

SITE ACCESS DURING CONSTRUCTION

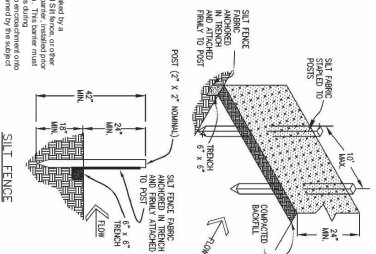
INSTALLATION REQUIREMENTS

1. ALL ENTRANCES TO THE CONSTRUCTION SITE ARE TO BE ENLARGED PRIOR TO CONSTRUCTION BEGINNING.
2. CONSTRUCTION ENTRANCES ARE TO BE BUILT WITH A MINIMUM OF 10' CLEARANCE TO THE ENTRANCE.
3. AREAS TO BE STABILIZED ARE TO BE PROPERLY STABILIZED WITH SEED, MULCH, AND EROSION CONTROL MEASURES.
4. CONSTRUCTION ROADWAYS, DRIVEWAYS, AND STATIONING ARE TO BE STABILIZED WITH SEED, MULCH, AND EROSION CONTROL MEASURES.
5. CONSTRUCTION ROADWAYS ARE TO BE BUILT TO THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.

MAINTENANCE REQUIREMENTS

1. ALL AREAS OF THE SITE THAT ARE NOT TO BE STABILIZED ARE TO BE MAINTAINED THROUGHOUT CONSTRUCTION.
2. CONSTRUCTION AREAS ARE TO BE MAINTAINED THROUGHOUT CONSTRUCTION.
3. SEEDING TRACED ONTO ROADWAYS IS TO BE REMOVED PRIOR TO THE ROADWAY BEING OPENED TO TRAFFIC.
4. EROSION CONTROL MEASURES ARE TO BE MAINTAINED THROUGHOUT CONSTRUCTION.
5. OTHER ASSOCIATED EROSION CONTROL MEASURES ARE TO BE MAINTAINED THROUGHOUT CONSTRUCTION.

SF



SILT FENCE NOTES

1. SILT FENCES SHALL BE INSTALLED PRIOR TO ANY LAND DISTURBING ACTIVITIES.
2. WHEN JOINTS ARE NECESSARY, SILT FENCES SHOULD BE INSTALLED IN A MANNER THAT PREVENTS THE FENCE FROM BEING PULLED OR TORN.
3. METAL POSTS SHALL BE STAKED TO THE FENCE WITH MINIMUM WEIGHT OF 1.53 POUNDS PER LINEAL FOOT.
4. THE FILTER MATERIAL SHALL BE FASTENED SECURELY TO THE POSTS.
5. SILT FENCES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
6. ALONG THE TOP OF FILLS, INSTALL THE SILT FENCE ALONG THE TOP OF THE FILL.
7. SILT FENCES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
8. SILT FENCES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
9. SILT FENCES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
10. SILT FENCES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

GENERAL CONTRACTOR

1. IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO ENFORCE CODE COMPLIANCE AND ANY ORDINANCES GOVERNING THE WORK OF THIS PROJECT.
2. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
3. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF COLUMBUS ZONING ORDINANCES.
4. DISCREPANCIES DISCOVERED SHALL BE COMMUNICATED IMMEDIATELY TO THE ARCHITECT BEFORE TAKING ACTION.
5. GENERAL CONTRACTOR SHALL COORDINATE THE WORK OF VARIOUS TRADES TO PREVENT THE CONSTRUCTION IN A COORDINATED MANNER UNTIL THE GOVERNING MUNICIPALITY ISSUES THE CERTIFICATE OF OCCUPANCY.

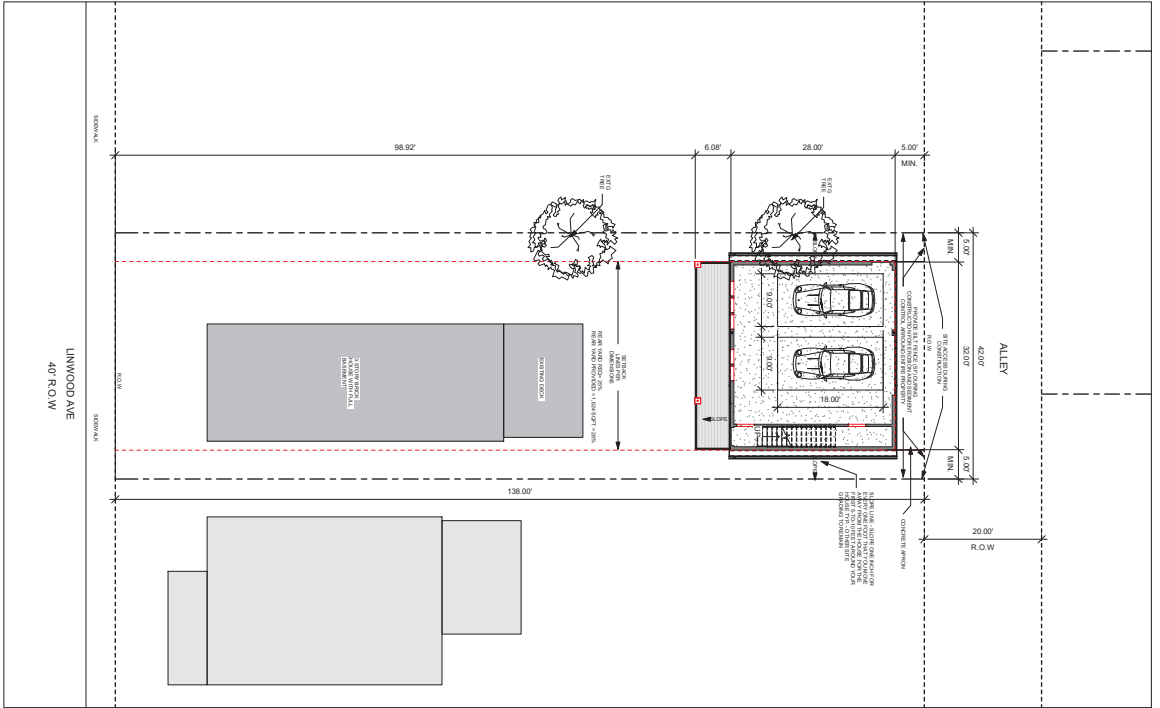
FOOTINGS SHALL BE PLACED ON NATURAL UNDISTURBED SOIL EXCAVATED BELOW LOCAL FLOOD LINE.

1. DO NOT EXCAVATE UNTIL FLOOD FIRMING IS ATTACHED TO THE PLAT AND SHEETING IS INSTALLED.
2. THE FIRST 10' OF MECHANICAL FOUNDATION FINAL LAYOUT SHALL NOT INTERFERE WITH ANY EXISTING UTILITY FACILITIES.
3. THE FIRST 10' OF MECHANICAL FOUNDATION FINAL LAYOUT SHALL NOT INTERFERE WITH ANY EXISTING UTILITY FACILITIES.
4. THE FIRST 10' OF MECHANICAL FOUNDATION FINAL LAYOUT SHALL NOT INTERFERE WITH ANY EXISTING UTILITY FACILITIES.
5. THE FIRST 10' OF MECHANICAL FOUNDATION FINAL LAYOUT SHALL NOT INTERFERE WITH ANY EXISTING UTILITY FACILITIES.

UTILITY STATEMENT

THE DRAWING HAS NOT PREVIOUSLY LOCATED THE UNDERGROUND UTILITIES AS APPROXIMATELY LOCATED BASED ON RECORDS. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UTILITIES PRIOR TO CONSTRUCTION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES PRIOR TO CONSTRUCTION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES PRIOR TO CONSTRUCTION.

1 SITE  
1" = 10'-0"



TOTAL EXISTING LOT AREA: 5796 SQ. FT  
ALLOWED = 50% PER 3333.15 (C)  
PROPOSED TOTAL LOT COVERAGE:  
1,000 SQ. FT EXTG BUILDING + 895.90 SQ. FT PROPOSED CARRIAGE HOUSE =  
1,895.90 SQFT = 32.71%

SITE LEGEND  
--- PROPERTY LINE  
--- PUBLIC RIGHT OF WAY  
■ NEW ADDITION

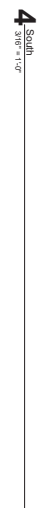
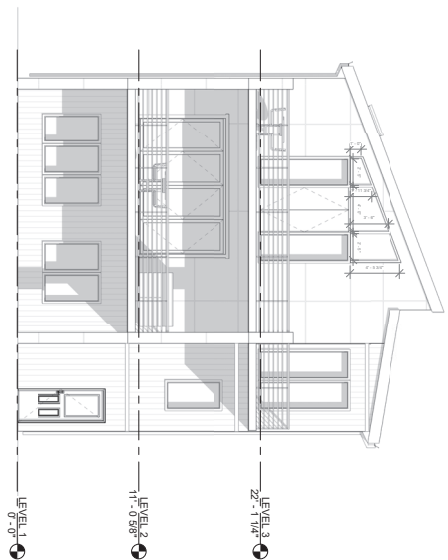


REVISION SCHEDULE		
REV #	DESCRIPTION	DATE

RESIDENCE  
39 Linwood Ave Columbus OH 43205



ARCHITECT FIRM RESIDENCE 38 Linwood Ave Columbus OH 43205	SITE PLAN	Scale As Noted	A1.0
--	-----------	-------------------	------



**LEGEND**

	JH PANEL WITH EZ TRIM REVEAL
	FAST PLANK SIDING
	STANDING SEAM METAL ROOF

[illegible][illegible]

DATE: 08.20.2025

## RESIDENCE

39 Linwood Ave Columbus OH 43205



ARCHITECTURE.COM

**RESIDENCE**

39 Linwood Ave Columbus OH  
43205

EXTERIOR ELEVATIONS

Scale: As indicated	A8.0
------------------------	------

**CITY COUNCIL – ZONING COMMITTEE  
STAFF REPORT  
COUNCIL VARIANCE**

<b>APPLICATION:</b>	<b>CV25-015</b>
<b>Location:</b>	<b>39 LINWOOD AVE. (43205)</b> , being 0.13± acres located on the west side of Linwood Avenue, 130± feet north of Madison Avenue (010-012966; Near East Area Commission).
<b>Existing Zoning:</b>	ARLD, Apartment Residential District.
<b>Proposed Use:</b>	Two single-unit dwellings on one lot.
<b>Applicant(s):</b>	Paul Fatkins; 583 Parker Run; Galena, OH 43021.
<b>Property Owner(s):</b>	Sherman Mason; 39 Linwood Avenue; Columbus, OH 43205.
<b>Planner:</b>	Joe Rose; 614-645-3526; <a href="mailto:jmrose@columbus.gov">jmrose@columbus.gov</a>

**BACKGROUND:**

- The site consists of one parcel developed with a single-unit dwelling in the ARLD, Apartment Residential District. The requested Council variance will allow a new carriage house at the rear of the lot, resulting in two single-unit dwellings on one lot.
- A Council variance is required because the ARLD, Apartment Residential District does not allow two single-unit dwellings on one lot if the development cannot conform to R-4, Residential District standards. Variances for required parking, lot width, fronting, and rear yard are also included.
- To the north, south, and east are single- and multi-unit dwellings in the ARLD, Apartment Residential District. To the west are single-unit dwellings in the R-3, Residential District.
- The site is located within the planning boundaries of the *Near East Area Plan* (2005), which does not recommend a specific land use recommendation for this location, but includes residential design guidelines.
- The site is located within the boundaries of the Near East Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant's analysis of the seven practical difficulties in achieving the proposed development with regards to the reduction in required parking, lot width, fronting, and rear yard.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval

The requested Council variance will allow two single-unit dwellings on one lot. Staff supports the request as the proposed use is consistent with the residential character and similar carriage house requests in urban neighborhoods, and does introduce an incompatible use to the area.

## Council Variance Application

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)

### 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

A carriage house is desired to obtain the maximum use from the site for the owner. Allowing this unit will not adversely affect the surrounding property or surrounding neighborhood. The owner wishes to have a detached garage and unit above, which as defined by zoning code equates to another dwelling unit. This is an accessory unit to the current unit (existing single-family home) However, despite being defined as an additional unit, it will look like a detached garage, and its use will not have impact beyond the already established single family home on the site.

2. Whether the variance is substantial.

☐ Yes ☒ No

A carriage house is desired to obtain the maximum use from the site for the owner. Allowing this unit will not adversely affect the surrounding property or surrounding neighborhood. Its currently in a residential area and will fit into the surrounding areas and is not a substantial request.

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

A carriage house is desired to obtain the maximum use from the site for the owner. Allowing this unit will not adversely affect the surrounding property or surrounding neighborhood. The owner wishes to have a detached garage and unit above, which as defined by zoning code equates to another dwelling unit. This is an accessory unit to the current unit (existing single-family home) However, despite being defined as an additional unit, it will look like a detached garage, and its use will not have impact beyond the already established single family home on the site.

## Council Variance Application

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)

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

☐ Yes ☒ No

A carriage house will not affect the delivery of governmental services. All will be available after construction without issue.

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

☐ Yes ☒ No

This restriction was not fully known to the property owner before purchase.

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

☐ Yes ☒ No

It is not possible to have the desired result without a variance and relief from the restriction provided.

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

☒ Yes ☐ No

The goal is to have something blend in with the existing house, the existing community and neighborhood fabric and to adhere as much as possible to zoning code where possible while adding the carriage house to the lot. So the spirit and intent will be observed with the granting of the variance

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):**

See attached.

-3333.02 AR-12, ARLD and AR-1 Permitted Uses: to allow two 1-unit dwellings on the same lot

-3333.09 Lot Width required: 50'; whereas the lot is 42' in width

-3333.24 Rear Yard: The rear yard needs to account for 25% of the lot, whereas the ADU will have 0% +/- Rear Yard.

-3333.16 Variance to allow a dwelling to front on an alley.

Signature of Applicant



Date 02.13.2025

## STATEMENT OF HARDSHIP

-3333.02 AR-12, ARLD and AR-1 Permitted Uses: to allow two 1-unit dwellings on the same lot  
 A carriage house is desired to obtain the maximum use from the site for the owner. Allowing this unit will not adversely affect the surrounding property or surrounding neighborhood. The owner wishes to have a detached garage and unit above, which as defined by zoning code equates to another dwelling unit. This is an accessory unit to the current unit (existing single-family home) However, despite being defined as an additional unit, it will look like a detached garage, and its use will not have impact beyond the already established single family home on the site.

-3333.09 Lot Width required: 50'; whereas the lot is 42' in width  
 The lot is constrained to the 42' We are however as much as possible respecting the setback and coverage requirements where the ability to comply is possible. The new carriage house will not be any larger than surrounding detached buildings at the rear of adjacent properties. It is sized appropriately for the lot width that exists, and allowing this unit will not adversely affect the surrounding property or surrounding neighborhood.

-3333.24 Rear Yard: The rear yard needs to account for 25% of the lot, whereas the ADU will have 0% +/- Rear Yard.

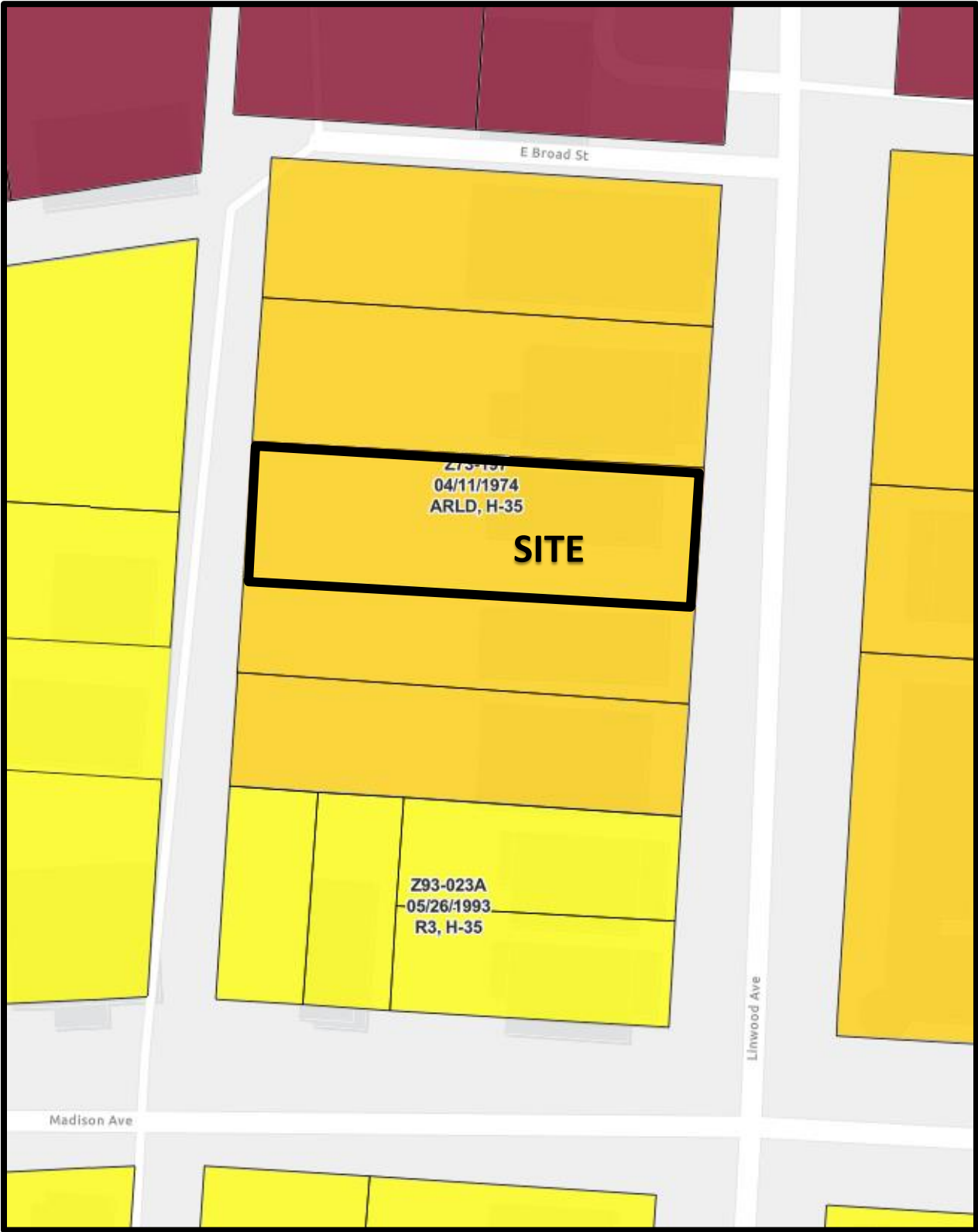
Overall, the lot coverage will not go over the maximum allowed, and there will be a rear yard that complies between the existing home and the accessory structure. However, due to the desire to fit in with the surrounding context of detached garages, the detached garage here will be located in a similar location on the site, this configuration also has the occupiable space above which is why we are seeking the variance for this item. Allowing this proposed unit will not adversely affect the surrounding property or surrounding neighborhood since it has been designed to blend in with other structures located at the rear of the surrounding properties.

-3333.16 Variance to allow a dwelling to front on an alley.

Due to the fact this carriage house has occupiable area above, finally we are seeking a variance to allow this accessory dwelling unit to front an alley. The bottom of the structure is to be used as a detached garage, so its location needs to be fronting the alley for vehicular access, and it will match all surrounding garages and placement, this is why the placement is fronting the alley. Since the owner desires the unit above the garage space, we request this approval, and again by allowing this proposed unit above the garage fronting the alley it will not adversely affect the surrounding property or surrounding neighborhood since it is designed to be similar to other structures at the rear of the surrounding lots.

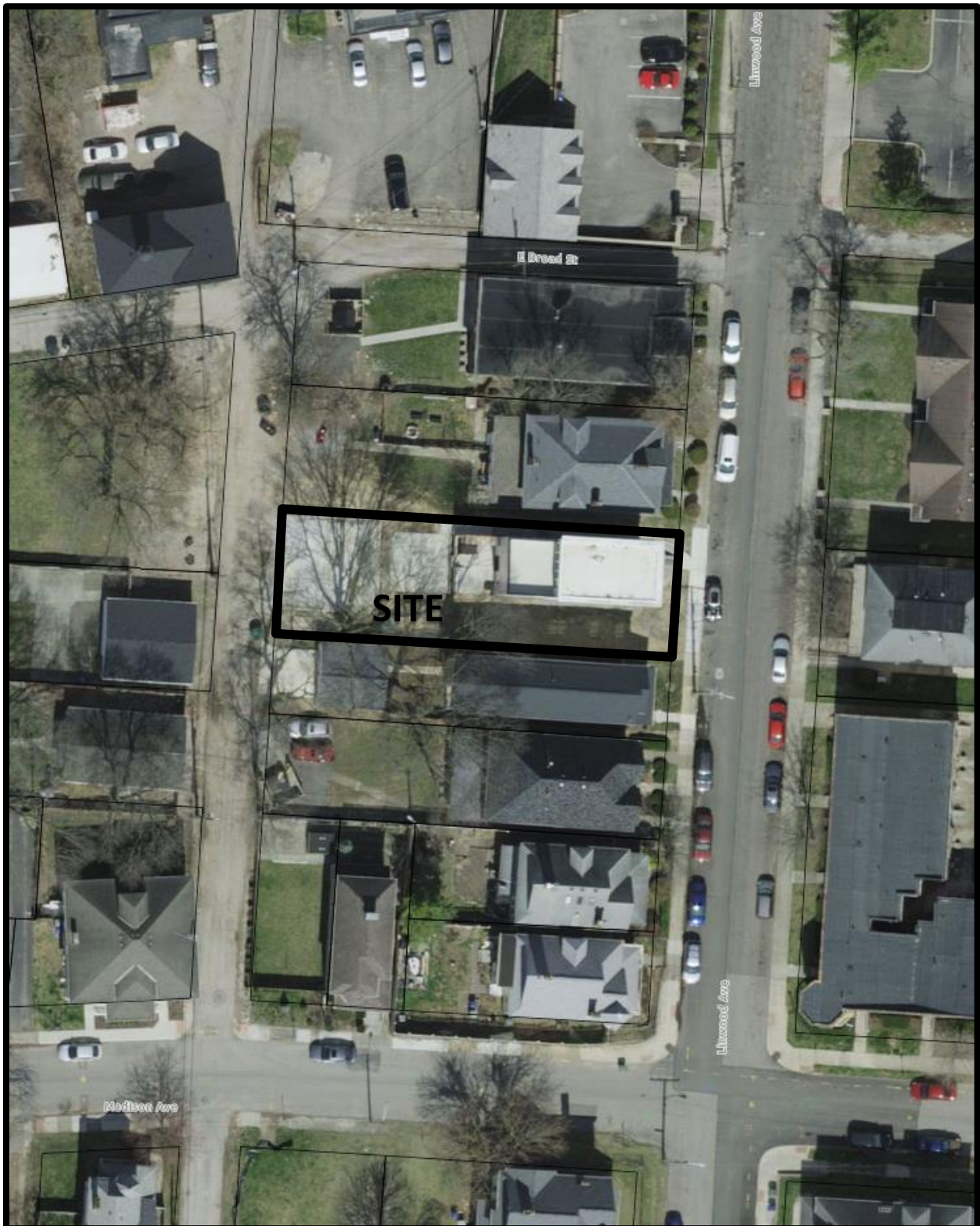
- 3333.02 AR-12, ARLD and AR-1 Permitted Uses: to allow two 1-unit dwellings on the same lot
- 3333.09 Lot Width required: 50'; whereas the lot is 42' in width
- 3333.24 Rear Yard: The rear yard to account for min 25% of the lot, whereas the ADU will have 0.0% Rear Yard.
- 3333.16 Fronting: Variance to allow a dwelling to front on an alley.
- 3312.49 - Required parking: To allow 2 spaces instead of 4 (2) per dwelling unit





CV25-015  
39 Linwood Ave.  
Approximately 0.13 acres





CV25-015  
39 Linwood Ave.  
Approximately 0.13 acres

## Standardized Recommendation Form

ORD#2311-2025; CV25-015; Page 10 of 11

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

**FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP**  
(PLEASE PRINT)

**Case Number** CV25-015

**Address** 39 LINWOOD AVENUE

**Group Name** NEAR EAST AREA COMMISSION

**Meeting Date** 07/10/2025

**Specify Case Type**

☐ BZA Variance / Special Permit

☒ Council Variance

☐ Rezoning

☐ Graphics Variance / Plan / Special Permit

**Recommendation**  
(Check only one)

☒ Approval

☐ Disapproval

**LIST BASIS FOR RECOMMENDATION:**

**Vote**

12-0-0

**Signature of Authorized Representative**

Nathan S R Harris

**Recommending Group Title**

NEAC

**Daytime Phone Number**

614-753-3894

Please e-mail this form to **the assigned planner within 48 hours of meeting day**; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

general@neareastarea.commission.org



# Council Variance Application

ORD#2311-2025; CV25-015; Page 11 of 11

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)

## PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-015

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) Paul Fatkins

of (COMPLETE ADDRESS) 583 Parker Run Galena OH 43021

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

1. SHERMAN MASON 39 Linwood Ave Columbus, OH 43205	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

State of Ohio, County of Delaware

Sworn to before me and signed in my presence this 20th day of August, in the year 2025

Cathy Bilsing Neja  
SIGNATURE OF NOTARY PUBLIC

January 19, 2028  
My Commission Expires

Notary Seal Here



CATHY BILSING NEJA  
Notary Public  
State of Ohio  
My Comm. Expires  
January 19, 2028

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