



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-18-008

Applicant:	Tammy Hickin
Owner:	Reuben-Mac, LLC
Location:	North End Drive (PID 064-310536-00.000)
Acreage:	0.35 acres
Zoning:	R-15 – Medium-High Density Residential
Request:	Requesting a variance from Section 1249.05(C)(2)(b) of the Pataskala Code to allow for parking lot that would fail to meet the required side yard setback.

Description of the Request:

The applicant is seeking a variance to construct a 61 foot by 63 foot employee parking lot that would fail to meet the minimum side yard setback by 10 feet.

Staff Summary:

The property located on North End Drive is currently vacant. The applicant is proposing to install a 61 foot by 63 foot (3,843 square foot) employee parking lot for the adjacent veterinary office to the east.

Although both the subject property and the veterinary office are currently zoned R-15, the veterinary office was permitted via a use variance in 1978. The applicant has requested to rezone both properties to GB – General Business district as they feel a veterinary office and parking lot is more appropriate in a commercial district. The Planning and Zoning Commission recommended approval of the rezoning and the City Council public hearing will be held on May 7.

As the subject property is currently zoned R-15 and could potentially be rezoned to GB, staff used the standards of the GB district as it is the more restrictive of the two districts. Based upon the parking lot standards of the GB district, paved areas have a setback of 25 feet from the side lot line when abutting a residential zoning district. As proposed the parking lot would be 15 feet from the north property line requiring a variance of 10 feet. All other requirements for the parking lot have been satisfied.

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

The property to the north of the subject property is zoned R-15; however, it is part of the storage yard of the adjacent hardware store. It is unclear as whether this is a mapping error or not. Because of this, the setback for the parking lot is greater because the zoning of the property to the north is residential. If the

zoning of that property were commercial, the setback would be a minimum of 10 feet and no variance would be required.

The Public Service Director reviewed the proposal with the applicant in a pre-application meeting and has no comments or concerns with the proposed parking lot.

The City Engineer is comfortable with the review of the Public Service Director and does not have concerns about the drainage of the proposed parking lot.

Surrounding Area:

Direction	Zoning	Land Use
North	R-15 – Medium-High Density Residential	Hardware Store
East	R-15 – Medium-High Density Residential	Veterinary Office
South	R-15 – Medium-High Density Residential	Vacant
West	R-15 – Medium-High Density Residential	Duplex

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-18-008:

- None

Department and Agency Review

- Zoning Inspector – No comments
- Public Service – See attached
- City Engineer – See attached
- Pataskala Utilities – No comments
- Police Department – No comments
- West Licking Joint Fire District – No comments
- South West Licking 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 parking lot as submitted within one (1) year of the date of approval.
2. The applicant shall obtain all necessary permits from the City of Pataskala prior to construction of the parking lot.

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 1249.05(C)(2)(b) of the Pataskala Code for variance application VA-18-008 (“with the following supplementary conditions” if conditions are to be placed on the approval).”

Lisa Paxton

From: Alan Haines
Sent: Monday, April 02, 2018 3:14 PM
To: Scott Fulton
Cc: Lisa Paxton
Subject: BZA - April 10

Mr. Fulton,

Please see my comments below for the April 10 BZA hearing:

1. VA-18-006
 - a. No comment
2. VA-18-007
 - a. All drainage shall be accommodated appropriately
 - i. At the ditch at the front of the lot.
 - ii. At the waterway crossing the lot.
 - iii. From added impervious area if in excess of 0.2 acres.
 - b. Right-of-way
 - i. There appears to be a discrepancy in the applicants site plan, as it shows the edge of the roadway and the ROW being one and the same.
 - ii. The future ROW width for this section of Broad St. is planned to be 120' to accommodate future expansion of Broad St.
 - iii. It appears that 15' from the edge of pavement would fall within the roadside ditch.
 - c. Clear zone
 - i. Sign location must be outside of roadway clear zone.
 - d. As this plan does not appear to adequately account for existing drainage and ditch maintenance, and would be in conflict with future expansion of Broad St., the proposed plans are not supported by the Public Service Department.
3. VA-18-008
 - a. The Public Service Department has reviewed the plan in a pre-application meeting with the applicant, and does not have concerns with the planned improvement.

Let me know if questions or concerns.

Regards,

Alan W. Haines, P.E.
Public Service Director
City of Pataskala

621 W. Broad Street
Suite 2B
Pataskala, Ohio 43062

Office: 740-927-0145
Cell: 614-746-5365
Fax: 740-927-0228

Lisa Paxton

From: Scott Haines <shaines@hullinc.com>
Sent: Sunday, April 01, 2018 9:35 PM
To: Scott Fulton
Cc: Lisa Paxton; Jim Roberts; Alan Haines
Subject: 4/10/2018 BZA Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Scott,

Jobs Henderson has reviewed the agenda items for the 4/10/2018 BZA Meeting. We offer the following comments:

VA-18-006

1. We have no engineering related comments on this application.

VA-18-007

1. The ROW just west of the applicants property is much wider. Should the city need to increase the ROW in the future, this request would have a negative impact to the city.
2. The applicant is requesting of 1291.05.4 (Setback) and 1283.06.3 (Landscaping). It should be noted that provided 1291.05.4 is approved and 1283.06.3 is not approved there would be a concern with the landscaping interfering with drivers line of sight exiting the applicants property.
3. Additional engineering review will be required for drainage, erosion control, etc.

VA-18-008

It is noted within the application regarding drainage and meetings with the Public Service Director. Provided the Public Service Director is satisfied the applicate is addressing the drainage on surrounding properties, we have no other engineering related comments on this application.

Thank you for the opportunity to review these items and please contact us if there are any questions on our comments or if we can help in any other way.

Scott R. Haines, P.E., CPESC

Project Manager

HULL | Newark, Ohio

Environment / Energy / Infrastructure

o: 740-344-5451 | f: 740-344-8659

Follow Hull on [Facebook](#) & [LinkedIn](#)
[web](#) | [directions to offices](#)



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: <i>North End Drive</i>	
Parcel Number: <i># 064-310536-00.000</i>	
Zoning: <i>R-15</i>	Acres: <i>.35</i>
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: <i>VA-18-008</i>
Fee: <i>\$300</i>
Filing Date: <i>3-19-18</i>
Hearing Date: <i>4-10-18</i>
Receipt Number: <i>20863</i>

Applicant Information		
Name: <i>Tammy Hickin / Recken-Mac LLC</i>		
Address: <i>200 S Fork Circle</i>		
City: <i>Pataskala</i>	State: <i>Oh</i>	Zip: <i>43062</i>
Phone: <i>614-806-7387</i>	Email: <i>thickin@gmail.com</i>	

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: <i>Same</i>		
Address:		
City:	State:	Zip:
Phone:	Email:	

Variance Information
Request (Include Section of Code): <i>1249.05 (c)(2)(b)</i>
<i>See Attached</i>
<i>25' setback 15' proposed Variance request of 10'</i>
Describe the Project:
<i>See Attached</i>

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:

3/18/18

Property Owner (Required):



Date:

3/18/18

Tammy Hickin/Reuben-Mac LLC Variance Application

Attachment 1-Project description

The Animal Hospital of Pataskala has operated as a veterinary office at 65 South Main St. since 1978. In January 2018 the owner of the Animal Hospital of Pataskala (AHP) (or more specifically the real estate holding company Reuben-Mac LLC) acquired the adjacent property on North End Drive. The goal being to install an employee parking lot to help the hospital handle a significant increase in daily client volume. In March the Zoning Board voted unanimously to rezone the parcel from residential (R-15) to business (GB). This area is designated as mixed use on Pataskala's comprehensive plan. The use of a veterinary clinic and overflow parking is in accordance with the objective of the plan.

The project itself is a parking lot designed to house cars for the staff of the AHP. As business has increased the AHP has had to hire more staff to deal with the increased customer volume. At this time 3-4 employee cars can be parked in the driveway access of 65 S. Main St. However at our busiest times, this means that 4-5 spots are occupied by staff in our parking lot. This limits customer parking to 11 not nearly enough for an animal hospital with 4 working exam rooms.

The new parking lot will be accessed from the existing parking lot and located on the parcel located immediately to the west of the parcel containing the Animal Hospital of Pataskala. The parking lot is the only work to be done on the site. Neff Paving and Construction is the anticipated contractor. The parking lot will be constructed of asphalt. The dimensions of the parking lot are 61' by 63'. Each parking space will be 19' in length and 11' wide. The center lane will be 23' in width (Please see attached plan). We have had several meetings with the Pataskala Service Director. While the minimum size of this project means it is not technically subject to storm water runoff regulations, we plan to install drainage anyway in an attempt to minimize any impact to surrounding properties.

Tammy Hickin/Reuben-Mac LLC Variance Application Narrative Statement.

The parking lot will run in a North-south design and will be accessed via a short drive connected to the existing animal hospital parking lot. (See attached plan) This short driveway will need to be built within the 25 Ft. setback of the property immediately to the north. The requested variance is 10 ft. (It should be noted that the adjacent property is currently the tire and pipe storage area for a local hardware business.) It is zoned residential hence the 25 Ft. setback requirement.

- A) Without the variance the parking lot could shift south however we would then encroach on a residential property that may someday have a house on it.
- B) There is a large tree in the center of the property that we would like to keep if possible. That tree limits the size and location of the parking lot. Also the only (and natural) access point is within the 25 Ft. setback.
- C) We were able to limit the size of the parking lot so as to not infringe on the setbacks to the South and West. 10 feet of a 25 foot setback next to an equipment storage area is not substantial
- D) The character of the surrounding neighborhood will not be changed by this variance request
- E) The variance will not impair the development of the adjacent property
- F) The variance will not be detrimental to public welfare
- G) There will be no effect on delivery of governmental services
- H) We were aware that a variance might be needed at time of purchase.
- I) The variance is the best way to approach this situation.
- J) This does represent the least modification possible. As stated previously, we were able maintain the setbacks of the two other adjoining properties.
- K) Asking for a small variance on the side of our property that abuts equipment storage is in the intent of zoning requirements. If the adjoining parcel was zoned as General Business (which is what it is being used for) no variance would be necessary.

* Not drawn to scale





Michael L. Smith

Auditor, Licking County, Ohio

REUBEN-MAC REAL ESTATE HOLDINGS LLC
N END DR

Parcel #: 064-310536-00.000
Rt #: 064-058.46-036.000

Tax District: 064 - PATASKALA SW-LK LSD-WLJFD
School District: SOUTHWEST LICKING LSD
Neighborhood: 07900 Pataskala-Vil
Classification: 500 Residential Platted Vacant Lot
Acreeage:
Property Desc: LOT 25-34 PT
 BEESONS SUB

1 of 1



<p>ATTRIBUTES</p> <p>Story Height: Exterior Wall: Heating: Cooling: Basement: Attic:</p> <p>Total Rooms: Bedrooms: Family Rooms: Dining Rooms:</p> <p>Full Baths: Half Baths: Other Fixtures:</p> <p>Year Built: Finished Living Area:</p> <p>Fireplace Openings: Fireplace Stacks:</p> <p>Basement Garage(s): Basement Finished: No</p>																									
<p>AREA</p> <p>First Floor: Upper Floor: Attic: Half Story: Crawl: Basement:</p>	<p>CURRENT VALUES</p> <table border="1"> <thead> <tr> <th></th> <th>Land</th> <th>Improvement</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Market</td> <td>31,900</td> <td>0</td> <td>31,900</td> </tr> <tr> <td>CAUV</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table>		Land	Improvement	Total	Market	31,900	0	31,900	CAUV	0	0	0												
	Land	Improvement	Total																						
Market	31,900	0	31,900																						
CAUV	0	0	0																						
<p>SALES HISTORY</p> <table border="1"> <thead> <tr> <th></th> <th>Pcl #</th> <th>Instrument Type</th> <th>Sale Price</th> <th>Conv #</th> <th>V</th> <th>LO</th> <th>Previous Owner</th> </tr> </thead> <tbody> <tr> <td>01/31/2018</td> <td>1</td> <td>FD - FIDUCIARY</td> <td>52000.00</td> <td>247</td> <td>N</td> <td>Y</td> <td>CROCK JOSEPH A & NANCY A CO-TRUSTEES</td> </tr> <tr> <td>10/25/1999</td> <td>4</td> <td>EX - EXEMPT CONVEYANCE</td> <td>0.00</td> <td>99999</td> <td>N</td> <td>N</td> <td>Refer to deed</td> </tr> </tbody> </table>			Pcl #	Instrument Type	Sale Price	Conv #	V	LO	Previous Owner	01/31/2018	1	FD - FIDUCIARY	52000.00	247	N	Y	CROCK JOSEPH A & NANCY A CO-TRUSTEES	10/25/1999	4	EX - EXEMPT CONVEYANCE	0.00	99999	N	N	Refer to deed
	Pcl #	Instrument Type	Sale Price	Conv #	V	LO	Previous Owner																		
01/31/2018	1	FD - FIDUCIARY	52000.00	247	N	Y	CROCK JOSEPH A & NANCY A CO-TRUSTEES																		
10/25/1999	4	EX - EXEMPT CONVEYANCE	0.00	99999	N	N	Refer to deed																		
<p>IMPROVEMENTS</p> <table border="1"> <thead> <tr> <th>Description</th> <th>Yr Built</th> <th>SqFt</th> <th>Value</th> </tr> </thead> <tbody> </tbody> </table>		Description	Yr Built	SqFt	Value																				
Description	Yr Built	SqFt	Value																						

Public Information data is furnished by this office, and must be accepted and used by the recipient with the understanding that this office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this data. Furthermore, this office assumes no liability whatsoever associated with the use or misuse of such data.



PATASKALA ASSOCIATES LLC 0.43

16

310

W BROAD ST

VINY ST

BELSON AVE

NORTH END DR

S MAIN ST

LINDA AVE

9 AVE

ZEUNE DOUGLAS M & CONNIE M 0.17

WEBER DARREN & HEATHER L 0.21

WEAVER RUTH ANN 0.23

NEVIL GREGORY A 0.23

FOSTER JOHN C 0.34

HUCKINS CALEB M & JORDAN E 0.47

CONAWAY RANDALL L 0.24

CONAWAY CODY L 0.39

NIX RALPH L & MARSHA L

UNITED DAIRY FARMERS INC 1.11

UNITED DAIRY FARMERS INC 0.2

UNITED DAIRY FARMERS INC 0.19

NIXON ANNIE B 0.2

FRONT PORCH INVESTMENTS LLC 0.19

NIXON ANNIE B 0.2

FRONT PORCH INVESTMENTS LLC 0.19

THOMPSON DEBRA L 0.17

FRONT PORCH INVESTMENTS LLC 0.16

BEESON DOUGLAS JAMES & FLUCKE JANE ELLEN 1.55

BEESON DAVID J 0.23

BEESON DOUGLAS J & FLUCKE JANE E 0.23

LULEI KIMBERLY & CHARLES 0.23

BEESON DOUGLAS J & FLUCKE JANE E 0.11

FREDERICK MICAH CHARLES & KATHERINE J-C FREDERICK 0.18

LEKANIDIS MILLIE JO 0.14

KNILANS KYLE L 0.21

REUBEN-MAC REAL ESTATE HOLDINGS LLC 0.35

HICKIN TAMMY L 0.35

CROCK JOSEPH A & NANCYA TRUSTEES 0.42

CROCK JOSEPH A & NANCYA CO-TRUSTEES 0.22

CROCK JOSEPH A & NANCYA CO TRUSTEES 0.19

BEESON DAVID J ETAL 0.79

BEESON DOUGLAS J & FLUCKE JANE E 0.46

BEESON DOUGLAS J & FLUCKE JANE E 0.23

BEESON DOUGLAS J & FLUCKE JANE E 0.23

BEESON DOUGLAS J & FLUCKE JANE E 0.12

BEESON DOUGLAS J & FLUCKE JANE E 0.12

BEESON DAVID J 0.42

NEW WEN INC 1.2

BROAD STREET INVESTMENT CO LTD 1.1

JETT WASH LAUNDROMAT LLC 0.51

PATASKALA ASSOCIATES LIMITED PARTNERSHIP 3.86

COACHWOOD EAST TOWNHOUSES LTD PARTNERSHIP 3.14

POWER