



## CITY OF PATASKALA PLANNING AND ZONING COMMISSION

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

### STAFF REPORT

September 7, 2022

#### Rezoning Application ZON-21-003

<b>Applicants:</b>	Jeffrey Branham
<b>Owner:</b>	Jeffrey Branham
<b>Location:</b>	53 George Street (PIDs: 064-307908-00.000 and 064-311784-00.000)
<b>Acreage:</b>	+/- 0.25-acres
<b>Zoning:</b>	M-1 – Light Manufacturing
<b>Request:</b>	Requesting a recommendation to rezone +/- 0.25 acres from the M-1 – Light Manufacturing zoning district to the DB – Downtown Business zoning district pursuant to Section 1255.13 of the Pataskala Code.

#### Description of the Request:

The applicant is seeking a recommendation of approval from Planning and Zoning Commission to rezone two (2) properties: 53 George Street (PID: 064-307908-00.000) and 66 George Street (064-311784-00.000) totaling 0.25-acres, from the M-1 – Light Manufacturing zoning district to the DB – Downtown Business zoning district.

#### Staff Summary:

There are two (2) properties that the Applicant has requested a recommendation from the Planning and Zoning Commission to be rezoned. Those being:

- 53 George Street (PID: 064-307908-00.000)
  - Acreage: 0.13
  - Current Zoning: M-1 – Light Manufacturing
  - Current Use: Vacant
  - Existing Structures: 3,640-square foot barn built in 1918.
- 66 George Street (PID: 064-311784-00.000)
  - Acreage: 0.12
  - Current Zoning: M-1 – Light Manufacturing
  - Current Use: None
  - Existing Structures: None

Staff would note that there are currently two (2) parcels with the address “66 George Street”; the subject parcel for this rezoning request, and a parcel across the street to the north, which is occupied by a single-family home. The rezoning request is only for the vacant parcel. Once a decision has been reached regarding this rezoning request, the address of the vacant parcel will be changed. Both properties have frontage on George Street to the north, while the 0.12-acre lot is a corner lot, with additional frontage to the east on Township Road.

The Applicant is requesting a recommendation of approval from the Planning and Zoning Commission to rezone both properties, 0.25-acres in total, from the M-1 – Light Manufacturing zoning district to the DB – Downtown Business zoning district. As stated within their Narrative Statement, the Applicant has renovated the historic structure on the property, which he would like to use as space to lease to small businesses such as retail, photography, office, or other local entrepreneurs.

Further stated within the supplied Narrative Statement, the Applicant believes that the proposed rezoning will follow the recommendations of the Comprehensive Plan not only regarding the Future Land Use Map but will also meet several other action items named within the Comprehensive Plan, such as the adaptive reuse of existing buildings and providing commercial buildings with flexible office space.

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

Planning and Zoning Staff:

The Future Land Use Map recommends the two properties as ‘Village Mixed Use’. The Comprehensive Plan (2021) describes this as “characterized by a vertical and/or horizontal mix of uses...and is designed at a neighborhood and human scale to promote walkability and social interaction”. The recommended zoning districts being GB, LB, M-1, DB, and R-20 with the recommended uses as detached/attached single-family, multi-family, retail, and office. The requested rezoning to the DB – Downtown Business would be in line with the recommendations of the City’s Comprehensive Plan.

The Applicant has not proposed any additional improvements to the property with this rezoning. The existing structure at 53 George Street is existing non-compliant (e.g. “grandfathered”) as it does not meet the required setbacks and lot size requirements of the current M-1 – Light Manufacturing zoning district. Should it be rezoned the DB – Downtown Business, the structure would be non-compliant with the front yard setback (10-feet), but the existing non-conformity would be carried over with the rezoning.

Should the Applicant proceed to lease space for any permitted or conditional uses, the Applicant (or lessee) would need to apply for and receive a Certificate of Compliance from the Planning and Zoning Department, who would determine the need for any required improvements to the property that may need to be made in order for the property to be in full compliance with the Pataskala Code.

Following a recommendation from the Planning and Zoning Commission, the Application will go before City Council for final approval.

Pataskala Utilities

The Utility Department has no comment at this time. Depending on the type of business that would move in, there may be additional requirements to protect the public infrastructure (backflow device, grease traps, etc.)

Other Departments and Agencies

No other comments received.

**Surrounding Area:**

Direction	Zoning	Land Use
North	R-7 – Village Single-Family Residential	Single-Family Home
East	R-7 – Village Single-Family Residential	Duplex
South	M-1 – Light Manufacturing	Sound/Stage Equipment Rental
West	R-7 – Village Single-Family Residential	Vacant Commercial Single-Family Home

**Rezoning Approval:**

According to Section 1217.04 of the Pataskala Code, the Planning and Zoning Commission shall consider approval of a rezoning if the proposal:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Comprehensive Plan and/or this Code.
2. Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
3. Will not be hazardous or disturbing to existing or future neighboring uses.
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
6. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, air or water pollution, or potential for explosion.
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
8. Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

**Department and Agency Review**

- Zoning Inspector – No Comments.
- City Engineer – No Comments.
- Public Service – No Comments.
- SWLCWSD – See Attached.
- Police Department – No Comments.
- West Licking Joint Fire District – No Comments.
- Licking Heights School District – No Comments.

**Modifications:**

Should the Planning and Zoning Commission choose to approve the applicant's request, the following modifications may be considered:

- None.

**Resolution:**

For your convenience, the following resolution may be considered by the Planning and Zoning Commission when making a motion:

"I recommend approval of Rezoning Application number ZON-22-003 pursuant to Section 1217.10 of the Pataskala Code. ("with the following modifications" if modifications are to be placed on the approval)."



**PM-22-001:** Felix Dellibovi, American StructurePoint, Bruce Brooks, Doug White, Kasey Perkins, CJ Gilcher, Alan Haines

**PP-22-001:** Felix Dellibovi, Chris Sharrock, Verdantas, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines

**The Utility Department has no comment at this time.**

**PP-22-002:** Felix Dellibovi, Verdantas, Bruce Brooks, Doug White, Kevin Miller, CJ Gilcher, Alan Haines

**ZON-21-003:** Felix Dellibovi, Chris Sharrock, Verdantas, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines

**The Utility Department has no comment at this time. Depending on the type of business that would move in, there may be additional requirements to protect the public infrastructure (backflow device, grease traps, etc.)**

**ZON-21-004:** Felix Dellibovi, Verdantas, Bruce Brooks, Doug White, Kasey Perkins, CJ Gilcher, Alan Haines

Please review the applications, and if you have any comments or concerns regarding them they may be submitted to me in writing no later than Monday, August 29th.

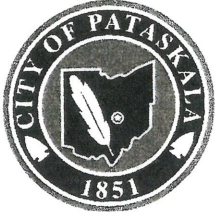
And if you have any questions about the Applications themselves, feel free to contact me.

Here is a link to download the review memo:

[https://pataskala-my.sharepoint.com/:f/g/personal/jkuntzman\\_ci\\_pataskala\\_oh\\_us/EggidGSGqnNNot-DP6eEpCAB8B3fnHzO6JDgNMCDdJu-gg?e=aGtni1](https://pataskala-my.sharepoint.com/:f/g/personal/jkuntzman_ci_pataskala_oh_us/EggidGSGqnNNot-DP6eEpCAB8B3fnHzO6JDgNMCDdJu-gg?e=aGtni1)

Respectfully,

**JACK R. KUNTZMAN**  
City Planner  
City of Pataskala  
621 West Broad Street, Suite 2-A  
Pataskala, Ohio 43062  
Phone: 740-964-1316



# CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

621 West Broad Street, Suite 2A  
Pataskala, Ohio 43062

## REZONING APPLICATION

(Pataskala Codified Ordinances Chapter 1217)

<b>Property Information</b>		
Address: <u>53-66 George St</u>		
Parcel Number: <u>064-307908-00.000 / 064-311784-00.000</u>		
Current Zoning: <u>m-1</u>	Proposed Zoning: <u>DB</u>	Acres: <u>0.13 / 0.12</u>
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

<b>Applicant Information</b>		
Name: <u>Jeff Branham</u>		
Address: <u>6510 Beaver Run Rd SW Pataskala OH</u>		
City: <u>Pataskala</u>	State: <u>OH</u>	Zip: <u>43062</u>
Phone: <u>740-975 7810</u>	Email: <u>Jbranham1@yahoo.com</u>	

<b>Property Owner Information</b>		
Name: <u>(SAME)</u>		
Address:		
City:	State:	Zip:
Phone:	Email:	

<b>Staff Use</b>
Application Number: <u>ZON-22-003</u>
Fee: <u>750 -</u>
Filing Date: <u>8-1-22</u>
Hearing Date: <u>9-7-22</u>
Receipt Number: <u>000769</u>

<b>Documents</b>
<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"/> Area Map

<b>Rezoning Information</b>
Request (Include Section of Code):
Describe the Project (Include Current Use and Proposed Use):
<u>Rezone from m-1 to DB-Downtown Business</u>

## Documents to Submit

**Rezoning Application:** Submit one (1) copy of the rezoning application.

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

- The reason the rezoning has been requested.
- The specific reasons why the rezoning is appropriate as it pertains to Section 1217.04 of the Pataskala Code:
  1. *Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or this Code.*
  2. *Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
  3. *Will not be hazardous or disturbing to existing or future uses.*
  4. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
  5. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.*
  6. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, air or water pollution, or potential for explosion.*
  7. *Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.*
  8. *Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.*

**Site Plan:** Submit one (1) copy (unless otherwise directed by staff) of a site plan to scale of the subject property indicating the following:

- All property lines and dimensions
- Location and dimensions of all existing and proposed buildings and structures.
- Location and dimensions of all existing buildings and structures on adjacent properties within 500 feet.
- Setbacks from property lines for all existing and proposed buildings, structures and additions
- Easements and rights-of-way
- Existing and proposed driveways
- Floodplain areas
- Location of existing wells and septic/aerator systems.
- Number and dimensions of existing and proposed parking areas
- Existing and proposed refuse and service areas
- Existing and proposed landscaping features
- Any other information deemed necessary for the rezoning request

**Deed:** Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained from the Licking County Recorder's website here: <https://apps.lcounty.com/recorder/recording-search/>

**Area Map:** Submit 1 copy of an area map showing the property and the surrounding area. Area maps can be obtained from the Licking County Auditor's website here: <https://www.lickingcountyoio.us/>

## 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 rezoning request.

Applicant (Required):

*Jeff Branch*

Date:

*7/31/22*

Property Owner (Required):

*[Signature]*

Date:

*7/31/22*

Jeff Branham  
6570 Beaver Run Road SW  
Pataskala OH 43062

Pataskala Zoning Commission  
621 W. Broad Street  
Pataskala OH 43062

July 31, 2022

Dear Zoning Commission Members:

Please find attached an application to change the zoning of 53 and 66 George Street from M1 to **DB**. In keeping with the Comprehensive Plan for the City of Pataskala, this change will support and promote small, locally owned businesses within the City.

The historic structure on this property was recently renovated and again follows the Comprehensive Plan Action 4.3.1 in "the adaptive reuse of existing buildings to provide affordable yet updated space for small businesses". Similarly, Action 4.3.2 of the Comprehensive Plan recommends to "support construction of 10,000 to 20,000 square foot commercial buildings that provide flexible office space."

The rezoning of the property to **DB** will allow the leasing of the building to local entrepreneurs for retail sales, photography, office space or entertainment facilities.

I have similarly renovated two other buildings in the City of Pataskala which are currently supporting retail businesses and professional offices. With the success of these renovations, I respectfully ask your consideration for the rezoning of 53 and 66 George Street from M1 to **DB**.

Sincerely,

Jeff Branham



Michael L. Smith, Auditor  
Roy Van Atta, Treasurer

Taxes Due July 20th

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FIND YOUR PARCEL

Address

Trouble Searching?



064-311784-00.000  
BRANHAM JEFFREY  
66 GEORGE ST  
PATASKALA, OH 4306

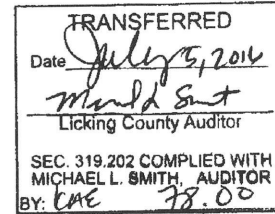
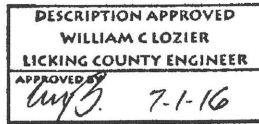
Acres: 0.12  
0.12 AC R15 T1 Q4

Land: \$17,900  
Improv: \$0  
Total: \$17,900

Transfer Date: 06/14/2  
Amount: \$13,000  
Conveyance: 1840  
Valid Sale: No

Homestead: No  
Owner Occ: No

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



201607050013873  
Pgs: 3 \$36.00 T20160016231  
07/05/2016 3:07PM BXHAYES TITLE  
Bryan A. Long  
Licking County Recorder

## GENERAL WARRANTY DEED

**Richard E. McClead**, unmarried, of Licking County, Ohio, for valuable consideration paid, grants with general warranty covenants to **Jeffrey Branham**, married, whose tax mailing address is \_\_\_\_\_, the following real property:

*Situated in the State of Ohio, County of Licking and village of Pataskala, now City of Pataskala and further described on the attached Exhibit "A".*

Prior Deed Reference: Instrument Number 20030829041996 and 201006080010842, Licking County Recorder's Office, Licking County, Ohio.

Also known as: 53 George Street, Pataskala, Ohio 43062

Auditor's Parcel #064-307908-00.000

Excepting conditions, easements, restrictions, rights of way and zoning and other governmental regulations of record and taxes and assessments not yet due and payable which Grantees assume and agree to pay as a part of the consideration herein.

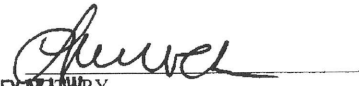
Executed this 30th day of June, 2016

  
Richard E. McClead

State of Ohio  
County of Licking SS:

The foregoing instrument was acknowledged before me this 30th day of June, 2016 by Richard E. McClead



  
LAURIE WELLS, ATTORNEY AT LAW  
NOTARY PUBLIC, STATE OF OHIO  
My commission has no expiration date.  
Section 147.03 R.C.

Prepared by:  
Laurie Wells, Esq., through  
Hayes Law Offices, INC., L.P.A.  
195 E. Broad St., Pataskala, OH 43062  
740.927.2927





Exhibit "A"

Situated the State of Ohio, county of Licking and Village of Pataskala, now City of Pataskala:

Parcel 1

Beginning at an iron pin found on the south side of George Street at the northeast corner of Lot No. 33 of the original plat of Conine as numbered and delineated upon the recorded plat of record in Plat Book 1 page 26, Licking County, Ohio; thence along the south line of George Street, south 76 deg. 57' 31" east, 64.0 feet to a point for the true place of beginning; thence continuing along the south line of George Street, south 76 deg. 57' 31" east 62.88 feet to an iron pin at the northwest corner of the Elizabeth Terry parcel of record in Deed Book 574, page 515; thence along the west line of the Terry property south 13 deg. 47' 54" west, passing an iron pin at 84.77 feet and 90.0 feet, a total distance of 94.77 feet to an iron pin for a corner; thence north 74 deg. 48' 29" west 62.96 feet to a point for a corner (being the southeast corner of a .133 acre tract conveyed by Gertrude H. Wright, et al., to Raymond R. Johnson and Janice E. Johnson by deed dated November 7th, 1970); thence along the east line of said .133 acre tract, north 13 deg. 47' 54" east, 92.40 feet to the place of beginning containing .135 acres more or less.

Excepting and reserving, however, to the grantor, her heirs and assigns, tenants, licensees, employees, visitors and all persons for the benefit or advantage of the grantor, a right of way over, across and upon a strip of land 10 feet wide off of the entire south end of the above described premises, which right of way or easement, the grantees agree to keep open for the purpose of access to and the loading and unloading of vehicles serving the grantor's property adjoining said premises, the grantees, their heirs, assigns, tenants, licensees, employees, visitors and all persons for the advantage of the grantees being likewise entitled to use the same.

Neither the grantor, the grantees nor anyone claiming under them or either of them, shall in any manner obstruct any portion of said easement or right of way or use the same for storage of vehicles or materials or otherwise, or in any manner prevent the free and unobstructed use thereof by the parties entitled to use the same. It being the understanding of the parties that the property may be used by the grantees for the parking of vehicles so long as said vehicles do not obstruct or may be moved in order to insure access to the grantor's adjoining property at such time the same may be needed by any person entitled to use the same.

Parcel 2

The grantor does hereby grant and release unto the grantees, their heirs and assigns forever a non-exclusive right of way on and over the following described property, to-wit:

Beginning at an iron pin found on the south side of George Street at the northeast corner of Lot No. 33 of the original plat of Conine as numbered and delineated upon the recorded plat thereof of record in Plat Book 1 page 26 Plat Records, Licking County, Ohio; thence along the east line of Lot No. 33 south 13 deg. 47' 54" west 90.0 feet to an iron pin in the east line of Lot No. 33 for the true place of beginning; thence along the south line of Parcel 1 extended south 74 deg. 48' 29" east 127.05 feet to an iron pin set; thence continuing south 79 deg. 31' 36" east 60 feet to an iron pin set in the east corporation line of the Village of Pataskala; being the west line of Harrison Township; thence along the east corporation line of the Village of Pataskala, south 13 deg. 47' 54" west 15.0 feet to an iron pin set; thence along a line parallel to the north line of said easement, north 79 deg. 31' 36" west 60.0 feet to an iron pin set; thence continuing north 74 deg. 48' 29" west, 127.05 feet to an iron pin set in the east line of Lot No. 34 of the plat of Conine; thence north, along the east line of Lots No. 34 and 33 of Conine, north 13 deg. 47' 54" west 15 feet to the place of beginning containing .06 acres more or less. Said easement or right of way being for the use of the grantees, their heirs and assigns, their agents, servants, tenants, visitors, licensees, and all persons for the advantage of the grantees, their heirs and assigns, at all times to freely pass and repass, on foot and in vehicles of every kind and description, to and from said Township Line

Road to said lands of the grantees and for the benefit of the grantees' building situated on Parcel 1 hereof.

To have and to hold said easement and right unto the grantees, their heirs and assigns, forever, subject however to the rights of the grantor, her heirs and assigns.

Excepting and reserving, however, unto the grantor, her heirs and assigns and her servants, agents, tenants, visitors, licensees and all other person for the advantage of the grantor, the right to use said easement subject only to the non-exclusive easement granted the grantees for the purposes herein set forth.

Neither the grantor, the grantees nor anyone claiming under them or either of them, shall in any manner obstruct any portion of said easement or right of way or use the same for the storage of vehicles or materials or otherwise, or in any manner prevent the free and unobstructed use thereof by the parties entitled to use the same. It being the understanding of the parties that the property may be used by the grantor for the parking of vehicles so long as said vehicles do not obstruct or may be moved in order to insure access to the grantees' property at such time the same may be needed to any person entitled to use the same.

It being further mutually understood by and between the parties that said easement and right of way shall be jointly kept and maintained by the grantor and grantees equally, or in direct proportions to their use thereof.

**53 George Street, Pataskala, OH 43062**

**Permanent Parcel No.: 064-307908-00.000**



