



# 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: 11310-00000-00384  
 Date Received: 14 JULY 2011  
 Commission/Group: \_\_\_\_\_  
 Existing Zoning: \_\_\_\_\_ Application Accepted by: JF Fee: \$ 315<sup>-</sup>  
 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.

In conjunction with the approved CVS/pharmacy at the northeast corner of High Street & Williams Road, the developer is proposing to install a driveway turn-around for the residential property owner to help minimize vehicular conflict between the property owner and pharmacy traffic leaving the CVS site. City Code requires a 25' parking/maneuvering setback per Section 3312.27. The proposed turn-around will be located less than 25' from the Williams Road Right-of-Way.

### LOCATION

1. Certified Address Number and Street Name 69 E. Williams Road  
 City Columbus State Ohio Zip 43207  
 Parcel Number (only one required) 010-111523

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name \_\_\_\_\_  
 Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_

### PROPERTY OWNER(S):

Name Rufus E. & Barbara J. Logan  
 Address 69 E. Williams Road City/State Columbus, Ohio Zip 43207  
 Phone # 614-491-0926 Fax # \_\_\_\_\_ Email \_\_\_\_\_  
 Check here if listing additional property owners on a separate page.

### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)      Attorney      Agent

Name Seth Dorman (Skilken D.S.)  
 Address 4270 Morse Road City/State Columbus, Ohio Zip 43230  
 Phone # 614-342-6668 Fax # 614-342-6669 Email: dorman@skilken.com

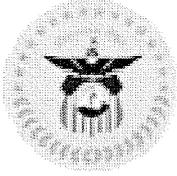
### SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Rufus E. Logan Barbara J. Logan  
 PROPERTY OWNER SIGNATURE \_\_\_\_\_  
 ATTORNEY / AGENT SIGNATURE Seth Dorman

**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 SERVICE

### One Stop Shop Zoning Report Date: Thu Jul 21 2011

Zoning General Inquiry: 614-645-8637

#### SITE INFORMATION

**Address:** 69 E WILLIAMS RD COLUMBUS OH 43207

**Mailing Address:** 69 WILLIAMS RD  
COLUMBUS OH 43207

**Owner:** LOGAN RUFUS E & BARBARA J

**Parcel Number:** 010111523

#### ZONING INFORMATION

**Zoning:** 783, Residential, RRR  
effective 7/21/1958, Height District H-35

**Council Variance:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Graphic Commission:** N/A

**Area Commission:** Far South Columbus Area Commission

**Planning Overlay:** N/A

**Historical District:** N/A

**Historical Site:** No

**Overlay:** N/A

**Flood Zone:** OUT

**Airport Noise Environ:** N/A

#### PENDING ZONING ACTION

**Zoning:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Council Variance:** N/A

**Graphic Commission:** N/A



**Limited Power of Attorney**

We, Rufus E. & Barbara J. Logan of 69 E. Williams Road, Columbus, Ohio 43207, hereby appoint Seth Dorman, of Grove City, Ohio, as our attorney-in-fact (my "**Attorney**") with the following powers:

**1. Grant of Power.** My **Attorney** shall have full power to act for me and in my name and to do all such things that I could do if personally present with respect to the variance necessary to construct a driveway turn-around for my home at 69 E. Williams Road, Columbus, Ohio.

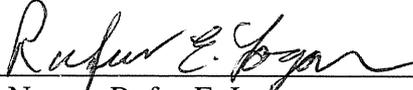
**2. Exoneration of Third Persons.** Each person relying or acting upon this durable power of attorney shall be entitled to presume conclusively that this durable power of attorney is in full force and effect. Any person may rely on a copy of this durable power of attorney certified by my **Attorney** to be in effect and to be a true and correct copy. Such certified copy shall be considered as an original and shall relieve any person to whom or which a certified copy is delivered of any duty to inquire further. No person relying in good faith upon this durable power of attorney shall be required to see the application and disposition of any moneys or other property paid or delivered to my **Attorney**.

**3. Severability.** If any provision of this durable power of attorney shall be invalid or unenforceable under applicable law, said provision shall be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of said provision or the remaining provisions of this durable power of attorney.

**4. Headings.** The headings in this durable power of attorney are inserted for convenient reference and shall be ignored in its construction.

**5. Governing Law.** The laws of Ohio shall govern all questions pertaining to the validity and construction of this durable power of attorney.

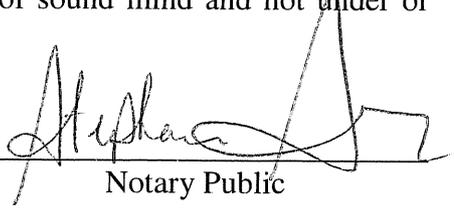
*In Witness Whereof*, I have signed this Durable Financial Power of Attorney on this 7 day of July, 2011.

  
Print Name: Rufus E. Logan

  
Print Name: Barbara J. Logan

State of Ohio )  
 ) ss:  
County of Franklin )

On this 7 day of July, 2011, before me personally appeared Rufus E. Logan, known by me or satisfactorily proven to be the person who executed the above Durable Financial Power of Attorney, and acknowledged that he executed such instrument as his free act and deed. I further attest that Rufus E. Logan appears to be of sound mind and not under or subject to duress, fraud or undue influence.

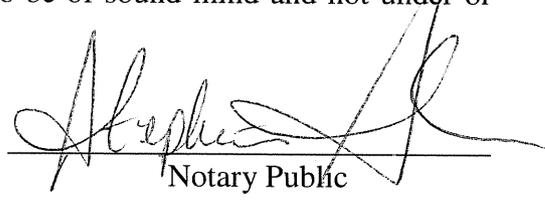
  
\_\_\_\_\_  
Notary Public



STEPHANIE DINKINS  
Notary Public, State of Ohio  
My Commission Expires Feb. 24, 2013

State of Ohio )  
 ) ss:  
County of Franklin )

On this 7 day of July, 2011, before me personally appeared Barbara J. Logan, known by me or satisfactorily proven to be the person who executed the above Durable Financial Power of Attorney, and acknowledged that she executed such instrument as her free act and deed. I further attest that Barbara J. Logan appears to be of sound mind and not under or subject to duress, fraud or undue influence.

  
\_\_\_\_\_  
Notary Public



STEPHANIE DINKINS  
Notary Public, State of Ohio  
My Commission Expires Feb. 24, 2013



# 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)

## AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Seth Dorman (Skilken D.S.)  
of (1) MAILING ADDRESS 4270 Morse Road, Columbus, Ohio 43230  
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  
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) Rufus E. & Barbara J. Logan  
AND MAILING ADDRESS 69 E. Williams Road  
Columbus, Ohio 43207

APPLICANT'S NAME AND PHONE # (5) Seth Dorman, Skilken D.S. (Agent for Property Owner)  
(same as listed on front of application) 614-342-6668

AREA COMMISSION OR CIVIC GROUP (5) Scioto Southland Civic Association/Far South Columbus Area Commission  
AREA COMMISSION ZONING CHAIR OR Ted Eisleben/Mindi Hardgrow  
CONTACT PERSON AND ADDRESS 4080 S. High Street, Columbus, Ohio 43207

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  
See attached

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

SIGNATURE OF AFFIANT (8) [Signature]  
Subscribed to me in my presence and before me this 12<sup>TH</sup> day of July, in the year 2011

SIGNATURE OF NOTARY PUBLIC (8) Karen L Baker  
My Commission Expires: 03-18-14



**KAREN L. BAKER**  
Notary Public, State of Ohio  
My Commission Expires 03-18-14

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## **Variance Request – Parking Setback Line 69 Williams Road, Columbus, Ohio**

The proposed variance is from Section 3312.27 (Parking Setback Line) of the City of Columbus Codified Ordinances; which specifically states that “A parking setback line establishes how close parking, loading or maneuvering may be located to a street right-of-way line. This line shall be located a minimum distance from a street right-of-way and be related to a building line as follows...2. Where a required building setback line is 25 feet or greater, the parking setback line shall be 25 feet from the street right-of-way line. On Williams Road, along the frontage for 69 Williams Road, the right-of-way line is located 30 feet south of the centerline, which means the maneuvering setback line for this property would be 55 feet south of the centerline.

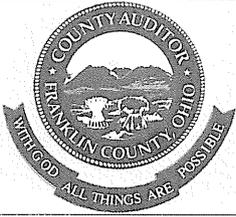
The applicant is requesting a variance from the 25 foot maneuvering setback line for the installation of a driveway turn-around in conjunction with the construction of the approved CVS/pharmacy store that will be located at the northeast corner of High Street and Williams Road. Specifically, the requested variance is for 15 feet in order to start the driveway turn-around 10 feet from the Williams Road right-of-way. Installing the turn-around in compliance with the 25 foot maneuvering setback would mean disturbing the aesthetic character of the mid-1920’s “Sears” home whose front porch sits atop a cellar which is a part of the structural foundation and could be compromised by the installation of the maneuvering area. In a good neighbor agreement with the Scioto Southland Civic Association, the developer for the CVS store committed to applying for any variances and/or permits necessary to install a driveway turn-around for the owner of 69 Williams Road. This gesture was made in recognition of the vehicular traffic that will be leaving the CVS Store traveling east bound on Williams Road, which could potentially conflict with the property owners as they are exiting their property. Presently, the only manner in which they are able to exit their property is in reverse; the proposed driveway turn-around would give the property owners the ability to leave their property in a forward fashion, which is significantly safer for the property owner given the existing level of service on Williams Road.

The following is the applicant’s response to the conditions for variance as outlined in Section 3307.09 of the City of Columbus Codified Ordinances:

1. **That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.** With the approval of the CVS/pharmacy Store at the northeast corner of High Street and Williams Road, this property and the property immediately west (61 Williams Road) are the most directly impacted by the commercial traffic that will be exiting the site onto Williams Road. As part of the approved CVS/pharmacy Commercial Planned District (CPD), a full service curb cut will be located on Williams Road, which will permit left-hand (east bound) turns onto that street; and although other residents on Williams Road now presently have to back out of their driveways onto the public street their driveway is located outside of the potential impact area such that traffic exiting the CVS site will not impair their ability to get out of their

driveways. In addition, the established building setback on Williams Road predates the current parking/maneuvering setback and does not permit adequate space to comply with the 25' requirement in a manner that is reasonable or attractive from the perspective of trying to provide the property owner with a safe means of egress from their property that is also not detrimental to the value or structural integrity of the home and property.

2. **That the special circumstances or conditions are not the result of the actions of the property owner or applicant.** Clearly, the special circumstances or conditions that are created by the development of the northeast corner of High and Williams Road with a CVS/pharmacy are not the result of the actions of the property owner. The requested variance would afford the property owner an opportunity to have a driveway turn-around installed for them in a location of their choosing and provide them a safer way to exit their property that will minimize the potential conflicts with the commercial traffic leaving the CVS site going eastbound on Williams Road.
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.** The developer in committing to install a driveway turn-around is not interested in ruining the value of the property or the aesthetic rhythm of the property owner's front yard space and existing landscaping. Given the established building setback line on Williams Road the front yards in this subdivision are historically smaller and by granting the variance the City will be preserving the value of the property by allowing the property owner to locate the driveway turn-around in a manner that protects that balance of the existing front yard space and keeps the maneuvering area as far away from the front porch/cellar of the house as possible.
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.** The granting of this variance will not be injurious to neighboring properties and will be protecting the public interest and intent and purpose of the Zoning Code by allowing the property owner a safer means of egress from their property than they currently enjoy, and perhaps preventing vehicular conflicts with the patrons of the new CVS/pharmacy as they exit the site onto Williams Road.



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

**MAP ID: M                      DATE: 6/8/11**



Disclaimer

Scale = 120



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.



PROPOSED  
CVS/pharmacy DRIVE



430.7' (TO C OF HIGH ST.)      59.8'

WILLIAMS ROAD

60.0'

PROP. 10' PARKING SETBACK

PROP. 10' PARKING SETBACK

EX. 25' PARKING/BUILDING SETBACK

EX. 25' PARKING/BUILDING SETBACK

FREEMAN STEVEN C  
FREEMAN TEMPA B  
61 WILLIAMS RD.  
PID 010-111536  
ZONED RESIDENTIAL, RRR  
EX. HOUSE

LOGAN REFUS E &  
BARBARA J  
69 WILLIAMS RD.  
PID 010-111523  
ZONED RESIDENTIAL, RRR  
EX. HOUSE

37.5'

38.4'



SCALE : 1" = 40'



**P & L Systems, Inc.**  
Surveyors  
Planners

171 Channing Cross Dr.  
Westerville, Ohio 43081  
Phone: (614) 891-4970  
Fax: (614) 891-4984

LOCATION: 61 & 69 WILLIAMS RD.  
COLUMBUS, OHIO

DATE: 5-25-11

DRAWN BY: JH      CHECKED BY: MC

TITLE      DRIVEWAY EXHIBIT      SHEET

WILLIAMS ROAD

60.0'



R/W

PROP. 10' PARKING SETBACK

PROPOSED ASPHALT

20'

EX. 25' PARKING/BUILDING SETBACK

LOGAN REFUS E & BARBARA JO  
69 WILLIAMS RD.  
PID 010-111523  
ZONED RESIDENTIAL, RRR

EX. HOUSE



SCALE : 1" = 20'



**P & L Systems, Inc.**  
Surveyors  
Planners

171 Charring Cross Dr.  
Westerville, Ohio 43081  
Phone: (614) 891-4970  
Fax: (614) 891-4984

LOCATION: 69 WILLIAMS RD.  
COLUMBUS, OHIO

DATE: 5-25-11

DRAWN BY: JH      CHECKED BY: MC

TITLE DRIVEWAY EXHIBIT      SHEET



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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.

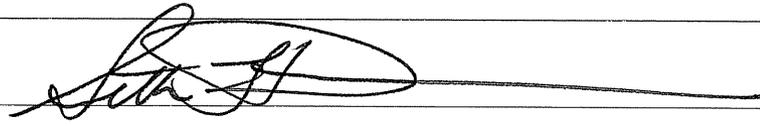
APPLICATION # \_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Seth Dorman (Skilken D.S.)  
of (COMPLETE ADDRESS) 4270 Morse Road, Columbus, Ohio 43207

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                  |
|-----------------------------|-------------------------------------------|
| Rufus E. & Barbara J. Logan | 69 E. Williams Road, Columbus, Ohio 43207 |
|                             |                                           |
|                             |                                           |
|                             |                                           |
|                             |                                           |
|                             |                                           |
|                             |                                           |
|                             |                                           |
|                             |                                           |

SIGNATURE OF AFFIANT 

Subscribed to me in my presence and before me this 12<sup>TH</sup> day of July, in the year 2011

SIGNATURE OF NOTARY PUBLIC 

My Commission Expires: 03-18-14



**KAREN L. BAKER**  
Notary Public, State of Ohio  
My Commission Expires 03-18-14

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