



## CITY OF PATASKALA BOARD OF ZONING APPEALS

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

### STAFF REPORT

April 10, 2018

#### Variance Application VA-18-006

|                   |   |
|-------------------|---|
| <b>Applicant:</b> | Dale R. Jolly Jr.   |
| <b>Owner:</b>     | Dale R. Jolly Jr.   |
| <b>Location:</b>  | 13910 Halloon Lane SW   |
| <b>Acreage:</b>   | 1.78 acres  |
| <b>Zoning:</b>    | RR – Rural Residential  |
| <b>Request:</b>   | Requesting a variance from Section 1221.05(C)(1) of the Pataskala Code to allow for an accessory building to exceed the maximum permitted height. |

#### Description of the Request:

The applicant is seeking a variance to construct a 40' x 56' (2,240 square feet) accessory building that exceeds the maximum permitted height by 3 feet four inches.

#### Staff Summary:

The property contains a 2,266 square foot single-family home constructed in 1990 and a 800 square foot pole barn constructed in 1994. The applicant is proposing to demolish the existing pole barn and construct a new 40' x 56' (2,240 square feet) pole barn in approximately the same location. The new pole barn would have a height of 21 feet 4 inches; however, the maximum permitted height for a property under 2 acres is 18 feet. Therefore, the proposed pole barn would exceed the maximum permitted height by 3 feet 4 inches.

According to the applicant, the height of the building is necessary to accommodate a 12 foot tall overhead door, which will provide enough clearance so that a RV can be parked inside the new pole barn.

**Staff Review:** *The following review does not constitute recommendations but merely conclusions and suggestions from the summary.*

The Health Department mentioned that the new pole barn should be at least 10 feet away from any part of the household sewage treatment system and private water system. A possible supplementary condition has been added below to address this comment.

Aside from the variance for the height, the proposed pole barn would meet all other regulations for an accessory building. Staff also feels that parking the RV indoors is a better alternative than parking it outside.

**Surrounding Area:**

| Direction | Zoning                 | Land Use            |
|-----------|------------------------|---------------------|
| North     | RR – Rural Residential | Church              |
| East      | RR – Rural Residential | Single-Family House |
| South     | RR – Rural Residential | Farm Field          |
| 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-18-006:

- 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

**Supplementary Conditions:**

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

1. The applicant shall construct the accessory 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.
3. The accessory building shall be located at least 10 feet from any part of the household sewage treatment system and private water 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 a variance from Section 1221.05(C)(1) of the Pataskala Code for application VA-18-006 ("with the following supplementary conditions" if conditions are to be placed on the approval)."

## Lisa Paxton

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**From:** Chris Hill <chill@lickingcohealth.org>  
**Sent:** Thursday, March 22, 2018 10:53 AM  
**To:** Lisa Paxton  
**Subject:** RE: Pataskala BZA 04/10/2018 Hearing - Review Memo

Hello Lisa and Good morning,

I cannot located any existing record for 13910 Halloon Lane. Any part of the new structure must be a minimum of 10 feet from any part of the household sewage treatment system and private water system.

Respectfully,

**Chris Hill, RS, REHS**  
**Public Health Sanitarian II**  
**Licking County Health Department**  
**675 Price Road**  
**Newark, Ohio 43055**  
**740-349-6503**

Find LCHD on Social Media:



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**From:** Lisa Paxton <lpaxton@ci.pataskala.oh.us>  
**Sent:** Tuesday, March 20, 2018 1:16 PM  
**To:** Chris Hill <chill@lickingcohealth.org>  
**Subject:** Pataskala BZA 04/10/2018 Hearing - Review Memo

Hi, Chris.

Attached is the Review Memo for our 04/10/2018 BZA Hearing.

Please have comments to me on or before March 30.

Thank you!

Lisa ~



***Lisa Paxton***

**Planning & Zoning Clerk**

**621 W. Broad Street, Suite 2A**

**Pataskala, OH 43062**

**(740) 927-4910**

***Office Hours M-F***

***8:00 a.m. – 4:00 p.m.***

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# CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

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

## VARIANCE APPLICATION

(Pataskala Codified Ordinances Chapter 1211)

| Property Information                       |   |
|--|---|
| Address: 13910 HALLOON LN SW               |   |
| Parcel Number: 063-141012-00.004           |   |
| Zoning: RR                                 | Acres: 1.78   |
| 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 type="checkbox"/> South West Licking <input checked="" type="checkbox"/> On Site |

| Staff Use                        |
|----------------------------------|
| Application Number:<br>VA-18-006 |
| Fee:<br>\$300.00                 |
| Filing Date:<br>3-9-18           |
| Hearing Date:<br>4-10-18         |
| Receipt Number:<br>20857         |

| Applicant Information        |                              |            |
|------------------------------|------------------------------|------------|
| Name: DALE R JOLLY JR        |                              |            |
| Address: 13910 HALLOON LN SW |                              |            |
| City: PATASKALA              | State: OH                    | Zip: 43062 |
| Phone: 614-596-7163          | Email: CROSSRAM440@gmail.com |            |

| Documents                                       |
|---|
| <input checked="" type="checkbox"/> Application |
| <input checked="" type="checkbox"/> Fee         |
| <input checked="" type="checkbox"/> Narrative   |
| <input checked="" type="checkbox"/> Site Plan   |
| <input checked="" type="checkbox"/> Deed        |
| <input checked="" type="checkbox"/> Area Map    |

| Property Owner Information   |                              |            |
|------------------------------|------------------------------|------------|
| Name: DALE R JOLLY JR        |                              |            |
| Address: 13910 HALLOON LN SW |                              |            |
| City: PATASKALA              | State: OH                    | Zip: 43062 |
| Phone: 614-596-7163          | Email: crossram440@gmail.com |            |

| Variance Information  |
|---|
| Request (Include Section of Code):<br>VARIANCE FROM SECTION 1221.05(C)(1)   |
| Describe the Project: 40'x56'<br>POLE BARN WITH TOTAL HEIGHT AT 21'4" ROOF PEAK<br>MAX PERMITTED 18' DIFFERENCE OF 3'4" |

## Documents to Submit

**Variance Application:** Submit 1 copy of the variance application.

**Narrative Statement:** Submit 1 copy 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 1 copy (unless otherwise directed by staff) 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 variance request

**Deed:** Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained from the Licking County Recorder's website here: <https://apps.lcounty.com/recorder/recording-search/>

**Area Map:** Submit 1 copy of an area map showing the property and the surrounding area. Area maps can be obtained from the Licking County Auditor's website here: <https://www.lickingcountyohio.us/>

## 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 (Required):



Date:

3/9/18

Property Owner (Required):



Date:

3/9/18

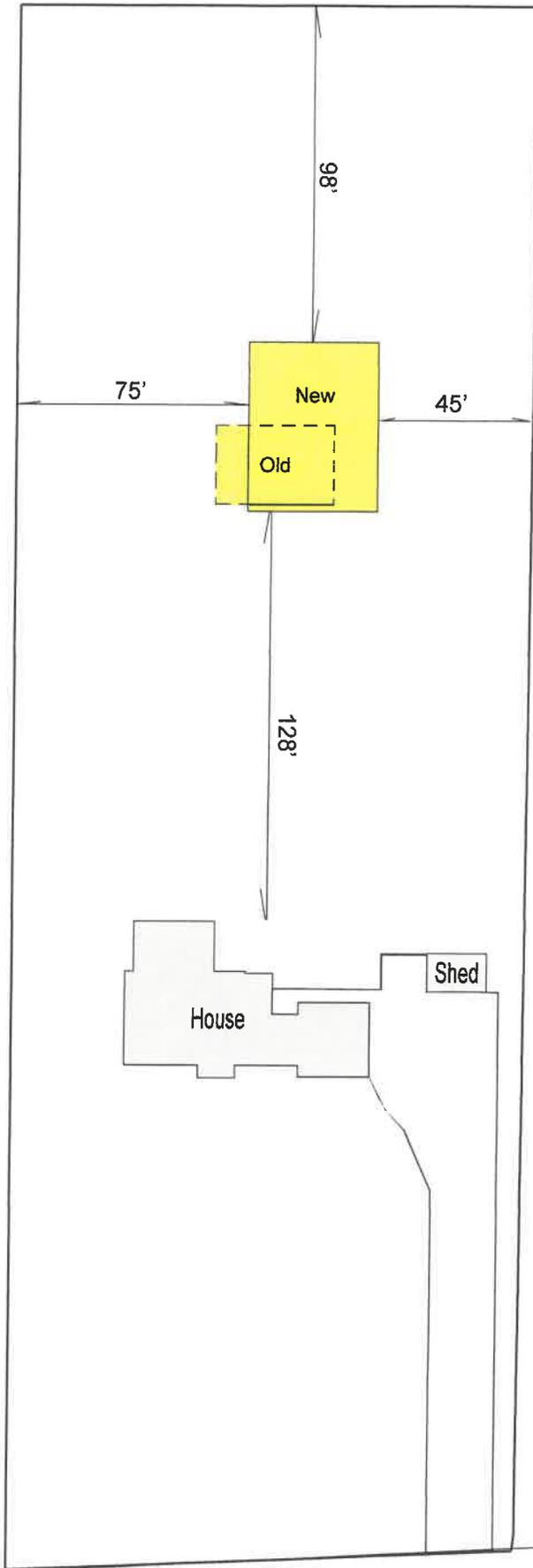
## REQUEST FOR VARIANCE

- TOTAL HEIGHT OF BUILDING NECESSARY TO ACCOMMODATE A 12' TALL OVERHEAD DOOR.

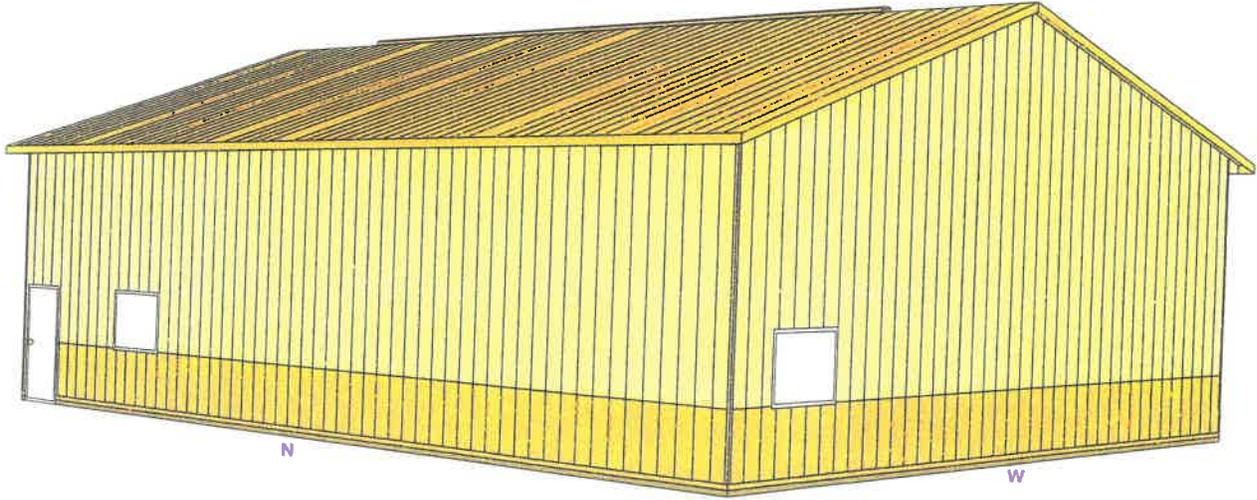
THIS SIZE DOOR IS REQUIRED TO FIT AN RV MOTORHOME INSIDE FOR STORAGE.

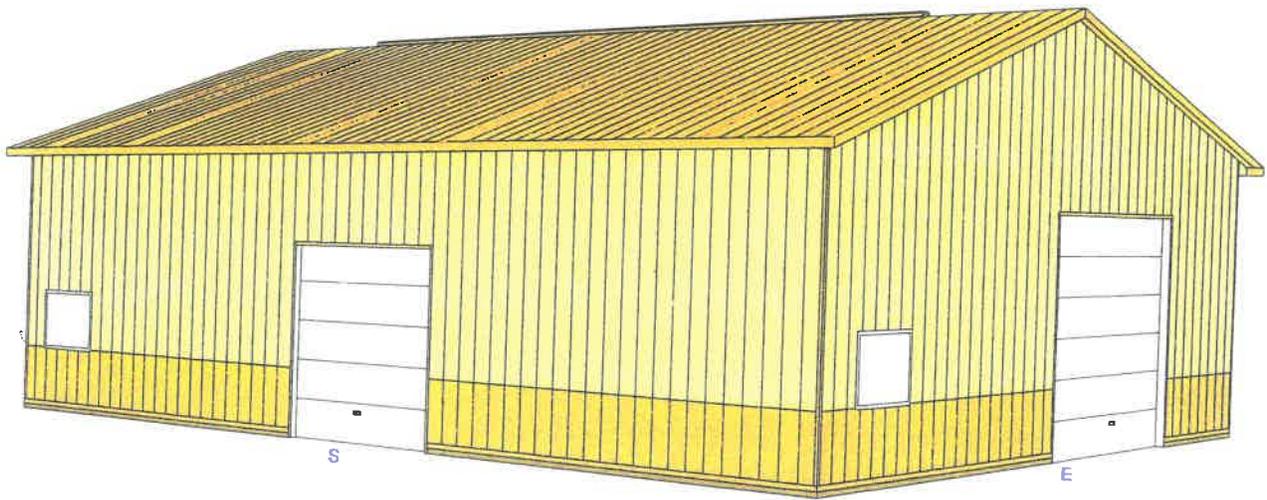
MY PARENTS ARE 1/2 TIME FLORIDA RESIDENTS AND 1/2 TIME OHIO RESIDENTS. WHEN HOME HERE IN OHIO I WILL BE STORING THEIR RV MOTORHOME FOR THEM.

DALE JOLLY



13910 Halloon Ln SW  
Pataskala OH 43062  
Parcel ID  
063-14102-00.004  
1.78 acres

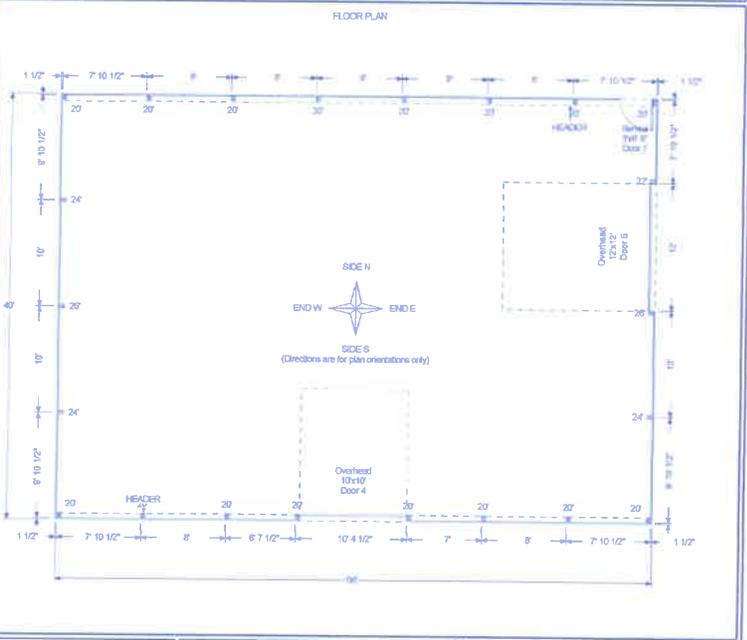
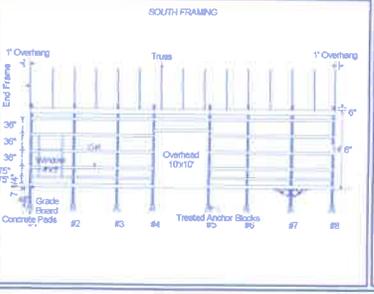
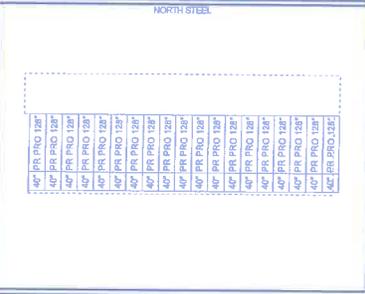
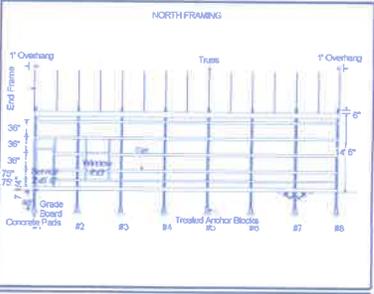
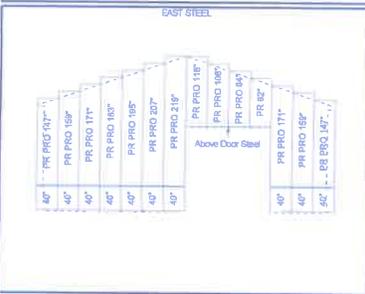
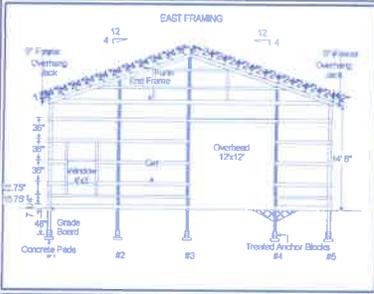
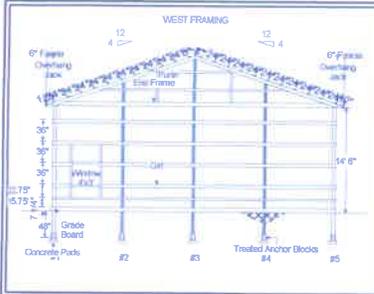




DALE JOLLY  
PATASKALA, OH



Service Doors and Windows Shown for Representation Only. Please Confirm Exact Location at Time of Construction.



**MIDWEST**  
MINI PRINT  
FILE NUMBER: M570319

**DISCLAIMER**  
Material shown, steel values, and floor plan are not to scale.  
**ERRORS AND OMISSIONS:**  
MIDWEST INC. is unable to accept liability for any errors or omissions in services of the original purchase price for these plans. Components subject to change without notice and alterations to these drawings including reworking, omitted questions and verifiability of the problem specified. Any errors or omissions found should be reported immediately to Midwest for reworking. (11) Data Base, Inc. (11) 1987

**ADAPTATION AND UTILIZATION OF THIS PLAN**  
These plans have been professionally prepared to conform to most generally accepted construction requirements throughout North America, however, due to local codes, regulations, and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of this building in all locations. Consequently, these drawings are not to be used as a guide for construction unless the builder has confirmed their suitability or until the drawings have been brought into conformity with all local building codes.

# OnTrac Property Map



March 8, 2018

- Municipal Corporation
- Jurisdictional Townships
- Historical Townships Line

- County Boundary
- Ohio Counties
- Ohio Boundary

- Parcels
- Split Listed Hooks

94 Feet  
0.02 Miles

-- Tract Lines

LICKING COUNTY TAX MAP

## Old Pole Barn



25' x 32'





