

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

APPLICATION: CV24-134
Location: 1218 E. 19TH AVE. (43211), being 0.11 ± acres on the north side of East 19th Avenue, 240± feet west of Cleveland Avenue (010-076443; South Linden Area Commission).
Existing Zoning: R-3, Residential District.
Proposed Use: Type A family child care home.
Applicant(s): Ryagen Reggins; 1218 East 19th Avenue; Columbus, OH 43211.
Property Owner(s): John Commons; 3834 Shamrock Road; Columbus, OH 43227.
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-3, 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 four to zero spaces is also included in the request.
- A Council variance is required because the R-3, Residential District does not allow a Type A family day-care home.
- To the north, south, and east of the site are single-unit dwellings in the R-3, Residential District. To the west of the site is a four-unit dwelling in the R-3, Residential District.
- The site is located within the planning boundaries of the *South Linden Land Use Plan* (2018), which recommends “Medium Density Residential (10-16 du/acre)” land uses at this location, consistent with the primary residential use of the property. The site is subject to *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018).
- The site is located within the boundaries of the South Linden 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 as required by the State of Ohio.



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

I've been operating a child care services at the address since 2021 without any issues with parking or neighbors.

2. Whether the variance is substantial.

Yes No

variance R3 Permitted Uses: 3332.035 will allow me to fulfill the need of child care .Variance Uses

3312.49 will permitt one additional off street parking for daycare. We ~~also~~ offer transportation services

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

the resident is already operating as an child care program. The variance will allow me to change the type of program.

(Currently operating a childcare program with no parking issues)

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

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

There will be no changes to the property that would adversely affect the delivery of governmental services.

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

I was unaware of any zoning restrictions.

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

Currently I offer transportation service that the families rely on from home to daycare. However if a parent choose to pickup/drop-off their children its important to note that staggered time we be implemented

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

Yes No

By granting the variance I will be able to accommodate more families in my program

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):

I am currently self-employed as a Type B home child care provider, which limits me to caring for six children at any given time. I am seeking a variance to transition to a Type A program, which would allow me to increase my capacity from six to twelve children. This expansion would not only accommodate the needs of current parents but also fulfill the enrollment demands of my waiting list. With this variance, I would no longer need to worry about ratio violations, enabling me to increase my income to support employee wages and continue providing care for both existing and new families.

Signature of Applicant

Rexger Rexger

Date

10/2/24

Ryagen Reggins

1218 E 19th Ave

Columbus, Ohio,43211

614-928-7888

Ryagenreggins@gmail.com

Oct 21st 2024

Variances by City Council

111 N. Front Street

Columbus, Ohio 43215

Proposed Use: Single – Unit Dwelling into a Type A childcare

Dear Council and Community Members,

I, Ryagen Reggins, Owner of First Steps to Success Learning Center, am writing to request the approval of a variance to transition my residence from a Type B childcare program to a Type A childcare program. Securing this variance would alleviate economic hardship for my household and serve the needs of community members. I am confident that granting this variance will not negatively impact my neighborhood.

As a young entrepreneur with 19 years of experience in the childcare field, I was recently granted the opportunity to establish my own Type B childcare program, which I licensed in February of this year. By June, my center achieved a silver rating, previously known as a three-star program, and I am actively pursuing a gold rating through the Step up to Quality initiative.

The approval of my request will adversely affect my neighbors, as I intend to continue utilizing my home for childcare services. I do not foresee any impairment of light or air to adjacent properties, nor do I anticipate increased congestion on public roads. The arrival and departure times of my clients vary, allowing for ample parking and minimal disruption. It is important to note that neighbors already use the roadways, which currently experience low congestion levels.

In conclusion, I believe that granting this variance is essential for the success of my childcare program and my household. A Type A program will accommodate my existing families and provide care for those on my waiting list. I currently comply with state ratios for a Type B program, which is 1:6, necessitating a more stringent and limited operational structure. Transitioning to a Type A program will enhance flexibility, allowing for an increased ratio of 1:12, thereby better serving families with multiple children, benefiting the community and enabling me to extend hours and provide fair compensation for my employees.

Zoning Variance for this project includes the following:

3332.035 R-3 Residential District

I am requesting a variance to permit a Type A home care facility for a maximum of twelve children within an existing single-unit dwelling.

3312.49 – Minimum Number of Required Parking Spaces

The minimum number of required parking spaces is one (1) space per 500 square feet of daycare facility space, plus two (2) spaces for the single -unit dwelling. The total square footage of my home is 990. I am requesting a variance to reduce the required number of parking spaces from four to zero. My program would utilize on- street parking, which would not adversely affect residential parking due to the differing pick-up and drop-off schedules of families.

Thank you for taking the time to read and consider my request.

Sincerely,

Ryagen Reggins

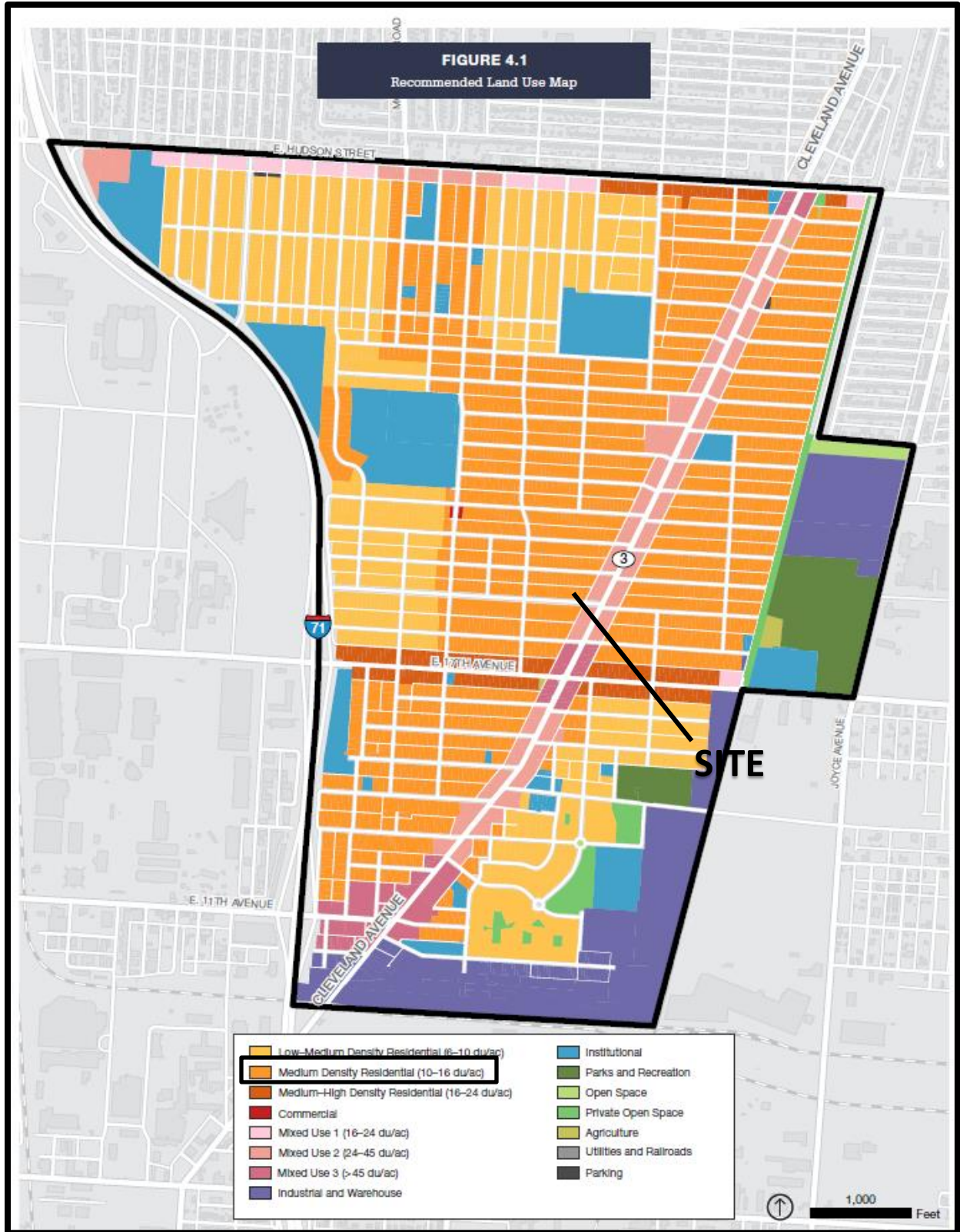
First Steps to Success Learning Center

1218 E 19th Ave Columbus, Ohio,43211

Cell 614-928-7888



CV24-134
1218 E. 19th Ave.
Approximately 0.11 acres



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Approximately 0.11 acres



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1218 E. 19th Ave.
Approximately 0.11 acres

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

Case Number CV24-134

Address 1218 E 19TH AVENUE

Group Name SOUTH LINDEN AREA COMMISSION

Meeting Date TUESDAY, NOVEMBER 19, 2024

Specify Case Type

BZA Variance / Special Permit

Council Variance

Rezoning

Graphics Variance / Plan / Special Permit

Recommendation Approval

(Check only one) Disapproval

LIST BASIS FOR RECOMMENDATION:

First Step To Success Learning Center Business Owner is proposing to transition the home childcare services from a Type B childcare program to a Type A Childcare program and expand operations to provide early childhood development twenty-four (24) hours five (5) days weekly [24/5].

In accordance with the State of Ohio Job & Family Services, the Business Owner is currently eligible to transition the Type B Childcare service into a Type A Learning Center. Business Owner explained the teacher to student ratio requirement is 1:6 for a Type B program. The Type A program allows for an increased teacher to student ratio of 1:12. Granting the variance under Section 3332.035 would permit a Type A home care facility in a R-3 Residential District for a maximum of Twelve (12) Children within an existing single-family unit dwelling.

Under Section 3312.49 the minimum number of required parking spaces is one (1) space per 500 square feet of daycare facility space, plus two (2) spaces for the single-unit dwelling. The existing square footage of this single family dwelling is only 990. Granting the variance under Section 3312.49 reduces the required number of parking spaces from Four (4) to ZERO (0), legitimizes the existing square footage of this single family dwelling and maintains compliance with the current on-street parking.

Granting these variances does not adversely affect the surrounding neighbors.

With 5 Area Commissioners in attendance Quorum is Met. The South Linden Area Commission convened its regularly scheduled meeting this date. Having heard statements made, reviewed supporting documentation, and engaged meaningful discussions to clarify and satisfy concerns, Commissioner Harrison moved, with a second from Commissioner Samison, to issue its RECOMMENDATION OF APPROVAL. The Chair opened for additional questions and hearing none, called for the Voice Vote as Follows:

Vote 5 In FAVOR; 0 Abstention(s); 0 Opposition(s)

Signature of Authorized Representative Lizzy A. Williams

Recommending Group Title SLAC ZONING CHAIR

Daytime Phone Number (614) 372-5006

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 #: CV24-134

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) Ryagen Reggins
of (COMPLETE ADDRESS) 1218 E 19th Ave Columbus, Ohio, 43211

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>Ryagen Reggins</u> <u>1218 E 19th Ave Columbus, Ohio, 43211</u>	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Ryagen Reggins

Sworn to before me and signed in my presence this 2nd day of October, in the year 2024

[Signature]
SIGNATURE OF NOTARY PUBLIC

12-14-2026
My Commission Expires

Notary Seal Here
LATIEA HAYES
Notary Public
State of Ohio
My Comm. Expires
December 14, 2026

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