



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1292-2026, **Version:** 1

Council Variance Application: CV25-108

APPLICANT: Michelle Scott; 1309 Lee Avenue; Columbus, OH 43219.

PROPOSED USE: Type A family child care home.

NORTH CENTRAL AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. 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 child care home with reduced required parking. Type A child care facilities allow a maximum of 14 children per State of Ohio guidelines, require a Certificate of Zoning Clearance, and are licensed by the State of Ohio. A Council variance is required because although the R-3 district allows Type B family child care homes for up to six children, and day care centers in conjunction with schools or religious facilities, it does not allow Type A child care homes. The site is located within the planning boundaries the *North Central Plan* (2002), which recommends "Single-Family Residential" land uses at this location. Since the primary use of the property will remain a single-unit dwelling, the request is consistent with the land use plan, and will not add an incompatible use to the area.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; and 3312.49, Required parking, of the Columbus City Codes; for the property located at **1309 LEE AVE. (43219)**, to allow a Type A family child care home with reduced parking in the R-3, Residential District (Council Variance #CV25-108).

WHEREAS, by application #CV25-108, the owner of property at **1309 LEE AVE. (43219)**, is requesting a Council variance to allow a Type A family child care home with reduced parking in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3 residential district, allows only Type B family child care homes for up to six children, 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, with a maximum of 14 children per State of Ohio guidelines, within an existing single-unit dwelling; and

WHEREAS, Section 3312.49, Required parking, requires 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 three spaces, while the applicant proposes two parking spaces; and

WHEREAS, the City Departments recommend approval because the request will not introduce an incompatible use to the area, as the primary use of the property will remain a single-unit dwelling; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Zoning Clearance for the proposed Type A family child care home; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said 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 of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **1309 LEE AVE. (43219)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3332.035, R-3, Residential District; and 3312.49, Required parking, of the Columbus City Codes; is hereby granted for the property located at **1309 LEE AVE. (43219)**, insofar as said sections prohibit a Type A family child care home within a single-unit dwelling in the R-3, Residential District, with a parking space reduction from three required spaces to two spaces; said property being more particularly described as follows:

1309 LEE AVE. (43219), being 0.10± acres located on the west side of Lee Avenue, 347± feet west of Simpson Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the city of Columbus.

Being Lot Number Eighty-four (84) of AMERICAN ADDITION to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 448, Recorder's Office, Franklin County, Ohio.

Property Address: 1309 Lee Avenue, Columbus, Ohio 43219

Parcel Number: 010-126590-00

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a Type A family child care home in conjunction with a single-unit dwelling, or those uses allowed in the R-3, Residential District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Zoning Clearance for the proposed Type A family child care home.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.