

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

APPLICATION: CV25-026
Location: 2071 SHAWBURY CT. W. (43229), being 0.14± acres located on the south side of Shawbury Court West, 216± feet west of Maple Canyon Avenue (010-147566; Northland Community Council).
Existing Zoning: R-2, Residential District.
Proposed Use: Type A family child care home.
Applicant(s): Elizabeth Gayle; 2071 Shawbury Court West; Columbus, OH 43229.
Property Owner(s): The Applicant.
Planner: Eastman Johnson; 614-645-7979; roejohnson@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 child care home with reduced required parking from four spaces to three spaces.
- A Council variance is required because while the R-2 district allows Type B family child care homes for a maximum of six children, or daycare centers in conjunction with schools or religious facilities, it does not allow a dwelling unit to be used for a Type A family child care home for up to 12 children.
- To the north, south, east, and west of the site are single-unit dwellings in the R-2, Residential District.
- The site is within the planning boundaries of the *Northland I Area Plan* (2014), which recommends “Low-Medium Density Residential” land uses at 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 reduced required parking for child care use as proposed.

CITY DEPARTMENTS’ RECOMMENDATION: Approval.

Since the primary use of the property will remain a single-unit dwelling, Staff supports the requested Type A family child-care home, which must comply with Ohio Revised Code requirements.

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

With no variance it can only be operated as a Type B

2. Whether the variance is substantial.

☒ Yes ☐ No

The variance is substantial in order to become Type A child care.

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 essential character of the neighborhood would not be altered in any kind of way nor will the adjoining properties suffer any type of substantial detriment as a result of the variance.

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

☐ Yes ☒ No

The variance would not adversely affect the delivery of governmental services.

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

☐ Yes ☒ No

I did not have any knowledge when I purchased the property 23 years ago of the zoning restrictions.

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

☐ Yes ☒ No

Without the variance I would not be able to become a Type A child care program.

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

☒ Yes ☐ No

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

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):

3332.033, R-2, Residential District-allows only Type B family child care homes, or child day care centers as accessory uses to a religious facility or school, while the applicant proposes to operate a Type A family child care home for a maximum of 12 children within a single-unit dwelling.

3312.49 Required parking, requests two parking spaces for the single-unit dwelling use and one parking space per 500 square feet of child care facility space, a total requirement of two spaces, while the applicant proposes to maintain three parking spaces.

Signature of Applicant

Elizabeth Gayle

Date

3/24/25

Elizabeth Gayle
2071 Shawbury Ct W
Columbus, Ohio 43229
614-987-0989

3/20/2025

Hello,


My name is Liz Gayle. The purpose of this letter is I am asking for a variance approval to become a licensed Type A Family Child Care Program. I have been in this community for 30 years. I purchased my home in 2002. A little over 18 years ago I became a family child care professional. Over the years I have provided care for many children. I have had several families stay in my program for as long as 10 years.

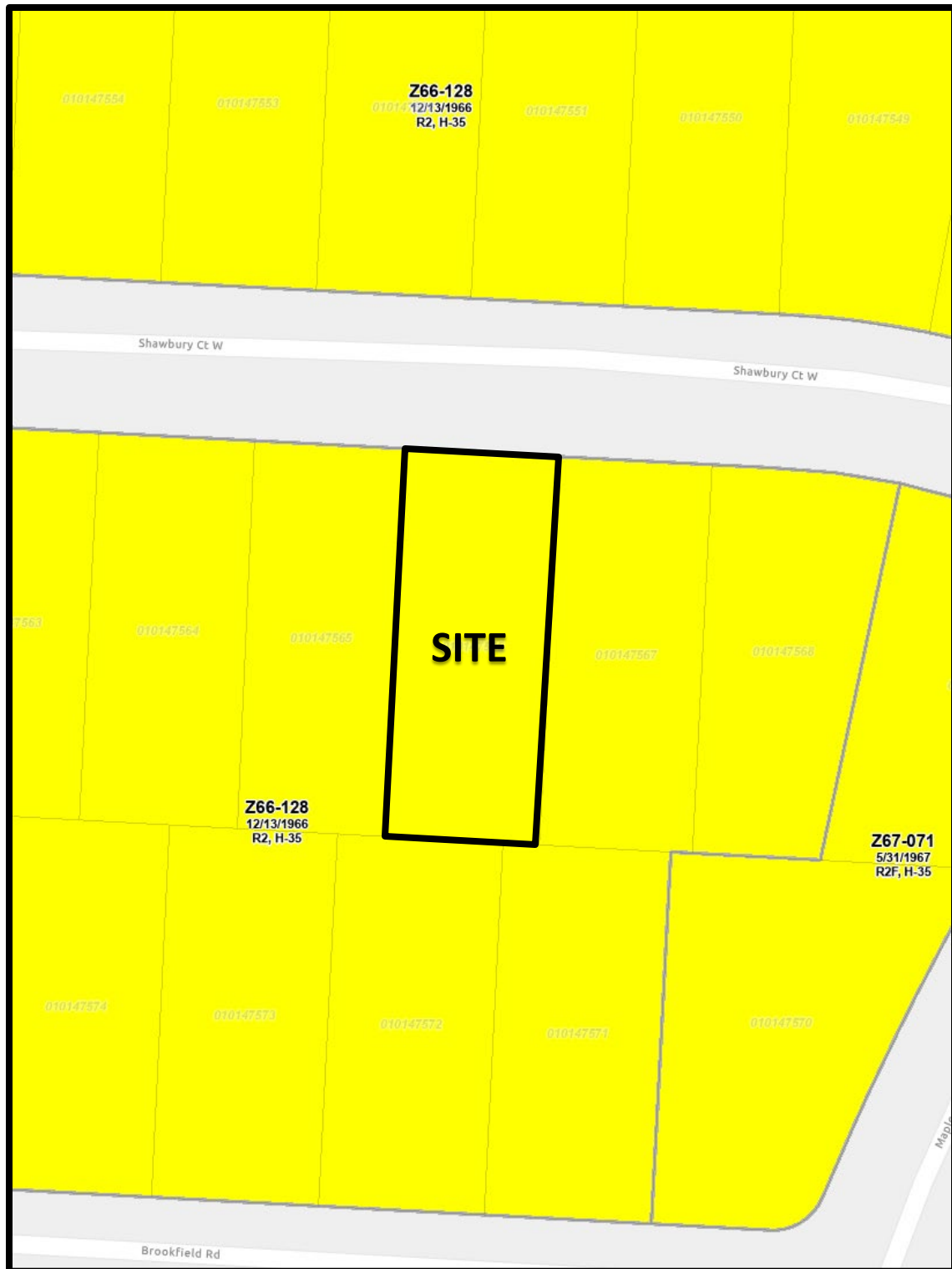
I reside in an increasing growing community with low- and moderate-income families who work and/or go to school. These families may struggle to pay for the necessities in life such as for food, rent, and childcare. Increasing my child care program to a Type A will give my families and more families a safe, secure and affordable environment to bring their child(ren) while they attend work and/or school. With my families expanding their families, this would give them the opportunity to stay in the program verses having to find care elsewhere to accommodate for their new child. Families could stay as their families expand. I utilize most of my home for my child care program. I will use 800 square feet of my home for the Type A programming. This opportunity for me would not be an inconvenience to my neighbors or any businesses in my surrounding area.

Thank you in advance for your time and consideration in this matter. A variance is needed in order for me to expand my small business from a Type B family Child Care to a Type A Family Child Care. I appreciate your attention to this matter and kindly request any feedback for this potential solution that I am seeking.

Sincerely,

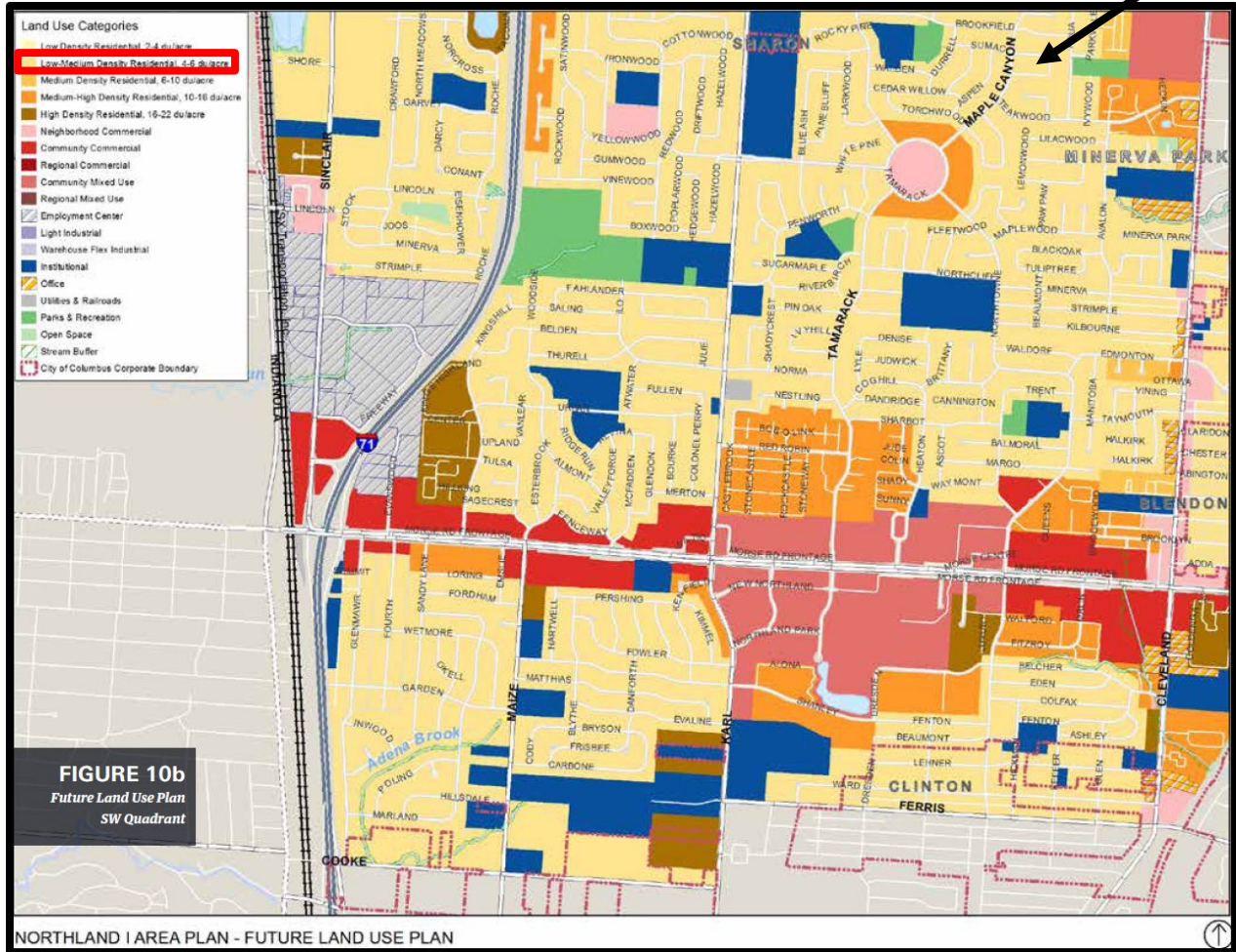
Elizabeth Gayle

A handwritten signature in cursive script that reads "Elizabeth Gayle". The ink is dark and the signature is fluid, with the first and last names being clearly legible.



CV25-026
2071 Shawbury Ct. W.
Approximately 0.14 acres

SITE



CV25-026
2071 Shawbury Ct. W.
Approximately 0.14 acres



CV25-026
2071 Shawbury Ct. W.
Approximately 0.14 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

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-026

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) Elizabeth Gayle
of (COMPLETE ADDRESS) 2071 Shawbury Ct W, 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. Elizabeth Gayle Elizabeth Gayle 2071 Shawbury Ct. W, Columbus, Ohio 2 43229	2. Cartier Conwell Cartier Conwell 2071 Shawbury Ct. W, Columbus, Ohio 43229 2
3.	4.

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

SIGNATURE OF AFFIANT Elizabeth Gayle

Sworn to before me and signed in my presence this 21st day of March, in the year 2025

Barbara L. Burden
SIGNATURE OF NOTARY PUBLIC



Barbara L. Burden
Notary Public
State of Ohio
Recorded in Franklin County
My Commission Expires
February 17, 2029

Notary Seal Here



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