



## COUNCIL VARIANCE 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: CV16-035  
Date Received: 5/5/16  
Application Accepted By: Michael Maret Fee: \$320  
Comments: Assigned to Michael Maret; 614-645-2749; mjmaret@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1497-1499 Perry St Zip 43201  
Is this property currently being annexed into the City of Columbus ☐ Yes ☒ No  
If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.  
Parcel Number for Certified Address: 010-006296  
☐ Check here if listing additional parcel numbers on a separate page.  
Current Zoning District(s): R-4  
Recognized Civic Association or Area Commission: University Area Commission  
Proposed use or reason for Council Variance request: Detached Carriage House  
Acreage: 0.17

**APPLICANT:** Name Michael R. Mahaney  
Address 1499 Perry Street City/State Columbus OH Zip 43201  
Phone # 614-937-1884 Fax # \_\_\_\_\_ Email: mmDevelopingLLC@gmail.com

**PROPERTY OWNER(S):** Name SAME ↑  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_  
☐ Check here if listing additional property owners on a separate page.

**ATTORNEY / AGENT** ☐ Attorney ☒ Agent  
Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

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

APPLICANT SIGNATURE \_\_\_\_\_  
PROPERTY OWNER SIGNATURE \_\_\_\_\_  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

**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**

**COUNCIL VARIANCE APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

CV16-035

**STATEMENT OF HARDSHIP**

Chapter 3307 of the Columbus Zoning Code

**Section 3307.10 Variances by City Council**

A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.

B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

**I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance requested as detailed below:**

*See Attached*

Signature of Applicant



Date

*4/8/2016*

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Proposed Carriage House  
1497 Perry Street  
Columbus, OH 43201

VARIANCES

1. CC3332.039 - one single family dwelling; allow second dwelling in form of a carriage house
2. Section 3332.15 - R-4 area district requirements, requires that a dwelling containing three (3) or four (4) dwelling units shall be situated on a lot with an area which equals or exceeds 2,500 square feet of lot area per dwelling unit, while applicant proposes to maintain a two-unit dwelling and to construct a new single unit carriage house dwelling on a 7,439 ±square foot lot, totaling 2,479.7± square feet of lot area per dwelling unit (proposed is 99.2% of 2,500sqft requirement)
3. CC3332.19 - to eliminate the requirement, with respect to the proposed carriage house, that each dwelling on the property shall front on a public street (Alley).
4. Section 3332.27 - Rear yard, requires a rear yard totaling no less than twenty-five (25) percent of the total lot area. Proposed rear yard will equal 25.3% of property area behind the existing house, but the applicant proposes no rear yard for the carriage house dwelling.
5. Section 3372.542 - Maximum Lot Coverage, to allow the buildings to cover 2,368 square feet of the lot or 31.8 percent, whereas code requires a maximum of 25 percent or 1,860 square feet allowed by code (only in the University Impact District, otherwise 50% coverage is allowed by code).
6. Section 3372.544 - Maximum Floor Area, the maximum total calculated floor area permitted on any lot shall be determined by a 0.40 floor area ratio, while applicant proposes 0.61 floor area ratio.
7. Section 3332.28 - to add a side yard obstruction to allow 2 parking spaces in the existing parking pad next to the proposed new construction carriage house.

Owner and Applicant requests relief from Title 33 Zoning rules and requests permission to build a new construction carriage house located at property address 1497 Perry Street, Columbus, OH 43201. This property is located in the University Area Commission district, which serves to guide variance requests and as an architectural review board.

Creating a new construction reproduction of a historic carriage house that is architecturally compatible with the existing home on this property, and architecturally compatible with the other historic carriage houses and garages in the University Area Commission is not possible without some relief from Title 33 Zoning Code, of which the code is applicable to more typical residential districts. The unique architecture and historical character of the University Area Commission and surrounding historical districts does not typically conform to Title 33 Zoning Codes and therefore casts special circumstance and constraints onto property owners in this district and other historical districts.

It is beneficial for the property owner, the University Area Commission community, and the City of Columbus to allow variances to certain zoning restrictions to allow for a high quality, architecturally sensitive carriage house. The Applicant could build a room addition connected to the rear of the house with an additional dwelling unit that would comply with existing zoning codes, but building a carriage house with living space above a garage will follow the typical historical uses of a large rear yard. Building living space and a new dwelling unit above a new carriage house allows for the normal rear yard between the house and garage to remain open and maintain the rear yard integrity of the neighborhood.

It is important to note that the length, width, and overall square footage of this lot is much larger than the typical, urban plotted lot in the City of Columbus. The subject property is 53'2" wide by 140' deep and is serviced by a rear alley with no houses or development on the other side of the alley (public right of way with community garden). The typical lots in these districts are 30-40' wide by 110-160' deep. Having a lot that is very wide at 53'2" allows for a nice placement of the carriage house without making the subject property and adjacent properties feel too congested or create a burden on any property owner. Because of the large size of the subject lot, all required zoning and building code setbacks from all property lines will be satisfied without variances.

In summary, and most importantly, granting this variance request to build a new construction carriage house will not be injurious to neighboring properties or the community's inhabitants. The granting of this variance will not be contrary to the public interest. The granting of this variance will increase the architectural appeal of the street/alley and the University Area District as a whole, especially the "NECKO" sub-community of the University Area District.



**COUNCIL VARIANCE APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

**AFFIDAVIT** (See instruction sheet)

Application Number: CV16-035

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME

of (1) MAILING ADDRESS Michael R. Mahaney  
1499 Perry Street Columbus, OH 43201

deposes 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 1497 Perry Street Columbus, OH 43201

for which 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

AND MAILING ADDRESS

(4) Michael R. Mahaney  
1499 Perry Street  
Columbus, OH 43201

APPLICANT'S NAME AND PHONE #

(same as listed on front application)

Michael R. Mahaney  
614-937-1884

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR

OR CONTACT PERSON AND ADDRESS

(5) University Area Commission - Susan Keeny  
2231 N. High Street  
Columbus, OH 43201

and that the attached document (6) 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 (7)

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

(8) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this

Rev

8 day of April, in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

02/17/2020

Notary Seal Here

This Affidavit expires six (6) months after the date of filing



SIERRA COX-HOLAND  
Notary Public, State of Ohio  
My Comm. Expires 02/17/2020

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Saneholtz P LLC  
1493 Perry Street  
Columbus, OH 43201

Robert B. Mateljan  
1487 Perry Street  
Columbus, OH 43201

APPLICANT / PROPERTY OWNER:  
Michael Mahaney  
1499 Perry Street  
Columbus, OH 43201

Virginia L. Schlitt  
1483 Perry Street  
Columbus, OH 43201

Robert & Winnie Moazampour  
PO Box 21177  
Columbus, OH 43201

University Area Commission:  
Susan Keeny  
358 King Avenue  
Columbus, OH 43201

Ronald L. Smith  
2626 Wexford Road  
Columbus, OH 43221

Kristin L. Renker  
472 King Avenue  
Columbus, OH 43201

University Area Review Board  
C/O: Dan Ferdelman  
50 W. Gay Street 4<sup>th</sup> Floor  
Columbus, OH 43215

King Tartan LLC  
480 King Avenue  
Columbus, OH 43201

Guy Scarozza  
486 King Avenue  
Columbus, OH 43201

Debra L. Clark  
1505 Perry Street  
Columbus, OH 43201

Tsun Cheng  
17 Brent Road  
Lexington, MA 02420-1823

Creative Living Inc  
1531 Perry Street  
Columbus, OH 43201

Lin Yuan-Chin  
2621 Sandover Road  
Upper Arlington, OH 43220

Yuan Chin Lin  
4120 Oxford Drive  
Columbus, OH 43220

Mario & Angelo Gaitanos  
1496 Perry Street  
Columbus, OH 43201

Rofagha ShockRollah Trust  
338 Spear Street Unit 37A  
San Francisco, CA 94105

Patrick Mahoney TOD  
1223 Neil Avenue  
Columbus, OH 43201

Mary H. Elliott  
450 King Avenue  
Columbus, OH 43201

Jennifer A. Yunker  
4266 Mumford Drive  
Columbus, OH 43220

Lin Yuan-Chin  
2621 Sandover Road  
Upper Arlington, OH 43220

# COUNCIL VARIANCE APPLICATION

## Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

### 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 # CV16-035

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Michael R. Mahaney  
of (COMPLETE ADDRESS) 1499 Perry Street Columbus OH 43201

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 in the following format:

Name of business or individual  
Business or individual's address  
Address of corporate headquarters  
City, State, Zip  
Number of Columbus based employees  
Contact name and number

1. <u>Michael R. Mahaney</u> <u>1499 Perry Street</u> <u>Columbus, OH 43201</u>	2. <u>Stephanie L. Mahaney</u> <u>1499 Perry St</u> <u>Columbus, OH 43201</u>
3.	4.

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

SIGNATURE OF AFFIANT

[Signature]

Sworn to before me and signed in my presence this 8th day of April, in the year 2016

Sierra Cox-Holand

SIGNATURE OF NOTARY PUBLIC

2/17/2020

My Commission Expires

Notary Seal Here



SIERRA COX-HOLAND  
Notary Public, State of Ohio  
My Comm. Expires 02/17/2020

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# City of Columbus Zoning Plat

CV16-035



## ZONING NUMBER

The Zoning Number Contained on This Form  
is Herein Certified to Obtain Zoning, Rezoning,  
and Variances, and is NOT to be Used for  
the Securing of Building & Utility Permits

Parcel ID: 010006296

Zoning Number: 1497

Street Name: PERRY ST

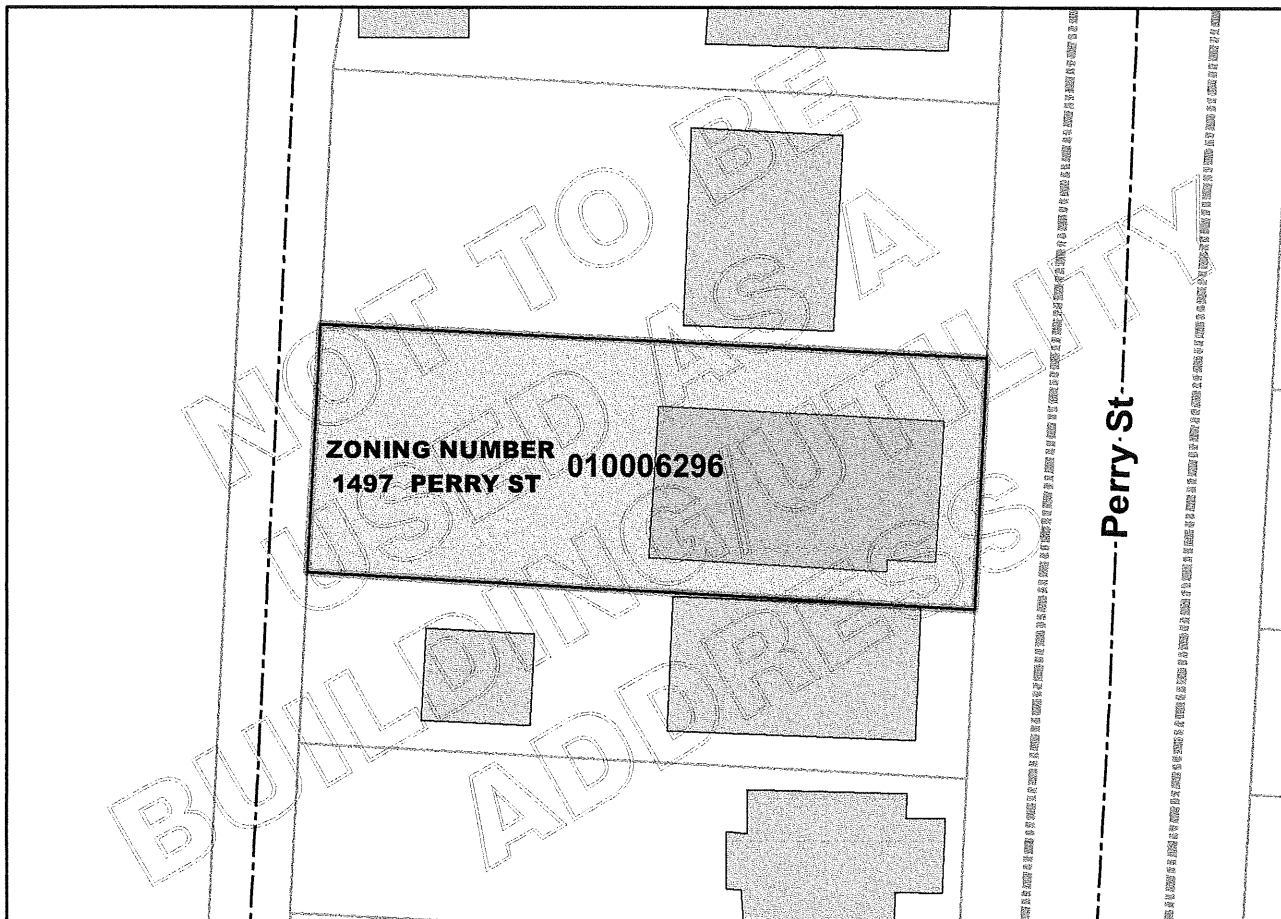
Lot Number: 124-125

Subdivision: MCMILLENS HOMESTEAD

Requested By: MM DEVELOPING, LLC (MICHAEL MAHANEY)

Issued By: *Adyana Amarian*

Date: 12/28/2015



JAMES D. YOUNG, P.E., ADMINISTRATOR  
DIVISION OF INFRASTRUCTURE MANAGEMENT  
COLUMBUS, OHIO

SCALE: 1 inch = 40 feet

GIS FILE NUMBER: 53237



**EXHIBIT 'A'**

1657177-NE

**LEGAL DESCRIPTION**

Situated in the City of Columbus, County of Franklin, State of Ohio, and is described as follows:

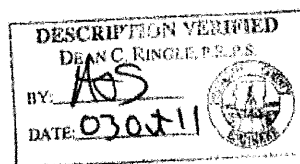
Being Lot Number One Hundred Twenty-Five (125), and the South One-half (S-1/2) of Lot Number One Hundred Twenty-Four (124), of ELIZABETH J. McMILLEN'S HOMESTEAD ADDITION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 400, Recorder's Office, Franklin County, Ohio.

For informational Purposes only:

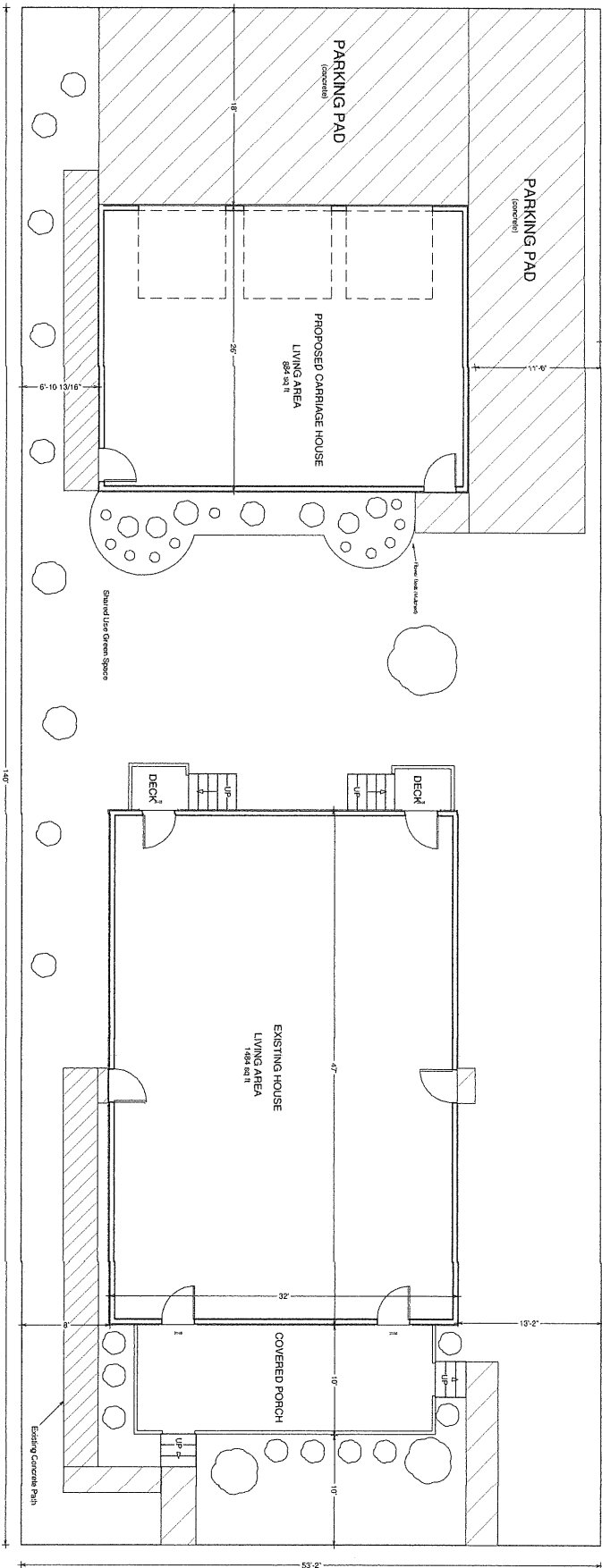
Property Address: 1497-1499 Perry Street Columbus, Ohio 43201

Parcel No.:010-006296-00

A-24  
Allot  
(010)  
6296



ALLEY



PERRY ST

Lot Size: 7,439sqft (53.13' \* 140')

Existing House: 1,504sqft (32' \* 47')

Existing Covered Porch: 260sqft (10' \* 26')

Current Lot Coverage: 23.71%

Existing House: 1,504sqft (32' \* 47')

Existing Covered Porch: 260sqft (10' \* 26')

Proposed Carriage: 884sqft (26' \* 34')

Proposed Lot Coverage: 35.6%

Current Rear Yard: 52.14% (53.13' \* 73' = 3,878sqft)

Proposed Rear Yard: 25.3% (53.13' \* 35.42' = 1,881.86sqft)

#### VARIANCES

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14

DATE:

Apr 21  
2016Michael R. Mahaney  
MMDDeveloping, LLC1499 Perry Street  
Columbus, OH 43201Contact:  
614-937-1884  
MMDDevelopingLLC@gmail.com

PROJECT DESCRIPTION:

1497-1499 Perry St.  
Columbus, OH 43201  
New Construction Single Family Home

SHEET DESCRIPTION:

Site Plan

SCALE:

1/4" = 1'

NO.	DESCRIPTION
1	Front Elevation
2	East Elevation
3	West Elevation
4	Rear Elevation
5	First Floor (with electrical)
6	Second Floor

NO.	DESCRIPTION
8	Second Floor (with electrical)
9	Basement
10	Basement (with electrical)
11	Cross Section
12	Design Specifications
13	Floor System
14	Site Plan

ALLEY

WOOD  
SHED

WOOD DECK

EXISTING HOUSE  
DEBRA CLARK  
010-026680  
1507 PERRY STCONCRETE  
5'00"

PARKING PAD

PARKING PAD

PROPOSED GARAGE HOUSE  
LIVING AREA  
864 sq ft

Shrubbery Overhanging

EXISTING HOUSE  
LIVING AREA  
1,484 sq ftCOVERED  
PORCH

Living Concrete Path

GARAGE

EXISTING HOUSE  
SANHOLTZ P. LLC  
010-025830  
1493 PERRY STCOVERED  
PORCH

PERRY ST



DATE:

APR 21  
2016Michael R. Mahaney  
MRDeveloping, LLC  
1499 Perry Street  
Columbus, OH 43201Contact:  
614-323-1884  
MRDevelopingLLC@gmail.com

PROJECT DESCRIPTION:

1497-1499 Perry St  
Columbus, OH 43201  
New Construction Single Family Home

SHEET DESCRIPTION:

Site Plan with Neighboring Properties

SCALE:

1/4" = 1'

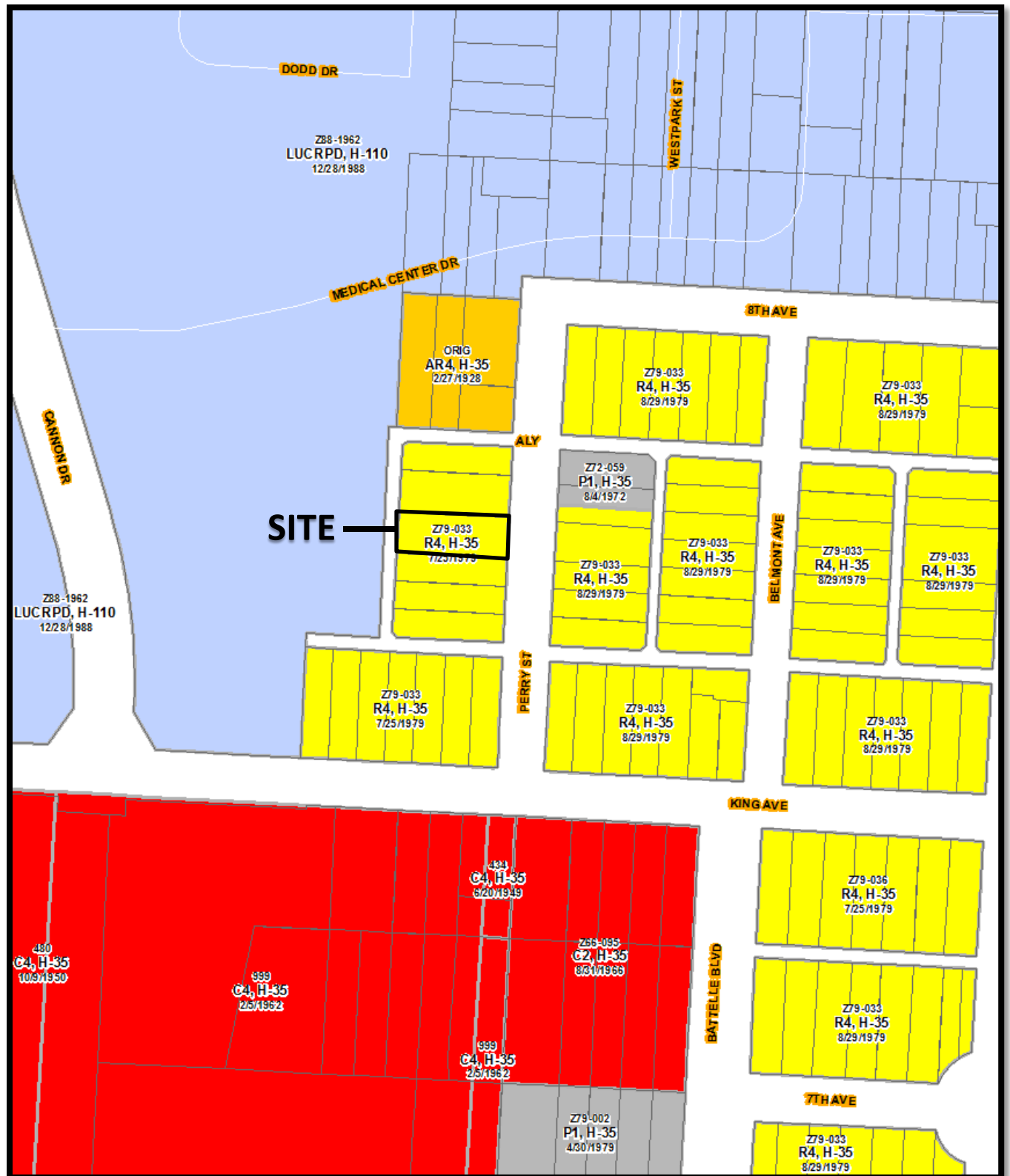
NO. DESCRIPTION

- 1 Point Elevation
- 2 Site Elevation
- 3 West Elevation
- 4 Rear Elevation
- 5 First Floor (with electrical)
- 6 Second Floor

NO. DESCRIPTION

- 8 Second Floor (with electrical)
- 9 Basement
- 10 Basement (with electrical)
- 11 Cross Section
- 12 Depth Specifications
- 13 Drain System
- 14 Site Plan

15

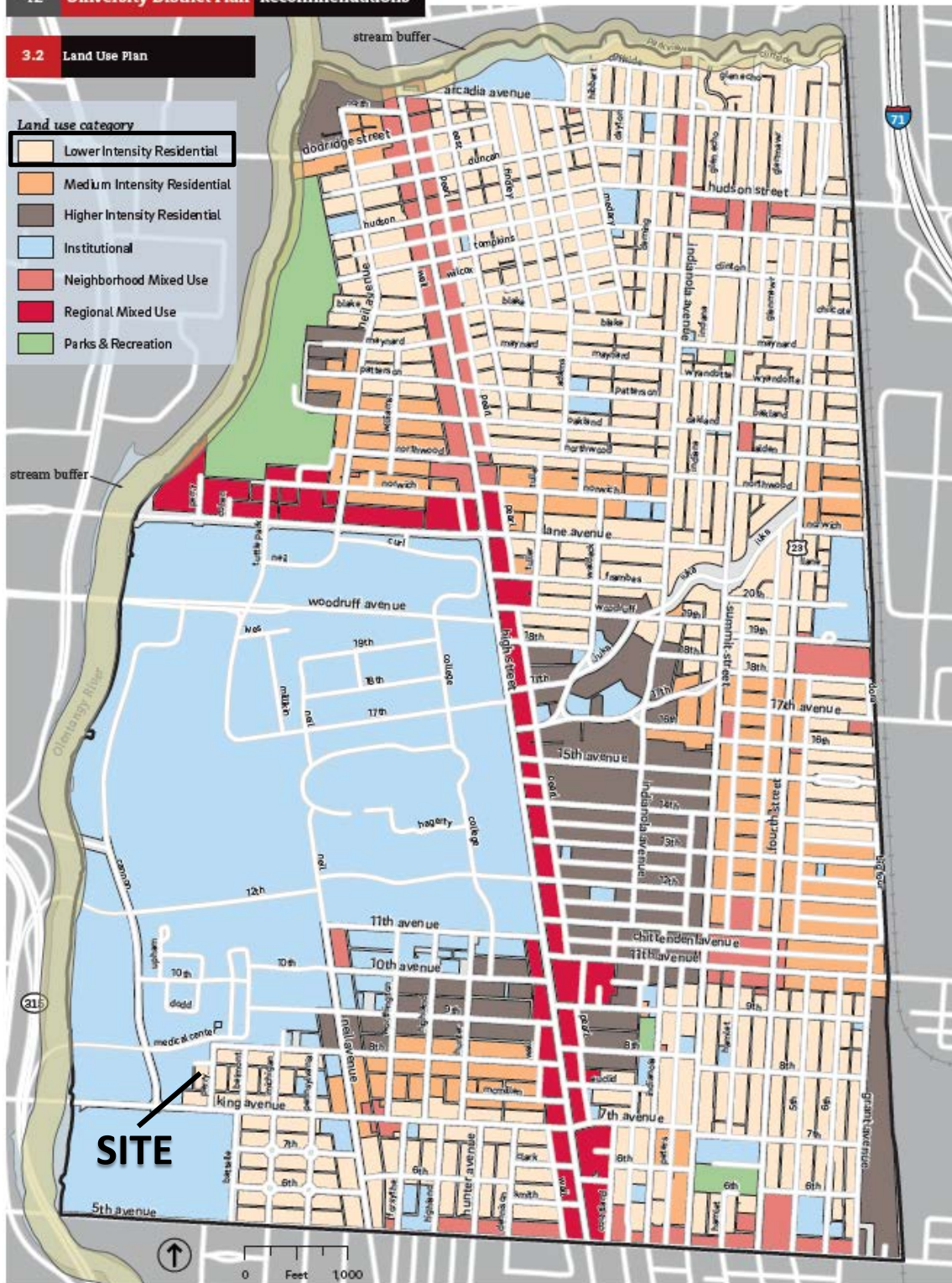


CV16-035  
1497 Perry Street  
Approximately 0.17 acres

3.2 Land Use Plan

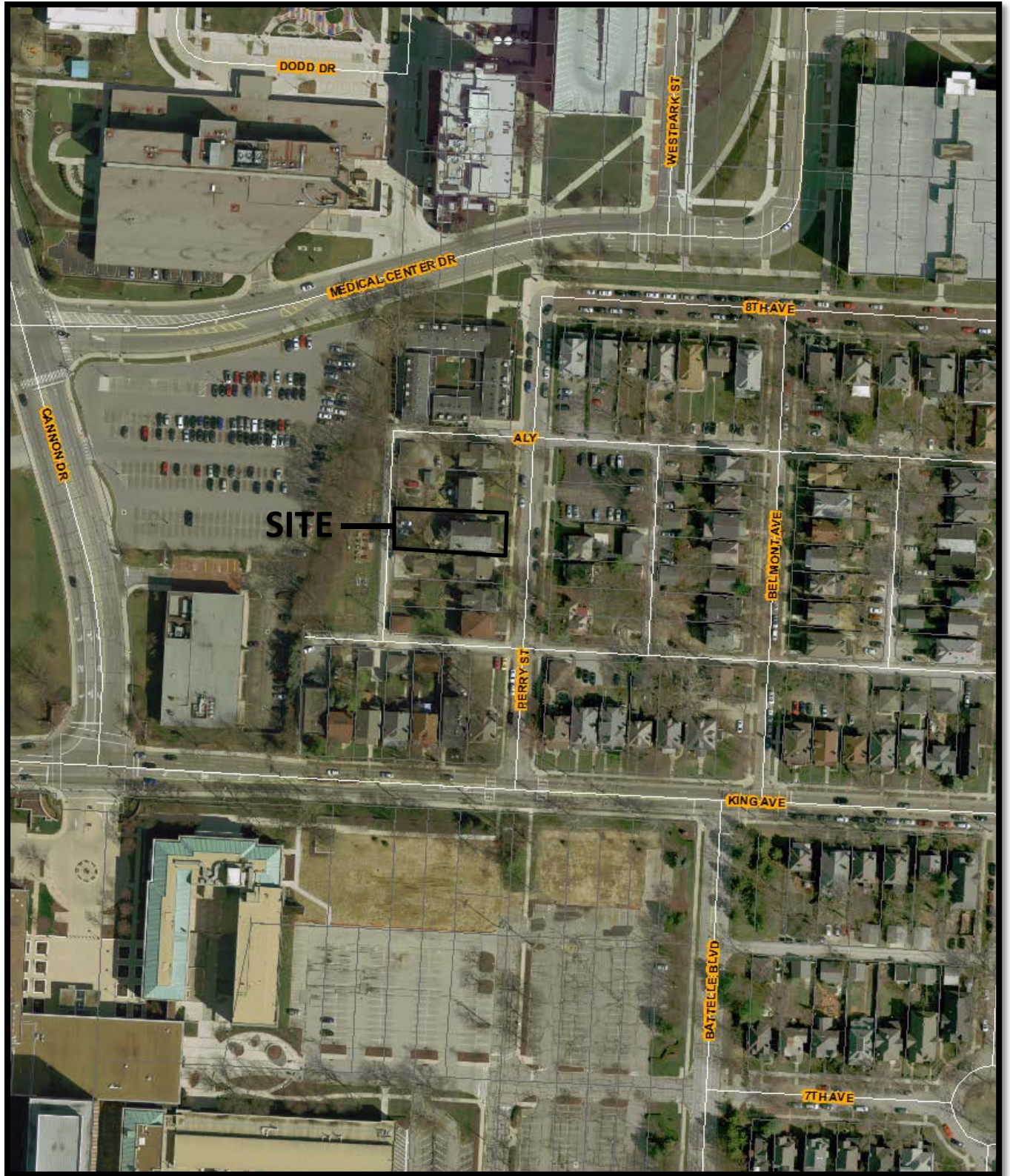
Land use category

- Lower Intensity Residential
- Medium Intensity Residential
- Higher Intensity Residential
- Institutional
- Neighborhood Mixed Use
- Regional Mixed Use
- Parks & Recreation



CV16-035  
1497 Perry Street  
Approximately 0.17 acres





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1497 Perry Street  
Approximately 0.17 acres