



## CITY OF PATASKALA BOARD OF ZONING APPEALS

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

### STAFF REPORT

October 11, 2016

#### Variance Application VA-16-022

<b>Applicant:</b>	Tom Wilhelm
<b>Owner:</b>	Tom & Julie Wilhelm
<b>Location:</b>	325 Edenderry Ln.
<b>Acreage:</b>	2.02 Acres
<b>Zoning:</b>	R-87 – Low-Medium Density Residential District
<b>Request:</b>	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 seeking a variance to construct a 36' x 44' (1,100 square feet) addition on the existing detached garage which would exceed the maximum permitted size.

#### Staff Summary:

The property currently contains a 1,928 square foot home constructed in 1998 as well as a 1,500 square foot detached garage. The applicant is proposing to construct a 1,100 square foot addition to the corner of the garage. According to Section 1221.05 of the Pataskala Code, the applicant has a maximum accessory building square footage of 1,332 square feet. The proposed addition would exceed the limit by 1,268 square feet. All other requirements of the code would be met.

#### Staff Review:

*\*The following summary does not constitute recommendations but merely conclusions and suggestions from the Staff Review, the full text of which follows the summary.*

The existing garage with the proposed addition would be largely hidden from street view and from neighboring houses as the structure is currently surrounded by large trees. Variance application VA-16-018 for an addition to an accessory building was approved on August 9, 2016 on the neighboring property directly to the east.

**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-16-022:

- 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 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-16-022 ("with the following modifications" if modifications are to be placed on the approval)."



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### VARIANCE APPLICATION

(Pataskala Codified Ordinances Chapter 1211)

Property Information		Staff Use
Address: 325 EDENDERRY LANE		Application Number: VA-16-022
Parcel Number: 6314073600014		Fee: \$300 <sup>00</sup>
Zoning: R-87	Acres: 2.02	Filing Date: 9/15/16
Water Supply: <input type="checkbox"/> City of Pataskala <input type="checkbox"/> South West Licking <input checked="" type="checkbox"/> On Site		Hearing Date: 10/11/16
Wastewater Treatment: <input type="checkbox"/> City of Pataskala <input type="checkbox"/> South West Licking <input checked="" type="checkbox"/> On Site		

Applicant Information		Documents
Name: TOM WILHELM		<input checked="" type="checkbox"/> Application
Address: 325 EDENDERRY LANE		<input checked="" type="checkbox"/> Fee
City: PATASKALA	State: OHIO	<input checked="" type="checkbox"/> Narrative
Phone: 740 964 9482	Email: TOMJUL325@GMAIL.COM	<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: TOM / JULIE WILHELM	
Address: 325 EDENDERRY LANE	
City: PATASKALA	State: OHIO
Phone: 740 964 9482	Email: TOMJUL325@GMAIL.COM

Variance Information
Request (Include Section of Code): VARIANCE TO ALLOW ADDITIONAL SQUARE FOOTAGE TO ACCESSORY BUILDING
Describe the Project: ADDITION TO EXISTING DETACHED GARAGE
EXISTING 1500 SQ FT
ADDITIONAL 1100 SQ FT

1221.05 (B)(1)

### Documents to Submit

**Variance Application:** Submit 14 copies of the variance application.

**Narrative Statement:** Submit 14 copies 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 14 copies 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 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](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:

9 14 2016

Owner:



Date:

9 14 2016

TOM + JULIE WILHELM

740 964 9482

325 EDENBERY LANE

PATASKALA OHIO 43062

WE ARE REQUESTING A VARIANCE TO ADD  
TO OUR EXISTING DETACHED GARAGE  
FOR ADDITIONAL STORAGE OF PERSONAL  
ITEMS SUCH AS LAWN + GARDEN EQUIPMENT  
SEASONAL FURNITURE AND DECORATIONS,  
OUTDOOR RECREATION ITEMS AND OUR  
CAR AND BIKE COLLECTIONS.

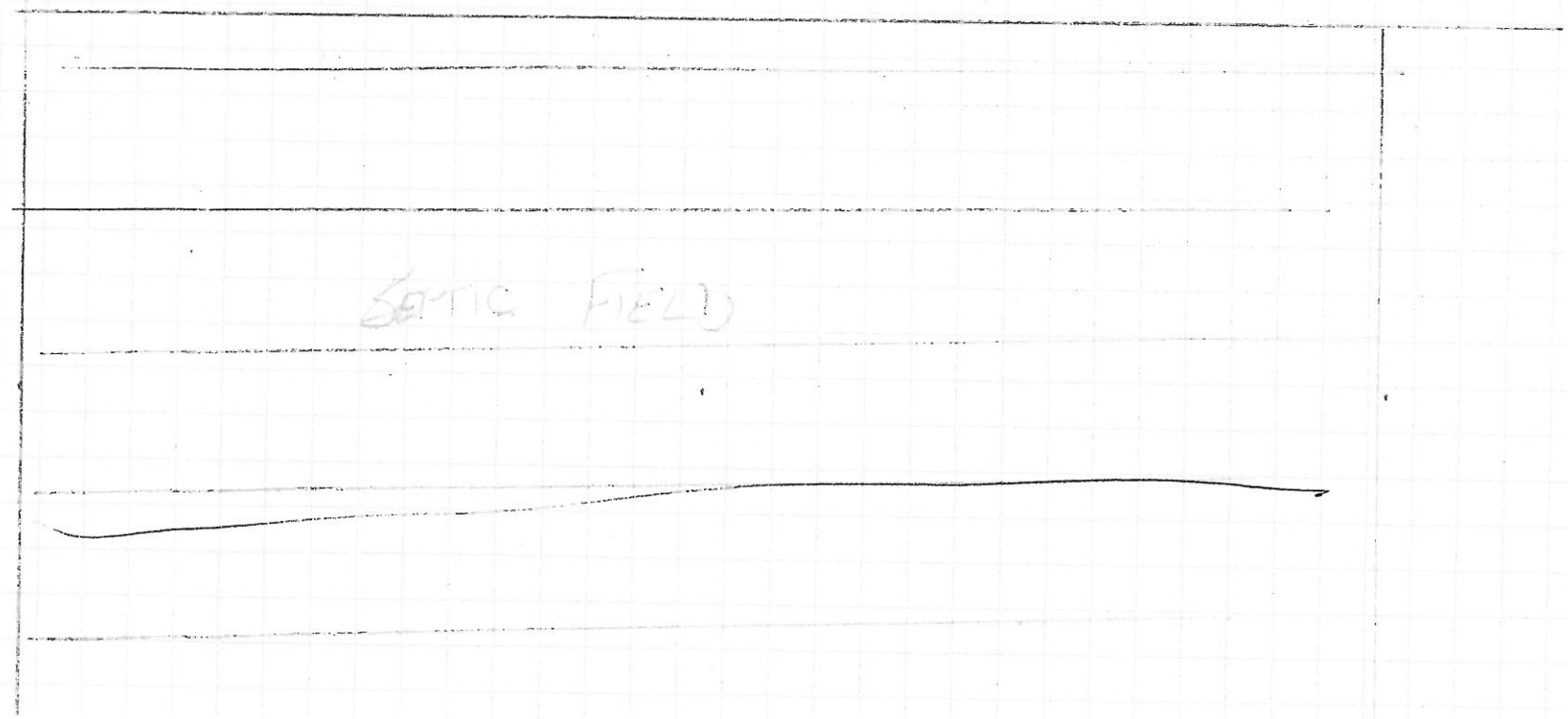
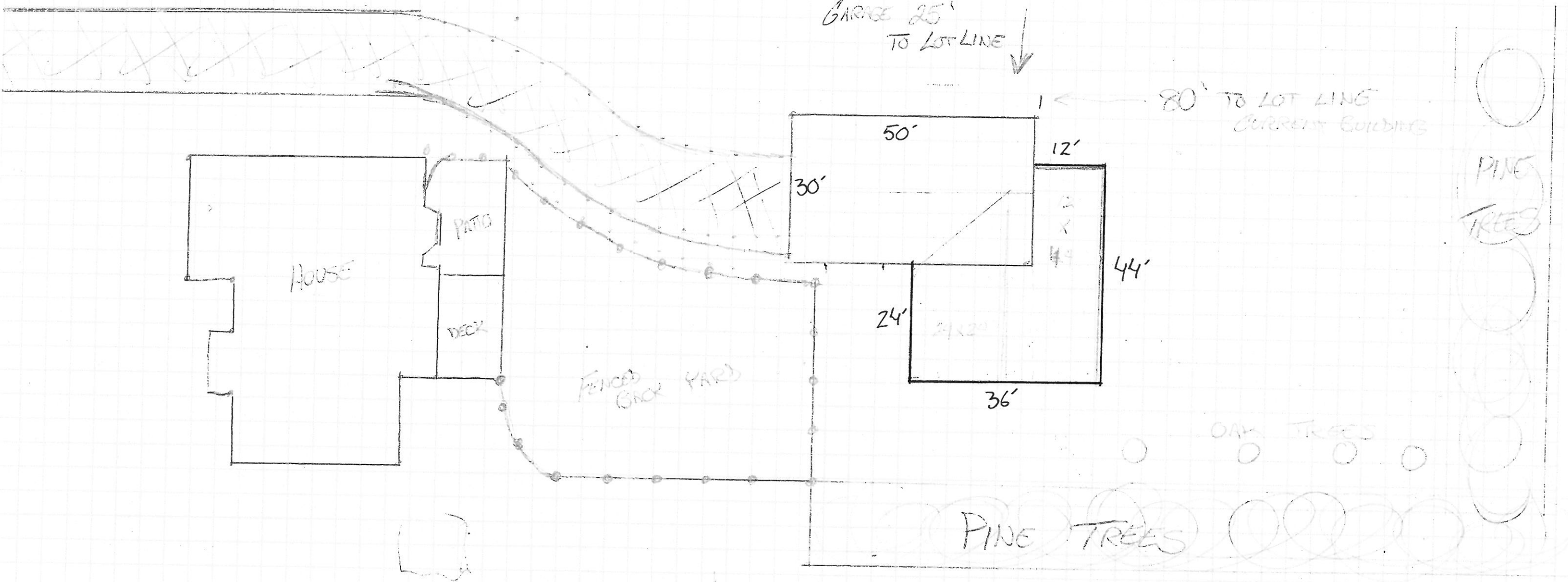
WE HAVE OUTGROWN THE CURRENT  
SPACE AND HAVE THINGS SETTING  
OUTSIDE. CONCERNED WITH APPEARANCE  
AS WELL AS THEFT/VANDALISM WE WOULD  
LIKE TO GET THINGS ALL UNDER/ROOF  
AND SECURED.

THE ADDITION WILL BE SIDED AND  
TRIMED OUT THE SAME AS THE  
CURRENT BUILDING

THANK YOU

Tom Wilhelm





OnTrac<sup>®</sup> Summary Information For The 2015 Tax Year

**Parcel Number:** 063-140736-00.014

**Owner:** CLEMMONS JULIE F & WILHELM TOM A

**Address:** 325 EDENDERRY LN PATASKALA 43062

**Tax District:** 063 PATASKALA LK HGHTS LSD-WLJFD

**2015 Rates:** 85.32000 (Full) / 74.75612 (Effective)

**Land Use:** 510 Single family platted lot

**Class:** Residential

**Legal Description:** KYLEMORE PHASE I LOT 11

**Owner Mailing Address:** CLEMMONS JULIE F & WILHELM TOM A

325 EDENDERRY LN

PATASKALA OH 43062

**Tax Mailing Address:** CORELOGIC TAX SERVICES

ESCROW REPORTING MAIL CODE DFW 4-3

1 CORELOGIC DR

WESTLAKE TX 76262

**Market Land Value:** \$40,700

**Market Improvement Value:** \$288,800

**Total Market Value:** \$329,500

**Sale Date:** 4/20/1998

**Sale Amount:** \$41,900.00

**Deed Type:** JS - JOINT SURVIVORSHIP

**Conveyance Number:** 01068

**Valid Sale:** Yes

**Foreclosure:** No

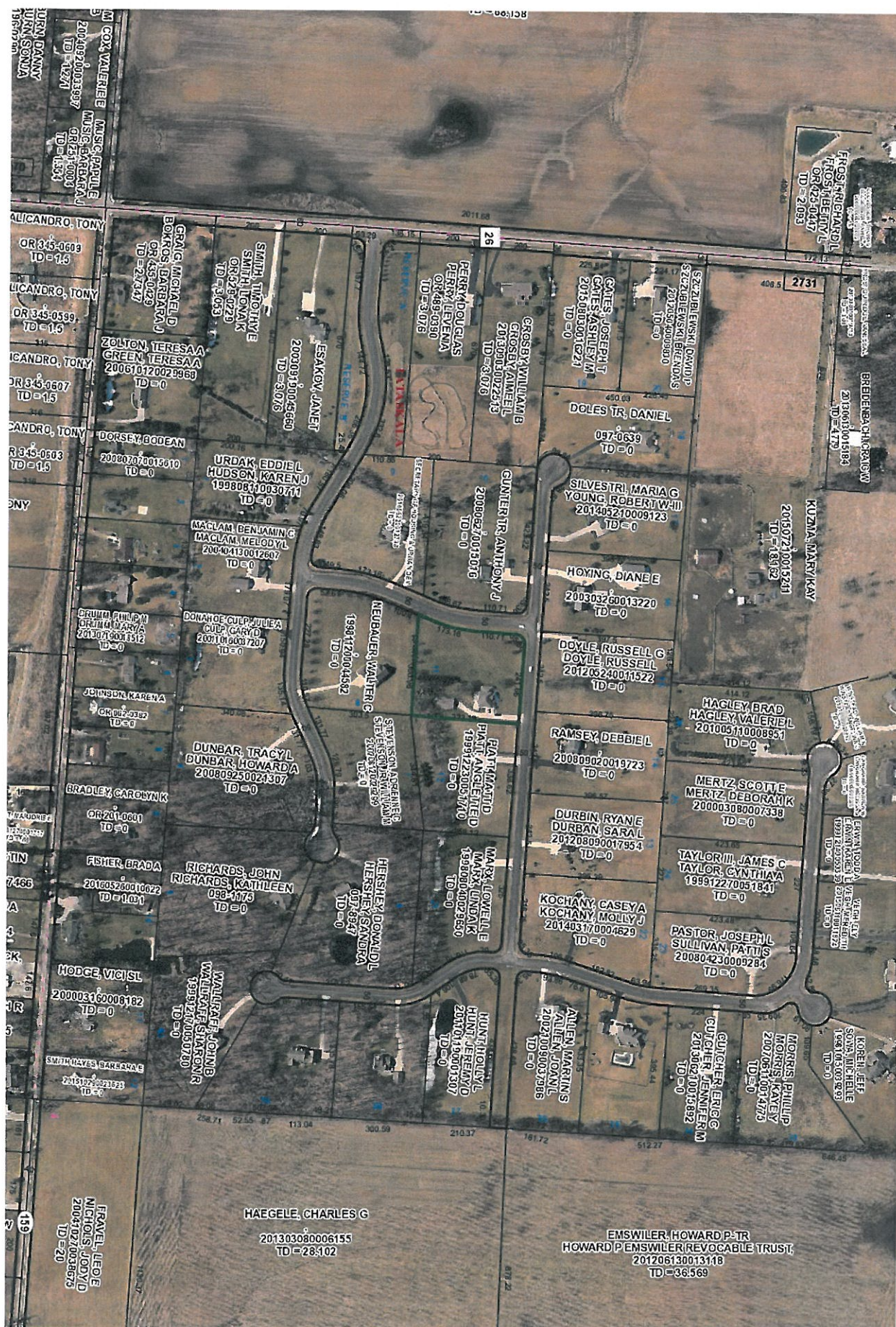
**Homestead/Disability:** No

**Owner Occupied Reduction:** Yes

**On Contract:** No

**Tax Lien Sold:** No







44'

CONCRETE  
APRON 12'

9' DOOR

30'

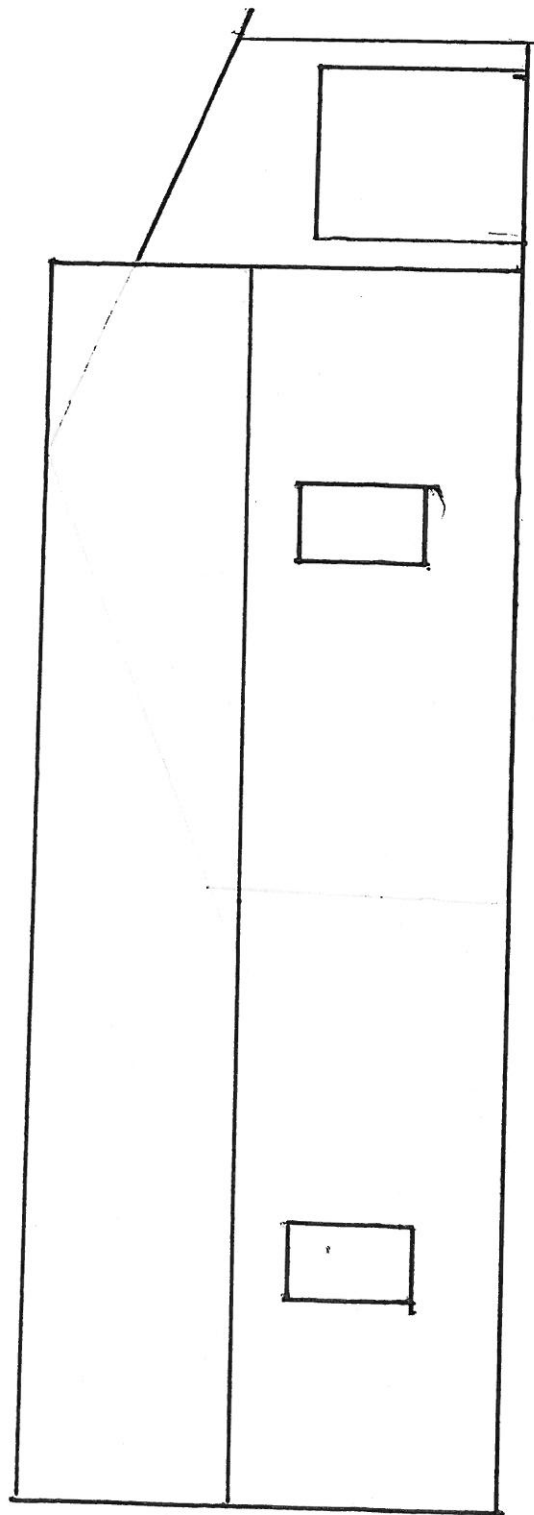
→

36'

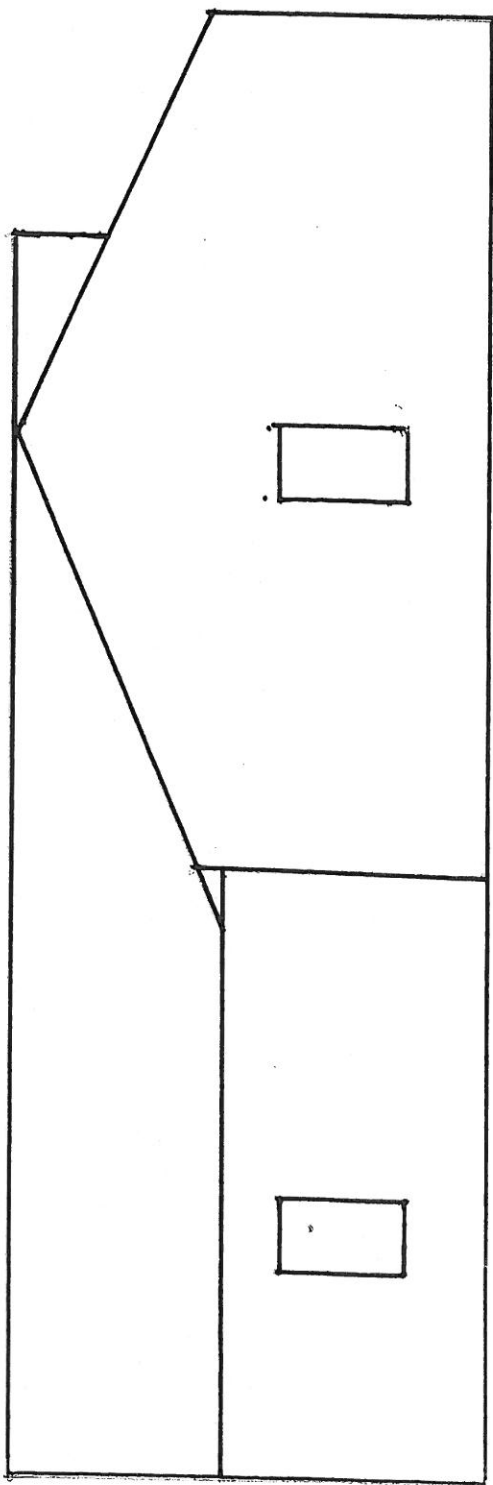
EXISTING  
30' x 50'

24'

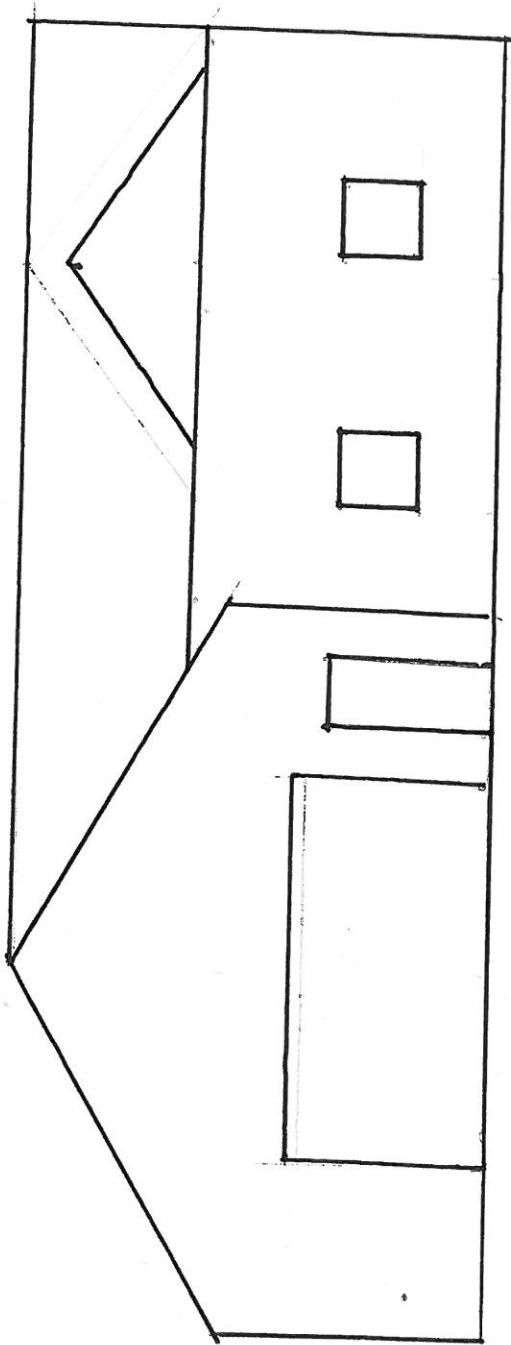
↑  
26'  
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WEST SIDE  
VIEW



EAST SIDE  
VIEW



FRONT / NORTH SIDE



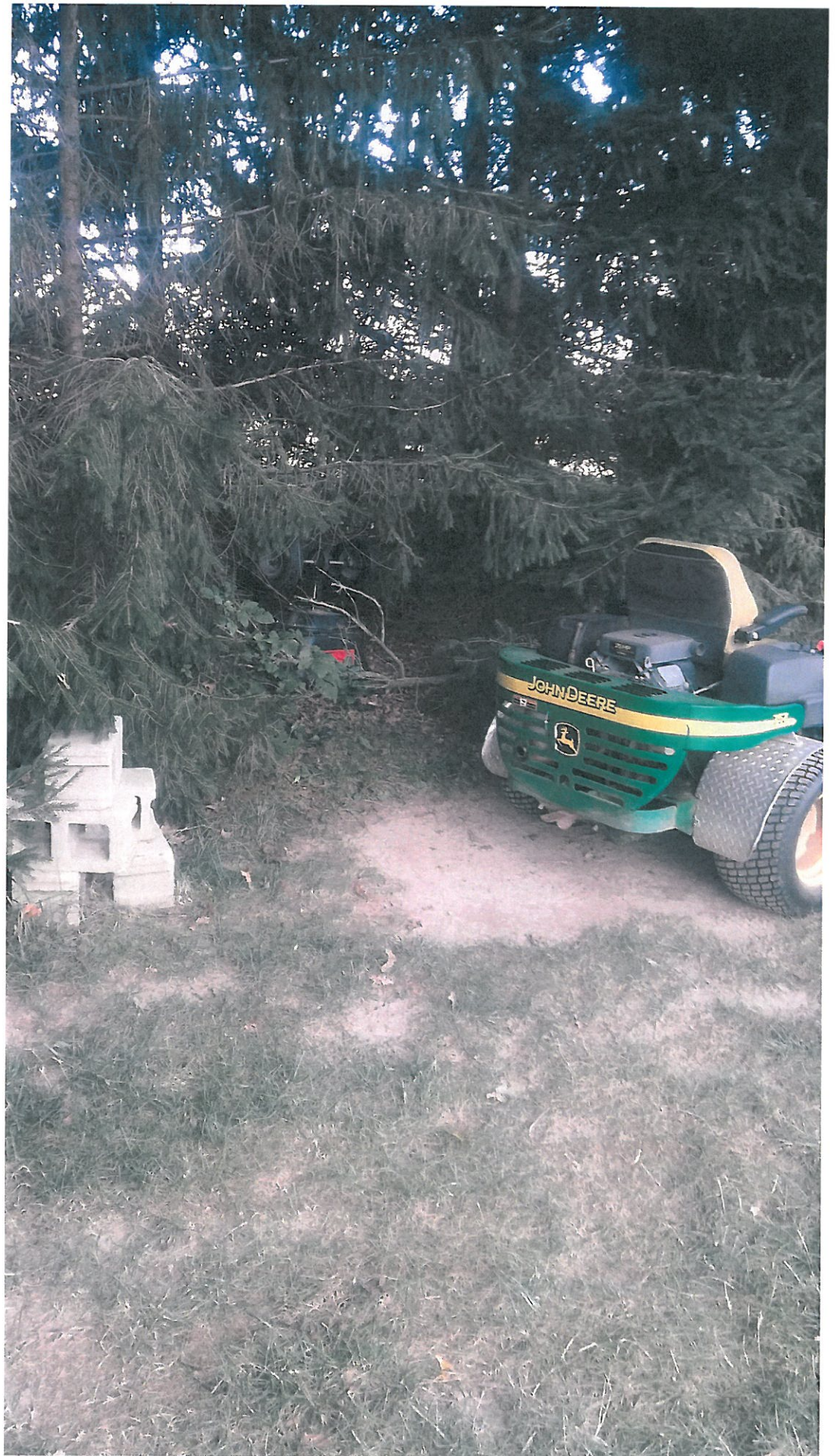




















## Lisa Paxton

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**From:** Chris Hill <chill@lickingcohealth.org>  
**Sent:** Friday, September 23, 2016 10:29 AM  
**To:** Lisa Paxton  
**Subject:** RE: Pataskala Zoning

Hello Lisa and good morning,

Any part of the accessory building must be a minimum of 10 feet from the water well and a minimum of 10 feet from the household sewage treatment system.

Have a good weekend.

**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:** Tuesday, September 20, 2016 1:40 PM  
**To:** Chris Hill <chill@lickingcohealth.org>  
**Subject:** Pataskala Zoning  
**Importance:** High

Good afternoon, Chris.

I've attached a review memo for our 10/17/2016 BZA Hearing regarding 325 Edenberry Lane, Pataskala - Request for a variance to allow an accessory building to exceed the maximum permitted size.

Thank you!

Lisa ~