



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

November 8, 2016

Variance Application VA-16-028

Applicant:	Todd Fields
Owner:	Todd and Katherine Fields
Location:	5444 Mink St. SW
Acreage:	0.23 Acres
Zoning:	RR – Rural Residential District
Request:	Requesting a variance from Section 1221.05 of the Pataskala Code to allow an accessory building to exceed the maximum permitted size and from Section 1203.03 to allow an accessory building to be located on a lot without a principle structure.

Description of the Request:

The applicant is seeking a variance to construct a 30' x 40' (1,200 square feet) pole barn that exceeds the maximum permitted and is located on a lot without a principle structure.

Staff Summary:

The applicant owns a 0.48-acre lot that contains a 1,156 square foot house built in 1974. The applicant also owns an abutting 0.23-acre lot to the west of the 0.48-acre lot that is currently vacant. The applicant is proposing to construct a 30' x 40' (1,200 square foot) accessory building on the vacant 0.23-acre lot. The proposed 1,200 square foot structure would be 30 feet from the west property line and 45 feet from the south property line.

According to Section 1221.05 of the Pataskala Code, the applicant has a maximum accessory building square footage of 258 square feet. The proposed structure exceeds the limit by 942 square feet. According to Section 1203.03, an accessory building cannot be on a lot without a principle building.

Staff Review:

The following review does not constitute recommendations but merely conclusions and suggestions based on the summary

The applicant could combine the lot to remedy the need for variance from Section 1203.03 which does not allow an accessory building on a lot without a principle structure. However, the need for a variance from the maximum permitted size would still be necessary as the proposed accessory building would exceed the new maximum permitted size. Based on the possibility of combining the two lots, the proposed accessory building would exceed the revised maximum permitted size of 546 square feet by approximately 654 square feet.

Variance application VA-16-021 was approved on October 11, 2016 to allow an accessory building to exceed the maximum size by 1,326 square feet roughly 800 feet north of the proposed location.

Surrounding Area:

Direction	Zoning	Land Use
North	RR – Rural Residential	Single-Family House
East	RR – Rural Residential	Single-Family House
South	RR – Rural Residential	Single-Family House
West	RR – Rural 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-16-028:

- None

Department and Agency Review

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – No comments
- Health Department – No comments
- 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.

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-16-028 ("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	
Address: 5444 Munk Street SW	
Parcel Number: 063-141654-17.000/063-141654-21.000	
Zoning: Residential/RR	Acres: 1.00 x 3.08 1.00 0.23
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 checked="" type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Staff Use
Application Number: VA-16-028
Fee: \$300 ⁰⁰
Filing Date: 10-14-16
Hearing Date: 11-8-16

Applicant Information		
Name: Todd Fields		
Address: 5444 Munk Street SW		
City: Pataskala	State: OH	Zip: 43062
Phone: 614-374-0441	Email: KKFields@yahoo.com	

Documents
<input checked="" type="checkbox"/> Application
<input checked="" type="checkbox"/> Fee
<input 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: Katherine + Todd Fields		
Address: 5444 Munk Street SW		
City: Pataskala	State: OH	Zip: 43062
Phone: 614-374-0441	Email: KKFields@yahoo.com	

Variance Information
Request (Include Section of Code):
1221.05(B) - exceeding max size
1221 1203.03 - on lot without principle structure
Describe the Project:
Pole BARN 30 x 40 x 12 1200 s.f.
- Metal Roof + Sides
- Built on SW corner of Lot

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.

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:

10-13-2016

Owner:



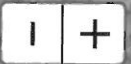
Date:

10-13-2016

Licking County Tax Parcel Viewer



Licking County Tax Parcel Viewer



Graber's Oak Flooring and Pole Buildings INC

12149 Gower Rd., Glenford, OH 43739

(740) 659-1480 (740) 659-1481 (Fax)

www.graber4polebarns.com

Hardwood Flooring • Pole Building Packages • Building Materials • Generators and Power Equipment •
Kitchen Cabinets • Countertops • Vinyl Siding • Custom Wood Trim • 40 Year, Standing Seam, G-Rib and
Corrugated Metal

October 13, 2016

30' x 40' x 12' Pole Building Package Estimate (Residential)

Details:

Vented Ridge,

12" Roof Overhang On All Sides with Vented Steel Soffit and Steel Fascia,

4/12 Pitch Roof,

Truss Spacing: 4' O.C.,

Footers Not Included***

Bolts, Hurricane Ties, Up Lift Anchors, and extra Bracing Included,

4"x 6" Treated Posts,

Post Spacing: 8' O.C.,

#1 SYP 2x10 Top Header (Double Plated) (Galvanized 4x7 Pole Nails Fasteners),

2 rows 2x6 T&G Treated Splash Boards, (Galvanized 4x7 Pole Nails Fasteners),

#2 & Btr SPF 24" O.C. 2X4 Side Boards, (Galvanized 4x7 Pole Nails Fasteners),

#2 & Btr SPF 24" O.C. 2X4 Roof Boards, (Galvanized 4x7 Pole Nails Fasteners),

#1 40yr 29 Gauge G-Rib, Painted Metal Roofing & Siding (Colored) (1 1/2" Metal to Wood Screws Fasteners),

Single Bubble Roof Insulation Moisture Barrier, (1 1/2" Plastic Cap Nails Fasteners),

1 - 16' x 10' Insulated Overhead Garage Door, Metal Back (CHI Model 2283),

1 - 36" Steel Entry Door,

2 - 3' x 3' Insulated Vinyl Slider Windows, (With Screens),

Wainscoting On All Sides.

Job Name: Todd Field

Phone: (614) 374-0441

Email: kkfields@yahoo.com

Location: Pataskala Ohio * 43062 (Licking County)

Materials **\$9,852.60** Tax not included.

Delivered price if Semi Truck accessible!

Labor to Install: **\$4,900.00** Approx price. Site unseen.

Grabers Oak Flooring is Not a Contractor.

Contractors: TBD.

Customer is to Pay Contractors Directly on Completion.

Total Installed Building \$15,752.60

Options

- 1) 5" Concrete Floor In 30' x 40' Area: Graber's is not a concrete provider. Concrete estimates are for reference purposes only – all concrete work must be coordinated directly with the builder.
Materials - \$2,470.00; Labor - \$1,800.00; Total **\$4,270.00**.
- 2) 4" Concrete Floor In 30' x 20' Area: Graber's is not a concrete provider. Concrete estimates are for reference purposes only – all concrete work must be coordinated directly with the builder.
Materials - \$1,040.00; Labor - \$900.00; Total **\$1,940.00**.
- 3) For 1 - 12' x 10' Insulated Overhead Garage Door, Metal Back (CHI Model 2283) Instead Of 16' x 10' Subtract **\$230.00**.

This is an estimate on the materials and labor named therein, is subject to the following conditions:

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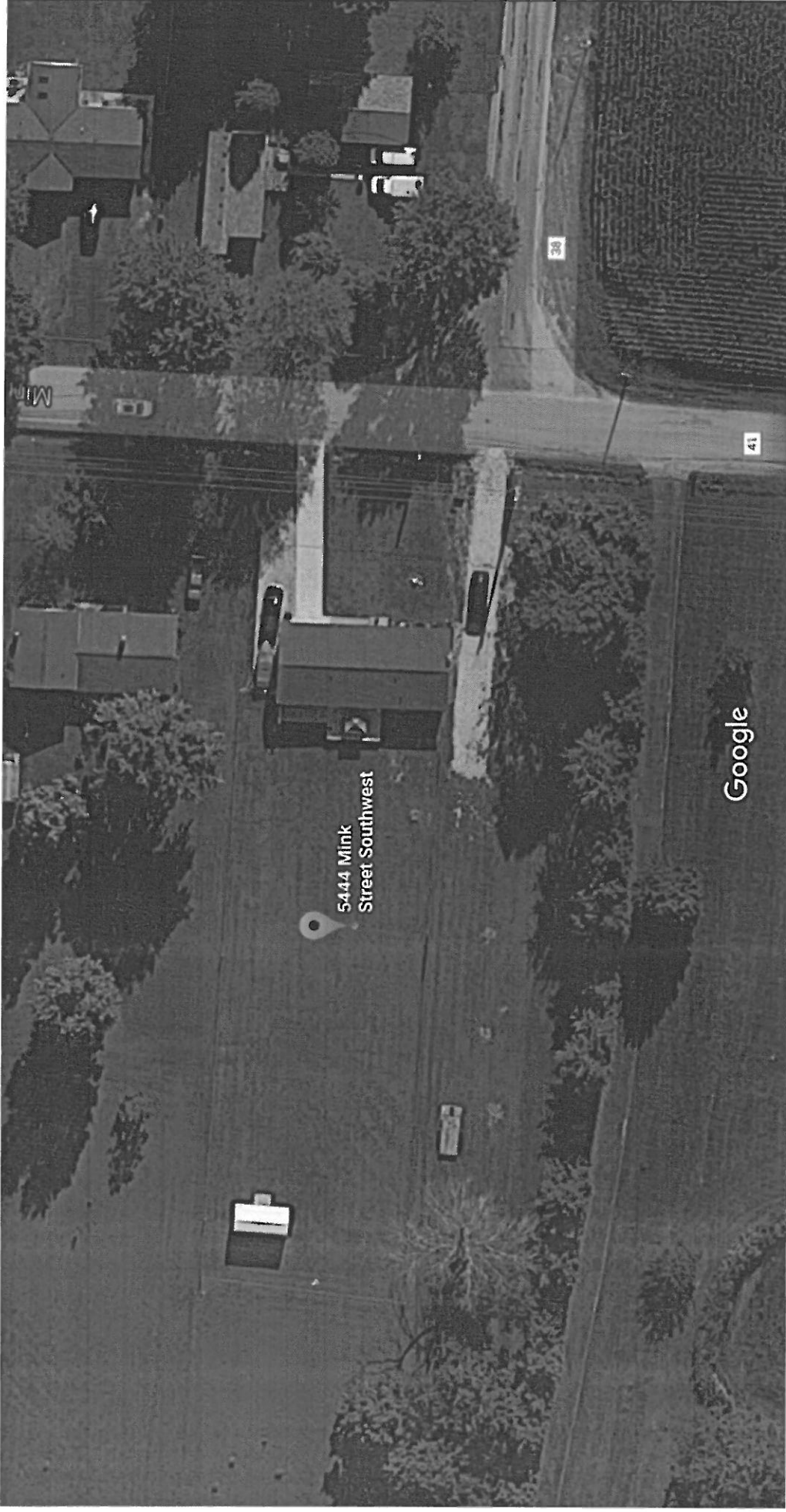
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Materials - \$2,470.00; Labor - \$1,800.00; Total \$4,270.00.
- 2) 4" Concrete Floor In 30' x 20' Area: Graber's is not a concrete provider. Concrete estimates are for reference purposes only – all concrete work must be coordinated directly with the builder.
Materials - \$1,040.00; Labor - \$900.00; Total \$1,940.00.
- 3) For 1 – 12' x 10' Insulated Overhead Garage Door, Metal Back (CHI Model 2283) Instead Of 16' x 10' Subtract \$230.00.

This is an estimate on the materials and labor named therein, is subject to the following conditions:

1. **Payment terms:** a) Upon acceptance of estimate, full payment for cost of materials is required. A contract cannot be issued and work cannot be scheduled without a signed contract and payment received for materials. b) Customer is to pay building contractor for labor charges at completion of project. c) Additional payment is required if customer listed on this estimate changes the scope of work after creation of invoice. d) Graber's Oak Flooring and Pole Buildings does not offer financing. e) This estimate is valid for 30 days after date on estimate.
2. **Building Use:** a) This building and the materials are not designed for any specific use. b) Graber's Oak Flooring and Pole Buildings is not responsible for obtaining building permits (See pricing and refund policy)
3. **Pricing and Refund Policy:** a) Prices are subject to change without prior notice depending on final drawings and specific code requirements b) Fixed pricing requires customer's signature on quote and accepted subsequent invoice. c) Graber's Oak Flooring and Pole Buildings is not responsible for clerical errors. d) All listed items are subject to cost increase from manufacturer. e) All metals are custom order and not refundable. All other items are subject to a restocking fee and additional items may not be returnable and refundable (please speak to your sales person for details on certain items). f) This estimate is terminated after 30 days of date on estimate and a subsequent invoice and contract is terminated if payment for materials is not received upon acceptance of said estimate and contract.
4. **Delivery –** a) Free delivery for complete pole building packages requires that a tractor trailer can access the job site b) Additional delivery costs depend on size of building package and distance from manufacturer c) Materials delivery, project start and completion dates are subject to availability of items on this estimate and subsequent invoice and are subject to change due to weather conditions, mechanical and equipment availability and conditions, and any and all unforeseen circumstances that could affect the same.
5. **Contractor Responsibility**** - Graber's Oak Flooring and Pole Buildings is not responsible for damages above and beyond the scope of materials described in this estimate. Graber's Oak Flooring and Pole Buildings is not a contractor, nor concrete provider, and is therefore not responsible for actions or negligence of building contractors, drivers, delivery vehicles, concrete providers, utility providers, excavators, and/or any and all service providers providing services for these materials in this estimate which may lead to a contract. Graber's can coordinate contractor services and arrange for services for this package but does not accept payment for services provided – only materials. Labor estimates are approximate prices based on historical data and a perfect building site that requires no preparation. Because Graber's cannot predict building needs at your site, a firm and final labor cost can only be provided by the actual builder once they have visited your job site and made proper determination in coordination with the customer. Concrete estimates are for reference purposes only – all concrete work must be coordinated directly with the builder. The customer reserves the right to make contractor/builder/provider arrangements outside of the scope of this estimate but must notify Graber's upon acceptance of said contract for materials and/or services.
6. **Other –** Gutters, plumbing, electrical, excavating, site preparation (but not limited to) are not included in this estimate. Please speak to your sales representative for recommendations if you need any of these services.

5444 Mink St SW



Imagery ©2016 Google, Map data ©2016 Google 50 ft

myj. 2-26-14

201403040003827
Pgs: 3 \$36.00 T20140004688
03/04/2014 12:33PM MEPGOLDEN TIT
Bryan A. Long
Licking County Recorder

TRANSFERRED
Date February 28, 2014
M. L. Smith dg
Licking County Auditor
SEC. 319.202 COMPLIED WITH
MICHAEL L. SMITH, AUDITOR
BY dg 1472

SURVIVORSHIP DEED

KNOW ALL MEN BY THESE PRESENTS:

That, **COLUMBUS AREA HOME BUYERS, LLC**, an Ohio limited liability company, the Grantor, which claims title by and through instrument, recorded in Instrument #201402140002796, Licking County Recorder's Office, for the consideration of Ten and No/100 Dollars (\$10.00) received to its full satisfaction of **STELLA GROVER AND RONALD GROVER, WIFE AND HUSBAND**, for their joint lives, remainder to the survivor of them, the Grantees, whose tax mailing address will be 8534 East Kemper Road, Cincinnati, Ohio 45249, does **GIVE, GRANT, BARGAIN, SELL and CONVEY** unto said Grantees, their heirs and assigns, the following described premises:

SEE EXHIBIT "A" ATTACHED HERETO

AND BEING FURTHER KNOWN AS: 5444 Mink Street, Pataskala, OH

PERMANENT PARCEL NO.: 063-141654-17.000 & 063-141654-21.000

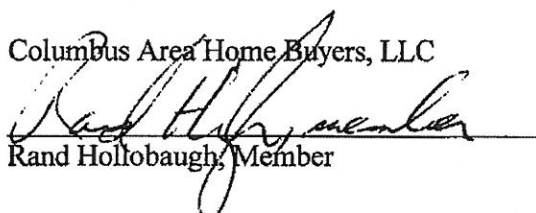
TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto the said Grantees, their heirs and assigns forever. And Columbus Area Home Buyers, LLC, the said Grantor, does for itself and its successors and assigns, covenant with the said Grantees, their heirs and assigns, that at and until the ensealing of these presents, it is well seized of the above described premises, as a good and indefeasible estate in **FEE SIMPLE**, and has good right to bargain and sell the same in manner and form as above written, that the same is free from all encumbrances whatsoever, **except** for restrictions, conditions, limitations, reservations and easements of record; zoning ordinances; and taxes and assessments not yet due and payable, and that it will **WARRANT AND DEFEND** said premises, with the appurtenances thereunto belonging, to the said Grantees, their heirs and assigns, against all lawful claims and demands whatsoever, except, as stated above.

0115PA00400000025000

01150741413010001000

Columbus Area Home Buyers, LLC, an Ohio limited liability company, the Grantor, has set its hand and company seal, by Rand Hollobaugh, its Member, the 21st day of February, 2014.

Columbus Area Home Buyers, LLC


Rand Hollobaugh, Member

THE STATE OF OHIO)
) SS:
COUNTY OF FRANKLIN)

Before me, a notary public in and for said County and State, personally appeared the above named Rand Hollobaugh, Member of Columbus Area Home Buyers, LLC, the Grantor, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name at Columbus, Ohio this 21st day of February, 2014.


Notary Public

This Instrument prepared by:
Scott D. Goldberg, Attorney at Law
5329 North High Street
Columbus, OH 43214
614-802-0902



SCOTT D. GOLDBERG
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO
My Comm. Has No
Expiration Date
Section 147.03 R. C.

EXHIBIT "A"

LEGAL DESCRIPTION

Situated in the State of Ohio, County of Licking and in the City of Pataskala, former Township of Lima, and being further described as follows:

PARCEL I:

Being Lot Number Seventeen (17) of Skyline Country Estates No. 1, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 13, Page 10, Recorder's Office, Licking County, Ohio.

Parcel No. 063-141654-17.000

PARCEL II:

Being a part of Section 13, Township 1, Range 15, United States Military Lands and also being part of a certain 8.000 acre parcel as recorded in Volume 746, Page 115, Recorder's Office, Licking County, Ohio, and being bounded and described as follows:

Beginning at an iron pipe at the Southwest corner of Lot 17, Skyline Country Estates No. 1, as recorded in Plat Book 13, Pages 10 and 11; thence West along the Southerly line of said 8.000 acre tract a distance of 100.00 feet to an iron pipe; thence North a distance of 100.00 feet to an iron pipe; thence East a distance of 100.00 feet to an iron pipe at the Northwest corner of Lot 17; thence Southerly and the Westerly line of Lot 17, a distance of 100.00 feet to the place of beginning, containing 0.230 acres, more or less.

Parcel No. 063-141654-21.000

We are requesting a variance for the construction of an accessory building to be on our lot that currently does not have a principle structure and that will exceed the maximum size.

The building will house our vehicles, boat and lawn equipment.

Todd & Katherine Fields
5444 Mink Street SW
Pataskala, OH 43062

