

THE CITY OF  
**COLUMBUS**  
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

## 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.

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

**PLEASE 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

Signature of Applicant



Date 12/6/2022

CV22-147

CV22-147

709-715 Miller Avenue

### Statement of Hardship

The site is developed with a 4-unit dwelling. The record of use for this site is a 4-unit dwelling; though nonconforming buildings are permitted to continue their use per the zoning code, the requested Council variance will be beneficial to avoid any financing issues that may arise.

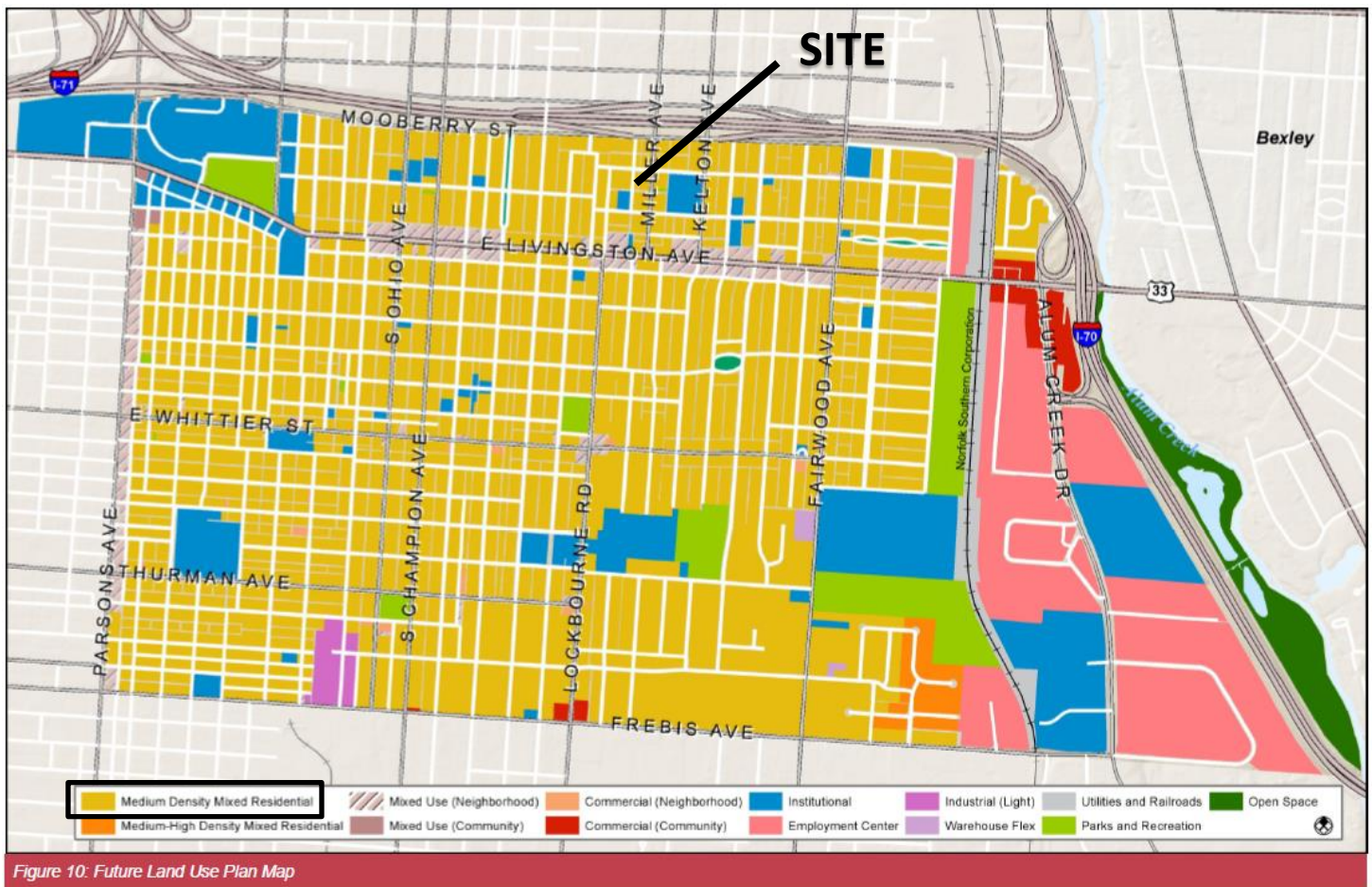
The Livingston Avenue Area Commission and Driving Park Civic Association have already voted in favor of the proposal.

Variance requested to Section 3332.035, R-3 residential district – to permit a four-unit dwelling.



CV22-147  
709-715 Miller Ave.  
Approximately 0.19 acres

Near Southside Plan (2011)



CV22-147  
709-715 Miller Ave.  
Approximately 0.19 acres





CV22-147  
709-715 Miller Ave.  
Approximately 0.19 acres



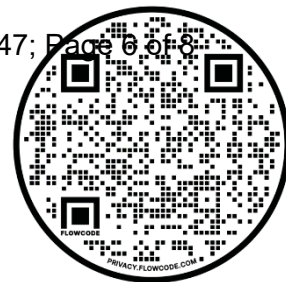
## Livingston Avenue Area Commission

### General Body Meeting Minutes

January 17<sup>th</sup>, 2023; 6:30pm

The Hope Lutheran Church

820 Lilley Ave, Columbus Ohio 43205



Scan to go to the LAVA-C Website  
for links and reference documents

#### 6:30 - Call to Order / Roll Call

- **Commissioners Present:**
  - Birk, Cevalco, Craddolph, Herman, Holliman, Hummel, LaMarr, Robinson, VerHage
- **Commissioners Absent:**
  - None
  - 9 of 9 present; Quorum (6+) achieved

#### 6:35 – 2023 New Commissioner Swearing in Ceremony

- New commissioners: Shannon Birk, Dominic Cevalco, and Frederick LaMarr
  - New City attorney Louisa Edzie not present; moving on with the agenda
  - By the conclusion of the meeting, the city attorney was not present, but per comments from Jesus Ovalle, swearing in is considered ceremonial. Motions/votes from this evening can commence, as new commissioners were seated as of 01/01/2023
- 2023 Meeting Schedule: 01/17, 02/21, 03/21, 04/18, 05/16, 06/20, 07/18, August Recess, 09/19, 10/17, 11/21, 12/19

#### 6:45 - Secretary & Treasury Reports

- No Secretary report as the last meeting was cancelled and there was no official activity at the November 2022 meeting to report/approve on
- Treasury report – amount unchanged

#### 6:45 – 2023 Officer Elections

- President
  - Nomination for Commissioners Cevalco and Holliman; Cevalco declined the nomination
  - Nomination for Commissioner Holliman as president. No other nominations.
  - Commissioner Holliman approved as President – 9 Yays 0 nays
- Vice President (Commissioner Robinson is now in year 2 of the position)
  - Commissioner Robinson will continue as Vice President
- Secretary (Commissioner Hummel is now in year 2 of the position)
  - Commissioner Hummel will continue as Secretary
- Treasurer (Commissioner Herman is now in year 2 of the position)
  - Commissioner Herman declined to continue as Treasurer
  - Self-nomination for Commissioner Cevalco as treasurer. No other nominations.
  - Commissioner Cevalco approved as Treasurer – 9 yays 0 nays

#### 7:05 - Demolitions / Zoning Variances:

- **CV22-146: 617 S. Ohio Ave**
  - Variance detail: Parking (from 4 spaces required to existing 3 spaces); Lot width (from 50 ft. required to existing 38 ft.); Lot size (from 5,000 sq. ft. required to existing 4,332 sq. ft.); Permitted use for Two dwelling building in current zoning district R3.
  - Originally a single-family home; at an unknown time it was turned into a duplex
  - Owners would like to keep this as a duplex
  - Received unanimous approval by the Old Oaks Civic Association

- Commissioner discussion on the parking
- Motion for approval by Commissioner Herman, seconded by Commissioner Robinson
  - Motion passed – 9 Yays, 0 Nays

- **CV22-147: 709-715 Miller Avenue; Davide V. Cugini (Corrected from the initial agenda)**
  - Revisiting from introduction in 2022
  - Motion to Approve CV22-147 by Commissioner Herman Second by Commissioner Cevalco
    - Motion passed – 9 Yays, 0 Nays

- Per Jesus, both variances will need signatures from Commissioner president Holliman

#### 7:05 – 2023 Committee Assignment:

- **The Commission worked to assign 2023 Committee chairs:**

Committee	2023 Chairs
Housing, Health, and Human Services	Commissioner Craddolph
Zoning East	Commissioners Robinson & Holliman
Government & Legislation	Commissioner Herman
Zoning West	Commissioner Herman
Subcommittee: Blueprint Columbus	Commissioner Herman
Subcommittee: UIRF Committee	Commissioner Hummel
Subcommittee: Urban Forestry	Decommissioned
Economic Development	Commissioner Craddolph & LaMarr
Education	Commissioner Robinson
Public Safety	Commissioner Robinson
History & Community Relations	Commissioner Cevalco & VerHage
Public Service	Commissioner Holliman & Birk

#### 7:15 - Old Business & New Business:

- Jesus Ovalle advised that we have \$2,800 to use for Commission needs; will provide some ideas for what others have used this on, but the Commission should come up with ideas for what to use this on
- Commissioner Holliman – Community Announcement as part of the Livingston Ave. Traffic Study Committee
  - 02/14 is the next Steering Committee meeting at the Driving Park Library at 5:30pm; the next public meeting date is withstanding
  - Plans for the street are still underway
  - Encourage public attendance at the next meeting; community input is part of the overall solution planning
  - The project is estimated \$22-24 million
  - <https://www.columbus.gov/LivingstonAvenuePedestrianSafetyStudy/>

#### Public Comments / Announcements / Meeting Adjournment

- Nancy Sully with Community Engagement 614-395-6200 Don't leave a message; text instead
  - Available for discussion this Friday 3-5 at Starbucks 1159 South High Street
  - If anyone would like to be on Nancy Sully's announcement email, please contact her
  - Council member Bankston has community roundtable meetings available on YouTube
- Announcement from Jesus Ovalle on water and City of Columbus power meter enhancement project; we should have a speaker attending the Area Commission this year

7:45 Meeting adjourned

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### PROJECT DISCLOSURE STATEMENT

APPLICATION #: C/22-147

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)

of (COMPLETE ADDRESS)

Justin Frye  
3561 Mountview Rd, Columbus OH 43221  
deposes and states that (he/she) is 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:

Name of Business or Individual (including contact name and number)

Business or individual's address; City, State, Zip Code

Number of Columbus-based employees

(Limited to 3 lines per box)

1. Justin and Kecia Frye 3561 Mountview Road Columbus, OH 43221 614-841-5355	2.
3.	4.

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

SIGNATURE OF AFFILANT

Sworn to before me and signed in my presence this 14th day of April, in the year 2023

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



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