

PROPOSED LOT SPLIT AND CONSTRUCTION
06 MILLER AVE., COLUMBUS OH 43206
PARCEL 010 044101

PREPARED BY: ARCHITECT
JOSHUA TOMEY
SIDE STREET STUDIO LLC
262-639-9552

SIDE
STREET
STUDIO

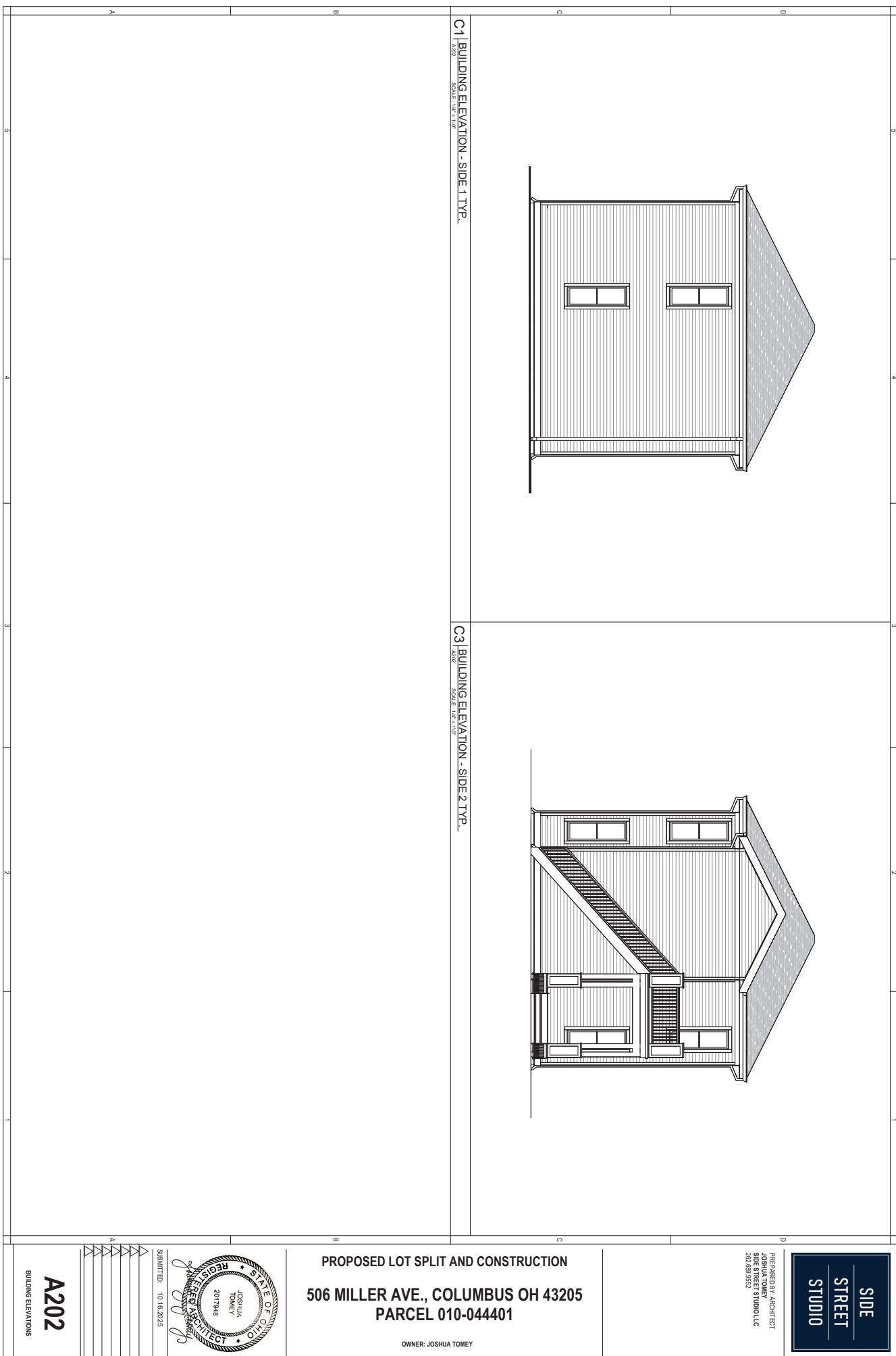
ARCHITECTURAL SITE PLAN





Final Elevations Received 10.16.2025; CV25-100; Sheet 2 of 3

Final Elevations Received 10.16.2025; CV25-100; Sheet 3 of 3



CITY COUNCIL – ZONING COMMITTEE
STAFF REPORT
COUNCIL VARIANCE

APPLICATION:	CV25-100
Location:	506 MILLER AVE. (43205) , being 0.16± acres located at the southeast corner of Miller Avenue and East Mound Street (010-044401; Near East Area Commission).
Existing Zoning:	R-3, Residential District.
Proposed Use:	Mixed-use development.
Applicant(s):	Joshua Tomey; 1286 East Fulton Street; Columbus, OH 43205.
Owner(s):	The Applicant.
Planner:	Brandon Carpenter; 614-645-1574; bmcarpenter@columbus.gov

BACKGROUND:

- The site consists of one undeveloped parcel in the R-3, Residential District. A future lot split has been proposed that will result in three new lots: Lot 01, Lot 02, and Lot 03. The requested Council Variance will allow a two-unit dwelling on both Lot 01 and Lot 02, and a mixed-use building containing two-dwelling units and approximately 1,000 square feet of office and retail space on Lot 03. Additionally, two parking spaces for Lot 02 will be provided on Lot 01.
- Variances to allow reduced screening along the north and south sides and no screening along the east side of the parking lot on Lot 01; a reduced parking setback from 25 feet to zero feet along East Mound Street on Lot 01; a parking space reduction from four spaces to zero spaces on Lot 02, from seven spaces to zero spaces on Lot 03, and from four spaces to three spaces on Lot 01, with residents of Lot 02 using two of the five spaces provided on Lot 01; reduced vision clearance from 10 feet to 5.58± feet at the intersection of Mound Street and the unnamed alley along the eastern side of Lot 01; reduced vision clearance from 30 feet to 6.5 feet at the southeast corner of Miller Avenue and Mound Street on Lot 03; reduced minimum lot widths from 50 feet to 46.58± feet on Lot 02, and to 46.16± feet on Lot 03; reduced lot areas from 5,000 square feet to 3,066± square feet for Lot 01, 2,150± square feet for Lot 02, and 1,708± square feet for Lot 03; reduced building lines from 25 feet to five feet on Lot 01 and Lot 02, and to 1.17 feet on Lot 03 along East Mound Street, and from 12 feet to 0.5 feet on Lot 03 along Miller Avenue; reduced minimum side yards from five feet to 2.25 feet for the west side of Lot 01, to 2.25 feet for the east side of Lot 02, and to 1.17 feet for the north side and 3.5 feet for the south side of Lot 03; reduced maximum side yards from 9.33 feet to 8.41 feet for Lot 02, and from 9.08 feet to 4.7 feet for Lot 03; reduced rear yards from 25 percent to 24 percent on Lot 01, and to 20 percent on Lot 03; and an obstruction of the required eastern side yard with five parking spaces on Lot 01, as shown on the site plan, are also included in this request.
- A Council variance is required because the R-3 district only allows single-unit dwellings as a primary residential land use and does not allow office, retail, or non-accessory parking uses.

- South and west of the site are single-unit dwellings in the R-3, Residential District. East of the site is a two-unit dwelling in the R-3, Residential District. North of the site is a school building in the UCT, Urban Center District.
- The site is located within the boundaries of the *Near East Area Plan* (2005), which does not have a specified 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 this request, and supports the variances for reduced landscaping and screening, parking setback, required parking, vision clearance, lot width, lot area, building lines, side yards, rear yard, and side yard obstruction.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The *Near East Area Plan* (2005) does not have a specified recommended land use for the site, however the proposal is consistent with the Plan's goal of developing new housing that is compatible with the historical urban development pattern and provides appropriate parking lot screening.

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

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

2. Whether the variance is substantial.

Yes No

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

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

Yes No

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

Yes No

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

Yes No

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

Yes No

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):

Signature of Applicant



Date

Statement in Support – 506 Miller Avenue, Columbus OH 43205

I am an architect, an incremental developer, and a South of Main resident. I have been working over the last five years to renovate and construct homes in the South of Main neighborhood. In 2023, I began my architecture practice, Side Street Studio, helping other do the same on the Near East Side.

In late 2024, I began looking for a commercial space to rent in the neighborhood where I could locate my practice. Finding none, I began searching for a parcel where I could build one. As an architect, I figured I could solve my problem and provide an expanded solution with new construction. My proposed project will allow for a small 300 sf commercial space for myself and also create two additional small [200 sf and 300sf] commercial spaces for others.

South of Main is full of at-home entrepreneurs that cannot afford the large scale and expensive spaces available across the city. I hope to provide small, starter commercial spaces that will help myself and my neighbors grow incrementally.

South of Main experienced a systematic demolition and dismantling starting with the construction of I-70 through its core. We are seeking to rebuild and add new housing for new neighbors. We are seeking to provide two duplexes [4 units total] as well as two apartments atop the commercial space. These six housing units will contribute to easing the housing crisis that Columbus finds itself in.

A lot split is the driving factor in the majority of the proposed variances. I am seeking to split the lot three ways. The reasons for this request are as follows:

- 506 Miller Ave is a corner lot. Utilities are available along both Miller Avenue and Mound Street. It is uniquely capable of being divided in a way that facilitates the independent use of each lot.
- I am an emerging, incremental developer. As such, I will likely need to phase the construction and build out of this project. When each building is on its own parcel, I can phase their construction.
- The financing of the corner commercial building is considered a Commercial Loan where as the duplexes are Residential Loans. These are done differently and as such need to be on separate parcels.
- Splitting corner parcels is part of the history and character of the South of Main neighborhood and is appropriate as such. The southwest corner of

Miller Avenue and E Fulton Street, on the other side of the block, is a perfect example of this historic development pattern.

The following section will describe the reasons for each of the required variances. They are grouped by proposed parcel.

PROPOSED LOT 01 – Duplex

3332.035 – R-3 Residential District – Variance to allow for a Two-Family Dwelling in an R-3 District whereas a Single-Family Dwelling would typically be allowed.

Reasoning for Support: A Two-Family Dwelling Unit is not significantly denser than the original Single-Family zoning. Two-Family Dwelling Units are common throughout South of Main and can be found immediately adjacent to this parcel. Mound Street is characterized by Duplexes and Multi-Family properties.

3332.035 – R-3 Residential District – Variance to allow for Lot 2 residents to park within the Lot 1 parking lot.

Reasoning for Support: This provides additional off-street parking and benefits the neighborhood.

3332.13 – R-3 Area District Requirements – Variance to allow for a lot size of 3,066 sf where as a lot size of 5,000 sf would typically be required.

Reasoning for Support: The majority of lots in the South of Main neighborhood are less than 5,000 sf. This is aligned with neighborhood character.

3332.21 – Building Lines – Variance to allow for the front building line to be 5'-0" whereas the neighboring building to the east has a building line of 25'-0" along Mound Street.

Reason for Support: The South of Main neighborhood is an urban neighborhood with buildings close to the street. This reduced distance will allow for a more generous backyard while still allowing for a landscaped front yard. The nearest parcel to the west has a similar setback along Mound Street.

3332.25(A) – Required Side Yards – Variance to allow for the west side yard to be 2'-3" to allow for deck stairs to encroach within the typically required 5'-0" side yard for lots wider than 40 feet.

Reason for Support: The requested side yard of 2'-3" allows for a limited stair feature, not a building face. The true felt setback is much greater.

3332.27 – Rear Yard – Variance to allow for the rear yard to be 24% of the total lot area where as 25% would typically be required.

Reasons for Support: The reduction requested is not significant.

3312.21 – Landscaping and Screening – Variance to allow for the alleyway parking spaces to remain unbuffered between the right of way and the parking lot and to not provide landscape screening to the residential to the south whereas 5'-0" tall screening within a 4 ft wide buffer would typically be required within 80 ft of residential.

Reason for Support: We believe it is of a greater benefit to the surrounding community to provide [5] parking spaces instead of [4] parking spaces + landscape screening. The parking area is limited in size.

3312.27 – Parking Setback – Variance to allow for a parking setback of 0 ft whereas typically 25 ft would be required.

Reason for Support: The unique configuration of a corner lot necessitates that the rear of the property functions as the side.

3321.05[B][1] – Clear Vision Triangle – Variance to allow for a clear vision triangle of 5'-7" where the parking is located along the alleyway.

Reason for Support: The unique configuration of a corner lot necessitates that the rear of the property functions as the side.

3332.28 – Obstructions in a Required Side Yard – Variance to allow for a parking pad to exist within the required side yard.

Reason for Support: The unique configuration of a corner lot necessitates that the rear of the property functions as the side.

PROPOSED LOT 02 – Duplex

3332.035 – R-3 Residential District – Variance to allow for a Two-Family Dwelling in an R-3 District whereas a Single-Family Dwelling would typically be allowed.

Reasoning for Support: A Two-Family Dwelling Unit is not significantly denser than the original Single-Family zoning. Two-Family Dwelling Units are common throughout South of Main and can be found immediately adjacent to this parcel. Mound Street is characterized by Duplexes and Multi-Family properties.

3332.05 – Lot Width – Variance to allow for a lot width of 46'-7" whereas a lot width of 50'-0" would typically be required.

Reasoning for Support: Nearly all lots within the South of Main neighborhood have a lot width that is under the 50'-0" threshold. This is in alignment with neighborhood conditions.

3332.13 – R-3 Area District Requirements – Variance to allow for a lot size of 2,150 sf whereas a lot size of 5,000 sf would typically be required.

Reasoning for Support: The majority of lots in the South of Main neighborhood are less than 5,000 sf. This is aligned with neighborhood character.

3332.21 – Building Lines – Variance to allow for the front building line to be 5'-0" whereas the neighboring building to the east has a building line of 25'-0" along Mound Street.

Reason for Support: The South of Main neighborhood is an urban neighborhood with buildings close to the street. This reduced distance will allow for a more generous backyard while still allowing for a landscaped front yard. The nearest parcel to the west has a similar setback along Mound Street.

3332.25(B) – Required Side Yards – Variance to allow for the sum of the widths of the side yards to be 8'-5" whereas 9'-4" would typically be required.

Reasoning for Support: The reduction requested is not significant.

3332.25(A) – Required Side Yards – Variance to allow for the east side yard to be 2'-3" to allow for deck stairs to encroach within the typically required 5'-0" side yard for lots wider than 40 feet.

Reason for Support: The requested side yard of 2'-3" allows for a limited stair feature, not a building face. The true felt setback is much greater.

3312.49 – Required Parking – Variance to allow for the number of vehicle parking spaces to be zero whereas typically four spaces would be required for a two-family dwelling.

Reason for Support: Each duplex will receive two parking spaces along the alleyway. However, because the parking is not located on parcel, a full variance is requested. As a corner lot, an additional 8 street parking spaces can be immediately found along the face of the parcel. This condition is typical for an older, urban neighborhood.

PROPOSED LOT 03 – Two Dwelling Units above Three Commercial Units

PROPOSED ZONING VARIANCES - UNDER REVIEW

EXISTING PARCEL ZONING: R-3

PROPOSED USE: Two Dwelling Units above Three Commercial Units

3332.035 – R-3 Residential District - Variance to allow for a building with [2] residential units and [3] commercial units to be built in an R-3 District where as typically a single-family home would be allowed. Two of the commercial units will be classified as General Office with a total sf of 674 sf and one of the commercial units will be classified as Retail with a total sf of 332 sf.

Reason for Support: The northwest corner of this intersection is an auto shop business and is zoned commercial. The northeast corner of this intersection is an institutional use. Miller Ave is a highly trafficked corridor. The lot is immediately adjacent to other commercial and only a short distance from the Main Street corridor. The immediately adjacent property is a vacant home, then vacant land. This will not impede any neighbors in their current enjoyment of their properties.

3332.13 - R-3 Area District Requirement - Variance to allow for a lot size of 1708 sf whereas a lot size of 5,000 sf would typically be required.

Reasoning for Support: The majority of lots in the South of Main neighborhood as less than 5,000 sf. This is aligned with neighborhood character.

3332.21 - Building Lines - Variance to allow for the North facade building line to be 1.17 ft whereas the closest neighboring building to the East has a building line of 25 ft and to allow for a WEST facade building line to be 0.5 ft whereas the closest neighboring building to the south has a building line of 12 ft.

Reason for Support: Buildings that are close to the street enhance the public realm by creating an “outdoor room.” The building is placed for foot traffic and neighborhood walkability. It is near alignment with neighboring buildings to the south and west.

3332.25(B) – Required Side Yards - Variance to allow for the sum of the side yards to be 4.70 ft whereas 9.08 ft would typically be required.

Reason for Support: The smaller of the side yards is along a public way, due to the parcel being a corner lot. Along the South façade, a 3.50 ft setback is common in

urban neighborhoods and aligns with what would be required of a residential property.

3332.25(A) - Required Side Yards - Variance to allow for a side yard [south facade] of 3.50 ft whereas 5 ft would typically be required.

Reason for Support: This condition would be permitted for residences on narrower lots, demonstrating that it does not create unsafe or undesirable conditions. Large setbacks are difficult to achieve in existing urban settings.

3332.25(A) – Minimum Side Yard – Variance to allow for a side yard [north façade] of 1.17 ft whereas 5.00 ft would typically be required.

Reason for Support – While this façade functions as a second front because of its corner lot location, this variance is required as it is classified formally as a side yard.

3312.49 - Required Parking - Variance to allow for 0 Parking Spaces where as typically 7 parking spaces would be required.

Calculated as:

Residential Units = 2 x 2 Spaces per unit = 4 Spaces

General Office = 674 Sf / [1 per 450 sf] = 1.49 Spaces

Retail = 332 Sf / [1 per 250 sf] = 1.38 Spaces

Total Spaces Required = 7 Spaces

Reason for Support: This is a small, urban building with 8 street parking spaces available along the length of the parcel itself. Two of the commercial units will be occupied by neighborhood residents that live less than two blocks from the business. Their primary mode of commute will be walking. The benefit of the creation of two dwelling units and three small “starter” commercial bays outweigh that of lack of parking.

3332.27 - Rear Yard - Variance to allow for the rear yard to be 20% of the Total Lot Areas where as 25% would typically be required.

Reasons for Support: It is not typical for buildings of this type to have rear yard area. The available green space will be densely planted to provide a pleasing separation between neighbors.

3332.05 - Lot Width - Variance to allow for a lot width of 46'-2" whereas a lot width of 50'-0" would typically be required.

Reason for Support: Existing platted lots within the South of Main neighborhood are nearly all narrower than the 50'-0" requirement. This is in alignment with neighborhood character.

3321.05[B][2] - Vision Triangle - Variance to allow for a 6'-6" vision triangle where a 30'-0" vision triangle would typically be required.

Reason for Support: Miller Avenue is a one-way street, with traffic coming from the North. Due to this unique site condition, the reduced vision triangle does not create an unsafe condition as approaching vehicles will not come from the south.



CV25-100
506 Miller Ave.
Approximately 0.16 acres



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506 Miller Ave.
Approximately 0.16 acres

Standardized Recommendation Form

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 _____

Address _____

Group Name _____

Meeting Date _____

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 _____

Signature of Authorized Representative Nathan S. R. Harris

Recommending Group Title _____

Daytime Phone Number _____

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.

Council Variance Application

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-100

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) Joshua J Tomey

of (COMPLETE ADDRESS) 1286 E Fulton Street, Columbus, OH 43205

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

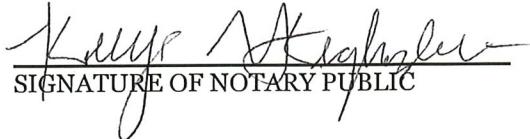
1. Joshua J Tomey 1286 E Fulton Street Columbus, OH 43205 1 Employee [myself]	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT



Sworn to before me and signed in my presence this 15 day of OCTOBER, in the 2025


SIGNATURE OF NOTARY PUBLIC

9/24/2027
My Commission Expires

Notary Seal Here



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