



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

**APPLICATION:** CV24-164  
**Location:** 846-848 SEYMOUR AVE. (43205), being 0.11± acres located on the east side of Seymour Avenue, 184± feet north of East Livingston Avenue (010-014008; Livingston Avenue Area Commission).  
**Pending Zoning:** R-4, Residential District.  
**Proposed Use:** Residential development.  
**Applicant(s):** Rob Ellis; 485 Brickell Avenue, #2303; Miami, FL 33131.  
**Property Owner(s):** SP For Better Living, LLC; 2764 Dale Avenue; Bexley, OH 43209.  
**Planner:** Tim Dietrich; 614-645-6665; [tedietrich@columbus.gov](mailto:tedietrich@columbus.gov)

**BACKGROUND:**

- The 0.11± acre site consists of one undeveloped parcel in the R-2F, Residential District. A concurrent rezoning to the R-4, Residential District (Z24-074) has been recommended for approval by the Development Commission and City Staff. The requested Council variance will allow reduced development standards for a proposed three-unit dwelling as demonstrated with the submitted site plan.
- The requested Council variance includes variances to lot width, lot area, side yards, and a reduction in required parking spaces from six to three spaces.
- North and south of the site are single-unit dwellings in the R-2F, Residential District. East of the site is undeveloped land in the R-2F, Residential District. West of the site is a two-unit dwelling in the R-2F, Residential District.
- The site is located within the planning boundaries of the *Near Southside Area Plan* (2011), which recommends “Medium Density Mixed Residential” land uses. The Plan includes early adoption of *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018).
- The site is located within the boundaries of the Livingston Avenue Area Commission whose recommendation is for approval.
- Staff concurs with the applicant’s analysis of the seven practical difficulties in achieving the proposed three-unit dwelling at this location.

**CITY DEPARTMENTS’ RECOMMENDATION:** Approval.

The proposed Council variance will allow a three-unit dwelling that is consistent with the land use recommendation of the *Near Southside Area Plan*, C2P2 Design Guidelines, and the existing development pattern of the area.

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)

**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

*See attached responses*

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2. Whether the variance is substantial.

Yes  No

*See attached responses*

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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

*See attached responses*

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

Yes  No

See attached responses

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

Yes  No

See attached responses

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

Yes  No

See attached responses

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

Yes  No

See attached responses

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 List

Signature of Applicant

Robert Ellis

Date

12/23/2024

List All sections of code to be varied

3332.15 - to reduce the required lot size for a three family dwelling to 4725 sq ft because of an existing condition.

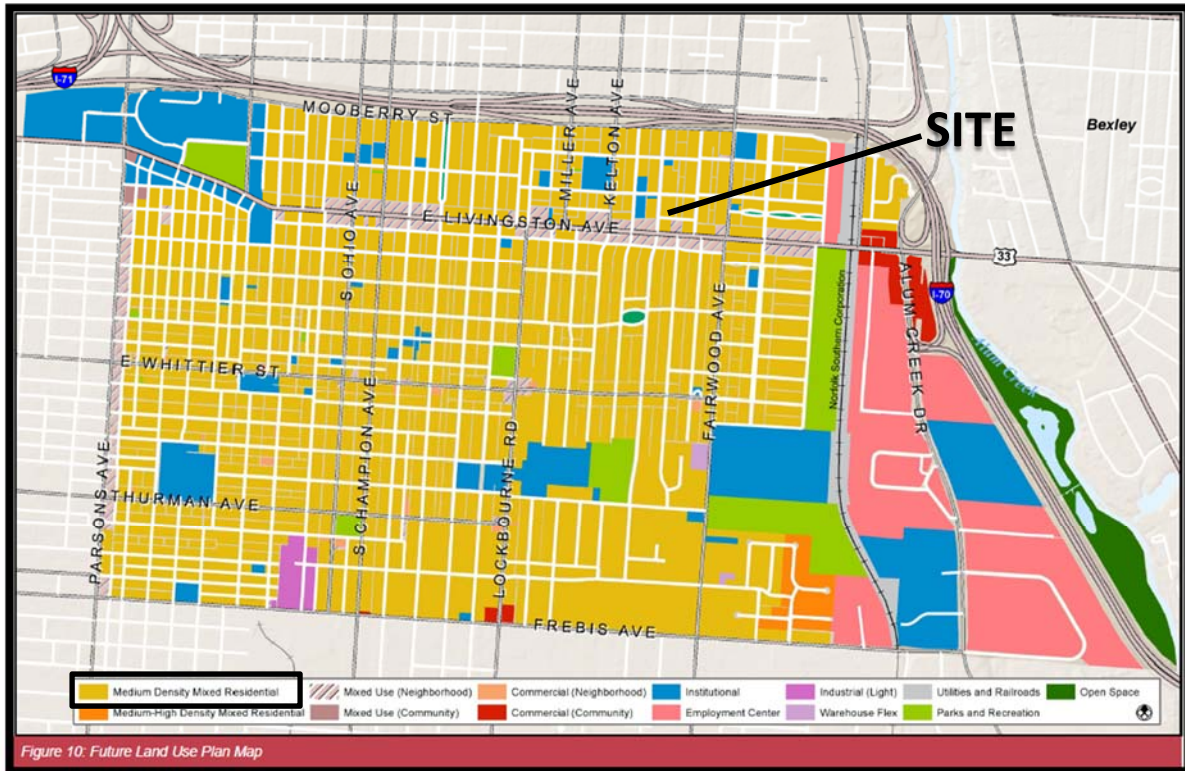
3332.05 - to reduce the required lot width from 50' to 35' because of an existing condition.

3312.49 - to reduce required parking from 6 spaces to 3.

3332.26 (F) - to reduce the required side yards from  $\frac{1}{6}$  of the height of the building.  $35' / 6 = 5.83'$  to 5.5'



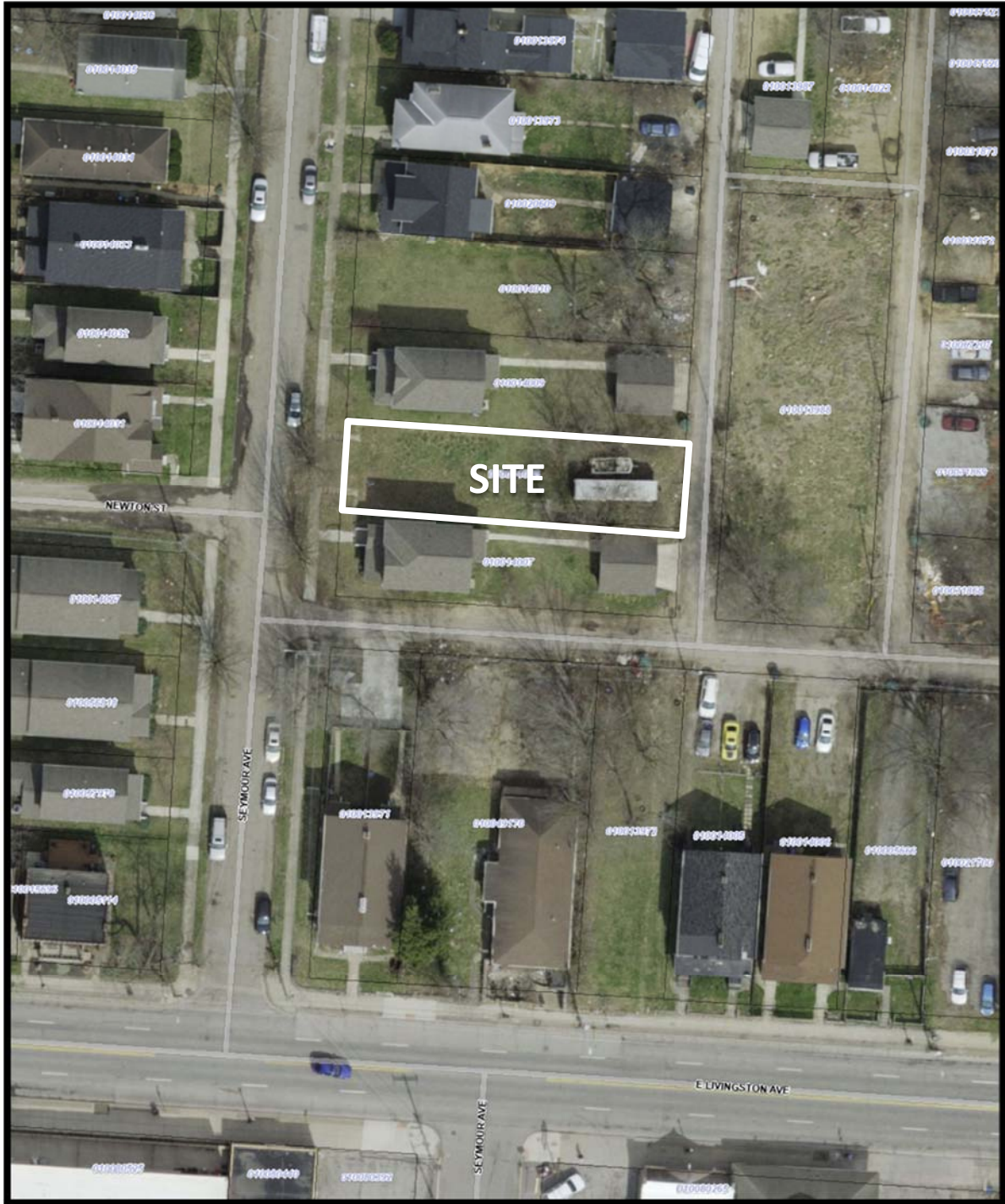
CV24-164  
846-848 Seymour Ave.  
Approximately 0.11 acres



Near Southside Area Plan (2011)

CV24-164  
846-848 Seymour Ave.  
Approximately 0.11 acres





CV24-164  
846-848 Seymour Ave.  
Approximately 0.11 acres





# Standardized Recommendation Form

DEPARTMENT OF BUILDING AND ZONING SERVICES

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** Z24-074 & CV24-164

**Address** 846-848 SEYMOUR AVE.

**Group Name** LIVINGSTON AVENUE AREA COMM.

**Meeting Date** 1/21/25

**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** APPROVAL: 8; DISAPPROVAL: 0; ABSENT: 1

**Signature of Authorized Representative** \_\_\_\_\_

**Recommending Group Title** PRESIDENT \_\_\_\_\_

**Daytime Phone Number** 614-599-0106 \_\_\_\_\_

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.

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**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV24-164

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) Robert Ellis  
of (COMPLETE ADDRESS) 485 Brickell Ave #2303 miami FL 33131  
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. Robert Ellis 614-400-8762 485 Brickell Ave #2303 Miami FL 33131 0 employees</p>	<p>2. Semnde 33 Investments LLC Mr. Vegliante / 917-497-2510 177A E Main St #271 New Rochelle, NY 10801 0 employees</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Robert Ellis

Sworn to before me and signed in my presence this 23 day of December, in the year 2024

Bruce Toledo

09-08-2026

Notary Seal Here

SIGNATURE OF NOTARY PUBLIC  
Notarized online using audio-video communication

My Commission Expires



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