



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

August 9, 2016

Variance Application VA-16-018

Applicant:	Matt Piatt
Owner:	Matt Piatt
Location:	335 Edenderry Lane
Acreage:	2.26 acres
Zoning:	R-87 – Medium Low Density Residential
Request:	Requesting a variance from Section 1221.05 (B)(1) of the Pataskala Code to allow an accessory building to exceed the maximum permitted size.

Description of the Request:

The applicant is requesting a variance to construct an 884 square foot addition to an accessory building that would exceed the maximum square footage permitted by 164 square feet.

Staff Review:

The property currently contains a 2,846 square foot home constructed in 1997 and a 756 square foot detached garage constructed in 2000. The applicant is proposing to construct an 884 square foot addition – 35 foot by 16 foot on the north side; 12 foot by 27 foot on the west side – to the existing 756 square foot garage. Based upon the acreage of the property, the Code allows a maximum of 1,476 square feet. The existing detached garage and the proposed addition total 1,640 square feet; 164 square feet over the maximum permitted square footage for accessory buildings on this property. According to the applicant, the proposed addition to the garage would be used to store the applicant's lawn garden equipment and an addition vehicle.

Surrounding Area:

Direction	Zoning	Land Use
North	R-87 – Medium Low Density Residential	Single-Family House
East	R-87 – Medium Low Density Residential	Single-Family House
South	R-87 – Medium Low Density Residential	Single-Family House
West	R-87 – Medium Low Density Residential	Single-Family House

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-16-018:

- None

Department and Agency Review

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – No comments
- Health Department – See attached
- Police Department – No comments
- West Licking Joint Fire District – No comments
- Licking Heights School District – No comments

Modifications:

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

1. The applicant shall construct the accessory building addition as submitted within one (1) year of the date of approval.
2. The applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department prior to construction of the accessory building addition.
3. The accessory building addition shall be setback the same distance or further from the property line than the front line of the main dwelling.
4. The accessory building addition shall be a minimum of 10 feet from the well head and any part of the existing household sewage treatment system.

Resolution:

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

"I move to (approve/disapprove) variance from Section 1221.05(B)(1) of the Pataskala Code for variance application VA-16-018 ("with the following modifications" if modifications are to be placed on the approval)."

From: [Lisa Paxton](#)
To: [Scott Fulton](#)
Subject: RE: Pataskala Zoning - Variance Application VA-16-018 08/03/2016
Date: Tuesday, July 26, 2016 11:49:12 AM
Attachments: [image001.png](#)

Health Department comment for 08/09/2016 BZA Variance Application VA-16-018 335 Edenberry Lane, Pataskala

From: Chris Hill [mailto:chill@lickingcohealth.org]
Sent: Tuesday, July 26, 2016 10:45 AM
To: Lisa Paxton <lpaxton@ci.pataskala.oh.us>
Subject: RE: Pataskala Zoning - Variance Application VA-16-018 08/03/2016

Hello Lisa and good morning,
The building must be a minimum of 10 feet from the well head and a minimum of 10 feet from any part of the existing household sewage treatment system.

Have a GREAT day!

Chris Hill RS, REHS
Environmental Sanitarian II
Licking County Health Department
675 Price Road
Newark, Ohio 43055
740-349-6503

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From: Lisa Paxton [mailto:lpaxton@ci.pataskala.oh.us]
Sent: Wednesday, July 20, 2016 8:55 AM
To: Chris Hill <chill@lickingcohealth.org>
Subject: Pataskala Zoning - Variance Application VA-16-018 08/03/2016

Good morning, Chris.

Attached is information for our upcoming Board of Zoning Appeals hearing regarding 335 Edenberry Lane, Pataskala – Variance Application VA-16-018 (information below)

Please email or call with any questions.

Thank you!

Lisa ~

The following applications are scheduled to be heard at the **Tuesday, August 9, 2016** Board of Zoning Appeals hearing. Those indicated are applicable for review by your organization.

☐ **Variance Application VA-16-018**

Applicant:	Matt Piatt
Owner:	Matt Piatt
Location:	335 Edenderry Lane
Acreage:	2.26 acres
Zoning:	R-87 – Medium-Low Density Residential
Request:	Requesting a variance from Section 1221.05(B)(1) of the Pataskala Code to allow for an addition to an accessory building that would exceed the maximum permitted size.

A Technical Review Committee meeting will be held on Tuesday, July 26, 2016 at 9:30am in the Administrative Conference Room at Pataskala City Hall should you wish to meet to discuss the proposals in person. Please let me know in advance if you plan on attending.

Please have all comments on this application to me in writing no later than Friday, July 29, 2016.

Thank you for your assistance. If you have any questions in the interim, please let me know by phone at 740-927-2168 or via email at sfulton@ci.pataskala.oh.us

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VARIANCE APPLICATION

(Pataskala Codified Ordinances Chapter 1211)

Property Information	
Address: 335 Edenerry Lane	
Parcel Number: 063-140736-00.015	
Zoning: <u>R-87</u>	Acres: 2.26
Water Supply: <input type="checkbox"/> City of Pataskala <input type="checkbox"/> South West Licking <input checked="" type="checkbox"/> On Site	
Wastewater Treatment: <input type="checkbox"/> City of Pataskala <input type="checkbox"/> South West Licking <input checked="" type="checkbox"/> On Site	

Staff Use
Application Number: <u>VA-16-018</u>
Fee: <u>\$300</u>
Filing Date: <u>7-14-16</u>
Hearing Date: <u>8-9-16</u>



Applicant Information		
Name: Matt Piatt		
Address: 335 Edenderry Lane		
City: Pataskala	State: OH	Zip: 43062
Phone: 614-582-4187	Email: mpiatt@otpnet.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: Matt Piatt		
Address: 335 Edenderry Lane		
City: Pataskala	State: OH	Zip: 43062
Phone: 614-582-4187	Email: mpiatt@otpnet.com	

Variance Information
Request (Include Section of Code): Requesting a variance from Section 1221.05 (B)(1) of the Pataskala Code to allow an accessory building to exceed the maximum permitted size.
Describe the Project: Addition to existing detached garage.

Documents to Submit
Variance Application: Submit 14 copies of the variance application.
Narrative Statement: Submit 14 copies of a narrative statement explaining the following: <ul style="list-style-type: none"> • 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: <ol style="list-style-type: none"> <i>Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property without the variance;</i> <i>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;</i> <i>Whether the variance requested is substantial;</i> <i>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;</i> <i>Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;</i> <i>Whether the variance, if granted, will be detrimental to the public welfare;</i> <i>Whether the variance, if granted, would adversely affect the delivery of governmental services;</i> <i>Whether the property owner purchased the subject property with knowledge of the zoning restriction;</i> <i>Whether the property owner's predicament can be obviated through some other method than variance;</i> <i>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,</i> <i>Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.</i>
Site Plan: Submit 14 copies of a site plan to scale of the subject property indicating the following: <ul style="list-style-type: none"> • 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 .
Address List: Submit one 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 14 copies 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 .

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: 7/13/16
Owner: 	Date: 7/13/16

July 13, 2016

City of Pataskala Board of Zoning Appeals

Dear Board members:

We are respectfully requesting a variance from Section 1221.05(B) (1) of the Pataskala Code to allow for an accessory building to be expanded beyond the maximum permitted size.

To adequately store our lawn and garden implements and additional autos out of the elements, and for security purposes, we need to add on additional space to the existing structure. We have a teenage daughter now driving her own vehicle, which requires an additional garage bay. With a lawn our size, we also have a tractor, snow blower, snow blade, lawn sprayer, aerator, spreaders and various other items to keep our property maintained properly. Leaving these outside poses a risk of theft or damage, and creates a cluttered look in our neighborhood.

The addition would put the total structure at 1,640 square feet – approximately 180 square feet over the maximum allowed for our lot. We have already scaled back our initial designs and feel this is the minimum expansion that will meet our current needs.

The garage is a carriage style structure, with side-entry garage doors – none of the garage doors are street facing. Currently, the main residence is scheduled to be re-sided with Hardi-Plank concrete siding and trim work. This will be used on the garage (including the addition), as well. The garage and proposed addition would also have the same roofing, windows, doors, and landscaping as the primary structure, including pine trees on the NW and SW corners of the new addition. The façade will have street facing windows and shutters that match the primary residence, along with additional accent lighting.

In light of the relatively minor square foot overage, we do not feel this variance would in any way adversely impact our property, the surrounding property, or the neighborhood. We've provided example of two properties in very close proximity to ours (one next door) that have large accessory buildings similar in size or substantially larger than our request that also did not adversely impact surrounding properties.

We appreciate your consideration in approving this request.

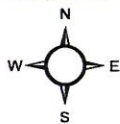
Sincerely,



Matt Piatt



July 13, 2016

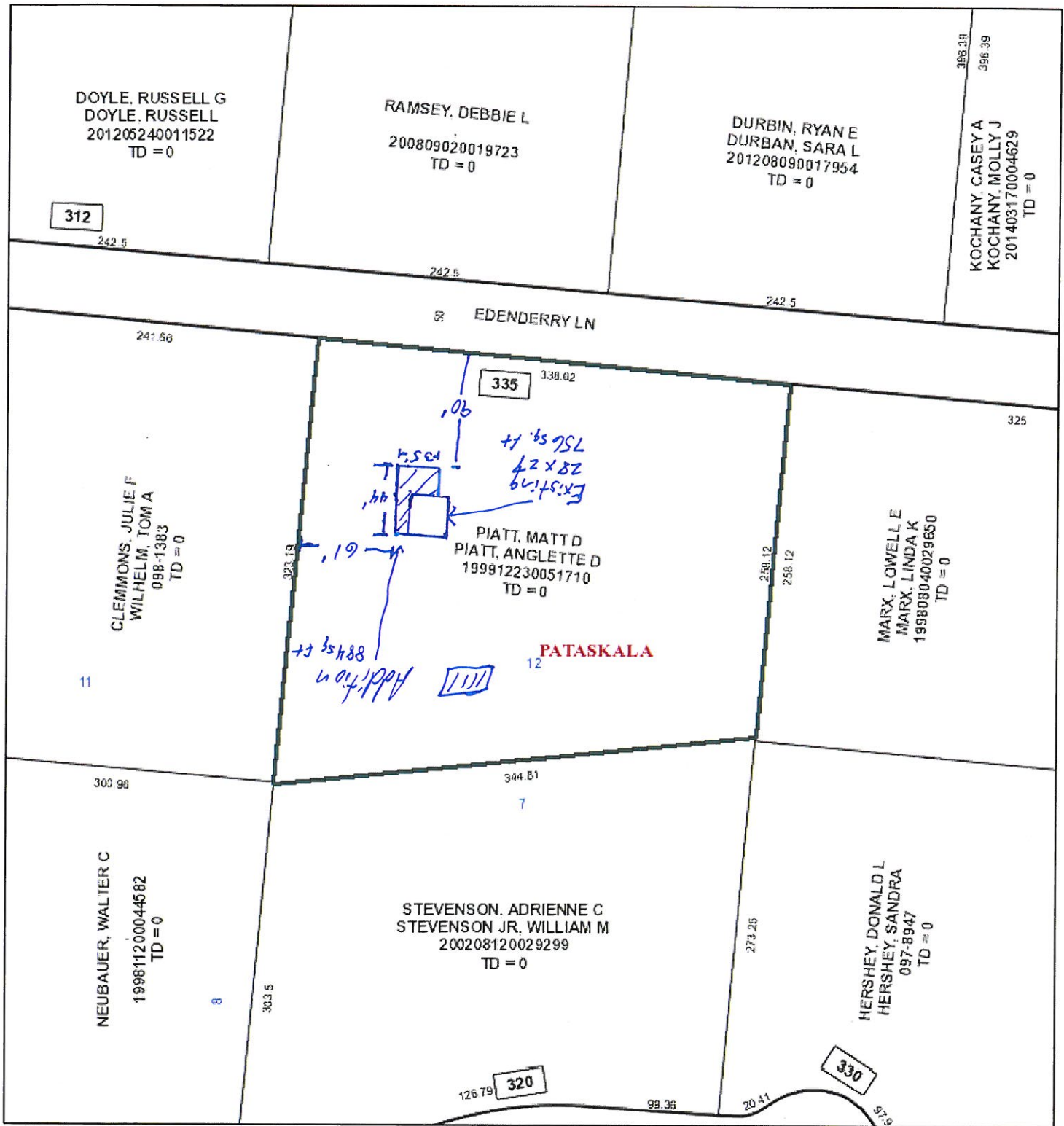


0 200 Feet
0.04 Miles

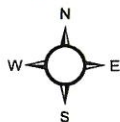
LICKING COUNTY TAX MAP

Pictometry

Piatt



July 13, 2016



0 100 Feet
0.02 Miles

LICKING COUNTY TAX MAP

ISDEPT

Licking County Tax Parcel Viewer



