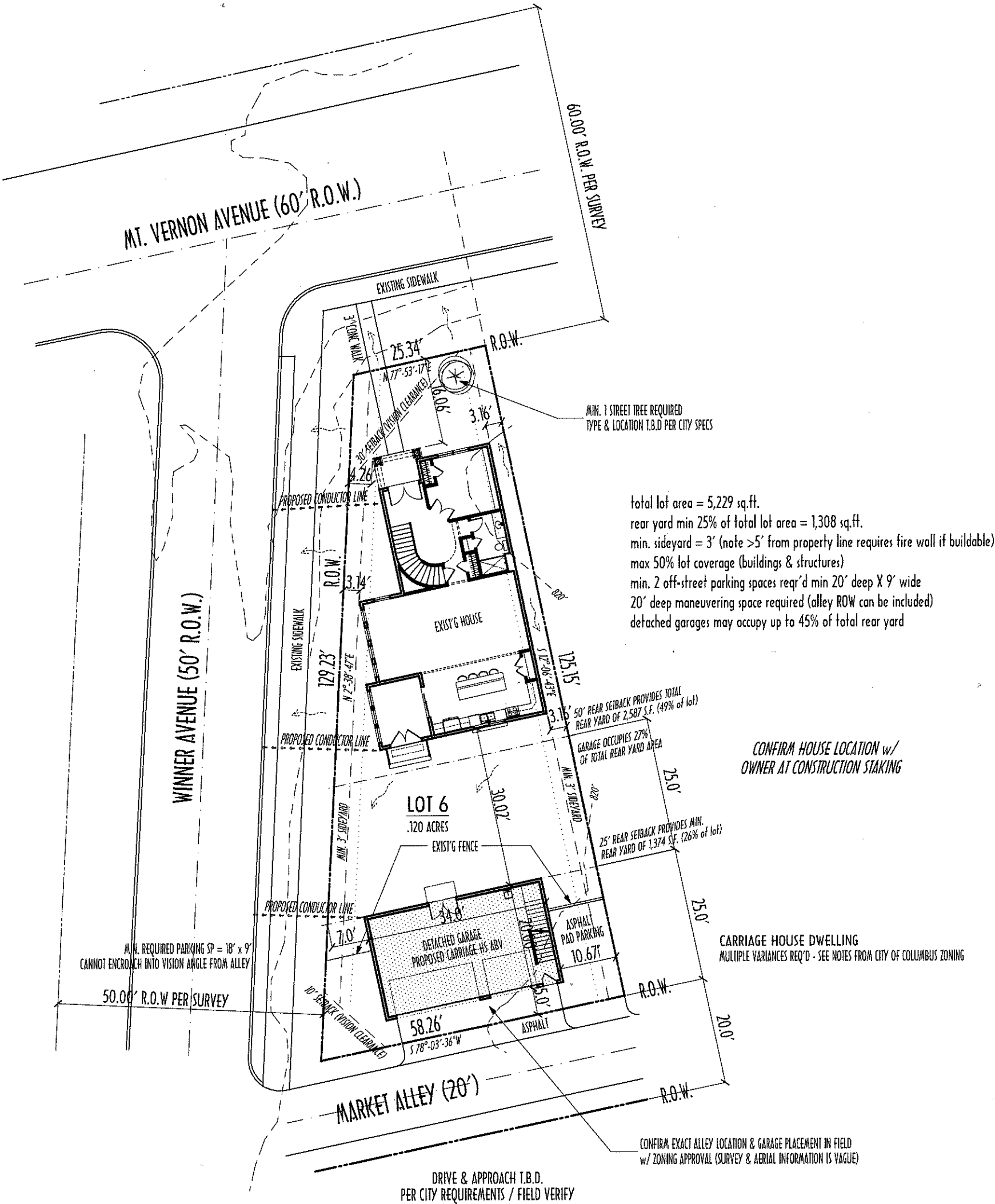




PRELIM SITE PLAN

SCALE : 1" = 20'-0"

1371 MT. VERNON AVENUE
PARCEL # 010-006445-00
MONETT'S ADDITION LOT 6
CITY OF COLUMBUS
FRANKLIN COUNTY OHIO

CURRENT ZONING: R-3 RESIDENTIAL

John J. Z... 10-21-25

Scott Klingensmith 10/21/2025
Scott Klingensmith, G.C.

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

APPLICATION: CV25-061
Location: 1371 MT. VERNON AVE. (43203), being 0.10± acres at the southeast corner of Mt. Vernon Avenue and Winner Avenue (010-006445; Near East Area Commission).
Existing Zoning: R-3, Residential District.
Proposed Use: Two single-unit dwellings on one lot.
Applicant(s): John Zimnox; 1371 Mt. Vernon Avenue; Columbus, OH 43203.
Property Owner(s): John and Victor Zimnox; 1371 Mt. Vernon Avenue; Columbus, OH 43203.
Planner: Joe Rose; 614-645-3526; jmrose@columbus.gov

BACKGROUND:

- The site consists of one parcel developed with a single-unit dwelling in the R-3, Residential District. The requested Council variance will allow a carriage house on the south side of the lot.
- A Council variance is required because the R-3, Residential District does not allow two single-unit dwellings on one lot.
- To the north, south, east, and 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 include a specific land use recommendation at this location.
- 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 use with regards to the parking surface, vision clearance, lot width, lot area, rear yard, and side yard obstruction.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested Council variance will allow a carriage house on the south side of the lot and for a total of two single-unit dwellings on a single lot. Staff supports the request as the proposed use is consistent with the residential character of the neighborhood and does not introduce an incompatible use to the area.

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

Despite being zoned for conventional single-family use, the property cannot support a modest, community-serving one-bedroom dwelling without a variance. The proposed detached ADU addresses a local shortage of such units, and without relief, the above-garage space remains underutilized- failing both the city's housing goals and my original investment intentions.

2. Whether the variance is substantial.

☒ Yes ☐ No

While the variance request is substantial in technical terms - since garages are limited to storage (3332.38) and the lot would exceed density caps (3332.05) - it enables a thoughtful, low-impact living solution for individuals such as young professionals, neurodiverse residents, or single householders seeking the added privacy I will offer.

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 conversion preserves the existing structure's exterior; there would be no changes to the building height, setbacks, footprint, façade, or parking. All alterations occur within the building envelope, with no visible effect on any neighboring properties.

Council Variance Application

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4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).
☐ Yes ☒ No

This ADU will have no adverse effects on governmental services, as all necessary utility stubs already exist on within the structure. The only exterior addition is a 3rd HVAC unit on the parcel- which will be fully screened from view - and potentially a concrete stoop for the ADU door entrance, all of which does not require utility trenching or any disturbances of the right-of-way.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.
☒ Yes ☐ No

Original plans included an ADU, but city staff advised parcel separation was required, so we proceeded with garage-use only while keeping the height and joists of the structure as designed while converting the upper level to storage only. Since then, Franklin County Auditor records confirms the lot now qualifies under Columbus's ADU Pilot, thus making a Council Variance a viable path to fulfill the original intent.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
☐ Yes ☒ No

There is no feasible path to develop a detached one-bedroom elsewhere on the parcel.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
☒ Yes ☐ No

The request aligns with the Columbus Housing Strategy, the Housing for All legislative package, the city's ADU Pilot, and the "missing middle" housing goals. This ADU adds discreet, affordable density without new site disruption, leveraging existing infrastructure, preserving open space, and maintaining the single-family character I custom-designed for this parcel and our forever home.

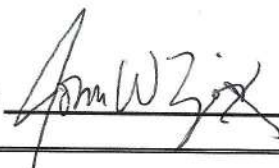
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

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 accompanying document for details related to codes that may require variance consideration: 3332.05, 3332.26, 3332.27, 3332.28, 3332.38, 3312.27, 3312.49, 3305.01, 3305.02, 3305.03, 3305.04, 3309.21, 3315.01, 3321.03, 3321.04, 3321.05, 3325.264, 3325.907, 3325.909, 3325.913, 3325.915, 3332.19, 3332.21, 3332.25, 3332.30, 3332.35, 3332.39, 1147.01, 3332.36

Signature of Applicant



Date

6-20-2025

Statement of Hardship:

Despite being zoned for single-family use, the property cannot legally support a purposeful, community-serving one-bedroom dwelling without variance. Original blueprints and permit submission included an accessory dwelling unit (ADU) above the detached garage, but at the time, the City of Columbus indicated parcel separation as the only legal path forward. To avoid delays in home construction, we proceeded with a garage-only designation while maintaining the original exterior and floor joist design—intending to revisit this when policy evolved. Since then, Franklin County Auditor records have shown the lot qualifies under Columbus’s ADU pilot program, making a Council variance a viable legal route to realize the original design intent. The proposed ADU leverages existing infrastructure, avoids any site disruption, and contributes discreet, affordable density—fully aligned with the Columbus Housing Strategy, the Housing for All legislative package, and the city’s missing middle goals.

There are two key reasons I’m pursuing this request. My brother, who requires adult supervision, currently lives under my mother’s care. When the time comes that he needs permanent care, my mother has expressed a desire to live nearby—and this ADU would support her needs while allowing for independent living. In the meantime, I would offer the unit to someone who values the privacy and autonomy that a detached one-bedroom dwelling, with no shared walls, can provide. This request supports both family caregiving flexibility and broader community housing goals, while preserving the single-family character I custom-designed for this parcel and our forever home.

During review by Public Service, it uncovered that the primary home structure was previously approved however still yet built within the 30x30 vision triangle. Moving the main home structure is not feasible and I do not have the financial means to perform such request; a variance was added for this discovery.

To Whom It May Concern,

Below are the ADU variances requested at 1371 Mount Vernon Ave, Columbus OH 43203

Building and Spacing Regulation

Hardship: ADU is not viable and is cost prohibitive to build a new structure. Conversion of a structure designed to accommodate an ADU is the most affordable path forward and aligns with City goals.

3321.05 – Vision Clearance

- Clear vision triangle of 30x30 bounded by property lines
- Seeking a variance to allow a 15x15 foot vision clearance triangle at the corner of Mt. Vernon Avenue and Winner Avenue.
- Seeking Variance for existing primary home front porch structure which is 16.5' from the northwest corner of the property boundary. It is notable that the home front porch corner is 31' from current street curb.

3332.035 – R-3 Residential District

- ADUs are not listed as a permitted or conditional use in this zoning district.
- Seeking Variance for one-bedroom detached legal ADU on second level of garage which may also impact 3332.38 - Private Garage.

3332.05 – Area District Lot Width Requirements

- Current frontage lot is 25' and rear is 58'. No new structure is to be erected; garage is on the rear of the lot.
- Seeking confirmation variance that structure exists on a lot where front line is 25'

3332.13 – R-3 Area District Requirements

- Single Family dwelling must be on a lot no less than 5,000 sq.ft.
- Seeking variance to permit ADU dwelling on the same parcel lot as the primary home within existing garage structure of which structures will have no alterations to the exterior or existing placement.

3332.27 – Rear Yard

-requires a rear yard of no less than 25% of the total lot area. Request a variance to allow no rear yard for the ADU.

Setback and Parking:

Hardship: An ADU would not be able to support parking on the lot and be required to park on the street. Moving the structure is cost prohibitive.

3312.43 – Improved Surface Required

- Code discusses Parking setback and permitter Landscaping
- Seeking variance to allow gravel surface for one parking space with consideration of low-cost permeable upgrades such as stabilized gravel or permeable pavers, consistent with the city's stormwater goals.

3332.28 – Side or Rear Yard Obstruction

- A parking space that is sitting from lot line edge (east side of garage) 10' 8" wide x 18'8" deep when measuring from ADU Structure to lot line.
- Seeking variance to permit parking in this side yard space of the ADU for rear and side yard obstruction.



CV25-061
1371 Mt. Vernon Ave.
Approximately 0.12 acres



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1371 Mt. Vernon Ave.
Approximately 0.12 acres

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

Case Number	<u>CV25-061</u>
Address	<u>1371 MT. VERNON AVENUE</u>
Group Name	<u>NEAR EAST AREA COMMISSION</u>
Meeting Date	<u>9/11/2025</u>
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	<u>10-0-0</u>
Signature of Authorized Representative	<u>Autumn Francisco</u> Digitally signed by Autumn Francisco Date: 2025.10.28 10:56:27 -04'00'
Recommending Group Title	<u>Near East Area Commission</u>
Daytime Phone Number	<u>614-645-7131</u>

Please **e-mail** this form to **the assigned planner within 48 hours of meeting day**; OR **FAX** to Zoning at (614) 645-2463; OR **MAIL** to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-061

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) John W Zimnox

of (COMPLETE ADDRESS) 1371 Mount Vernon Ave Columbus OH 43203

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. John W Zimnox 304-546-3485 1371 Mount Vernon Ave Columbus OH 43203	2. Victor J Zimnox 614-282-1409 1371 Mount Vernon Ave Columbus OH 43203
3.	4.

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

SIGNATURE OF AFFIANT

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

Benson K. William
SIGNATURE OF NOTARY PUBLIC

11.18.2027
My Commission Expires



This Project Disclosure Statement expires six (6) months after date of notarization. 6.20.2025