

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

APPLICATION: CV25-007
Location: 1260 CHESTERTON LN. (43229), being 0.17± acres located on the north side of Chesterton Lane, 60± feet west of Telford Drive (010-144185; Northland Community Council).
Existing Zoning: SR, Suburban Residential District.
Proposed Use: Type A family child-care home.
Applicant(s): Nante Konate; 1260 Chesterton Lane; Columbus, OH 43229.
Owner(s): Victoria Yeboah and Jennifer Francois; 1260 Chesterton Lane; Columbus, OH 43229.
Planner: Brandon Carpenter; 614-645-1574; bmcarpenter@columbus.gov

BACKGROUND:

- The requested Council variance is to allow a Type A family child care home in an existing single-unit dwelling. A variance for required parking from six required spaces to two provided spaces is also included in this request.
- A Council variance is required because the SR, Suburban Residential District does not allow Type A family child care homes. Staff notes that Type B family child care homes for up to six children, and day care centers in conjunction with religious facilities and schools are allowed in this district.
- North, east, and west of the site are single-unit dwellings in the SR, Suburban Residential District. South of the site are single-unit dwellings in the R-2F. Residential District.
- The site is within the planning area of the *Northland I Area Plan* (2014), which recommends “Low-Medium Density Residential” land uses for this location.
- The site is located within the boundaries of the Northland Community Council whose recommendation is for approval.
- Staff concurs with the applicant’s analysis of the seven practical difficulties in achieving this requested use, and support the variance for reduced required parking.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

Since the primary use of the property will remain a single-unit dwelling, Staff has no objection to the requested use, which must comply with Ohio Revised Code requirements.

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

The Property Can be use beneficially
or profitably without needing special permission

2. Whether the variance is substantial.

☒ Yes ☐ No

Yes The Variance is Significant

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

No the Variance will not significantly
change the neighborhood or harm nearby properties

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

The variance will not cause problems
for important services like water, sewer, or
trash collection

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

The property owner did not know about
the zoning restrictions when they bought the
property.

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

The property owner's problem can be
solved in another way without needing variance

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

Granting the variance would respect the
goal of the zoning rules and ensure fairness

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):

The variance is needed because I have a type B
my limit is 10 kids I want to upgrade to a type A. Also
I want to get the zoning done.

Signature of Applicant

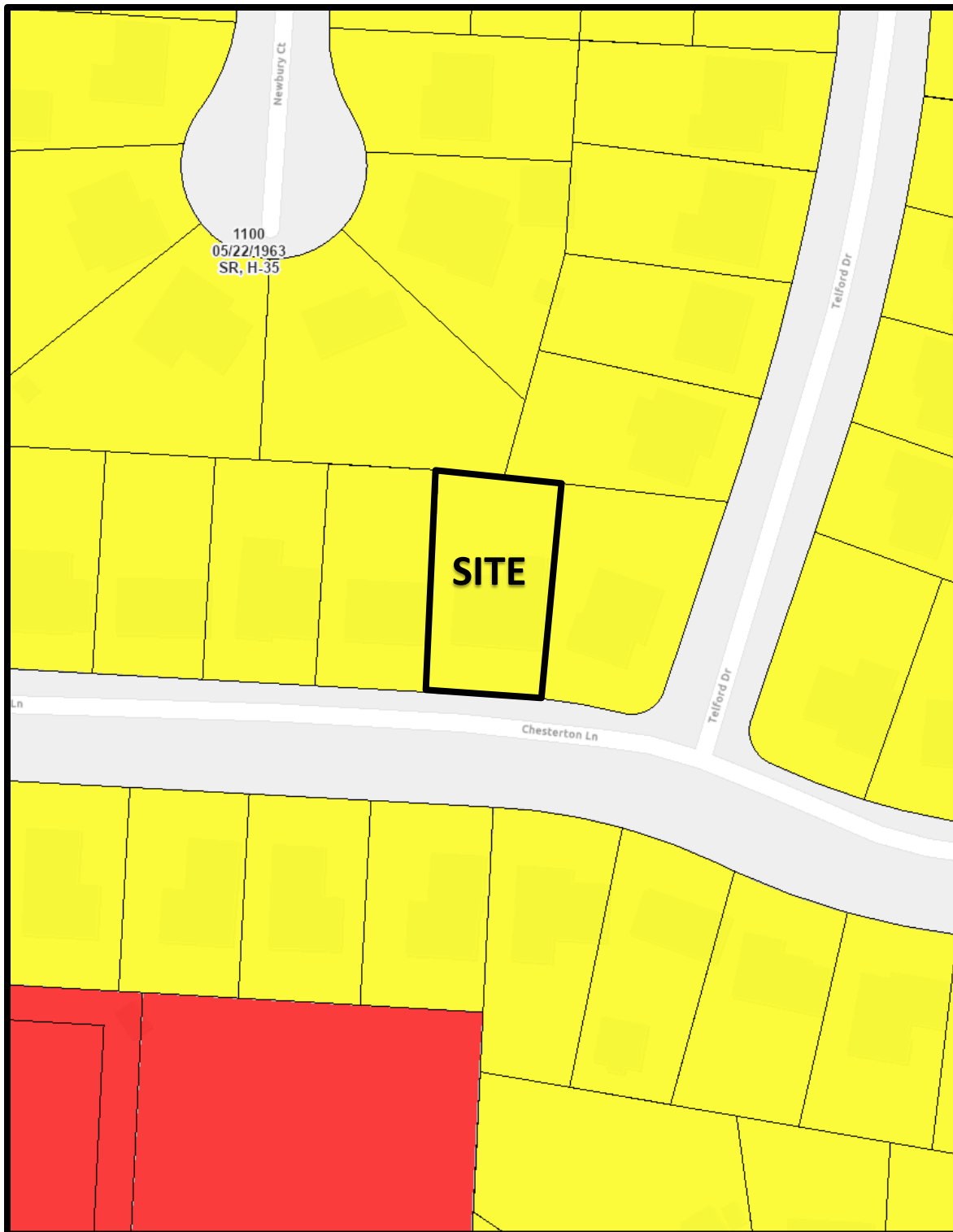
[Signature]

Date

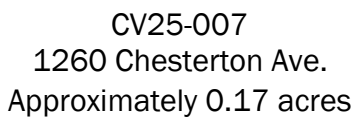
Type-A Family Child Care Home:

1. **3332.029 – SR, Suburban Residential District:** Applicant requests a variance to allow a Type-A Family Child Care Home for a maximum of twelve children within an existing dwelling.

2. **3312.49 – Required parking:** requires one parking space per 500 square feet of day care facility space and two parking spaces for the dwelling. Applicant requests a variance to reduce the number of required parking spaces from six to two.



CV25-007
1260 Chesterton Ave.
Approximately 0.17 acres





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1260 Chesterton Ave.
Approximately 0.17 acres



Northland Community Council
Development Committee

Report

April 30, 2025 6:00 PM
Columbus Metropolitan Library
5590 Karl Road (43229)

Meeting Called to Order: 6:00 pm by co-chair **Dave Paul**

Members represented:

Voting: (12): Albany Park (APHA), Asherton Grove (AGCA), Blndon Chase (BCCA), Elevate Northland (EN), Lee/Ulry (LUCA), Little Turtle (LTCA), Maize Morse Tri-Area (MMTACA), Minerva Park (MP), Northland Alliance (NA), Rolling Ridge (RRSHA), Northland Area Business Association (NABA), Westerwood (WRA).

Case #1

Application #CV25-007 (Request to expand use of the site from a Type B to Type A in-home daycare) Carpenter

Nante Konate

(Residence) 1260 Chesterton Ln, 43229 (PID 010-144125)

- *The Committee approved (11-0 w/ 1 abstention) a motion (by LTCA, second by APHA) to **RECOMMEND APPROVAL** of the application.*

Case #2

Application #CV25-026 (Request to expand use of the site from a Type B to Type A in-home daycare) Johnson

Elizabeth Gayle

(Residence) 2071 Shawbury Ct W, 43229 (PID 010-147566)

- *The Committee approved (12-0) a motion (by LTCA, second by APHA) to **RECOMMEND APPROVAL** of the application.*

Executive Session

6:45 pm

- Discussion of *Duncan Factors*

Meeting Adjourned

7:35 pm

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-007

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) Naute Konate
of (COMPLETE ADDRESS) 1260 Chesterton Ln Columbus Ohio 43229
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. <u>Their Home Child Care Learning Program LLC. Naute Konate. 614-7023598</u> <u>1260 Chesterton Ln Columbus Ohio</u> <u>43229. 2</u>	2. <u>[Redacted]</u>
3. <u>[Redacted]</u>	4. <u>[Redacted]</u>

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

SIGNATURE OF AFFIANT Naute Konate

Sworn to before me and signed in my presence this 27th day of January, in the year 2025

SIGNATURE OF NOTARY PUBLIC Talaya Tyree Biddle

7-23-28
My Commission Expires

Notary Seal Here



Talaya Tyree Biddle
Notary Public, State of Ohio
My Commission Expires:
July 23, 2028

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