



Introduced: 8/1/2016
Revised: 9/6/2016
Adopted:
Effective:

CITY OF PATASKALA

ORDINANCE 2016-4267

AN ORDINANCE TO AMEND CHAPTER 1203 AND ADD SECTION 1221.07 TO CHAPTER 1221 OF THE CODIFIED ORDINANCES OF THE CITY OF PATASKALA, AND REPEAL ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH

WHEREAS, the proposed amendment would establish a definition and standards for decks, remove conflicting standards from the Code, and adjust the lettering and numbering of the Code accordingly.

WHEREAS, the City Planning and Zoning Commission initiated the amendment pursuant to Section 1217.02, and

WHEREAS, a public hearing was held by the City Planning and Zoning Commission on June 1, 2016 pursuant to Section 1217.07, and

WHEREAS, the notice of a public hearing to be held by the City Planning and Zoning Commission was published in a newspaper of general circulation on May 19, 2016 pursuant to Section 1217.08, and

WHEREAS, upon hearing the application the City Planning and Zoning Commission recommended approval of the amendment on June 1, 2016 pursuant to Section 1217.10, and

WHEREAS, a public hearing was held by Council on August 1, 2016 pursuant to Section 1217.11, and

WHEREAS, the amendment was on file for public examination for a minimum of 30 days preceding the Council public hearing pursuant to Section 1217.12, and

WHEREAS, Council hereby determines that all applicable procedures required by Chapter 1217 of the Codified Ordinances have been followed, and that notice was given and a public hearing was held as required by Section 1217.11 of the Codified Ordinances, and Council hereby adopts the recommendation of the City Planning and Zoning Commission as provided for in Section 1217.13 of the Codified Ordinances;

WHEREAS, the Council of the City of Pataskala has determined that it is necessary to amend the Zoning Code of the Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF ALL MEMBERS ELECTED OR APPOINTED THERETO CONCURRING, THAT:

Section 1: That Chapter 1203 be amended and Section 1221.07 be added to Chapter 1221 of the Zoning Code of the Codified Ordinances of the City of Pataskala to read as found in Exhibit A.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 3: This Ordinance shall become effective from and after the earliest period allowed by the Charter of the City of Pataskala.

ATTEST:

Kathy M. Hoskinson, Clerk of Council

Michael W. Compton, Mayor

Approved as to form:

Brian M. Zets, Law Director



CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

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

EXHIBIT A

1203 – Definitions

Deck: A platform, either open or partially located under roof, that is supported by pillars or posts. A deck may be either freestanding or attached to the principal structure.

Porch: A fully roofed platform, which may be enclosed by screens, attached to the principal structure with direct access to or from it.

Patio: A hard surfaced area on the ground, typically adjoining the principal structure, constructed of concrete, bricks, tiles, pavers or similar materials.

Balcony: A platform attached to the principal structure projecting from the wall above the ground floor.

1221.07 – Architectural Improvements

Structures and projections such as porches, decks, balconies, patios and similar uses shall be considered architectural improvements.

A. Permitted: Architectural improvements shall be permitted in all zoning districts.

B. Setbacks:

1. Residential Districts

- i. Front: An architectural improvement shall meet all front yard setbacks of the zoning district in which it is located.
- ii. Rear: An architectural improvement shall not extend more than 50 percent into the required rear yard setback of the zoning district in which it is located.
- iii. Side: An architectural improvement shall meet the required side yard setbacks of the zoning district in which it is located or shall not extend further into the side yard setback than the principal structure on the lot, whichever is less

2. Commercial and Industrial Districts

- i. Front: An architectural improvement shall meet all front yard setbacks of the zoning district in which it is located.
- ii. Rear: An architectural improvement shall not extend more than 50 percent into the required rear yard setback of the zoning district in which it is located.
- iii. Side: An architectural improvement shall not extend more than 50 percent into the required side yard setback of the zoning district in which it is located.

C. Height: The floor of an architectural improvement shall not be higher than the highest floor level of the principal structure on the lot.

- D. Appearance: An architectural improvement shall have a finish that is compatible with the principal structure on the lot.
- E. Location:
 - 1. An architectural improvement shall not be located in a recorded easement.
 - 2. An architectural improvement shall not infringe on sanitary or water systems and shall comply with all applicable Licking County Health Department and/or Ohio Environmental Protection Agency regulations.
- F. Commercial Use: No commercial use shall be permitted from an architectural improvement on a residentially zoned lot unless approved as part of a home occupation pursuant to Chapter 1267.
- G. Off-Site Impacts: An architectural improvement shall not adversely affect neighboring properties so as to result in its loss of value or interfere with its use or enjoyment.
- H. Materials: All architectural improvement materials shall be approved materials recognized by the Ohio Building Code.
- I. Maintenance: An architectural improvement shall be maintained in good repair at all times.