



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

## CITY OF PATASKALA

### ORDINANCE 2016-4267

#### **AN ORDINANCE TO AMEND CHAPTER 1203 AND ADD SECTION 1221.06 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 1221.06 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 AND ZONING COMMISSION

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

### ATTACHMENT A

#### 1203 – DEFINITIONS

Deck: An unroofed platform, either freestanding or attached to a building, which is supported by pillars or posts.

#### DECKS

- A. Permitted: A deck shall be permitted in all zoning districts.
- B. Setbacks:
  - 1. Front: A deck shall meet all front yard setbacks of the zoning district in which it is located.
  - 2. Side: A deck 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 building on the lot, whichever is less.
  - 3. Rear: A deck shall not extend more than 25 percent into the required rear yard setback of the zoning district in which it is located.
- C. Height: The floor of a deck shall not be higher than the highest floor level of the principal structure on the lot
- D. Appearance: A deck shall have a finish that is compatible with the principal building on the lot.
- E. Location:
  - 1. A deck shall not be located in a recorded easement.
  - 2. A deck 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 a deck on a residentially zoned lot unless approved as part of a home occupation as outlined in Chapter 1267.
- G. Off-Site Impacts: A deck 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 deck materials shall be approved materials recognized by the Ohio Building Code.
- I. Maintenance: A deck shall be maintained in good repair at all times.