



## CITY OF PATASKALA BOARD OF ZONING APPEALS

City Hall, Council Chambers  
621 West Broad Street  
Pataskala, Ohio 43062

### STAFF REPORT

April 12, 2022

#### Variance Application VA-22-009

<b>Applicant:</b>	Bob Kessler
<b>Owner:</b>	North Valley Bank
<b>Location:</b>	66 East Broad Street, Pataskala, OH 43062 (PID: 064-308064-00.000)
<b>Acreage:</b>	+/- 1.00-acres
<b>Zoning:</b>	GB – General Business
<b>Request:</b>	Requesting approval of a Variance from Section 1295.09(b)(2)(B) to allow for more than one (1) wall sign per business unit.

#### Description of the Request:

The applicant is seeking approval of a Variance from Section 1295.09(b)(2)(B) to allow for a single business unit to exceed the maximum number of wall signs.

#### Staff Summary:

The 1.00-acre property located at 66 East Broad Street is currently occupied by a 1,770-square foot commercial building and approximately 16,500-square feet of paved asphalt parking. Previously, the structure was used as an automotive oil change location, however, it has been vacant for some time. The property is a corner lot, with East Broad Street to the south, and Hazelton-Etna Road SW to the east. Under the current GB – General Business zoning the lot is also existing non-conforming, as it does not meet the required minimum lot size of two (2) acres, or minimum lot width requirement of 250-feet.

Access property is handled by two (2) access points onto both road frontages. A full two-way access is present at the east onto Hazelton-Etna Road SW, and a right-in-right-out is present at the south at East Broad Street. The parking lot is currently configured to provide eight (8) parking spaces plus one (1) ADA accessible space. A dumpster enclosure is located at the rear northwest area of the parking surface. Existing landscaping is present that includes a three (3) foot high mound around the perimeter of the lot, trees spaced every 30-feet, and shrubs along the north and west property lines.

The current property owner, North Valley Bank, has purchased the property with the intent to re-construct the building as a financial services office including a new front façade and a small addition at the rear. The proposed use and structural changes meet the minimum requirements of the Pataskala Code, however, as part of their sign package, there will be three (3) total wall signs. 28-square foot internally illuminated signs will be placed on the south and east building faces, and on the rear (north) side, a 5.75-square foot internally illuminated sign of the bank's "star" logo. Pursuant to Section 1295.09(b)(2)(B) of the Pataskala Code only one wall sign shall be permitted for each separated business unit, not to exceed 32-square feet.

**Staff Review:** *The following review does not constitute recommendations but merely conclusions and suggestions from staff.*

As mentioned above, Pataskala Code Section 1295.09(b)(2)(B) states that one (1) wall sign shall be permitted for each separated business unit, not to exceed 32-square feet. As this structure itself is only one business unit, they are only permitted one (1) wall sign. As proposed the Applicant intends to install a total of three (3): the main sign (south face, 28-square feet), a secondary sign (east face, 28-square feet) and the smaller third sign (north face, 5.75-square feet).

The main sign would be the permitted wall sign, and it is under the maximum square footage of 32, being proposed as 28-square feet. Additionally, the Pataskala Code does offer bonuses to the number of signs and allowable square footage under Section 1295.09(b)(2)(D). In the case of this proposal, Section 1295.09(b)(2)(D)(2) would apply, which allows for the maximum number of signs to be increased for buildings with side or rear entrances. One (1) additional sign and additional signage area shall be permitted, and the increased sign area of each side or rear entrance shall be 50% of the sign area permitted for the primary frontage. As the maximum size of the primary frontage is 32-square feet, one (1) additional sign, 16-square feet in size, may be located on a building face which has a side or rear entrance. The proposed building alterations will include a rear entrance door on the north face of the building, as such, the 5.75-square foot “star” logo sign would meet the requirements of the code with this sign bonus and not require a Variance.

However, the second sign, the 28-square foot internally illuminated sign on the east face exceeds the maximum allowable number of signs and is not subject to any of the sign bonuses offered in Section 1295.09(b)(2)(D). The Applicant is requesting a Variance from Section 1295.09(b)(2)(B) of the Pataskala Code in order to install one (1) additional wall sign on the east face of the building.

Should this Variance be approved, the Applicant will need to apply for a Sign Permit for their proposed signage package. Staff has no further comments.

#### Other Departments or Agencies

No other comments from applicable Departments or Agencies were received.

#### **Surrounding Area:**

Direction	Zoning	Land Use
North	AG – Agricultural	Golf Course
East	PRO – Professional Research/Office	Single-Family Home Assisted Living Facility
South	GB – General Business	Misc. Commercial
West	AG – Agricultural	Golf Course

**Variance Requirements:**

According to Section 1211.07(1) of the Pataskala Code, the Board of Zoning appeals shall consider the following factors when determining if an area variance is warranted:

- a) *Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property;*
- b) *Whether there are unique physical circumstances or conditions that prohibit the property being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property;*
- c) *Whether the variance requested is substantial;*
- d) *Whether the essential character of the neighborhood would be substantially altered or the adjoining properties would suffer a substantial detriment as a result of the variance;*
- e) *Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;*
- f) *Whether the variance, if granted, will be detrimental to the public welfare;*
- g) *Whether the variance, if granted, would adversely affect the delivery of government services;*
- h) *Whether the property owner purchased the subject property with knowledge of the zoning restriction;*
- i) *Whether the property owner's predicament can be obviated through some other method than variance;*
- j) *Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,*
- k) *Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.*

Furthermore, Section 1211.07(2) allows other factors to be considered, including comments from City staff, when determining if an area variance is warranted. The following factors from Section 1211.07(2) are applicable to Variance Application VA-22-009:

- None

**Department and Agency Review**

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – No comments
- Pataskala Utilities – No comments
- Police Department – No comments
- West Licking Joint Fire District – No comments
- Southwest Licking School District – No comments

**Conditions:**

Should the Board choose to approve the applicant's request, the following conditions may be considered:

1. The Applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department within one (1) year of the date of approval.

**Resolution:**

For your convenience, the following resolution may be considered by the Board of Zoning Appeals when making a motion:

"I move to approve a Variance from Section 1295.09(b)(2)(B) for variance application VA-22-009 ("with the following conditions" if conditions are to be placed on the approval)."



## CITY OF PATASKALA BOARD OF ZONING APPEALS

City Hall, Council Chambers  
621 West Broad Street  
Pataskala, Ohio 43062

### VARIANCE APPLICATION

(Pataskala Codified Ordinances Chapter 1211)

Property Information	
Address: 166 East Broad St.	
Parcel Number: 064-308064-00.000	
Zoning: Commercial GB	Acres: .994
Water Supply:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site
Wastewater Treatment:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Staff Use
Application Number: VA-22-009
Fee: 300
Filing Date: 3-11-22
Hearing Date: 4-12-22
Receipt Number: 000501

Applicant Information		
Name: NVB agent Bob Kessler		
Address: P.O. box 785		
City: Zanesville	State: OH	Zip: 43702
Phone: 740 819-5485	Email: Bob@KesslerSignco.com	

Documents
<input checked="" type="checkbox"/> Application
<input checked="" type="checkbox"/> Fee
<input checked="" type="checkbox"/> Narrative
<input checked="" type="checkbox"/> Site Plan
<input checked="" type="checkbox"/> Deed
<input checked="" type="checkbox"/> Address List
<input checked="" type="checkbox"/> Area Map

Owner Information		
Name: North Valley Bank		
Address: 2775 Maysville Pike		
City: Zanesville	State: OH	Zip: 43701
Phone:	Email:	

Variance Information
Request (Include Section of Code):
Describe the Project: New 42" x 11" 1-3/4" internally illuminated logo Channel letters total of 28 sq ft. installed on East elevation as per drawing.

## Documents to Submit

**Variance Application:** Submit 1 copy of the variance application.

**Narrative Statement:** Submit 1 copy of a narrative statement explaining the following:

- The reason the variance is necessary
- The specific reasons why the variance is justified as it pertains to Section 1211.07 of the Pataskala Code:
  - a) *Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property without the variance;*
  - b) *Whether there are unique physical circumstances or conditions that prohibit the property from being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property;*
  - c) *Whether the variance requested is substantial;*
  - d) *Whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance;*
  - e) *Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;*
  - f) *Whether the variance, if granted, will be detrimental to the public welfare;*
  - g) *Whether the variance, if granted, would adversely affect the delivery of governmental services;*
  - h) *Whether the property owner purchased the subject property with knowledge of the zoning restriction;*
  - i) *Whether the property owner's predicament can be obviated through some other method than variance;*
  - j) *Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,*
  - k) *Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.*

**Site Plan:** Submit 1 copy of a site plan to scale of the subject property indicating the following:

- All property lines and dimensions
- All existing and proposed buildings and structures.
- Setbacks from property lines for all existing and proposed buildings, structures and additions
- Easements and rights-of-way
- Driveways
- Floodplain areas
- Location of existing wells and septic/aerator systems.
- Any other information deemed necessary for the variance request

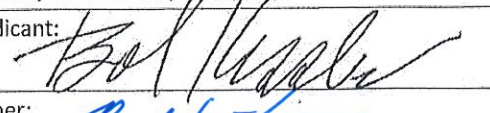
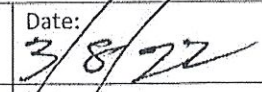
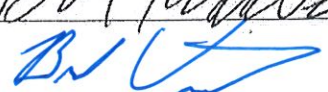
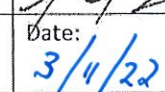
**Deed:** Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained at [www.lcounty.com/rec](http://www.lcounty.com/rec).

**Address List:** Submit 1 copy of a list of all property owners and addresses of those owning property within 200 feet or two parcels from any point on the subject property line, whichever creates more property owners. This list must be in accordance with the Licking County Auditor's current tax list and must be submitted on mailing labels.

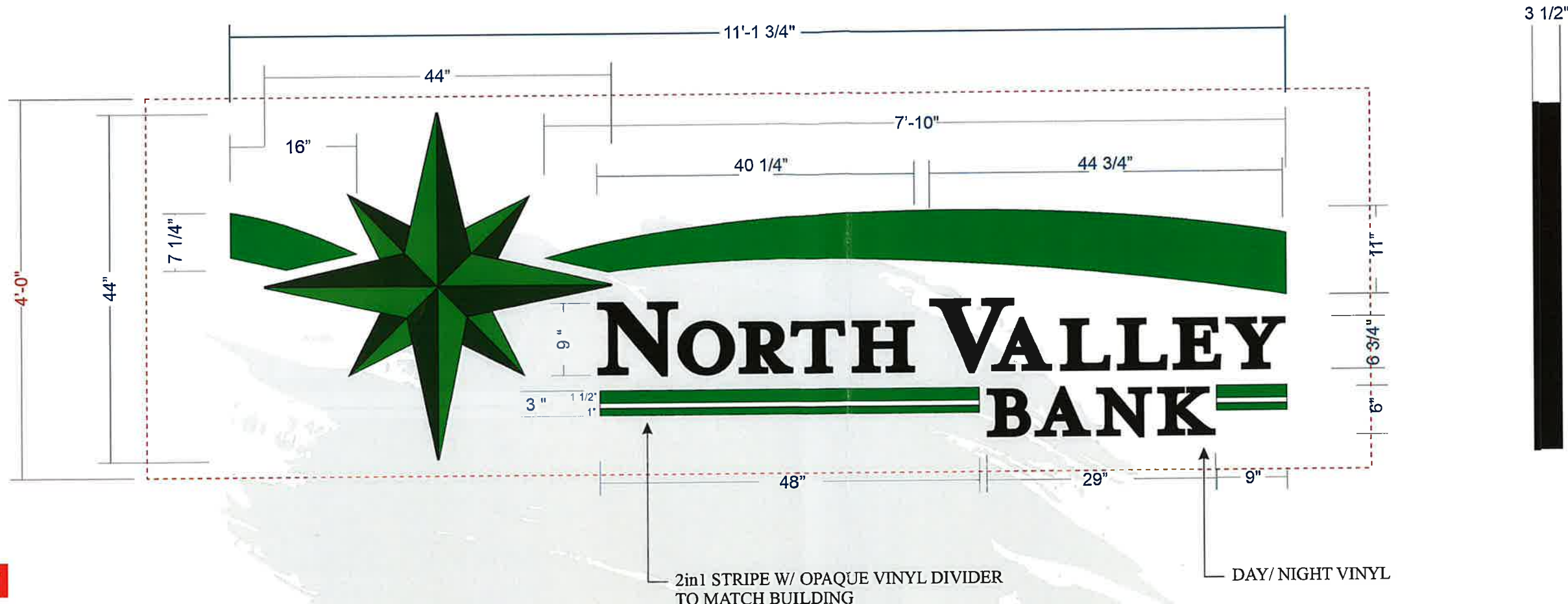
**Area Map:** Submit 1 copy of an area map from the Licking County Engineer's office showing the area encompassed by the address list. Area maps can be obtained at [www.lcounty.com/taxparcelviewer/default](http://www.lcounty.com/taxparcelviewer/default).

## Signatures

I certify the facts, statements and information provided on and attached to this application are true and correct to the best of my knowledge. Also, I authorize City of Pataskala staff to conduct site visits and photograph the property as necessary as it pertains to this variance request.

Applicant: 	Date: 
Owner: 	Date: 



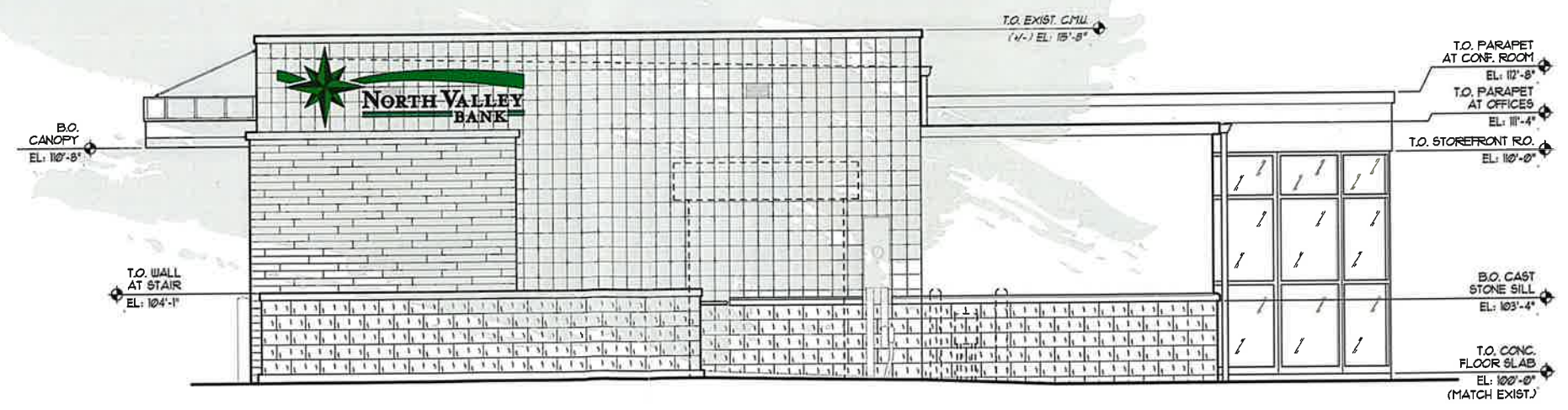
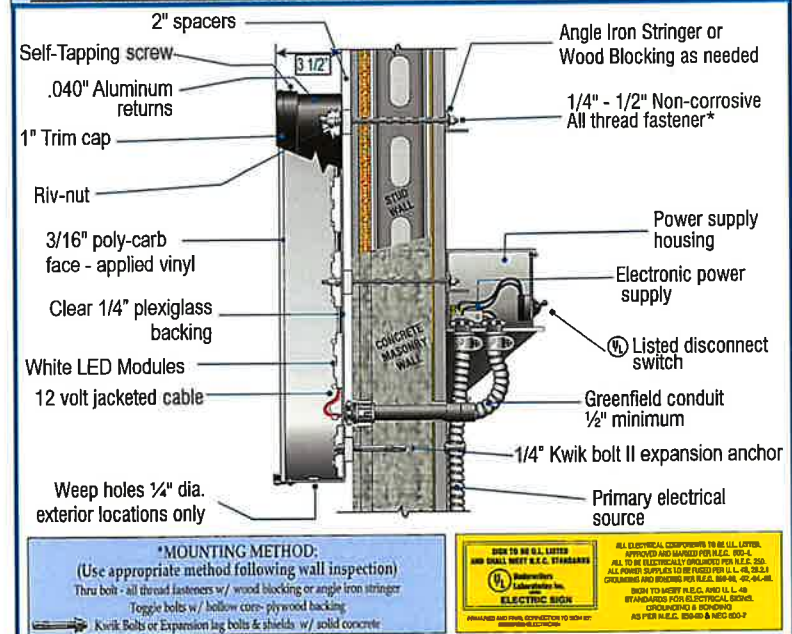


28 TOTAL SQ FT

2in1 STRIPE W/ OPAQUE VINYL DIVIDER  
TO MATCH BUILDING

DAY/ NITE VINYL

LED CHANNEL - FRONT & HALO LIT - GENERIC INSTALL



EAST (RIGHT SIDE) ELEVATION  
1/4" = 1'-0"

2  
A3.1

TRIM CAP  
&  
RETURNS

BLACK

DAY/NITE VINYL	ORACAL 062 LIGHT GREEN	ORACAL 060 DARK GREEN



CLIENT | North Valley Bank

LOCATION | Pataskala, OH

SAVED AS |

NVB\_Pataskala

DATE | November 12, 2021

REVISIONS | 1/13/22

SALESMAN | Bob Kessler

DESIGNER | Jared Faber

SALESMAN INITIAL OF APPROVAL |

X \_\_\_\_\_

<input type="checkbox"/> GLOSS	<input type="checkbox"/> SATIN
<input type="checkbox"/> SEMI-GLOSS	<input type="checkbox"/> FLAT

CIRCUITS | 1

VOLTAGE | 120V



1.5  
1  
1

ALL CONCEPTS, DESIGNS, AND PLANS REPRESENTED  
BY THIS DOCUMENT ARE THE PROPERTY OF THE  
KESSLER DESIGN GROUP AND ARE FOR THE USE ON  
THE PROJECT SPECIFIED IN THIS DOCUMENT.

COPYRIGHT 2018 BY KESSLER DESIGN GROUP  
ALL RIGHTS RESERVED

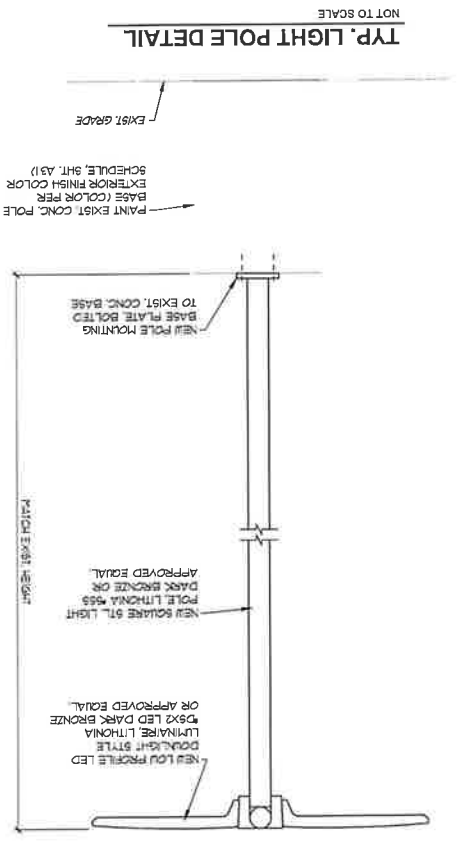
2669 NATIONAL ROAD  
P.O. BOX 0785  
ZANESVILLE, OHIO 43701-0785  
740-453-0668 | 1-800-686-1870

THE  
KESSLER  
DESIGN  
GROUP

NEW S/F LED BACK & FRONT LIT CHANNEL LETTERS W/ DAY/NITE VINYL ATTACHED TO BUILDING

SCALE: 1" = 1'

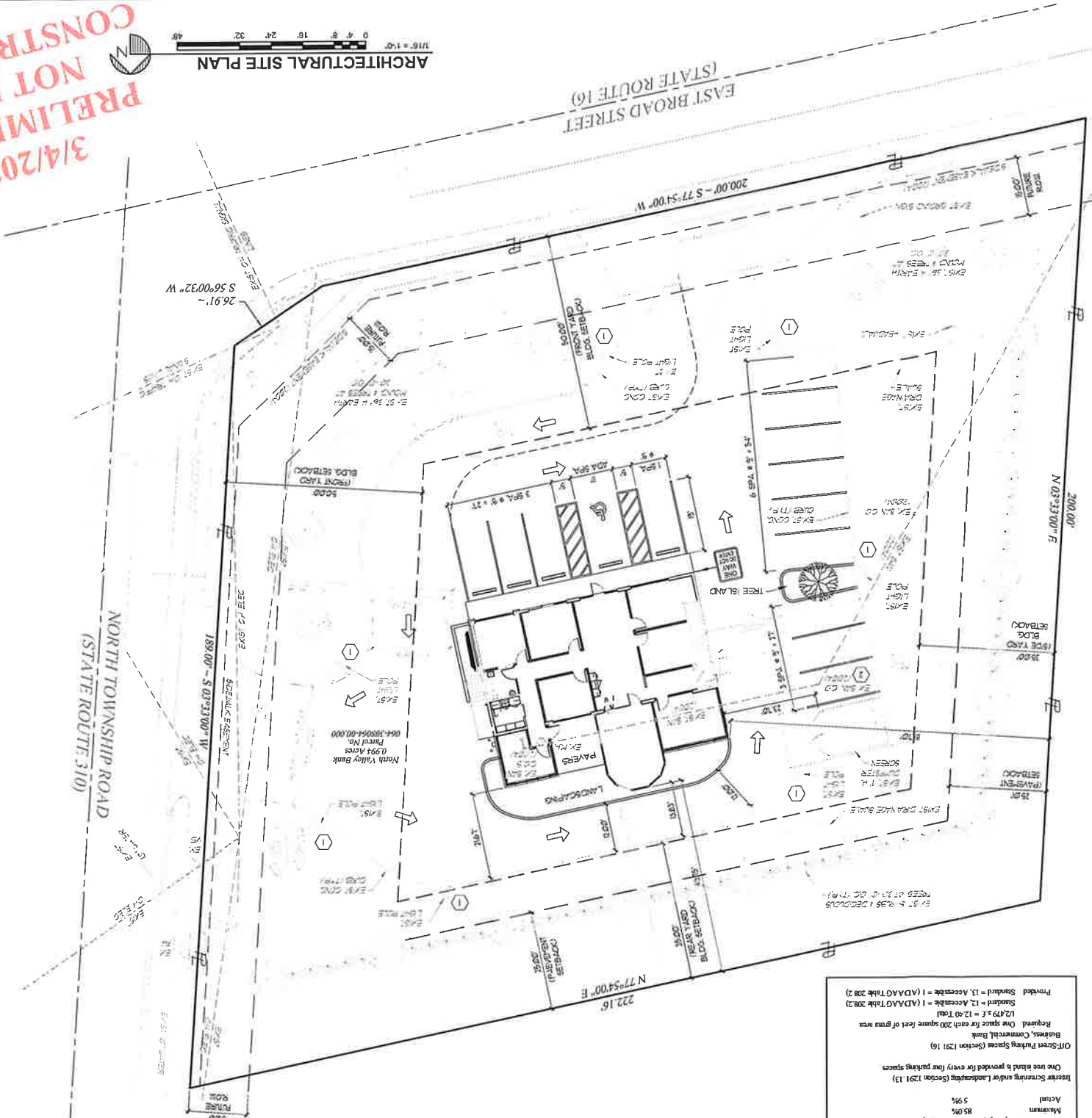




SITE CODE INFORMATION	
Address	66 East Broad Street, Pataaskala, Ohio 43062
Mapbook Parcel Number	064-30804-00-000
Zoning Jurisdiction	City of Pataaskala
Existing Zoning Classification	General Business District (GB)
Building Use	Building Center
Proposed Use	Building Center
Existing/Proposed Site Area	0.994 Acres
Existing Building Area	1,760 square feet
Proposed Building Area	2,479 square feet
EMDA Flood Zone	X
Building Height (Section 1249.05 A)	Maximum 35.00 feet Actual 15.67 feet
Building Setbacks (Section 1249.05 C)	Front (East, S.R. 310) 50 feet Rear (West) 35 feet Side (West) 35 feet Side (West) 25 feet Rear (North) 25 feet
Pavement Setbacks (Section 1249.05 C)	Maximum 1249.05 D Actual 5 feet
Off-Street Parking Spaces (Section 1291.10)	Required: One space for each 200 square feet of gross area Business, Commercial, Bank One tree blind is provided for every four parking spaces Tree Screening and/or Landscaping (Section 1291.11) Provided: Standard = 15, Accessible = 1 (ADAAG Table 208.2) Standard = 13, Accessible = 1 (ADAAG Table 208.2)

CODED NOTES	
1	EXIST. CONC. LIGHT POLE BASE TO BE REMOVED. PATCH AS READ. 4 PAINT. EXIST. POLE & LIGHTING FIXTURES TO BE REMOVED. PATCH AS READ. SEE ELEC. DWS.
2	REPLACE CLEANOUT AS READ. COORD. W/ INSTALLATION OF NEW PAVING.

GENERAL NOTES	
A	THIS EXIST. MAIN LEVEL FINISH FLOOR REFERENCE EL. 100'-0" = 106'5.0" (BASED ON SURVEY DATED 1/20/2022 BY ROGER P. ARKOLD, DRAWING 9862)
B	ALL EXIST. ASPHALT IS TO BE REMOVED OR TO REMAIN OR TO BE REPLACED IN CONCRETE PAVING. ALL EXIST. CURBS ARE TO REMAIN OR TO BE REPLACED IN SAME LOCATIONS.
C	ALL ADA ACCESSIBLE SPACES SHALL BE DESIGNATED & MARKED PURSUANT TO SECTION 1249.07 OF THE PATASKALA CODE.
D	ACCESS DRIVES SHALL BE IDENTIFIED W/ PAINTED MARKINGS INDICATING DIRECTION OF TRAFFIC FLOW PURSUANT TO SECTION 1249.08 OF THE PATASKALA CODE.



**PROJECT**  
**ARCHITECTURE LTD.**  
Programming, Planning, Architectural Solutions

**NEW BANKING CENTER**  
**NORTH VALLEY BANK OHIO**  
66 EAST BROAD STREET, PATASKALA, OHIO 43062

**PRELIMINARY**  
**3/14/2022**  
**NOT FOR CONSTRUCTION**

STATE OF OHIO  
REGISTERED ARCHITECT  
LUKE BAUS  
0614136

No.	REVISION DESCRIPTION	DATE	BY
1	ELECTRICAL PLAN	1/17/22	TLS

NOTE: THE CONTRACTOR IS TO FIELD AND VERIFY ALL DIMENSIONS AND LOCATIONS. DISCREPANCIES, IF ANY, SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.





202112070037281

Pgs:3 \$42.00 T20210036781  
12/7/2021 3:52 PM BXSTIMSON HO  
Bryan A. Long Licking County Recorder

DESCRIPTION APPROVED JARED N. KNERR LICKING COUNTY ENGINEER APPROVED BY <i>[Signature]</i> 12-7-21
---

TRANSFERRED Date <u>Dec 7 2021</u> <i>[Signature]</i> Licking County Auditor SEC. 319.202 COMPLIED WITH MICHAEL L SMITH, AUDITOR BY: <i>[Signature]</i> 2020.00
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(space above this line reserved for county engineer, county auditor and county recorder)

## GENERAL WARRANTY DEED

**Pataskala Express Care, LLC, an Ohio Limited Liability Company**, the Grantor(s) for valuable consideration paid, grant, with general warranty covenants to **North Valley Bank, an Ohio Corporation**, the Grantee(s) the following **REAL PROPERTY**:

See Exhibit "A" attached hereto and made a part hereof

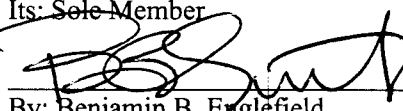
Prior Reference:	Instrument No. 201601140000741
Parcel Number:	064-308064-00.000
Property Address:	66 East Broad Street, Pataskala, OH 43062

**SUBJECT** to any and all easements, rights of way, conditions and restrictions of record; all legal highways and public roadways; zoning ordinances, rules and regulations.

**EXCEPTED** from the general warranty covenants are the real estate taxes and assessments which shall be prorated between the Grantor(s) and Grantee(s) to the time of closing and those taxes and assessments due and payable thereafter.



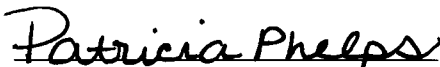
Executed this 3 day of Dec, 2021.

Pataskala Express Care, LLC  
By: B and B Realty Holdings LLC  
Its: Sole Member  
  
By: Benjamin B. Englefield  
Its: Member

This is an acknowledgement certificate; no oath or affirmation was administered to the signer with regard to this notarial act.

STATE OF OHIO  
COUNTY OF LICKING

The foregoing instrument was acknowledged before me this 3 day of October, 2021 by Benjamin B. Englefield, Member of B and B Realty Holdings LLC, sole Member of Pataskala Express Care, LLC, on behalf of the Limited Liability Company.

  
Signature of person taking acknowledgment  
Title or Rank  
Serial number

**This instrument prepared by:**

Reese Pyle Meyer PLL  
36 N. Second St., P.O. Box 919  
Newark, Ohio 43058-0919.  
(740) 345-3431



**PATRICIA PHELPS**  
Notary Public, State of Ohio  
My Commission Expires  
03-19-2023

**EXHIBIT "A"**  
Legal Description

Situated in the City of Pataskala, County of Licking, State of Ohio, and being part of Lot 13 in the 4th Quarter of Township 1, Range 15, U.S.M. Lands, and more fully described as follows:

Beginning for a point of reference at a point in the North line of said Quarter and in the North line of said Lot 13 extended east into Harrison Township, said point being South 86° 27' East, 40 feet from an iron pin on said Quarter section line, in the West line of S.R. #310;

Thence on a survey line parallel to the East line of said quarter and the East line of said Lot 13, and parallel to the center line of said highway, as determined by the aforesaid iron pin and Ohio Department of Highways Mon. set 120.4 feet left of center of S.R. #16 at Sta. 286 + 93.5 (as per 1953 center line Survey of S.R. #16) and measuring along the west edge of said Harrison Township, South 3° 33' West, 1778.25 feet to a point;

Thence across S.R. #310, South 77° 54' West, 41.52 feet to an iron pin at the true place of beginning;

Thence along the West line of said highway, South 3° 33' West, 189.58 feet to an Ohio Department of Highways Mon. set 40 feet of said S.R. #16 at Station 286 + 40;

Thence along the right-of-way of said S.R. #16, South 56° 02' West, 21.97 feet to a highway mon. set in the north line of said S.R. #16, 30' left of center at Station 286 + 15;

Thence along the north line of said S.R. #16, South 77° 54' West, 200 feet to an iron pin set North 77° 54' East, 4.93 feet from an Ohio Dept. of Highways Mon. set 30' left of center at Station 284 + 10;

Thence North 3° 33' East, 200 feet to an iron pin;

Thence North 77° East, 222.16 feet to the place of beginning. Containing .9954 of an acre.

Together with all of Grantors' right, title and interest in and to a strip of land adjacent and contiguous to the above described parcel, which strip of land constitutes so much of S.R. #16 and S.R. #310 from the right-of-way line of each such road to the center line thereof.





## FIND YOUR PARCEL

Address

Trouble Searching?



064-308064-00.000  
**NORTH VALLEY BANK**  
66 E BROAD ST  
PATASKALA, OH 43062

Acres: 1.00  
0.994 AC LOT 13 R15 T1  
Q4

Land: \$209,400  
Improv: \$150,600  
Total: \$360,000

Transfer Date: 12/07/2021  
Amount: \$690,000  
Conveyance: 4876  
Valid Sale: Yes

Homestead: No  
Owner Occ: No

Foreclosure: No  
Certified Delq: No  
On Contract: No  
Bankruptcy: No  
Tax Lien: No