



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

November 8, 2016

Conditional Use Application CU-16-007

Applicant:	Jason Carsey
Owner:	Jerry Young
Location:	299 W. Broad St.
Acreage:	0.93 Acres
Zoning:	GB – General Business District
Request:	Requesting a conditional use pursuant to Section 1249.04(5) of the Pataskala Code to allow for the property to operate an automotive repair facility.

Description of the Request:

The applicant is seeking a conditional use to allow the property to be used for an automotive repair facility.

Staff Summary:

The property currently contains a roughly 1,800 square foot building that was previously used as an automotive repair facility. The applicant has stated that he will be mindful of the City zoning requirements in addition to all applicable laws and regulations as it pertains to an automotive repair facility. The included narrative further explains the applicant's position.

It should be noted that in July of 2015, Conditional Use application 14-315 was revoked due to failure to meet the conditions set by the Board of Zoning Appeals and the Planning and Zoning Commission. The current applicant is not associate with the previous applicant for Conditional Use 14-315.

Staff Review:

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

In September 2014, the previous applicant applied for and received approval for variances, a conditional use, and the Transportation Corridor Overlay District in order to operate an auto repair shop for the property located at 299 Broad Street.

As part of those approvals, conditions were placed upon the application to ensure requirements of the Pataskala Code were met and compatibility with surrounding land uses. At the time that Conditional Use application 14-315 was revoked, the following conditions of approval were not completed:

1. The installation of an eight (8) foot fence, at least five (5) feet off the property line on the west side of the building running from the front of the building to the rear property line. (Conditional Use Application 14-315 and Variance Application 14-327)
2. The submittal of a landscaping plan to the Planning and Zoning Department for review and approval. (Conditional Use Application 14-315 and Variance Application 14-327) The landscaping plan shall include:
 - a. A front landscaping buffer increased by 50 percent.
 - b. Additional rear buffering, not to exceed two (2) trees.
3. The parking lot needs to be striped per the approved site plan. (TCOD Application 14-328)
4. Directional signage shall be installed and include (TCOD Application 14-328):
 - a. A do not enter sign on one side of the gravel drive.
 - b. A one way sign on the other side of the gravel drive.
5. Potted plants shall be installed around the existing sign.
6. A lighting plan shall be submitted to the Planning and Zoning Department for review and approval. (TCOD Application 14-328)
7. The dumpster shall be enclosed in accordance with the approved site plan. (TCOD Application 14-328)

Many of these conditions are still required. The owner and applicant have both expressed an understanding to comply with all city and county regulations and it is staff's understanding that progress has already been made to rectify these issues.

Surrounding Area:

Direction	Zoning	Land Use
North	R-10 – High-Density Residential	Vacant
East	R-10 – High-Density Residential	Two-Family Residential
South	R-10 – High-Density Residential	Two-Family Residential
West	GB – General Business	Flower Shop

Conditional Use Requirements:

According to Section 1215.04 of the Pataskala Code, the Board of Zoning appeals shall consider whether the conditional use at the proposed location:

1. *Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on the application.*
2. *Will be harmonious with and in accordance with the general objectives or with any specific objective of the City comprehensive plan and/or this Code.*
3. *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.*
4. *Will not be hazardous or disturbing to existing or future neighboring uses.*

5. *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.*
6. *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.*
7. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.*
8. *Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.*
9. *Will not result in destruction, loss or damage of a natural, scenic, or historic feature of major importance.*

Furthermore, Section 1215.05 allows other factors to be considered, when determining if a conditional use is appropriate. In Staff's opinion the following factors from Section 1215.05 are applicable to Conditional Use Application CU-16-007:

- 5. such uses should be properly landscaped to be harmonious with surrounding residential uses in accordance with Chapter 1283.*
- 7. All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general.*

Department and Agency Review

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

Modifications:

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

1. A revised site plan shall be submitted to include the following:
 - A "Do Not Enter" sign adjacent to the gravel drive facing Linda Avenue
 - Proposed landscaping around the base of the existing ground sign.
 - All existing and proposed lighting.
 - Proposed parking spaces.
 - L2 Landscaping along the front of the property adjacent to Broad Street.
 - The existing fence along the eastern property line
 - The dumpster location and dumpster enclosure.

2. The applicant shall install and/or repair the improvements indicated on the site plan within one (1) year of the date of approval.
3. All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general.
4. Drainage from the property shall not have an off-site impact.
5. The fence along the east property line shall be repaired and maintained per the requirements of the Pataskala Code.
6. The parking lot shall be striped per the requirements of the Pataskala Code.
7. The dumpster shall be enclosed per the requirements of the Pataskala Code.
8. The applicant shall remove or obtain a building permit from Licking County for the existing alcove on the front of the building.
9. A backflow prevention device shall be installed pursuant to the requirements of the Pataskala Utility Department and the existing well on site shall be abandoned. Water service shall not be reinstated until these items are complete.
10. The applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department prior to construction of the home 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) a conditional use pursuant to Section 1249.04(5) of the Pataskala Code for application CU-16-007 ("with the following modifications" if modifications are to be placed on the approval)."

From: Jim Roberts
To: [Zachary Cowan](#)
Cc: [Scott Fulton](#); [Alan Haines](#); [Scott Haines](#)
Subject: BZA Review
Date: Monday, October 31, 2016 9:42:25 PM

Zack, JHA has reviewed the items on the agenda for the November 8, 2016 Board of Zoning Appeals meeting. We offer comments below on the cases where we have comments. If no comments are listed, we did not have any issues or concerns from an engineering perspective on the case.

Case CU-16-007 299 W. Broad Street

- It is difficult from the aerial to determine the layout of the property, but a car repair facility does generate a steady flow of traffic during business hours. The city needs to be sure no traffic or safety concerns will be created by this use of the property.
- Adequate parking must be available for both cars to be worked on and customers.
- Drainage is also a key component for a site of this usage and must be designed to city standards.
- Special requirements for sanitary sewer connections are often needed where automobile fluids are likely to be leaked. The city must ensure all requirements and regulations, whether city or other agency, are met.
- We recommend a full site design be submitted for this project to ensure the above items and any others that might arise are addressed.

Case CU-16-009 4151 Mink Street SW

- This site may also potentially generate traffic that the city must ensure can be handled both on-site as well as on the roads leading to the site.
- Parking, drainage, and trailer parking must be accounted for with the double usage of the property (stables and a psychiatry operation).
- How are public utilities going to be handled on this property.
- We recommend a full site plan be developed for approval prior to any construction of this property.

Case CU-16-010

- This use of the property will create a full coverage of the land with impervious surface, either asphalt or gravel. For this reason, a full site plan is recommended prior to approval of this project.
- Drainage calculations will be required.
- Traffic must be evaluated for both on-site and off-site impacts.

These three cases can be considered for the end use by BZA, but before any construction is

approved, we recommend all 3 be required to submit full design plans for review and approval by the city.

We thank you for the opportunity to review these plans for Pataskala and are happy to address any questions or concerns.

Thanks. Jim

James G. Roberts, P.E.

PRESIDENT

Jobes Henderson

A HULL COMPANY

59 Grant Street | Newark, Oh 43055

PH: (740) 344-5451 x 225 | FAX: (740) 344-8659

jroberts@hullinc.com

www.jobeshenderson.com

www.hullinc.com

From: [Nathan Coey](#)
To: [Zachary Cowan](#); [Scott Fulton](#)
Subject: Review Memo
Date: Thursday, September 22, 2016 11:00:47 AM

VA-16-020 : No comments

VA-16-024 & CU-16-008 : Just FYI to the owner. If approved we will need to have a discussion with the owner about water and sewer connection fees. At minimum we will require a 1 inch water tap for each building at a total capacity fee cost of \$16,050 plus \$1000 meter fee. Sewer capacity fee based on 1 inch water service will be \$13,910. Estimate based on 2, 1 inch water services and 2 sewer service taps for a grand total of \$30,960 for 2 units. I want them to be aware of this cost as they start through the process so there are no surprises. We will meter and bill each building, we will not provide sub metering for each unit.

CU-16-007 : Onsite private well needs abandoned. A water backflow prevention device will need to be installed per regulations. Water service will not be reinstated until these items are complete.

Nathan W. Coey
Utility Director
City of Pataskala
621 W. Broad Street
Suite 1-D
Pataskala, Ohio 43062
Office: 740-927-4134
ncoey@ci.pataskala.oh.us

“Integrity is doing the right thing, even when no one is watching.”

C.S. Lewis



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

CONDITIONAL USE APPLICATION

(Pataskala Codified Ordinances Chapter 1213)

Property Information	
Address: 299 West broad st. Pataskala, Oh. 43062	
Parcel Number: 064-307956-00-000	
Zoning: GB	Acres: 0.93
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: CU-16-007
Fee:
Filing Date: 9-19-16
Hearing Date: 10-11-16

Applicant Information		
Name: Jason Carsey		
Address: 160 Pat Inven Dr.		
City: Pataskala	State: OH	Zip: 43062
Phone: 614-743-7705	Email: Jammer1939@aol.com	

Documents
<input checked="" type="checkbox"/> Application
<input 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: Jerry Young		
Address: 68 Third Ave.		
City: Pataskala	State: OH	Zip: 43062
Phone: 740-808-2107	Email:	

Conditional Use Information
Request (Include Section of Code): 1251.04 (4)
We are requesting to use the above property to run an automotive repair facility.
Describe the Project:
Reopen the automotive repair facility and serve the community and surrounding areas.

Documents to Submit

Conditional Use Application: Submit 1 copy of the conditional use application.

Narrative Statement: Submit 14 copies of a narrative statement explaining the following:

- The reason the conditional use has been requested.
- The specific reasons why the conditional use is appropriate as it pertains to Section 1215.04 of the Pataskala Code:
 1. *Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on this application.*
 2. *Will be harmonious with and in accordance with the general objectives, or with any specific objective of the City comprehensive plan and/or this Code.*
 3. *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.*
 4. *Will not be hazardous or disturbing to existing or future neighboring uses.*
 5. *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.*
 6. *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.*
 7. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but not limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.*
 8. *Will have vehicular approaches to the property which shall be so designed as to not create interference with traffic on surrounding public thoroughfares.*
 9. *Will not result in destruction, loss, or damage of a natural, scenic, or historical feature of major importance.*
- Specific standards for conditional uses can be found in Section 1215.05 of the Pataskala Code.

Site Plan: Submit 14 copies 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.
- 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 conditional use 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 conditional use request.

Applicant:



Date:

9/18/16

Owner:

Date:

Business Name: Fellowship Automotive, LLC
Owner: Jason Carsey
Owner: Chris Douglas
Address :
299 Broad St
Pataskala, Oh 43062
Phone: 614-743-7705

Code: Automotive Repair: The repair, rebuilding, or reconditioning of motor vehicles or parts thereof, including service, repair, and cleaning of vehicles.

1249.04 CONDITIONALLY PERMITTED USES

5. Motor vehicle garage for the repair and servicing of vehicles, provided all operations are conducted within a fully enclosed building and there is no open storage of wrecked vehicles, dismantled parts, or parts visible beyond the premises.

We, the lessees of the above address, are requesting conditional use in order to open an automobile repair facility to serve the community. This facility was already in use as an automobile repair facility, therefore we would not be changing the use of the above property. The purpose of the existing building will not be changing.

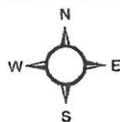
Fellowship Automotive aspires to be a pillar in the community. We wish to serve the community with all of their automotive repair needs. Our goal is to work alongside the city of Pataskala, Ohio in regards to all codes and regulations. Our business will follow the city's rules and regulations in regards to noise ordinances and so forth. As an automobile repair facility there will be vehicle waste in which we will dispose of in accordance the state and local regulations. We will not be dumping any waste and/or hazard materials in an inappropriate manner. These will all be disposed of in accordance to EPA guidelines. We will have all utilities fully turned on and in working order at all times. The property will be kept esthetically pleasing to the community.

Even though this is an automotive repair shop, and therefore comes with the occasional car smoke and so forth, we as a company will do everything in our power to observe safety and health regulations to keep our employees and community safe at all times. The existing entrance to the facility is designed to allow for an organized flow of vehicles. Therefore, there will be no obstructions to any public thoroughfares. We as a company have no desire to change or demolition any natural, scenic, or historical feature of major importance.

Thank you for your consideration for our conditional use application.



September 16, 2016



0 100 Feet
0.02 Miles

LICKING COUNTY TAX MAP



Michael L. Smith Auditor, Licking County, Ohio

YOUNG JERRY A
299 W BROAD ST

Tax District: 064 - PATASKALA SW-LK LSD-WLJFD
School District: SOUTHWEST LICKING LSD
Neighborhood: 07900 Pataskala-Vil
Classification: 499 Other commercial structures
Acreage: 0.93
Property Desc: 0.93 AC
LOT 29
VAN ATTAS 3RD ADD

Parcel #: 064-307956-00.000

Rt #: 064-057.45-002.000

1 of 1



ATTRIBUTES

Story Height:
Exterior Wall:
Heating:
Cooling:
Basement:
Attic:

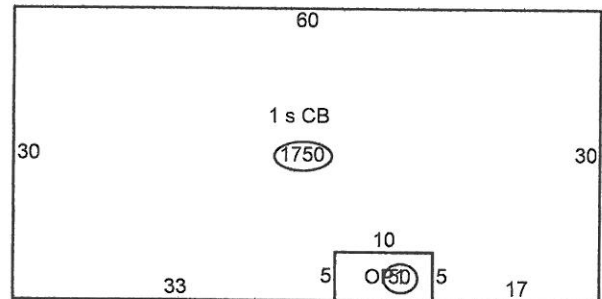
Total Rooms:
Bedrooms:
Family Rooms:
Dining Rooms:

Full Baths:
Half Baths:
Other Fixtures:

Year Built:
Finished Living Area: 1

Fireplace Openings:
Fireplace Stacks:

Basement Garage(s):
Basement Finished: No



1

AREA

First Floor: 0
Upper Floor: 0
Attic: 0
Half Story: 0
Crawl: 0
Basement: 0

CURRENT VALUES

	Land	Improvement	Total
Market	93,000	53,500	146,500
CAUV	0	0	0

SALES HISTORY

Pcl #	Instrument Type	Sale Price	Conv #	V	LO	Previous Owner
06/30/2014	1 WD - WARRANTY	160,000	1549	Y	N	BAIRD JUDITH Y
03/27/2012	6 EX - EXEMPT CONVEYANCE	0	99999	N	N	BAIRD BRUCE J & JUDITH Y
11/21/2011	2 EX - EXEMPT CONVEYANCE	0	99999	N	N	(Refer To Deed)

IMPROVEMENTS

Description	Yr Built	SqFt	Value
1 PV1 - Paving Asphalt	1967	6,000	5,900

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