

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

APPLICATION: CV24-055
Location: 7257 BENNELL DR. (43068), being 0.23± acres located on the south side of Bennell Drive, 125± feet west of Fallow Trail Drive (0580360000; Far East Area Commission).
Existing Zoning: R-2, Residential District.
Proposed Use: Type A family day-care home.
Applicant(s): Tyrona Varner; 7257 Bennell Drive; Reynoldsburg, OH 43068.
Property Owner(s): The applicant.
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-2, Residential District. The requested Council variance will allow a Type A family day-care home at this location. A variance to reduce the number of required parking spaces from eight to two spaces is also included in the request
- A Council variance is required because the R-2, Residential District does not allow a Type A family day-care home.
- To the north, south, east and west of the site are single-unit dwellings in the R-2, Residential District.
- The site is located within the planning boundaries of the *Far East Land Use Plan* (2018), which recommends “Low Density Residential (4-6 du/acre)” land uses at this location, consistent with the primary residential use of the property.
- The site is located within the boundaries of the Far East Area Commission, whose recommendation is for approval.
- Staff recognizes that there are practical difficulties with the reduction in required parking included in the request.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested Council variance will allow a Type A family daycare home at this location. Since the primary use of the property will remain a single-unit dwelling, Staff has no objection to the requested Type "A" family child-care home, which must comply with Ohio Revised Code requirements and be inspected by the State of Ohio.

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.

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 Attachment

Signature of Applicant

Jana J. Jansen

Date

4-29-24

Tyrone Varner

7257 Bennell Dr.

Reynoldsburg, Oh 43068

614-674-9634

TI_invested@yahoo.com

April 29, 2024

Variances by City Council

111 N. Front St

Columbus, Oh 43215

To whom it may concern,

I, Tyrone Varner Am writing to formally address a request that a variance be approved so that I can change my residence from a type B home family childcare program to a type A. Giving me a variance would give me a chance to reduce my economic hardship Who are my household. It will also help the families that Located in my community to receive much needed childcare. I am confident that going from a type B to a type A home would not adversely impact my neighborhood.

I am the sole provider in my home. My income pays 100% of my household expenses. I owned a daycare center called Mamaw's Playhouse in which I had to do a temporary closure due to the fact that an unknown individual set a fire to a vehicle located behind the center in which the fire spread from the parking lot to the playground to the back of the building. And due to the damages the building was deemed unsafe by the fire marshal and the health dept. I believe my temporary close will become a permanent close due to the fact the landlord has not as of yet started to fix the damages. Which made me have to open my in-home daycare to a 24/7 program in order to maintain my household and help my daughter. My income allows me to help provide some relief for my daughter whose cancer has moved from her breast to her lungs. And with her being on long term disability now. She needs my support and help not only for her but also with her children (4, 15 & 18yrs of age) (18 yr old is just now about to graduate high school). Due to these circumstances, I am currently experiencing severe financial hardship. The loss of my business has not only affected my ability to generate income but has also put me in a precarious position regarding my personal and professional obligations.

Once again at the time I am running my daycare from my home. Which is a type B daycare home. Due to the circumstances (hardship) which I am in at the time is the reason why I am asking for my Type B daycare to become a Type A daycare, so I can manage my personal and professional obligations which this unforeseen hardship has caused for me.

I have been doing home childcare for 10 years. Now I'm a 2 star rated program, I care for mixed age groups. I have contracts with JFS and AFC Since I've opened my doors to the families in need of childcare.

Approving my request for variance would not adversely impact my neighbors. I will continue to use my home for childcare. I do not anticipate impairment of light or air to adjacent properties. I

do not anticipate any additional congestions of public roads. Example: arrivals and departure times are different with all clients. Allowing ample parking and less congestion for public roads. It will also be safe to say neighbors are already using the roadways for their own use. Congestion level is low.

And closing, I believe by granting this variance is a very crucial asset to my childcare program and my household. A program will allow me to accommodate my current families who has experienced new additions, more than one two children, virtual schooling for school agers that cannot stay at the home by themselves. Foster parents and grandparents that now have custody of grandkids or family member kids needing additional care. I currently comply with state ratios of 1-6. Which causes me to run a very strict and limited program (pick-up and drop off etc). Granting Type A will allow more flexibility and increase my ratio from 1-6 to 1-12. That will allow me to be more flexible, accommodate current families with more than 2 children, be more beneficial to my community and neighborhood and allow me to increase hours and pay for my 2 helpers/backup people. This will also help self employed and employers that need workers to work more hours and days to keep their business going.

Zoning variances for this project includes the following:

Section 3332.033, R-2 residential district. Applicants request a variance to permit a Type A home care facility for a maximum of 12 children within an existing single unit dwelling.

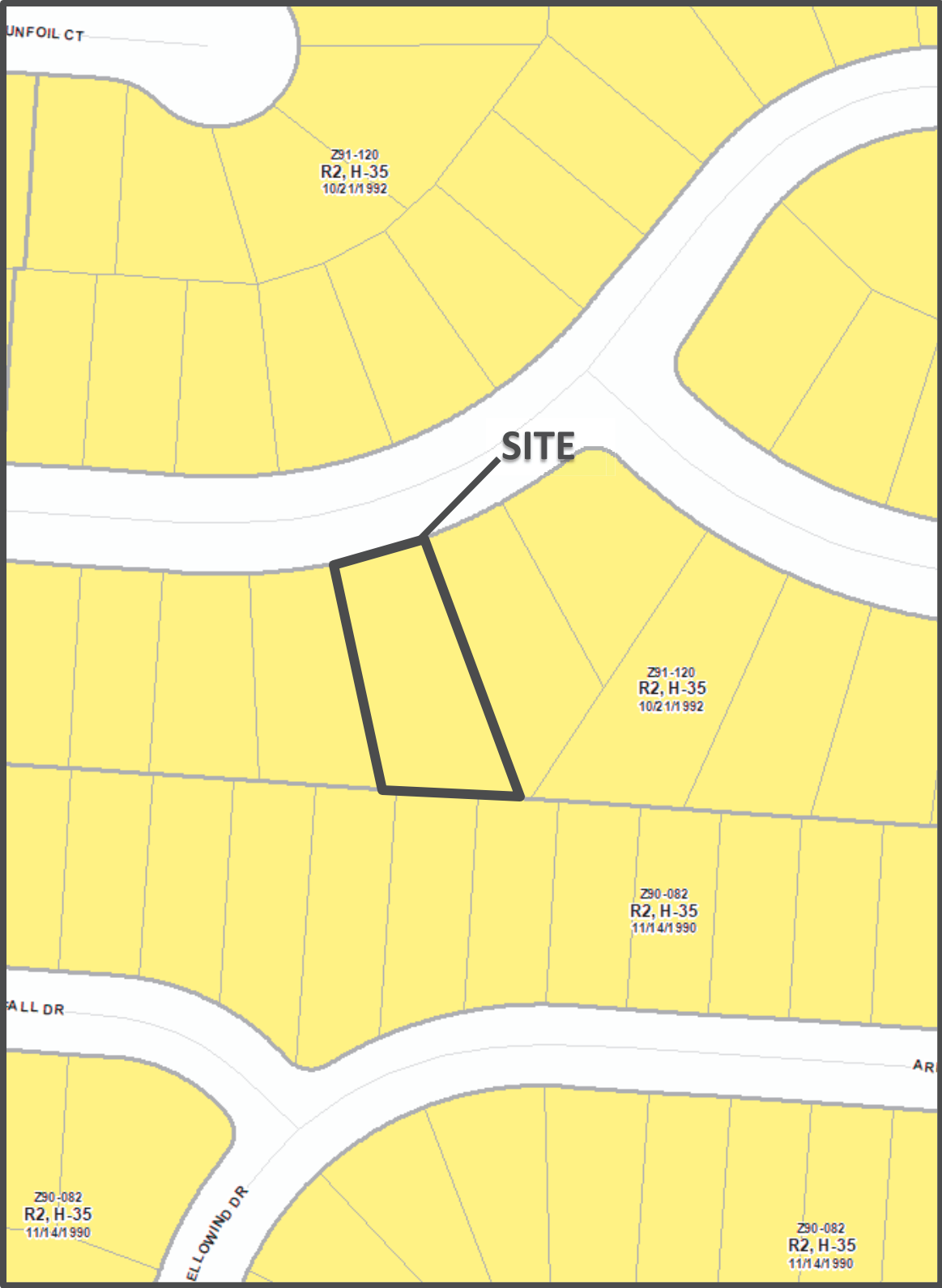
3312-49 - Minimum number of required parking spaces:

Minimum number of parking spaces required, requires one (1) parking space per five hundred (500) square feet of day care facility space and two (2) parking spaces for a single – dwelling. The total square footage of my home is 2,626 square feet. I am requesting a variance to reduce the required number of parking spaces from 8-2. However, my residence can accommodate 4 parked vehicles in the driveway and additional parking on the street plus 2 care garage total of 8-9.

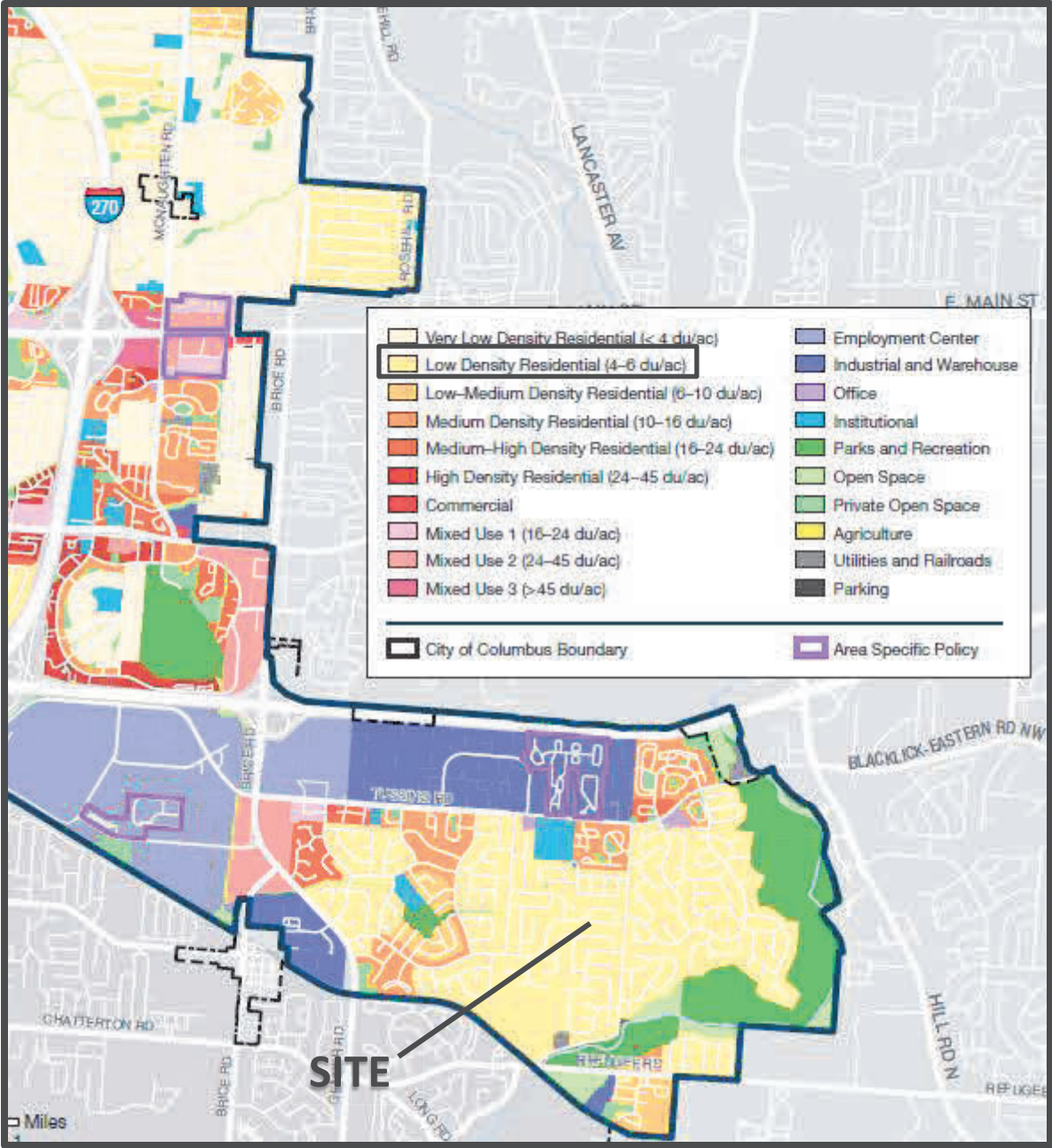
Thank You for taking the time to read and review my request.

Tyrone Varner (914-414-092)

7257 Bennell Dr.
Reynoldsburg, Oh 43068
Phone: 614-674-9634



CV24-055
7257 Bennell Dr.
Approximately 0.23 acres



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

Case Number CV24-055

Address 7257 BENNELL DRIVE

Group Name FAR EAST AREA COMMISSION

Meeting Date 07/02/24

Specify Case Type

☐ BZA Variance / Special Permit

☒ Council Variance

☐ Rezoning

☐ Graphics Variance / Plan / Special Permit

Recommendation

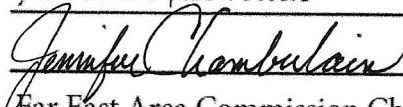
(Check only one) ☒ Approval

☐ Disapproval

LIST BASIS FOR RECOMMENDATION:

The Far East Area Commission recommends this application for approval.

Vote yes votes: 6 | no votes: 1

Signature of Authorized Representative 

Recommending Group Title Far East Area Commission Chair

Daytime Phone Number 614-307-4708

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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DEPARTMENT OF BUILDING AND ZONING SERVICES

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24-055

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) TYRONA VARNER
of (COMPLETE ADDRESS) 7257 BENNELL DR, REYNOLDSBURG OH 43068
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>TYRONA VARNER</u> <u>7257 BENNELL DR</u> <u>REYNOLDSBURG OH 43068</u> (0)	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 2 day of May, in the year 2024

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



JUDITH D. PERRY
Notary Public, State of Ohio
My Comm. Expires Nov. 02, 2025

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