



# BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: 12310-0-00079

Date Received: 2/13/12

Commission/Group: None

Existing Zoning: R-3

Application Accepted by: D. Reiss

Fee: \$315.00

Comments:

## TYPE(S) OF ACTION REQUESTED

(Check all that apply)



Variance



Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

Requesting a variance to C.C. 3321.05, Vision clearance, to permit a fence greater than 2 1/2 feet in the front yard. The fence has been constructed and is therefore in place on the site. The fence will be modified as necessary to provide adequate vision clearance as reviewed by Traffic Engineering of the City Division of Planning and Operations.

## LOCATION

1. Certified Address Number and Street Name 2807 Bexley Park Road

City Columbus

State Ohio

Zip 43209

Parcel Number (only one required) 010-088220

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name Same as owner

Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_

## PROPERTY OWNER(S):

Name Colleen Duffy

Address 2807 Bexley Park Rd. City/State Columbus, OH Zip 43209

Phone # (310) 780-4334 Fax # \_\_\_\_\_ Email \_\_\_\_\_

☐ Check here if listing additional property owners on a separate page.

## ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)



Attorney



Agent

Name David Hodge / Smith & Hale LLC

Address 37 W. Broad St., Suite 725 City/State Columbus, OH Zip 43215

Phone # 221-4255 Fax # 221-4409 Email: \_\_\_\_\_

## SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE \_\_\_\_\_ Colleen Duffy By: David Hodge

PROPERTY OWNER SIGNATURE \_\_\_\_\_ Colleen Duffy By: David Hodge

ATTORNEY / AGENT SIGNATURE \_\_\_\_\_ David Hodge

PLEASE NOTE: incomplete information will result in the rejection of this submittal.

For all questions regarding this form and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

12310-00079  
2807 Bexley Park Rd.

### One Stop Shop Zoning Report

Date: Wed Feb 15 2012

General Zoning Inquiries: 614-645-8637

#### SITE INFORMATION

Address: 2807 BEXLEY PARK RD COLUMBUS OH 43209

Mailing Address: 1 HOME CAMPUS

DES MOINES, IA 50328

Owner: DUFFY COLLEEN M

Parcel Number: 010088220

#### ZONING INFORMATION

Zoning: ORIG, Residential, R3

effective 2/27/1928, Height District H-35

Historic District: N/A

Board of Zoning Adjustment (BZA): N/A

Historic Site: No

Commercial Overlay: N/A

Council Variance: N/A

Graphic Commission: N/A

Flood Zone: OUT

Area Commission: N/A

Airport Overlay Environs: N/A

Planning Overlay: N/A

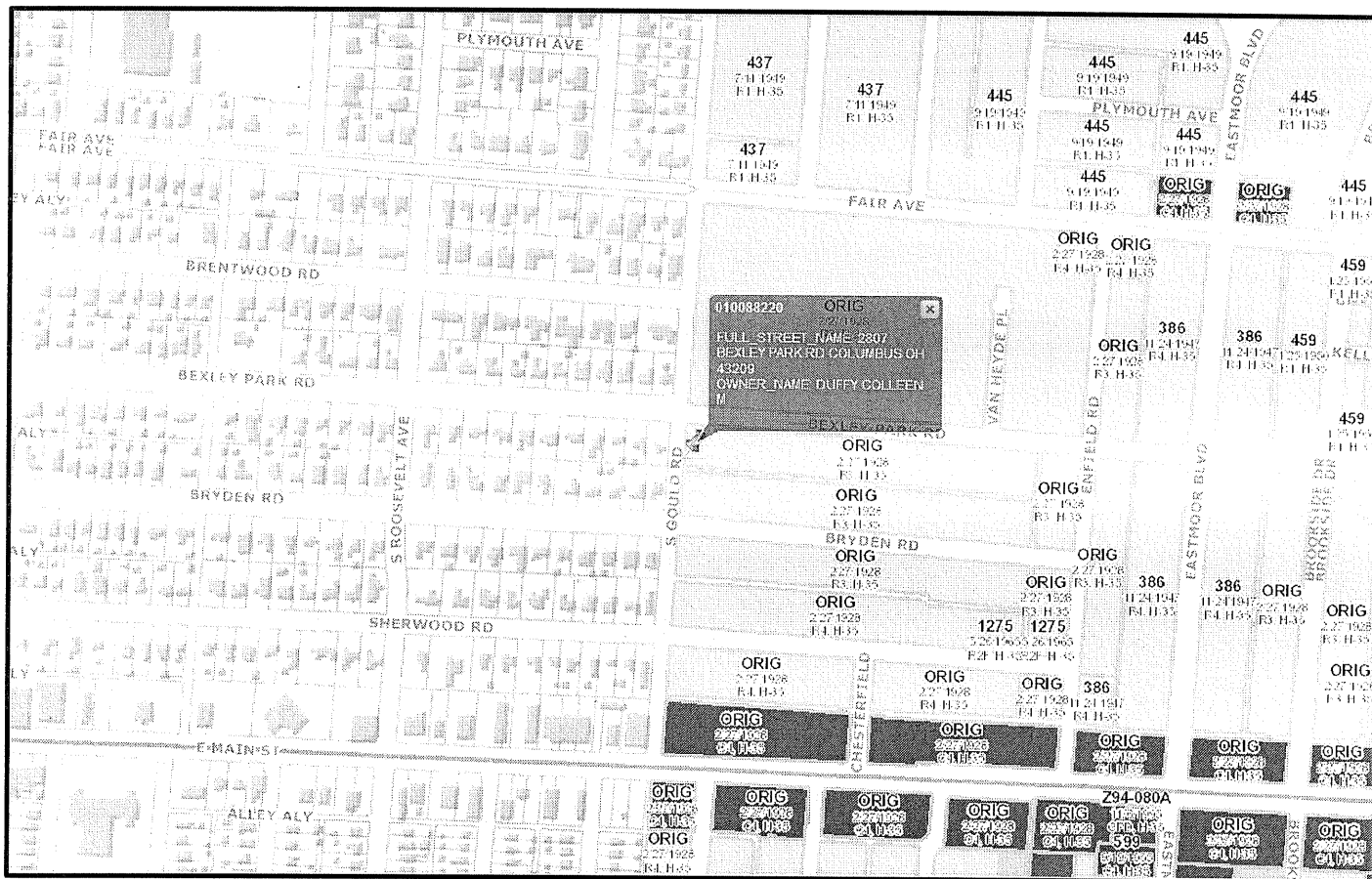
#### PENDING ZONING ACTION

Zoning: N/A

Council Variance: N/A

Board of Zoning Adjustment (BZA): N/A

Graphic Commission: N/A





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## AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David Hodge

of (1) MAILING ADDRESS 37 W. Broad St., Suite 725, Columbus, OH 43215

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 2807 Bexley Park Road

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) \_\_\_\_\_

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

(4) Colleen Duffy

AND MAILING ADDRESS

2807 Bexley Park Rd.

Columbus, OH 43209

APPLICANT'S NAME AND PHONE #  
(same as listed on front of application)

Colleen Duffy

(310) 780-4334

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS

(5) Not applicable.

and that the following is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List or the County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS  
Please see attached list.

☐ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 13<sup>th</sup> day of February, in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8)



Commission Expires:

Natalie C. Timmons

Notary Public, State of Ohio

My Commission Expires 09-04-2015

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**APPLICANT/PROPERTY OWNER**

**ATTORNEY**

Colleen Duffy  
2807 Bexley Park Road  
Columbus, OH 43209

David Hodge  
Smith & Hale LLC  
37 W. Broad Street, Suite 725  
Columbus, OH 43215

**SURROUNDING PROPERTY OWNERS**

Lawrence J & Kathryn D Ogershok  
2821 Bexley Park Road  
Columbus, OH 43209

Annette P Hilaman Tr.  
423 Westland Avenue  
Columbus, OH 43209

St. Catharine Church  
500 S. Gould Road  
Columbus, OH 43209

Kimberly J Ranft  
2822 Bryden Road  
Columbus, OH 43209

Dominic W & Beth A Prunte  
2814 Bryden Road  
Columbus, OH 43209

Pamela J Dorsey  
550 S. Gould Road  
Columbus, OH 43209

Kate A Cavello  
2808 Bryden Road  
Columbus, OH 43209

Sandra A Geronimo Afdt.  
2823 Bexley Park Road  
Columbus, OH 43209

Margaret L Rettinger  
2794 Bexley Park Road  
Columbus, OH 43209

Fay Ruben  
2785 Bexley Park Road  
Columbus, OH 43209

Michael R Mizenko  
2793 Bexley Park Road  
Columbus, OH 43209

David B & Natalie R Baker  
2786 Bryden Road  
Columbus, OH 43209

Michael L & Huberta V Johnson  
2778 Bryden Road  
Columbus, OH 43209



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## STATEMENT OF HARDSHIP

12310-00079

2807 Bexley Park Rd.

APPLICATION # \_\_\_\_\_

### 3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
  2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
  4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

**I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:**

The applicant is requesting a variance to C.C. 3321.05, Vision clearance. This section permits opaque fences in front yards, though to ensure adequate pedestrian and motorist visibility, restricts their height to 2 1/2 feet. The applicant is requesting a variance to permit an opaque fence not to exceed 3 feet, 4 inches, which the applicant, in reliance upon the knowledge of the reputable fence contractor she used to install the fence, already had installed. Prior to the filing of this variance request, the applicant met with and discussed this request with Traffic Engineering in the City Division of Planning and Operations, and has agreed to modify the fence in accordance with their recommendation to provide adequate pedestrian and motorist visibility. The requirement is a safety requirement and is a one-size fits all solution to the safety concern. The applicant commits to the minor fencing modification necessary to render the property safe as determined by the City's traffic engineer. The grant of this variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the Zoning Code. The applicant respectfully requests the grant of a variance to C.C. 3321.05, Vision clearance.

Colleen Duffy

Signature of Applicant

By: 

Date February 13, 2012

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## David Hodge

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**From:** Blechschmidt, Daniel R. [DRBlechschmidt@columbus.gov]  
**Sent:** Thursday, December 22, 2011 4:30 PM  
**To:** David Hodge  
**Subject:** 2807 Bexley Park Rd.  
**Attachments:** Exhibit A.pdf; Exhibit B.pdf

David:

In regards to the proposed request for a property at 2807 Bexley Park Rd., which is located at the southeast corner of the intersection of Bexley Park Rd. & S. Gould Rd., please see the two attachments below.

Exhibit A shows the sight distance available for a vehicle backing out of the driveway serving 2807 Bexley Park Rd. To maintain adequate sight distance for this condition, fencing will need to be removed for a minimum distance of 20 ft north of the north edge of the driveway.

Exhibit B shows the sight distance available for a vehicle making a westbound turn from the intersection of Bexley Park Rd. & S. Gould Rd. To maintain adequate sight distance for this condition, fencing will need to be kept out of a 2 ft x 15 ft triangle as shown on the drawing.

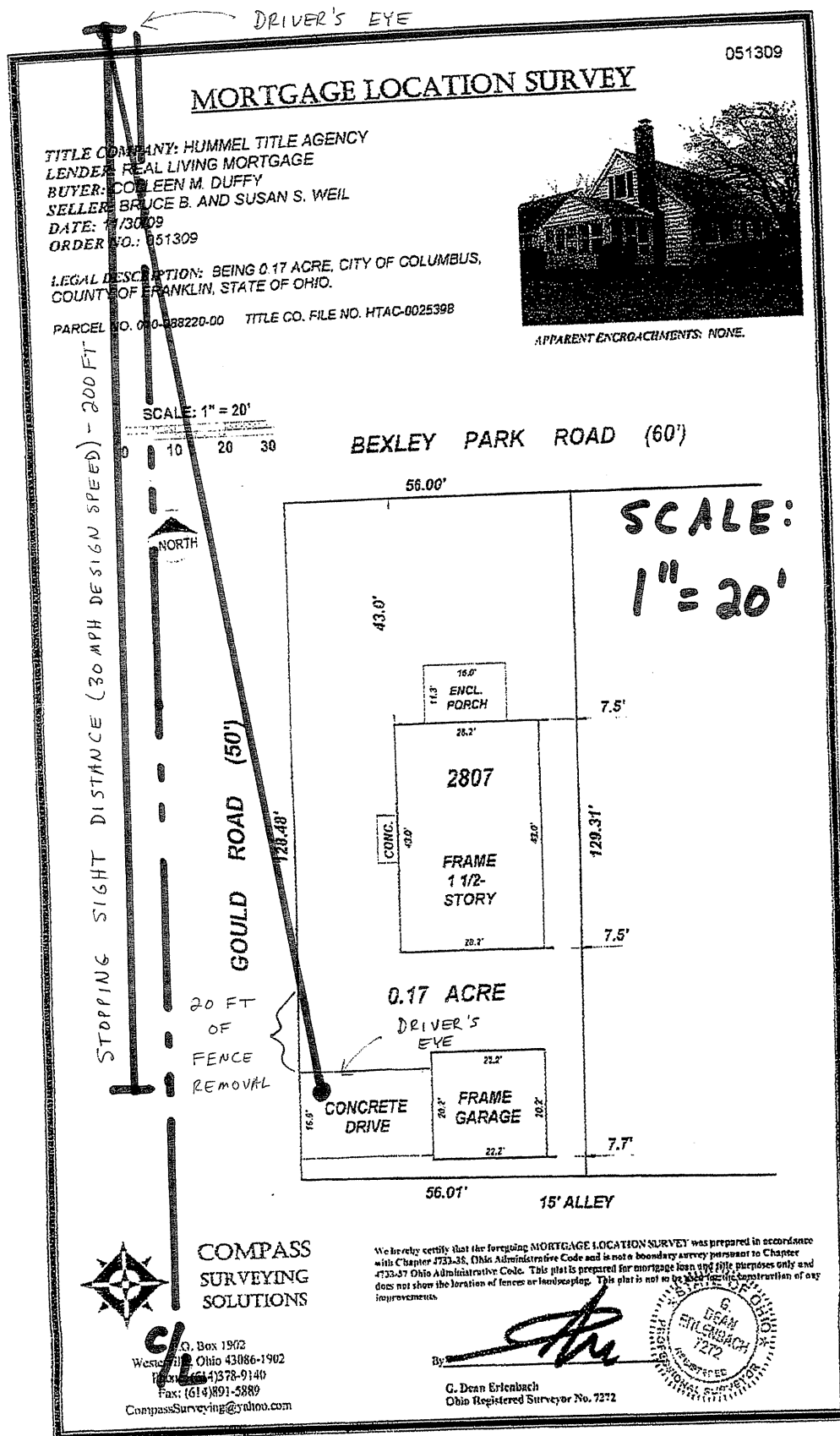
If the areas noted on Exhibit A and Exhibit B can be kept free of fencing, the Division of Planning and Operations can support a variance to vision clearance as defined in Section 3321.05(A)(2) and Section 3321.05(B)(2) of the Columbus City Codes.

If you have any questions or need any additional information, please let me know. Thank you for your assistance.

Dan Blechschmidt, EIT  
Engineer-In-Training  
Planning Section  
Division of Planning & Operations  
Department of Public Service  
109 N. Front St.  
Columbus, OH 43215

Work: (614) 645-1694  
Fax: (614) 645-7921  
Email: [drblechschmidt@columbus.gov](mailto:drblechschmidt@columbus.gov)

**12310-00079**  
**2807 Bexley Park Rd.**



12310-00079  
 2807 Bexley Park Rd.

7/

# MORTGAGE LOCATION SURVEY

051309

TITLE COMPANY: HUMMEL TITLE AGENCY  
 LENDER: REAL LIVING MORTGAGE  
 BUYER: COLLEEN M. DUFFY  
 SELLER: BRUCE B. AND SUSAN S. WEIL  
 DATE: 11/30/09  
 ORDER NO.: 051309

LEGAL DESCRIPTION: BEING 0.17 ACRE, CITY OF COLUMBUS,  
 COUNTY OF FRANKLIN, STATE OF OHIO. DRIVER'S EYE

PARCEL NO. 010-08822000 TITLE CO. FILE NO. HTAC-0025398



APPARENT ENCROACHMENTS: NONE.

SCALE: 1" = 20'

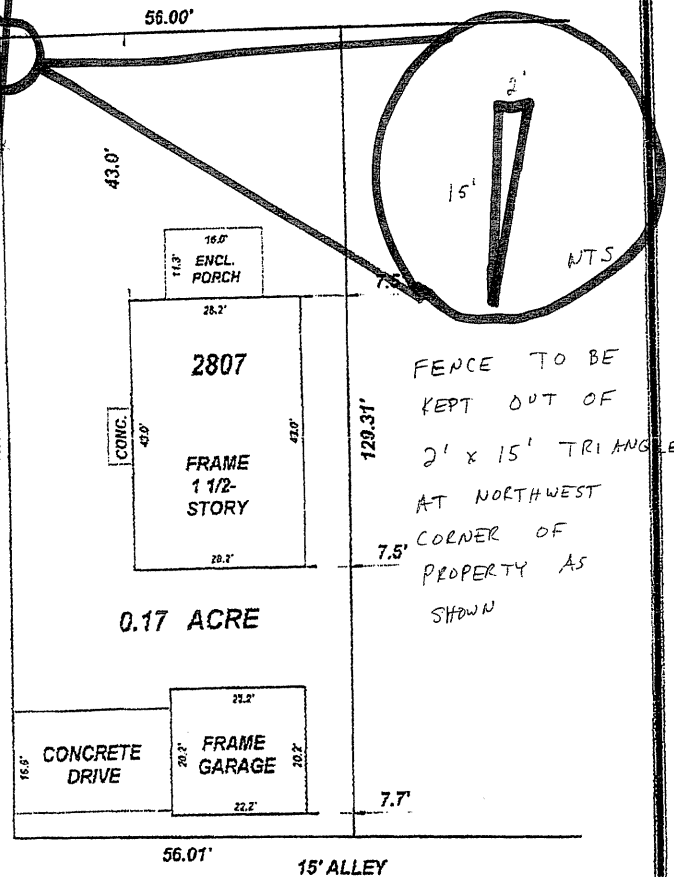
0 10 20 30

NORTH

STOPPING SIGHT DISTANCE (30 MPH DESIGN SPEED) - 200 FT

GOULD ROAD (50')

BEXLEY PARK ROAD (60')



COMPASS  
 SURVEYING  
 SOLUTIONS

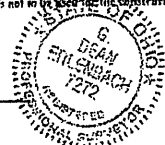
P.O. Box 1572  
 Westerville, Ohio 43086-1902  
 Phone: (614) 891-7140  
 Fax: (614) 891-5889  
 CompassSurveying@yahoo.com

DRIVER'S  
 EYE

We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-36, Ohio Administrative Code and is not a boundary survey pursuant to Chapter 4733-37, Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and does not show the location of fences or landscaping. This plat is not to be used for the construction of any improvements.

By

G. Dean Erlenbach  
 Ohio Registered Surveyor No. 7272



9/2

SCALE: 1" = 20'

DATE: 12/9/11

BY: DRB

12310-00079  
 2807 Bexley Park Rd.





# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dlh

DATE: 1/19/12



Disclaimer

Scale = 100



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 sources 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.

Real Estate / GIS Department



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### PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION #

**12310-00079**

**2807 Bexley Park Rd.**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge

of (COMPLETE ADDRESS) 37 W. Broad St., Suite 725, Columbus, OH 43215

deposes and states that (he/she) is the APPLICANT, AGENT OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Colleen Duffy, 2807 Bexley Park Road, Columbus, OH 43209

SIGNATURE OF AFFIANT

David Hodge

Subscribed to me in my presence and before me this

13<sup>th</sup>

day of

February

, in the year

2012

SIGNATURE OF NOTARY PUBLIC

Natalie C. Timmons

My Commission Expires:

9/4/15



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

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