

# Council Variance Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • [ZoningInfo@columbus.gov](mailto:ZoningInfo@columbus.gov) • [www.columbus.gov/bzs](http://www.columbus.gov/bzs)

OFFICE USE ONLY

Application Number: CV25-062 Date Received: 6/25/2025  
Application Accepted by: EJ Fee: \$350  
Assigned Planner: Eastman Johnson; roejohnson@columbus.gov; 614-645-7979

## LOCATION AND ZONING REQUEST:

Existing Address or Zoning Number: 285 EAST MOLER STREET Zip: 43207

Is this application being annexed into the City of Columbus?  YES  NO (select one)  
*If the site is currently pending annexation, the Applicant must show documentation of County Commissioner's adoption of the annexation petition.*

Parcel Number for Address or Zoning Number: 010-033173

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): R-2F Acreage: .09

Neighborhood Group: Columbus South Side Area Commission

Proposed Use or reason for request: A COUNCIL VARIANCE REQUEST IS BEING MADE TO BUILD AN ACCESORY DWELLING UNIT ON THIS PROPERTY ABOVE THE EXISTING GARAGE

*(Elaborate in Statement of Hardship)*

## APPLICANT:

Applicant Name: LUKE PIERCE + MARGARET A. WILLIA Phone Number: 614-747-5853 Ext.: \_\_\_\_\_

Address: 285 EAST LOER STREET City/State: COLUMBUS Zip: 43207

Email Address: luke@lawbirdbar.com

**PROPERTY OWNER(S):**  Check here if listing additional property owners on a separate page

Name: LUKE PIERCE + MARGARET A. WILLIAMS Phone Number: 614-747-5853 Ext.: \_\_\_\_\_

Address: 285 EAST MOLER STREET City/State: COLUMBUS Zip: 43207

Email Address: luke@lawbirdbar.com


**ATTORNEY / AGENT:** (Check one if applicable)  Attorney  Agent

Name: Mary Dietsch - architect for the homeowners Phone Number: 614 607-4509 Ext.: \_\_\_\_\_

Address: 2050 South High Street City/State: Columbus/OH Zip: 43207

Email Address: mary@dietschdesign.com

## SIGNATURES:

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.*

## STATEMENT OF HARDSHIP

### **Columbus City Code Section 3307.10 - Variances by City Council.**

City council may grant the following zoning variances:

- A. Permit a variation 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 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 established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

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.

### **The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:**

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

Yes     No

The addition and ADU will be beneficial to the homeowner and adds value and housing stock to the neighborhood.

2. Whether the variance is substantial.

Yes     No

The understanding is that the city is in favor of allowing homeowners to add accessory dwelling units to their property, therefore the variance request seems in line with other approvals and does not seem substantial.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

Yes     No

The addition and ADU being requested are in keeping with the character of the neighborhood. Adjoining properties will not suffer a detriment.

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4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

Yes  No

The homeowner and general contractor will work with all services to comply with all requirements to avoid any adverse affects to the delivery of governmental services.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes  No

The homeowner purchased the property for their own use, the need for the addition and ADU were not present at the time of purchase, zoning restrictions were not a factor in the purchase.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Yes  No

The current availability of housing and the current cost of homes makes the addition and ADU the most cost effective solution for additional living space for this homeowner at this time, and allows them to stay in their neighborhood and improve their home and it's value.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes  No

The understanding of the homeowner and other neighborhood residents is that the city is in favor of approving ADU's and of city homeowners improving their own properties for their use, granting the variance is in keeping with the spirit of the neighborhood - a vibrant, growing community.

**List all sections of Code to be varied and explain your reasoning as to why this request should be granted.**

**NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.**

**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(s) requested as detailed below (use separate page if needed or desired):**

The attachment included with this application includes a list of sections of code requiring a variance.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**COUNCIL VARIANCE APPLICATION**

For the Property located at **285 East Moler Street, Parcel 010-033173-00**, please see below a list of all sections of Code to be varied with reasoning as to why this request should be granted.

**Code Section 3332.037**

*R2F Residential District requires a separate lot for each unit.*

A request is being made to add an Accessory Dwelling Unit above the existing garage on this property. This request should be granted to allow the homeowners to add additional living space for their own use with the added potential of creating an affordable housing rental unit. The ADU is proposed above the existing garage - requiring no change to the existing garage building footprint.

**Code Section 3332.14**

*R2F area district requirements, requires each single -unit dwelling to have a lot of no less than 6000 sf.*

A request is being made to accept two single-unit dwellings on this lot to have less than 6000 sf each. The current lot is 33' x 125' (4,125sf) and is consistent with other lots in the neighborhood. The request is to allow the smaller lot size, and to allow the Accessory Dwelling Unit to share this lot. This is in keeping with the character of the neighborhood.

**Code Section 3332.19**

*Fronting - Each dwelling or principal building shall front upon a public street.*

A request is being made to allow the Accessory Dwelling Unit to be accessed from the rear yard of the Primary Residence and/or from the Alley. This request should be granted to allow the homeowners to increase their available living space. The primary home is owner occupied and homeowner requests the rear yard frontage for the convenience of their use of the ADU.

**Code Section 3332.05**

*Lot Width - A 50' wide lot is required.*

A request is being made for a variance requiring a 50' wide lot. The current lot is 33' wide and is consistent with the lot sizes in this neighborhood. The ADU will sit on the existing garage and it's having a 33' wide lot maintains the scale and character of the neighborhood.

**Code Section 3332.27**

*The rear yard needs to account for at least 25% of the lot.*

A request is being made for a variance requiring a rear yard at least 25% of the lot. The proposed addition to the primary home would leave a rear yard of 22', which is less than the required 25%. The proposed rear yard is approximately 18% of the lot. The addition to the primary residence helps the homeowner meet their current need for an additional bedroom and expanded living space. The addition allows them to remain in their current location. The smaller size of the rear yard at 22' is comparable to other properties in the neighborhood.

**Code Section 3312.49**

*2 off street parking spaces are required per dwelling.*

A request is being made for a variance allowing an Accessory Dwelling Unit on this property with street parking. The current garage provides the required 2 parking spaces for the primary dwelling, the ADU occupants are proposing street parking as is common in this neighborhood. The location of the existing garage does not allow for expansion.

Homeowner will comply with the following additional requirements:

Per 3312.57 - two EV ready outlets will be provided in the existing garage.

Per 3321.07(B) - a tree will be added to the existing Residential Lot.

**ADDITIONAL CONSIDERATIONS:**

HOMEOWNERS AT 285 EAST MOLER STREET PLAN TO INSTALL SOLAR PANELS ON THE ROOF OF THE PROPOSED ADU. THE INTENTION IS TO POWER THE ADU WITH SOLAR. AND POTENTIALLY THE WHOLE PRIMARY HOME. BATTERY PACKS WOULD BE HOUSED IN THE GARAGE.

PROPOSED SOLAR PANELS WILL BE SOURCED THROUGH SIGNATURE SOLAR.

HOMEOWNER IS COORDINATING WITH AEP TO BRING MAIN ELECTRICAL SERVICE FROM THE GARAGE, AND TO BURY POWER LINES TO THE HOUSE, ELIMINATING OVERHEAD LINES.

HOMEOWNER AND GENERAL CONTRACTOR ARE INVESTIGATING THE WATER, SEWER AGE AND DRAINAGE SERVICE TO INSURE COMPLIANCE WITH BZS REQUIREMENTS.

HOMEOWNER IS INVESTIGATING A SWITCH TO A HEAT PUMP FOR HEATING AND COOLING, AND A HEAT PUMP WATER HEATER.

SPLIT SYSTEMS WILL BE ADDED FOR THE GARAGE AND FOR THE ADU.

**VARIANCE REQUESTS**

**PIERCE  
ADDITION + ADU  
285 East Moler Street**

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AND ZONING SERVICES

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## AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME LUKE PIERCE  
of (1) MAILING ADDRESS 285 E MOLER ST COLUMBUS, OH 43207

deposes and states that they are 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 PROPERTY ADDRESS or ZONING NUMBER 285 E MOLER ST COLUMBUS, OH 43207  
for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services

SUBJECT PROPERTY OWNER'S NAME  
AND MAILING ADDRESS  
 Check here if listing additional  
property owners on a separate page.

(3) 285 E MOLER ST  
COLUMBUS, OH 43207

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

LUKE PIERCE  
614-747-5853

NEIGHBORHOOD GROUP  
ZONING CHAIR OR CONTACT PERSON  
AND EMAIL ADDRESS

(4) COLUMBUS SOUTH SIDE AREA COMMISSION  
c/o KATHY GREEN  
488 E WHITTIER ST. COLUMBUS, OH 43206

and that the attached document (5) 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.

SIGNATURE OF AFFIANT \_\_\_\_\_

Sworn to before me and signed in my presence this 27th day of June, in the year 2025

\_\_\_\_\_  
(6) SIGNATURE OF NOTARY PUBLIC

9-13-2018 Notary Seal Here  
My Commission Expires



**This Affidavit expires six (6) months after date of notarization.**

<b>APPLICANT</b>	Luke & Annie Pierce 285 East Moler Street Columbus, Ohio 43207		
<b>PROPERT OWNER</b>	Luke & Annie Pierce 285 East Moler Street Columbus, Ohio 43207		
<b>AGENT</b>	Mary Dietsch 2050 South High Street Columbus, OH 43207		
<b>NEIGHBORHOOD GROUP</b>	Columbus Southside Area c/o Kathy Green 458 E. Whittier St. Columbus, OH 43206		
<b>SURROUNDING PROPERTY OWNERS</b>	HUGHES DAVID B 278 SHELDON AV COLUMBUS OH 43207	ORZANO DANIEL J 300 SHELDON AV COLUMBUS OH 43207	HICKS MICHAEL G 294 E MOLER ST COLUMBUS OH 43207
LORENZ-REECE ANNETTE 284 E MOLER ST COLUMBUS OH 43207	FANKHAUSER COLLIN J 290 E MOLER ST COLUMBUS OH 43207	MCCAMBRIDGE JEFFREY FOLEY SHAWNA R 276 E MOLER ST COLUMBUS OH 43207	PELZER JEREMY HORN MEAGAN 302 E MOLER ST COLUMBUS OH 43207-1239
ESHLEMAN BRIAN HENRY ESHLEMAN HENRY K 270 SHELDON AVE COLUMBUS OH 43207 ROSE DAVID CLAYTON ROSE TAVISHI 274 SHELDON AVE COLUMBUS OH 43207	WARTHMAN TREVOR 301 E MOLER ST COLUMBUS OH 43207	EICHMAN HOLLY K 290 SHELDON AVE COLUMBUS OH 43206	SIMMONS VIVIAN L 294 SHELDON AVE COLUMBUS OH 43207
BALZER PAUL JOSEPH DAUGHERTY JENNIFER 1288 HANFORD SQ COLUMBUS OH 43206	PIERCE LUKE WILLIAMS MARGARET A 285 E MOLER ST COLUMBUS OH 43207	ZEPP JUNE E ZEPP ROBERT H 267 E MOLER ST COLUMBUS OH 43207	EBERTS MICHAEL J PINCUS MARGARET A 266 SHELDON AVE COLUMBUS OH 43207
HUCKABY MARK A TEJADA LOUIS 278 E MOLER ST COLUMBUS OH 43207	SPEROS MAUREEN H 284 SHELDON AVE COLUMBUS OH 43207	MOORE DONALD H COOK ROBIN E 289 E MOLER ST COLUMBUS OH 43207	MKSK VENTURES LLC 770 SAN RAMON WAY SACRAMENTO, CA 95864
	FELDMANN ROBERT L III KAHLER STEPHEN M 268 E MOLER ST COLUMBUS OH 43207	HAWKINS SHAWN F 4029 WALNUT CROSSING DR GROVEPORT OH 43125	PURTELL KELLY 293 E MOLER ST COLUMBUS OH 43207
		YENICHEK SANDRA ELKIN LORRAINE 297 E MOLER ST COLUMBUS OH 43207	BROWN SONYA 271 E MOLER ST COLUMBUS OH 43207

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**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV25-062

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.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) LUKE PIERCE  
of (COMPLETE ADDRESS) 285 E MOLER ST COLUMBUS, OH 43207  
deposes and states that they are 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:

For Example: Name of Business or individual  
Contact name and number  
Business or individual's address; City, State, Zip Code  
Number of Columbus-based employees

<p>1. LUKE PIERCE 614-747-5853 285 E MOLER ST. COLUMBUS, OH 43207 0</p>	<p>2. MARGARET PIERCE 614-506-8148 285 E. MOLER ST COLUMBUS OH 43207 0</p>
<p>3.</p>	<p>4.</p>

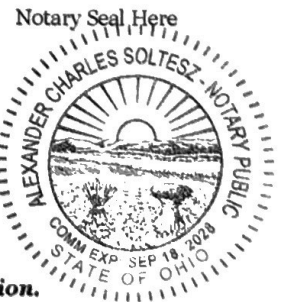
Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT \_\_\_\_\_

Sworn to before me and signed in my presence this 27<sup>th</sup> day of June, in the year 2025

SIGNATURE OF NOTARY PUBLIC \_\_\_\_\_

9-18-2028  
My Commission Expires



**This Project Disclosure Statement expires six (6) months after date of notarization.**

COUNCIL VARIANCE APPLICATION

Property Legal Description:

Being Lot Number Seventy-Two (72) shown on the plat of partition of the lands of the Estate of William Merion, deceased, made in the Case of Oliver P. Merion vs. Charles S. Merion, et al Case No. 38788, of record in Complete Record, No. 220, page 586, Court of Common Pleas, Franklin, Ohio

Property Address:      285 E. Moler Street  
                                 Columbus, Ohio 43207

Parcel No:                010-033173-00

Franklin County Auditor - Michael Stinziano 010-033173-00

<b>Owner Name</b>	PIERCE LUKE WILLIAMS MARGARET A	<b>Prop. Class</b>	R - Residential
<b>Site Address</b>	285 E MOLER ST	<b>Land Use</b>	510 - ONE-FAMILY DWLG ON PLATTED
<b>Legal Descriptions</b>	285 E MOLER ST W MERION EXRS LOT 72	<b>Tax District</b>	010 - CITY OF COLUMBUS
<b>Owner Address</b>	285 E MOLER ST COLUMBUS OH 43207	<b>Sch. District</b>	2503 - COLUMBUS CSD
<b>Transfer Date</b>	04/01/2016	<b>App Nbrhd</b>	01605
<b>Transfer Price</b>	180,000.00	<b>Tax Lein</b>	No
<b>Instrument Type</b>	GW	<b>CAUV Property</b>	No
		<b>Owner Occ. Credit</b>	2024: Yes 2025: Yes
		<b>Homestead Credit</b>	2024: No 2025: No
		<b>Rental Registration</b>	No
		<b>Board of Revision</b>	No
		<b>Zip Code</b>	43207
		<b>Annual Taxes</b>	4,671.96
		<b>Taxes Paid</b>	.00
		<b>Calculated Acreage</b>	.09
		<b>Legal Acreage</b>	.00

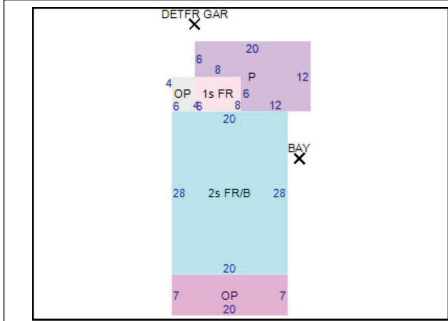
	Current Auditor's Appraised Value			Taxable Value		
	Land	Improv	Total	Land	Improv	Total
<b>Base</b>	\$127,300	\$170,100	\$297,400	\$44,560	\$59,540	\$104,100
<b>TIF</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Exempt</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	\$127,300	\$170,100	\$297,400	\$44,560	\$59,540	\$104,100
<b>CAUV</b>	\$0					

**Building Data**

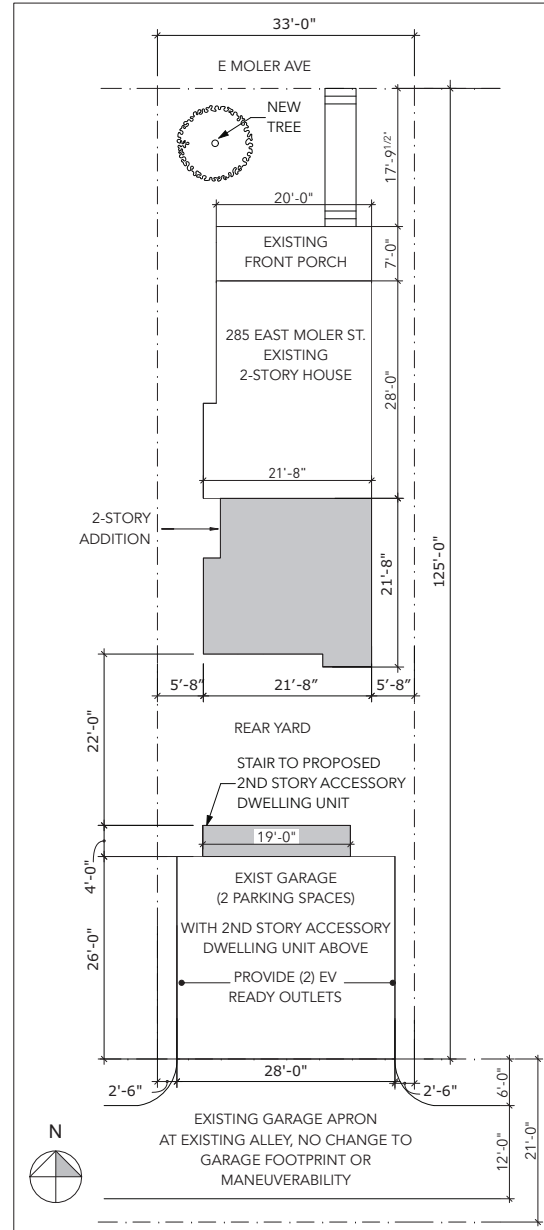
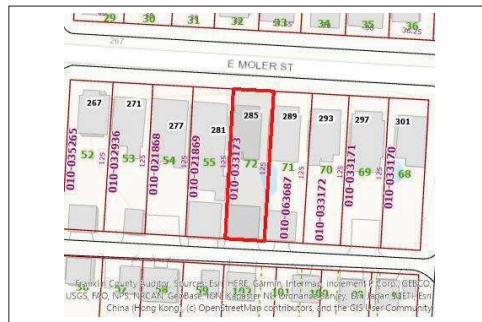
<b>Year Built</b>	1900	<b>Full Baths</b>	1
<b>Finished Area</b>	1192	<b>Half Bath</b>	1
<b>Rooms</b>	5	<b>Heat/AC</b>	2
<b>Bedrms</b>	2	<b>Wood Fire</b>	/
<b>Dining Rooms</b>	1	<b>Stories</b>	2

**Sketch Legend**

- 0 2s FR/B 560 Sq. Ft.
- 1 OP - 13: OPEN FRAME PORCH 140 Sq. Ft.
- 2 OP - 13: OPEN FRAME PORCH 24 Sq. Ft.
- 3 1s FR - 10: ONE STORY FRAME 48 Sq. Ft.
- 4 P - 40: CONCRETE PATIO 192 Sq. Ft.
- 5 BAY - 18: FRAME BAY 24 Sq. Ft.
- 1 DETFR GAR - RG1: DETACHED FRAME GARAGE 728 Sq. Ft.



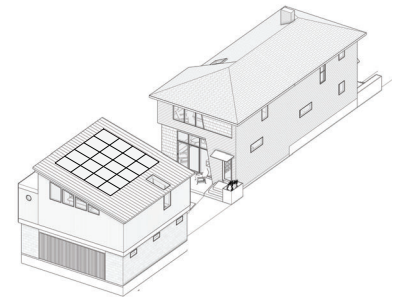
010-033173 07/15/2022



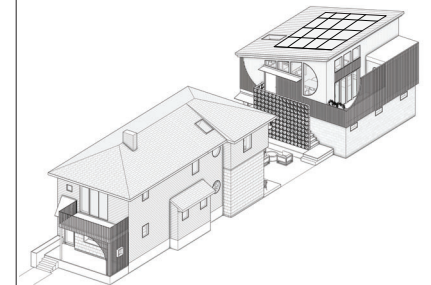
**SITE PLAN**  
Scale: 1/16" = 1'-0"

**LOT COVERAGE**

EXISTING HOUSE	565 SF
EXISTING PORCH	135 SF
EXISTING GARAGE	725 SF
HOUSE ADDITION	425 SF
GARAGE ADDITION	75 SF
<b>TOTAL COVERAGE</b>	<b>1925 SF</b>
<b>TOTAL LOT AREA</b>	<b>4125 SF</b>
<b>COVERAGE %</b>	<b>46.6 %</b>



EXTERIOR AXON  
View From Southeast

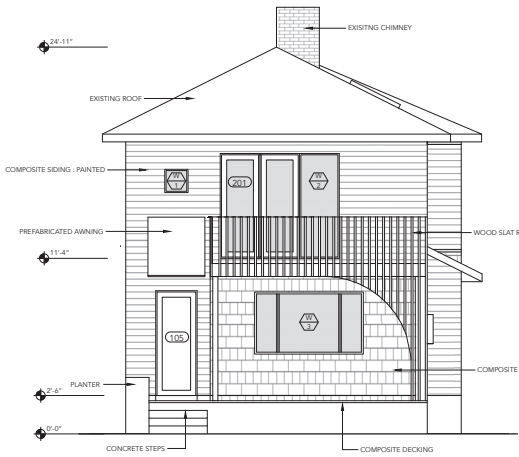


EXTERIOR AXON  
View From Northwest

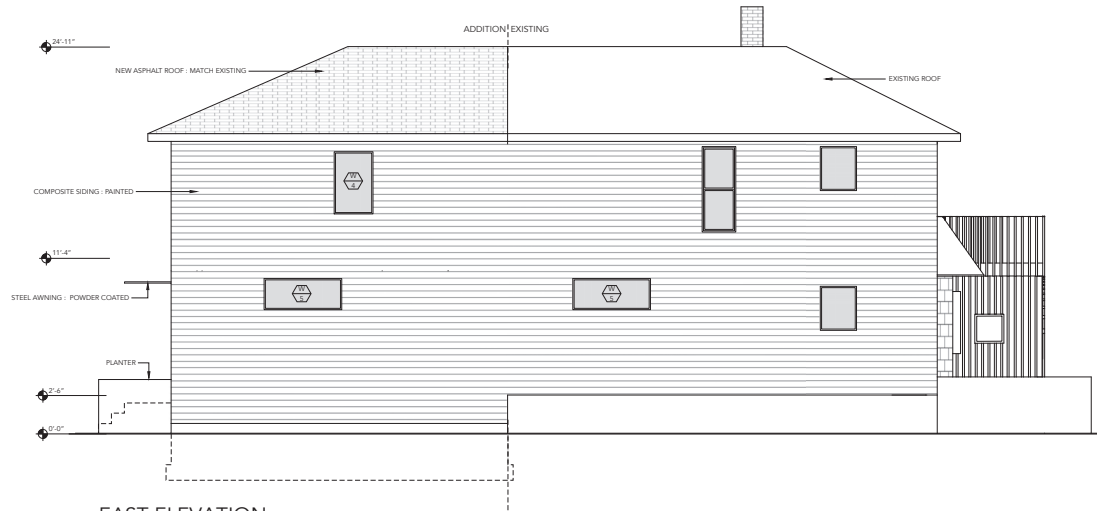
**PIERCE**  
**ADDITION + ADU**  
285 East Moler Street

MARY DIETSCH ARCHITECTURE + DESIGN

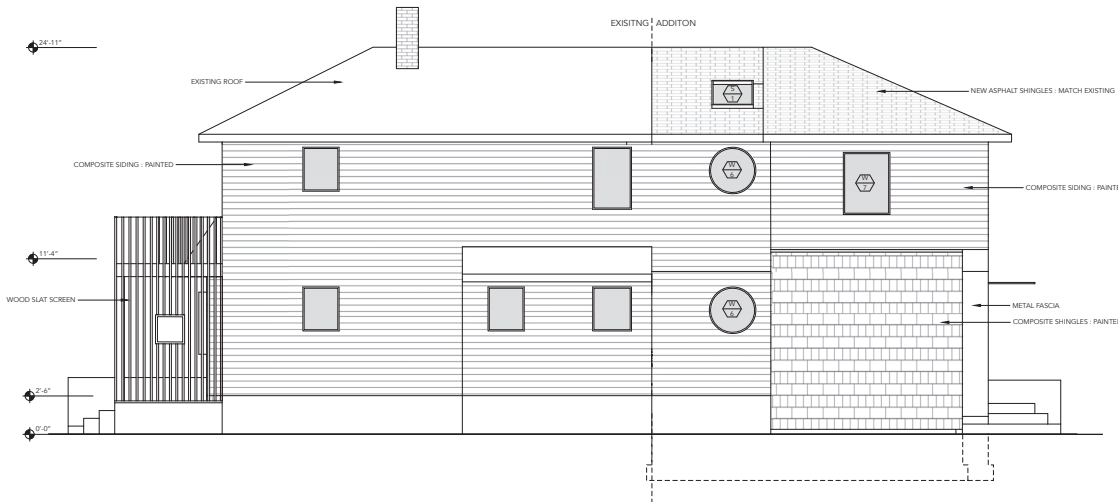
Disclaimer: The information on this web site is prepared from the real property inventory maintained by the Franklin County Auditor's Office. Users of this data are notified that the primary information source should be consulted for verification of the information contained on this site. The county 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.



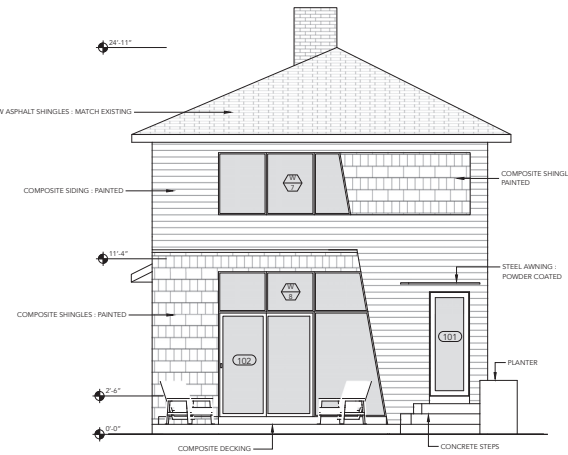
NORTH ELEVATION  
SCALE 1/8" = 1'-0"



EAST ELEVATION  
SCALE 1/8" = 1'-0"



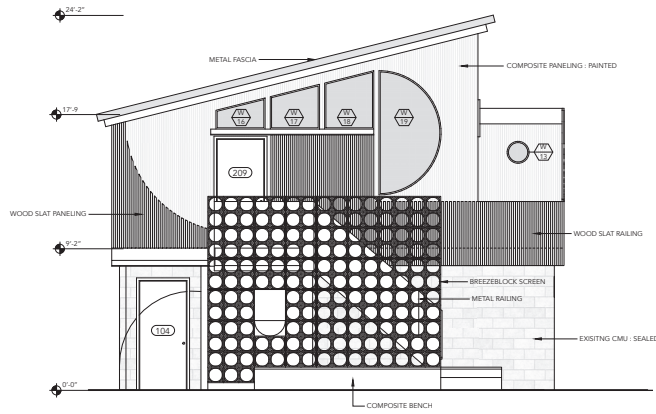
WEST ELEVATION  
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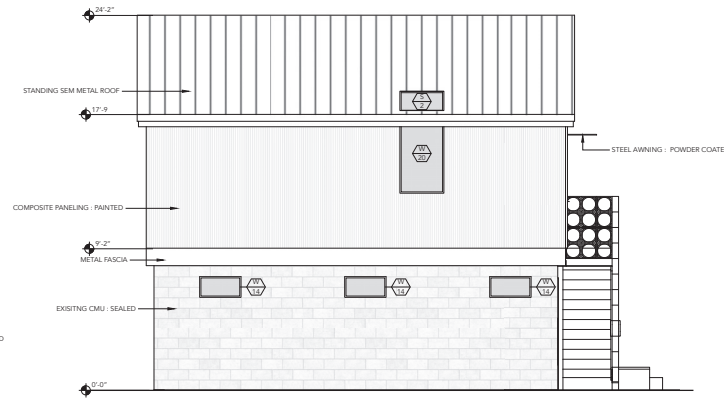
SOUTH ELEVATION  
SCALE 1/8" = 1'-0"

PRIMARY HOME  
ELEVATIONS

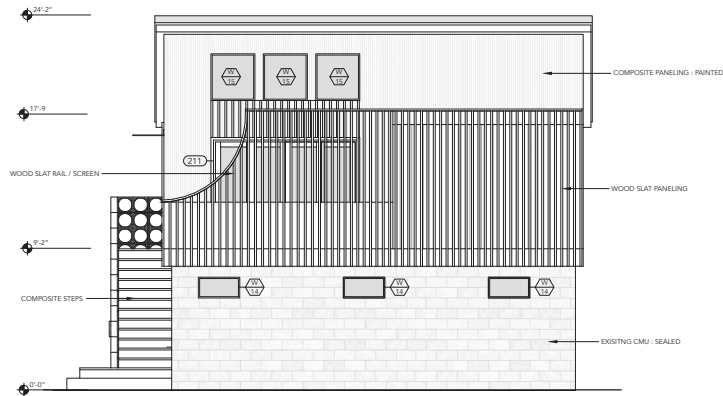
**PIERCE**  
**ADDITION + ADU**  
285 East Moler Street



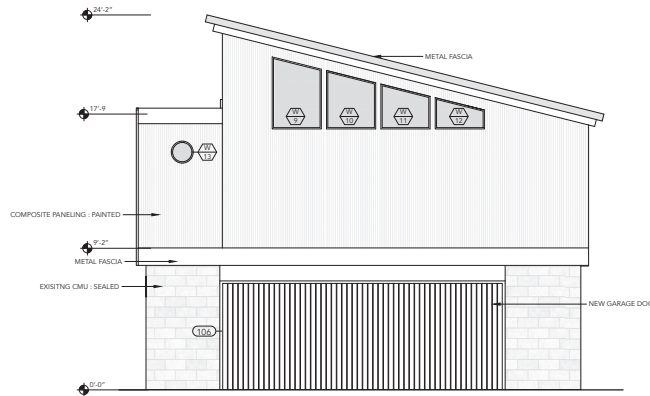
NORTH ELEVATION  
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EAST ELEVATION  
SCALE 1/8" = 1'-0"



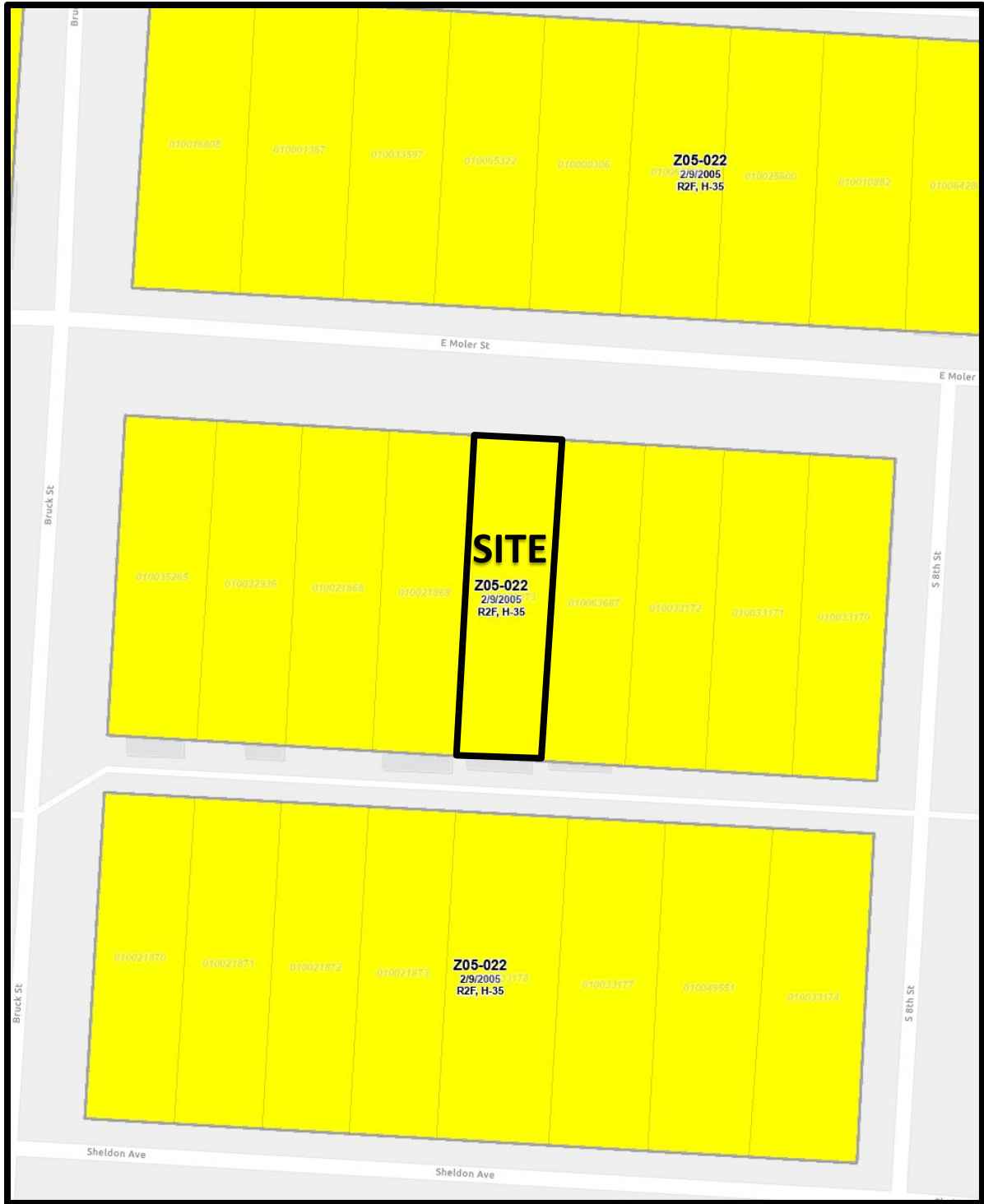
WEST ELEVATION  
SCALE 1/8" = 1'-0"



SOUTH ELEVATION  
SCALE 1/8" = 1'-0"

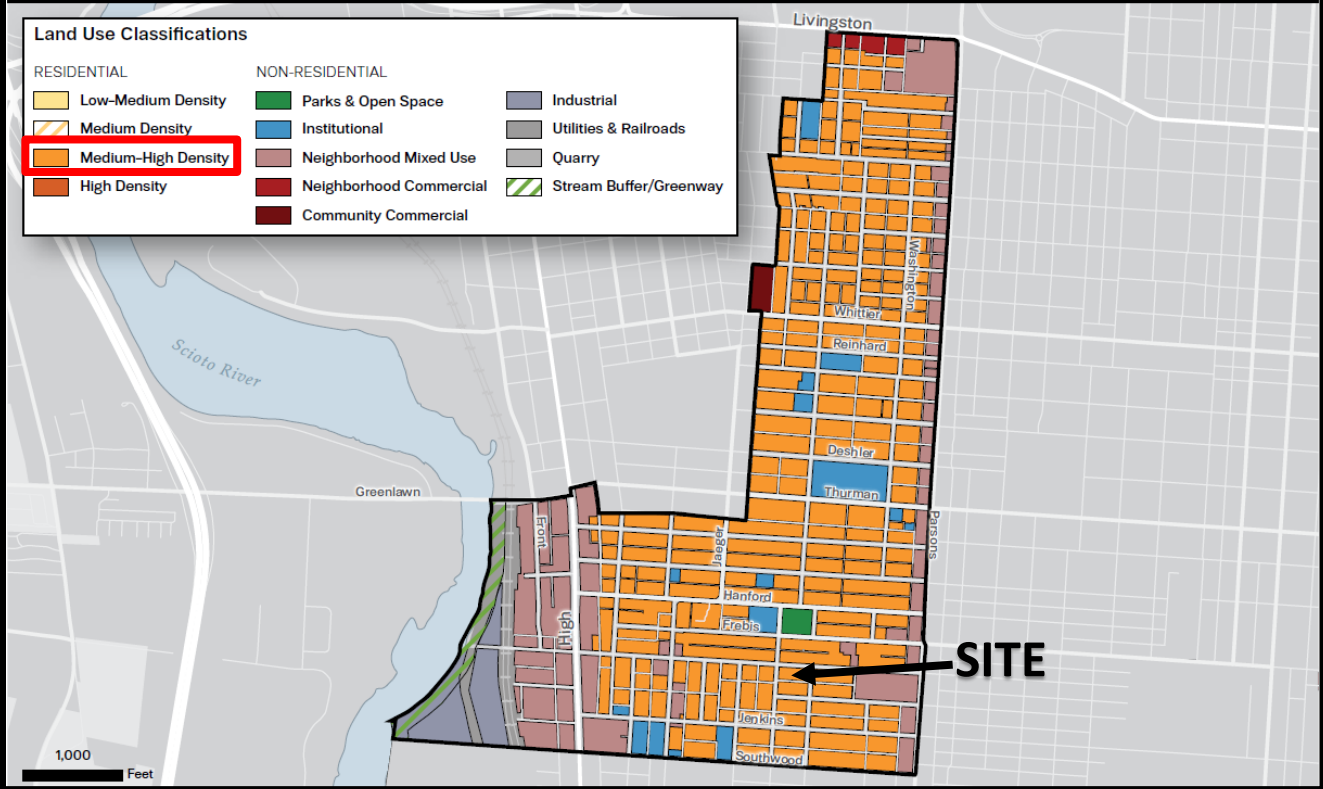
ACCESSORY  
DWELLING UNIT  
ELEVATIONS ADU

**PIERCE**  
**ADDITION + ADU**  
285 East Moler Street



CV25-062  
285 E. Moler St.  
Approximately 0.09 acres

### FIGURE 9: FUTURE LAND USE PLAN: QUADRANT 1



CV25-062  
285 E. Moler St.  
Approximately 0.09 acres



CV25-062  
285 E. Moler St.  
Approximately 0.09 acres