on the property.*

Case #

**Affidavit**

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the County. I hereby certify that I have read and fully understand all the information required in this application form.

Applicant \_\_\_\_\_

Date \_\_\_\_\_

Property Owner (Signature must be notarized) \_\_\_\_\_

Date \_\_\_\_\_

*Ronald J. Danner Sr.*  
Property Owner (Signature must be notarized)

*Feb. 4-13*  
Date



**TORONNIA G. SANDERS, JR.**  
Notary Public, State of Ohio  
My Comm. Expires 08-08-2016

*T-G. S. Jr. 2-04-2013*

**\*Agent must provide documentation that they are legally representing the property owner.**

**\*\*Approval does not invalidate any restrictions and/or covenants that are on the property.**

RECEIVED

**Proximity Report Results**

5079955/9458006  
The selection distance was **500 feet**.  
The selected parcel was **150-000163**.

To view a table showing the **18 parcels** within the displayed proximity, scroll down.

-  [Get Report](#)
-  [Print Window](#)
-  [Back to Proximity Report](#)

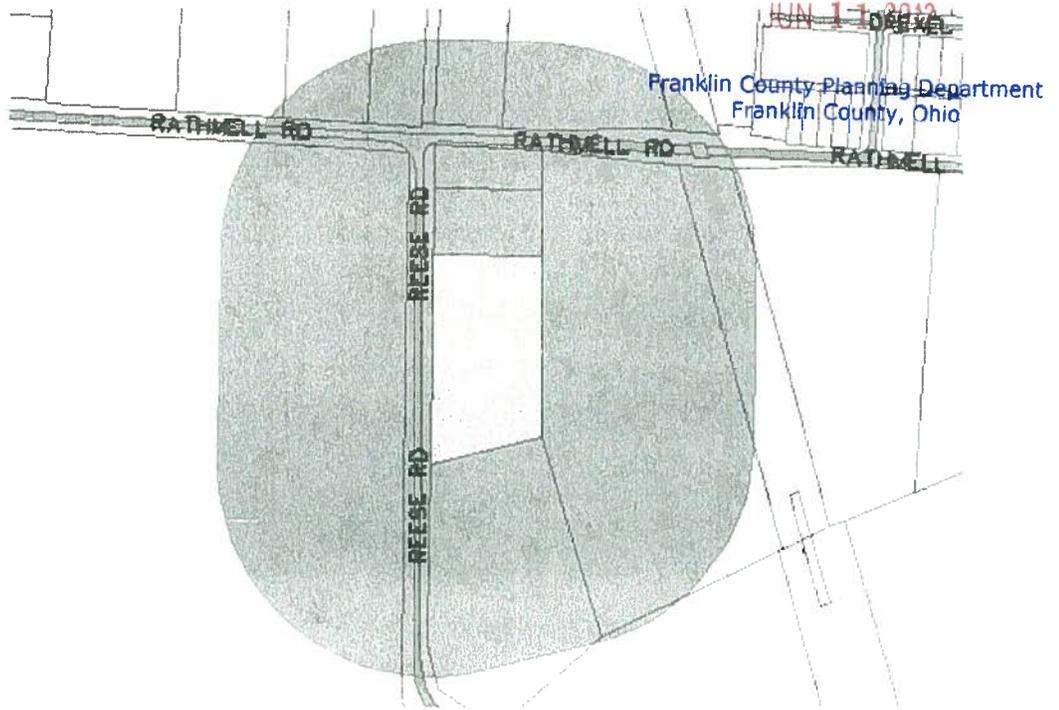


Image Date: Wed May 30 15:16:13 2012

**Disclaimer**

This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information source should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

**Proximity Parcels**

Hint: To copy this report to another program:

1. Hold down the left mouse button over the top-left corner of the area you want to get.
  2. Drag the mouse to the bottom-left corner of the desired area.
  3. Let go of the mouse button.
  4. Select Edit Copy from the menu bar.
- You can then Paste the report into another application.

Parcel	Owner Name	Address
150-002465	ADKINS LARRY R ADKINS SUSAN E	1946 RATHMELL RD
150-000107	BOYER LOUISE A AFDT	1890 RATHMELL RD
150-001491	CSX TRANSPORTATION INC CHESAPEAKE &	RATHMELL RD
150-001488	CSX TRANSPORTATION INC CHESAPEAKE &	
150-001491	CSX TRANSPORTATION INC CHESAPEAKE &	
150-000163	DURRER RONALD T & RACHEL M	4850 REESE RD
150-002470	EVERTS ROBERT W EVERTS LISA K	01920 RATHMELL RD
150-000053	HANN CHARLES C & ALICE & ALICE L	4600 LOCKBOURNE RD
150-000131	HANN CHARLES C TR HANN ALICE L TR	5001 REESE RD
150-001273	HANN CHARLES C TR HANN ALICE L TR	4900 REESE RD
150-001272	HANN CHARLES C TR HANN ALICE L TR	REESE RD
150-000131	HANN CHARLES C TR HANN ALICE L TR	5001 REESE RD
150-000085	HANN CHARLES C TR HANN ALICE L TR	1901 RATHMELL RD
150-000095	HICKS JERRY L & RITA K	2001 RATHMELL RD
150-002610	KNIES BETH A TOD	1830 RATHMELL RD
150-000149	NANCE HAZEL	4800 REESE RD
150-002645	WEALTH BUILDING INVESTMENTS INC	1967 RATHMELL RD

JUN 11 2012

Franklin County Planning Department  
Franklin County, Ohio



528920157

FORM 602-OHIO WARRANTY DEED

VO: 2892 PAGE 314

147BLANK REGISTERED U.S. PAT. OFFICE  
Tuttle Law Print Publishers Rolland, IA

# Know all Men by these Presents

8613

**That** James P. Walton, unmarried, and Charles E. Walton and Anna L. Walton, his wife,

of the City of Pataskala, County of Franklin and State of Ohio, Grantors, in consideration of the sum of to them paid by Ronald T. Durrer and Rachel M. Durrer,

of the Township of Hamilton, County of Franklin, and State of Ohio, Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey to the said Grantee,

Ronald T. Durrer and Rachel M. Durrer,

following Real Estate situated in the County of Franklin their heirs and assigns forever, the in the State of Ohio and in the Township of Hamilton, and bounded and described as follows:

Being the middle part of the North part of Section 26, Township 4, Range 22, Commencing in the center of the County Road South 2° East 6 poles from a stone on the north line 100 poles West from the northeast corner of said section and running thence South 2° East 40 poles to a point; thence North 75° East 8.36 poles to a stone; thence North 74° 30' East 9.40 poles to a point; thence North 2° West 34.88 poles to a point; thence North 88° 30' West 17 poles to place of beginning, containing 4.25 acres, more or less.

EXCEPTING one (1) acre off the north side thereof deeded to Earl and Pearl Hardbarger, recorded in Deed Book 1133, page 147, Recorder's Office, Franklin County, Ohio.

That part herein to be conveyed being 3.25 acres, more or less.

This Deed is executed and delivered in consummation and fulfillment of a Land Contract between the Grantors and the Grantees, of record in M. R. 2840, page 687, Recorder's Office, Franklin County, Ohio.

Grantors' title acquired by Deeds of Record in D. B. 1271, page 36, D. B. 1332, page 199, and D. B. 2274, page 15, Recorder's Office, Franklin County, Ohio.

**To have and to hold** said premises with all the privileges and appurtenances thereunto belonging, to the said Grantee s,

And the said Grantor s their heirs and assigns forever.

do hereby covenant with the said Grantee s, for themselves and their heirs.

their heirs and assigns, that they are lawfully seized of the premises aforesaid; that the said premises are Free and Clear from all Incumbrances whatsoever except taxes and special assessments, if any, due and payable after the delivery of this Deed,

REC'D - FRANKLIN COUNTY, OHIO

JUN 11 2012

Franklin County Planning Department  
Franklin County, Ohio

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and that they will forever **Warrant and Defend** the same, with the appurtenances, unto the said Grantee s,

against the lawful claims of all persons whomsoever, <sup>their heirs and assigns</sup> except as aforesaid.

**In Witness Whereof** the said Grantors, James P. Walton, unmarried and Charles E. Walton and Anna L. Walton, his wife,

who hereby release s her right <sup>dower in the premises, have</sup> hereunto set their hand s, this 27<sup>th</sup> day of April, in the year of our Lord one thousand nine hundred and sixty-eight (1968)

Signed and acknowledged in presence of

R.R. Shaw  
R.R. Shaw

James P. Walton  
James P. Walton

Charles E. Walton  
Charles E. Walton

Anna L. Walton  
Anna L. Walton

The State of OHIO,

Franklin County ss.

**By it Remembered** That on this 27<sup>th</sup> day of April, A.D. 1968, before me, the subscriber, a Notary Public in and for said county, personally came the above named James P. Walton, Charles E. Walton and Anna L. Walton,

in the foregoing Deed, and acknowledged the signing of the same to be their voluntary act and deed, for the uses and purposes therein mentioned.

**In Testimony Whereof**, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

R.R. Shaw R.R. Shaw  
Notary Public, State of Ohio



This instrument prepared by Robert E. Shaw, Attorney at Law.

**Warranty Deed**  
8613

**TO**  
JAMES P. WALTON AND  
CHARLES E. WALTON, ET UX.

Ronald T. Durrer and  
Rachel M. Durrer

Transfered \_\_\_\_\_  
COUNTY AUDITOR

STATE OF OHIO  
COUNTY OF FRANKLIN SS

RECEIVED FOR RECORD ON THE  
APR 30 1968

DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
RECORDED MAY 2 - 1968

James A. Schaefer  
COUNTY RECORDER

RECORDERS FEE \$ 1.00

Put in Knepper, et al. box.

Coordinate System: NAD 1983 StatePlane Ohio South FIPS 3402 Feet  
 Projection: Lambert Conformal Conic  
 Datum: North American 1983  
 False Easting: 1,988,500.0000  
 False Northing: 0.0000  
 Central Meridian: -82.5000  
 Standard Parallel 1: 38.7333  
 Standard Parallel 2: 40.0333  
 Latitude Of Origin: 38.0000  
 Units: Foot US

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Franklin County Planning Department  
 Franklin County, Ohio

Franklin County  
 Hamilton Township

**Legend**

- Durrer Onsite Septic System
- Potable Water Wells
- 1 ft Contour
- Franklin Co. Structures
- Durrer Parcel
- Franklin Co. Parcels

**Ronald and Rachel Durrer**  
 4850 Reese Road  
 Lockbourne, Ohio 43137

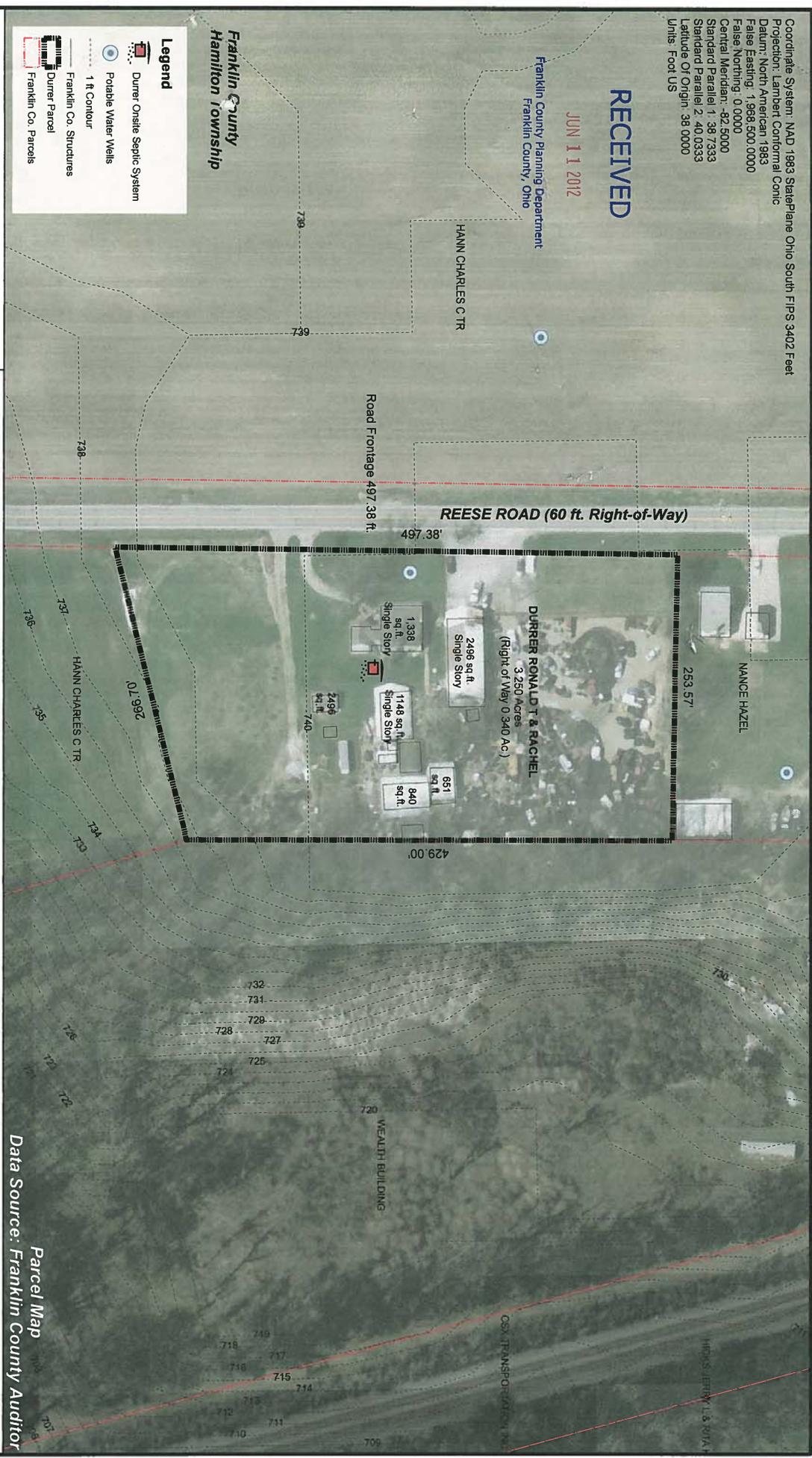
**aei.com**

Advanced Engineering Technologies Company, Ltd.  
 503 South Front Street, Suite 210  
 Columbus, Ohio 43215



**Parcel ID: 150-000163**  
 Drawn By: Christopher Hunt, P.E.  
 Date: 29MAY2012

Parcel Map  
 Data Source: Franklin County Auditor





**Commissioners**  
 Marilyn Brown, President  
 Paula Brooks  
 John O'Grady

**Economic Development & Planning Department**  
 James Schimmer, Director

# Application for Zoning Variance

Revised January 1, 2009

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Franklin County Planning Department  
 Franklin County, OH



Property Information	
Site Address 2925 Westerville Road	
Parcel ID(s) 130-00008	Zoning CS
Township Clinton Township	Acreage 0.301 acres
Water Supply <input type="checkbox"/> Public (Central) <input checked="" type="checkbox"/> Private (Onsite)	Wastewater Treatment <input type="checkbox"/> Public (Central) <input checked="" type="checkbox"/> Private (Onsite)

Applicant Information	
Name/Company Name Agler Tire c/o Jamal Hemamou	
Address 2925 Westerville Road Columbus, OH 43224	
Phone # 592-6459	Fax # N/A
Email N/A	

Property Owner Information	
Name/Company Name Farida Boa	
Address 5395 Aqua Street Columbus, OH 43229	
Phone # N/A	Fax # N/A
Email N/A	

Agent Information (if applicable)	
Name/Company Name David L. Hodge [ c/o Smith & Hale LLC	
Address 37 West Broad Street, Suite 725 Columbus, OH 43215	
Phone # 221-4255	Fax # 221-4409
Email	

Staff Use Only
Case # VA-3788
Date filed: 2/7/13
Fee paid 650.00
Receipt # 1008
Received by: DAH
Hearing date: 3/18/13
Zoning Compliance: 2C-11-4024

Document Submission
The following documents must accompany this application:
<input checked="" type="checkbox"/> Completed application
<input checked="" type="checkbox"/> Fee Payment (Checks only)
<input type="checkbox"/> Auditor's map (8 1/2" x 11")
<input checked="" type="checkbox"/> Site Map (max 11" x 17")
<input checked="" type="checkbox"/> Covenants and deed
<input checked="" type="checkbox"/> Notarized signatures
<input checked="" type="checkbox"/> Proof of water & waste water supply
Please see the Application Instructions for complete details

Variance(s) Requested	
Section	<del>3342.042</del> 332,042(c)
Description	Reduce the 20% landscaped area to 0%
Section	<del>3342.045</del> 332.045
Description	To omit the 15' in width landscape area along the right of way
Section	501.012
Description	To permit a 6' high fence in front of principal structure

501.024 - Material - chain link fence in front yard

**Describe the project**

The proposal is to reuse an existing commercial that was developed over 50 years ago and legitimize the nearly constructed fence and waive the green space requirements as they are not existing and the size of the lot precludes these spaces as it is a very small lot.

**NOTE: To receive a variance, you must meet all the variance requirements** in Section 810.04 of the Franklin County Zoning Resolution. Your answers to the following questions will help the Board of Zoning Appeals determine whether you meet the requirements for a variance. If you don't answer the questions, we will consider your application incomplete.

- Are there special conditions or circumstances applying to the property involved that do not generally apply to other properties in the same zoning district.  
Yes, the property is very small and developed in the 1930's without the green space requirements currently found in the Zoning Code and the requirement that asphalt be torn up and the area sodded is a hardship.
- That a literal interpretation of the requirements of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same Zoning District under the terms of the Zoning Resolution.  
None of the surrounding properties have green areas and most have 6' high fences enclosing their properties so forcing this applicant to do so would be out of character with the neighborhood.
- That the special conditions and circumstances, listed under question #1, do not result from any actions of the applicant.  
No, the applicant had nothing to do with the lack of green space on the property but the fencing was added to prevent theft from the site.

4. That approving the variance requested will not grant the applicant any special privilege that is denied by this Zoning Resolution to other lands or structures in the same Zoning District.  
No, as most of the neighboring properties have no green space and have fencing enclosing their properties the granting of the requested variances would not amount to an added privilege to the applicant.
5. Would granting the variance adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity?  
No, granting of the variances would not adversely affect any other surrounding properties and nor would the granting of the variance cause any damage on any neighboring properties.
6. Can there be any beneficial use of the property without the variance?  
The property has been used for a variety of different uses but all would lack the green space and the fencing is necessary given the amount of crime in the area so yes there could be a use but limited.
7. How substantial is the variance? (i.e. 10 feet vs. 100 feet - Required frontage vs. proposed)  
20% green space to 0% no front greenbelt and fencing in front of the existing structures In the context of the area not substantial.
8. Would the essential character of the neighborhood be substantially altered or would the adjoining properties suffer substantial harm as a result of the variance?  
No, the existing character of the neighborhood would not be altered.
9. How would the variance adversely affect the delivery of governmental services?  
(e.g., water, sewer, garbage, fire, police - Verification from local authorities - i.e. fire might be required)  
No, adverse affect to the delivery of governmental services.
10. Did the applicant purchase the property with knowledge of the zoning restrictions?  
No, the applicant took over the property with no knowledge of the zoning restrictions.
11. Could the applicant's predicament feasibly be obtained through some method other than a variance?  
No, there is no other mechanism available to solve the onsite problems.
12. Would the spirit and intent behind the zoning requirement be observed and would substantial justice be done by granting the variance?  
Yes, it would be done as the applicant is not requesting a variance for items that are already present in the neighborhood.

**Affidavit**

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the County. I hereby certify that I have read and fully understand all the information required in this application form.

Jamal Hemamou

By: [Signature]  
Applicant

2-17-13  
Date

Farida Boa

By: [Signature]  
Property Owner (Signature must be notarized)

2-17-13  
Date

[Signature]



Natalie C. Timmons  
Notary Public, State of Ohio  
My Commission Expires 09-04-2015

Property Owner (Signature must be notarized)

Date

**\*Agent must provide documentation that they are legally representing the property owner.**

**\*\*Approval does not invalidate any restrictions and/or covenants that are on the property.**



EXHIBIT "A"

BEGINNING AT A POINT IN THE CENTERLINE OF WESTERVILLE ROAD, SAME POINT BEING NORTH 22° 08' EAST, A DISTANCE OF 122.01 FEET FROM THE INTERSECTION OF SAID CENTER LINE WITH THE CENTER LINE OF AGLER ROAD, AS SAID AGLER ROAD IS SHOWN UPON A PLAT OF LINDEN TERRACE ADDITION; THENCE FROM SAID POINT OF BEGINNING NORTH 65° 26' WEST AND PASSING THE WESTERLY RIGHT OF WAY LINE OF WESTERVILLE ROAD AT 40.35 FEET, A DISTANCE OF 120.76 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF THE C. A. & C. RAILROAD; THENCE NORTH 17° 13' EAST AND ALONG THE EASTERLY RIGHT OF WAY LINE OF THE C. A. & C. RAILROAD, A DISTANCE OF 75.00 FEET TO AN IRON PIN; THENCE SOUTH 63° 47' FEET EAST AND PASSING AN IRON PIN ON LINE IN THE WESTERLY RIGHT OF WAY LINE OF WESTERVILLE ROAD AT 110.09 FEET, A DISTANCE OF 154.56 FEET TO A POINT IN THE CENTER LINE OF WESTERVILLE ROAD; THENCE SOUTH 22° 08' WEST AND ALONG THE CENTER LINE OF WESTERVILLE ROAD, A DISTANCE OF 124.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.301 ACRES AND SUBJECT TO ALL EASEMENTS AND/OR RESTRICTIONS SHOWN OF RECORD.

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Franklin County Planning Department  
Franklin County, OH

D-14-C  
All of  
(150)  
8

D-14-C  
All of  
(150)

VA-3783

DESCRIPTION VERIFIED  
DEAN C. RINGLE, P.E., P.S.  
BY: *FR*  
DATE: *7/2/04*



DESCRIPTION VERIFIED  
DEAN C. RINGLE, P.E., P.S.  
BY: *JVS*  
DATE: *1/23/07*

