



Mayor Michael B. Coleman

# 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)

**PAID**  
OCT 03 2013  
BUILDING & ZONING SERVICES

OFFICE USE ONLY

Application Number: #13310-00000-00736  
Date Received: 3 Oct. 2013  
Commission/Civic: Vic Village  
Existing Zoning: \_\_\_\_\_ Application Accepted by: AF Fee: \$225  
Comments: \_\_\_\_\_

### TYPE(S) OF ACTION REQUESTED

(Check all that apply)

Variance       Special Permit

Indicate what the proposal is and list applicable code sections.

#2332.38 G Habitable space in detached garage (carriage house)  
#3332.38 F Increase from 770 sqft to 816 sqft

### LOCATION

1. Certified Address Number and Street Name 213 Wilber Avenue  
City Columbus State OH Zip 43201  
Parcel Number (only one required) 010-004749

### APPLICANT: (IF DIFFERENT FROM OWNER)

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

### PROPERTY OWNER(S):

Name Michael Mahoney  
Address 1499 Perry Street City/State Columbus, OH Zip 43201  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_  
 Check here if listing additional property owners on a separate page.

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

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

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

APPLICANT SIGNATURE MR. M  
PROPERTY OWNER SIGNATURE MR. M  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
Please make all checks payable to the Columbus City Treasurer



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

13310-00000-00736  
213 WILBER AVENUE

### One Stop Shop Zoning Report Date: Wed Oct 23 2013

General Zoning Inquiries: 614-645-8637

#### SITE INFORMATION

Address: 213 WILBER AVE COLUMBUS, OH

Mailing Address: 1499 PERRY ST  
COLUMBUS OH 43201

Owner: MAHANEY MICHAEL R

Parcel Number: 010004749

#### ZONING INFORMATION

Zoning: Z78-033, Residential, R4  
effective 8/16/1978, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: Victorian Village Commission

Planning Overlay: N/A

Historic District: Victorian Village

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

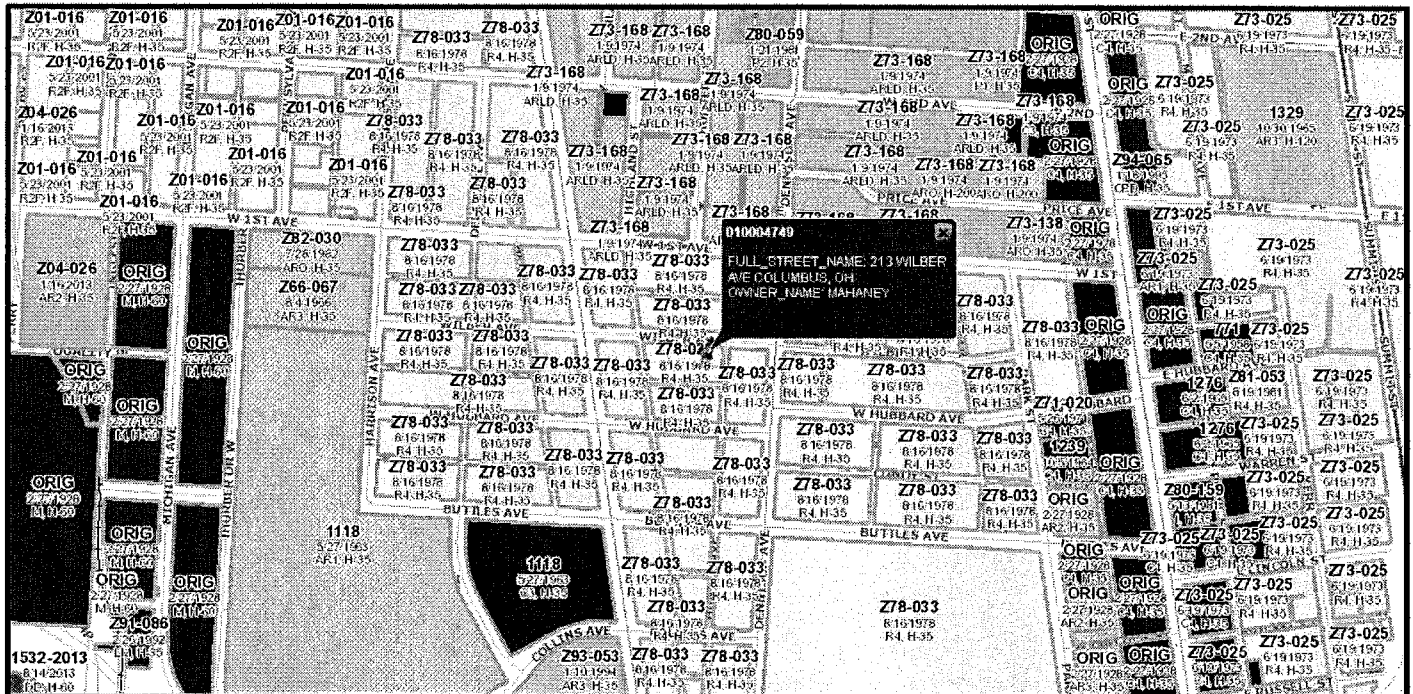
#### PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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## AFFIDAVIT

**13310-00000-00736**  
**213 WILBER AVENUE**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Michael R. Mahaney  
of (1) MAILING ADDRESS 1499 Perry Street, Columbus OH 43201  
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  
AND MAILING ADDRESS

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

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

Michael Mahaney  
614-937-1884

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

(5) Victorian Village Commission  
James A. Goodman  
50 West Gay St (Beacon Bldg),  
Columbus, OH 43215

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 typed list of property owners.

(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 27 day of September, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) [Signature]

My Commission Expires:

RENEE M. WEBB  
Notary Public, State of Ohio  
My Comm. Expires July 26, 2014

Notary Seal Here



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## STATEMENT OF HARDSHIP

**13310-00000-00736**  
**213 WILBER AVENUE**

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:**

See attached Statement of Hardship.

Signature of Applicant

Date

9/24/2013

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213 Wilber Avenue  
Columbus, OH 43215

**13310-00000-00736**  
**213 WILBER AVENUE**

#### STATEMENT OF HARDSHIP

Owner and Applicant requests relief from Title 33 Zoning rules and requests permission to convert the approved "unfinished" 2 story carriage house into "finished living space" on the second floor of the 2 story carriage house.

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

The new construction carriage house will also be historically accurate for the site. Previously, there was a frame construction, 2 story, single family home with a detached, 2 story carriage house with living space above the carriage house. Demolition of the single family home and detached carriage house took place during the 1960's due to a fire.

It is beneficial for the property owner, the Victorian Village community, and the City of Columbus to allow variances to certain zoning restrictions to allow for a high quality, architecturally sensitive carriage house. Although additional living space and square footage could have been added to the rear of the existing home, additional living space over the garage allows for the normal rear yard area between the house and garage to remain open and maintain the integrity of the neighborhood.

Additionally, surrounding neighbors, including one adjacent on the same alley, have 1.5 or 2 story carriage houses with finished living space above the garage. Furthermore, many of these 1.5 or 2 story carriage houses are deemed separate dwellings, and have Tenants that make up a multi-unit property in conjunction with the main house.

In summary, and most importantly, granting this variance request to convert the unfinished space into finished living space 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 historical district and allow the owner of the property to utilize the carriage house as it was previously used before being demolished due to fire.



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 10/4/13



ALLEY

Disclaimer

Scale = 30



This map is prepared for the real property inventory within this county from survey plats, and other public records and data. Users of this map should be consulted for verification of the information and the mapping companies assume no legal responsibility. Please notify the Franklin County GIS Division of any discrepancies.

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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 #

**13310-00000-00736**

STATE OF OHIO  
COUNTY OF FRANKLIN

**213 WILBER AVENUE**

Being first duly cautioned and sworn (NAME) Michael R. Mahaney  
of (COMPLETE ADDRESS) 1499 Perry St, 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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS
<u>Michael R. Mahaney</u>	<u>1499 Perry St, Columbus, OH 43201</u>

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 27 day of September, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



RENEE M. WEBB  
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