



## CITY OF PATASKALA BOARD OF ZONING APPEALS

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

### STAFF REPORT

November 13, 2018

#### Variance Application VA-18-018

<b>Applicant:</b>	Carlos Daniel Segovia
<b>Owner:</b>	Carlos Daniel Segovia
<b>Location:</b>	5624 Mink St and adjacent parcel to the North (PID: 063-141636-00.003)
<b>Acreage:</b>	11.42 acres total
<b>Zoning:</b>	RR – Rural Residential
<b>Request:</b>	Requesting a use variance pursuant to Section 1211.07(B) of the Pataskala Code to allow for the operation of a wellness center.

#### Description of the Request:

The applicant is seeking a use variance to allow for the operation of wellness center, which would consist of classes in Yoga, Meditation, Tai Chi, and offer Massage Therapy.

#### Staff Summary:

The property at 5624 Mink St currently contains four structures. They are, in order of the date of construction; A 1,200-square foot pole barn constructed in 1985, a 1,500-square foot home constructed in 1987, a 240-square foot shed constructed in 1988, and a 696-square foot detached garage which was approved by a variance on January 13, 2015. This variance, VA-15-001, was required because the garage did not meet the required side yard setback, was in front of the principal structure, was over the maximum permitted accessory building square footage for the lot, and was over the maximum number of accessory buildings permitted. The second property, directly north of 5624 Mink St, is a 5.05-acre lot that is vacant and mostly wooded.

Access to the property is from one entrance at 5624 Mink Street. The driveway loops around back into itself and has a secondary driveway to serve the garage. The applicant has indicated in the narrative that additional landscaping is planned to further enhance the aesthetics of the property, however no further detail is provided. No changes involving the construction of any additional structures are proposed.

The applicant has stated that the purpose of the use variance is to establish a wellness center that will provide classes in Yoga, Meditation, and Tai Chi, as well as mental and massage therapy. According to the narrative the applicant initially had intended to apply for a Type-B Home Occupation Permit, however the restrictions of a Type-B Home Occupation, notably: only one non-resident employee, limit of 12 (twelve) customers per day, and prohibition of activities taking place outdoors; led the applicant to proceed with a use variance. The applicant would like to utilize the outdoor space at 5624 Mink St as well as the adjacent wooded lot to the north to provide a “calm, quiet, peaceful environment that promotes respect to one another and nature” for the classes and therapy sessions. A rezoning was considered but, the applicant

has stated that a rezoning would open the possibility of other commercial uses becoming permitted in an area that is predominately zoned RR – Rural Residential.

Further stated in the narrative, the applicant does not believe that the proposed outdoor activities will affect the surrounding neighbors. Matured trees surround the property, and the nearest neighbor is approximately 500 feet away from the primary residence. Hours of operation are to be from 9:00AM to 9:00PM on weekdays, and weekends from 10:00AM to 6:00PM. The applicant does not expect to significantly impact local traffic. Parking can be located along the outer edge of the driveway loop. Using tools available on the auditors' website the length of the loop is approximately 450-feet. Section 1291.11 of the Pataskala Code sets the required parking space length for parallel parking at 23-feet. Using this, there would be space for approximately 19 vehicles to be parked along the outside edge at any one time.

Also included with the variance application was a Business Plan Summary that includes more details on the business specifics.

At the October 9, 2018 public hearing, the Board was to provide comments, questions, and possible conditions. Staff did not receive any communications from the Board. The applicant did supply follow-up narrative providing responses to questions from Staff. There are to be three employees, two 1099 independent contractors and the applicant himself. Class schedules are staggered so that no two services are offered at the same time. A sample schedule was included to provide an example of the number of customers expected per day. The applicant stated that on a busy day, twenty (20) customers are expected, with an average yoga class consisting of three to four customers. Due to the staggered class schedule, no more than five or six individuals would be at the property at any one time.

The follow-up narrative also provides clarification of “mental therapy” that was mentioned as a use for the October 9, 2018 hearing. The applicant would like to have one of the 3 employees to be a licensed therapist in order to provide counselling sessions to clients. These sessions will focus on common life issues such as stress, anxiety, relationship conflicts, and work and career development.

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

Section 1211.07(B) states that the use variance standards were designed to “prevent a property owner from attempting to request a use variance rather than engage in the rezoning process”. The Future Land Use map designates the property and surrounding area as Agriculture/Low-Density Residential. If the applicant were to successfully rezone the property to a zoning district that allows for massage therapy as a permitted use, PRO – Professional Research Office for example, there would be no need for a use variance.

From a Planning and Zoning perspective, Staff agrees with the decision to pursue a use variance as opposed to a rezoning. As stated in the narrative, rezoning to a commercial district would open the property to all permitted uses within that commercial zoning, which staff believes would have an overall negative affect on the neighboring properties and area in general. Staff also understands the preference to have the ability to teach outdoors, which is why the applicant has decided not to pursue a Type-B Home Occupation Permit.

As was discussed at the October 9, 2018 public hearing, the intent is to have this use variance essentially function as a Type-B Home Occupation. The proposed Hours of Operation fall within the regulations stated in Section 1267.03(C)(1) of the Pataskala Code. The sections of code from which this use variance will differ are Sections 1267.03(C)(2), 1267.03(C)(3), and 1267.04(B)(1).

- Section 1267.03(C)(2) limits nonresident employees to 1. The applicant has proposed having 2 nonresident employees, however, only one will be present at the property at any time.
- Section 1267.03(C)(3) limits the number of customers per day to 12. The applicant expects a busy day to bring in 20 customers. Staff suggests limiting the number of customers per day to the expected 20. This would be a 66.67% increase from the requirements of a Type-B Home Occupation. This would also allow for easier enforcement by Staff, as opposed to a limit on customers per week.
- Section 1267.04(B)(1) prohibits activities from taking place outside. As proposed, the applicant would like to hold some classes outdoors, weather permitting. Staff does not expect this to have any significant effect on neighboring properties.

As proposed, the use variance will comply with the other applicable regulations of a Type-B Home Occupation.

In terms of the effects on neighboring properties, from the information the applicant has provided staff believes noise will not be an issue, as yoga and meditation are quiet activities. Parking for vehicles can be handled within the property's existing driveway, and the applicant intends to install additional landscaping to screen the activities from neighboring homes.

The City Engineer has commented that given the information provided by the applicant, they cannot accurately determine if traffic will be significantly impacted on Mink St.

The Licking County Health Department has included comments relating to the private water system. Should at any point the private water system service more than 25 or more individuals (includes total number of employees and customers) on any given day, the private water system will become an Ohio EPA-permitted well rather than being permitted through the County Health Department. The Ohio EPA has their own independent permitting and inspection process.

**Surrounding Area:**

Direction	Zoning	Land Use
North	RR – Rural Residential	Single-Family House
East	AG - Agriculture	Field
South	RR – Rural Residential	Single-Family House
West	RR – Rural Residential	Single-Family House

**Use Variance Requirements:**

According to Section 1211.07(B) of the Pataskala Code the Board of Zoning Appeals shall also consider the following factors when determining if a use variance is warranted:

- a) The applicant/owner created the alleged hardship;*
- b) The Board finds that the application is primarily made for purposes of convenience or profit; or*
- c) A substantial ground offered in support of an application for use variance is the existence of other non-conforming use of neighboring lands, structures, or buildings, in the same zoning district or in other zoning districts.*

**Department and Agency Review**

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – See attached
- 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 modifications may be considered:

1. The applicant shall obtain all necessary permits from the City of Pataskala, Licking County Building Department, the Licking County Health District, and Ohio Environmental Protection Agency prior to operation.
2. The variance shall remain in effect only while the applicant remains owner, or part-owner, of the two parcels for which this variance is granted (PID: 063-141636-00.003 and 063-141636-00.004).
3. The applicant shall reside on either one of the two parcels for which this variance is granted (PID: 063-141636-00.003 and 063-141636-00.004).

4. Hours of Operation shall be limited to 9:00AM to 9:00PM Monday-Friday, and 10:00AM to 6:00PM Saturday-Sunday.
5. Permitted uses shall be limited to Yoga Classes, Meditation Classes, Tai Chi Classes, Massage Therapy, and general Counselling as stated in the Applicant's narrative.
6. A maximum of twenty (20) customer or clients shall visit the site in a day.

**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 use variance pursuant to Section 1211.07(B) of the Pataskala Code for variance application VA-18-018 ("with the following supplementary conditions" if conditions are to be placed on the approval)."

**From:** Scott Haines  
**To:** [Jack Kuntzman](#)  
**Cc:** [Scott Fulton](#); [Lisa Paxton](#); [Jim Roberts](#); [Alan Haines](#)  
**Subject:** October BZA Review Memo  
**Date:** Wednesday, September 26, 2018 9:42:13 PM

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Jack,

Jobes Henderson has reviewed the agenda items for the October BZA Meeting. We offer the following comments:

VA-18-018

1. The applicant indicates that they do not expect significant impact to the traffic flow of Mink Street.
2. The applicant indicates the restrictions of no more than 12 customers per day to be a negative restriction for home occupancy.
3. The applicant does not indicate the number of customers per day that is anticipated with the business. With this omission we cannot accurately determine if traffic will be significantly impacted on Mink Street.

VA-18-019

1. The applicate shall insure the current drainage pattern is not altered with the improvements.

VA-18-020

We have no 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](#)

**From:** Wyatt Marshall  
**To:** [Jack Kuntzman](#)  
**Subject:** RE: Pataskala Board of Zoning Appeals Review Memo for 10-9-2018  
**Date:** Monday, October 01, 2018 11:21:25 AM  
**Attachments:** [image002.png](#)

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Mr. Kuntzman,

I look forward to working with you.

As for the review process, what do you need from me. Does an email with my comment on the application suffice or do you need an official letter head with my comments. Let me know what you would prefer.

Chris forwarded on to me the review memo for 5624 Mink St just this morning. This property is not serviced by a private septic system but is serviced by a private water system (well). With the little research that I have started my assumption is that this will become an OEPA permitted well. With transitioning from a single house system to a system that will service several employees and clients/customers this will likely fall under OEPA regulations. At any point that the system will be servicing 25 or more individuals (this includes total number of employees on staff and total amount of clients on any given day) this becomes an OEPA regulated well and falls under their authority. The OEPA would then need to be notified and go through their permitting/inspection process.

Please let me know if you need any other information from me in regards to this review memo for 5624 Mink St.

Bests,

Wyatt J. Marshall  
Sanitarian In Training  
Licking County Health Department  
Office: (740)-349-6505  
[wmarshall@lickingcohealth.org](mailto:wmarshall@lickingcohealth.org)  
[www.lickingcohealth.org](http://www.lickingcohealth.org)

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**From:** Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>  
**Sent:** Monday, October 1, 2018 10:35 AM  
**To:** Chris Hill <chill@lickingcohealth.org>  
**Cc:** Wyatt Marshall <wmarshall@lickingcohealth.org>  
**Subject:** RE: Pataskala Board of Zoning Appeals Review Memo for 10-9-2018

Thank you Chris, I will include this with our staff review for the application. It has been a pleasure working with you.

Wyatt, as part of the City of Pataskala's Planning Commission and Board of Zoning Appeals process we send out review memos to LCHD for applications that use well or septic. The next round of review memos will go out on October 10<sup>th</sup>, however I do not think any of the upcoming applications will apply to LCHD. Looking forward to working with you.

**JACK KUNTZMAN**

City Planner  
City of Pataskala  
621 West Broad Street, Suite 2-A  
Pataskala, Ohio 43062  
Phone: 740-964-1316

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**From:** Chris Hill <[chill@lickingcohealth.org](mailto:chill@lickingcohealth.org)>  
**Sent:** Monday, October 01, 2018 10:29 AM  
**To:** Jack Kuntzman <[jkuntzman@ci.pataskala.oh.us](mailto:jkuntzman@ci.pataskala.oh.us)>  
**Cc:** Wyatt Marshall <[wmarshall@lickingcohealth.org](mailto:wmarshall@lickingcohealth.org)>  
**Subject:** RE: Pataskala Board of Zoning Appeals Review Memo for 10-9-2018

Hello Jack,

If this property is still served by a private water system and household sewage treatment system the LCHD would need to evaluate in more detail their intended use to determine if the existing systems could support additional volume.

I am no longer working in the well and septic programs. Your new contact will be Wyatt Marshall, 740-349-6505 [wmarshall@lickingcohealth.org](mailto:wmarshall@lickingcohealth.org)

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:** Jack Kuntzman <[jkuntzman@ci.pataskala.oh.us](mailto:jkuntzman@ci.pataskala.oh.us)>  
**Sent:** Tuesday, September 18, 2018 12:16 PM  
**To:** Chris Hill <[chill@lickingcohealth.org](mailto:chill@lickingcohealth.org)>  
**Subject:** Pataskala Board of Zoning Appeals Review Memo for 10-9-2018

Good Afternoon Chris,

Attached to this email is a review memo for an application that is to be heard at the Tuesday, October 9<sup>th</sup> meeting of the Board of Zoning Appeals. Please review the application and send me any comments you may have. If you have any questions let me know.

Thank you!

**JACK KUNTZMAN**  
City Planner  
City of Pataskala  
621 West Broad Street, Suite 2-A  
Pataskala, Ohio 43062  
Phone: 740-964-1316

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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: 5624 Mink Street Southwest, Pataskala OH. 43062	
Parcel Number: 063-141636-00.004- 063-141636-00.003	
Zoning: Rural Residential	Acres: 6.378 + 5.05 Total 11.42
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 checked="" type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Staff Use
Application Number: <b>VA-18-018</b>
Fee: <b>\$ 300</b>
Filing Date: <b>9-14-18</b>
Hearing Date: <b>10-9-18</b>
Receipt Number: <b>22924 / 1015</b>

Applicant Information		
Name: Carlos Daniel Segovia		
Address: 5624 Mink Street Sournthwest		
City: Pataskala	State: Ohio	Zip: 43062
Phone: (757) 848-8644 - Cell	Email: 5624.mink.sw@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: Carlos Daniel Segovia		
Address: 5624 Mink Street Southwest		
City: Pataskala	State: Ohio	Zip: 43062
Phone: (757) 848-8644 - Cell	Email: 5624.mink.sw@gmail.com	

Variance Information
<b>Request (Include Section of Code):</b>
Use Variance (Code Sec 1211.07) on Rural Residential District
<b>Describe the Project:</b> The requester intends to establish a Wellness Center that serves the local community. The wellness center will provide Yoga, Meditation, and Tai Chi classes, as well as Mental and Massage Therapy or other alternative modalities. The requester is Licensed by the Medical Board of Ohio as Limited Massage Therapist, and soon to graduate as Certified Yoga Teacher. The hours of operation will consist of week days from 9:00 AM to 9:00 PM and some weekends from 10:00 AM to 4:00 PM. The applicant studied other applications/codes such as Home Occupation or Rezoning, and opted for Use Variance because at this time it is the most reasonable option. Rezoning for example is not a an option, and the restrictions of Home Occupation such as no more than twelve (12) customer per day and no outdoor activities and others, limit the ability to operate. We do not expect to significantly impact the traffic flow of Mink street.

## 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):

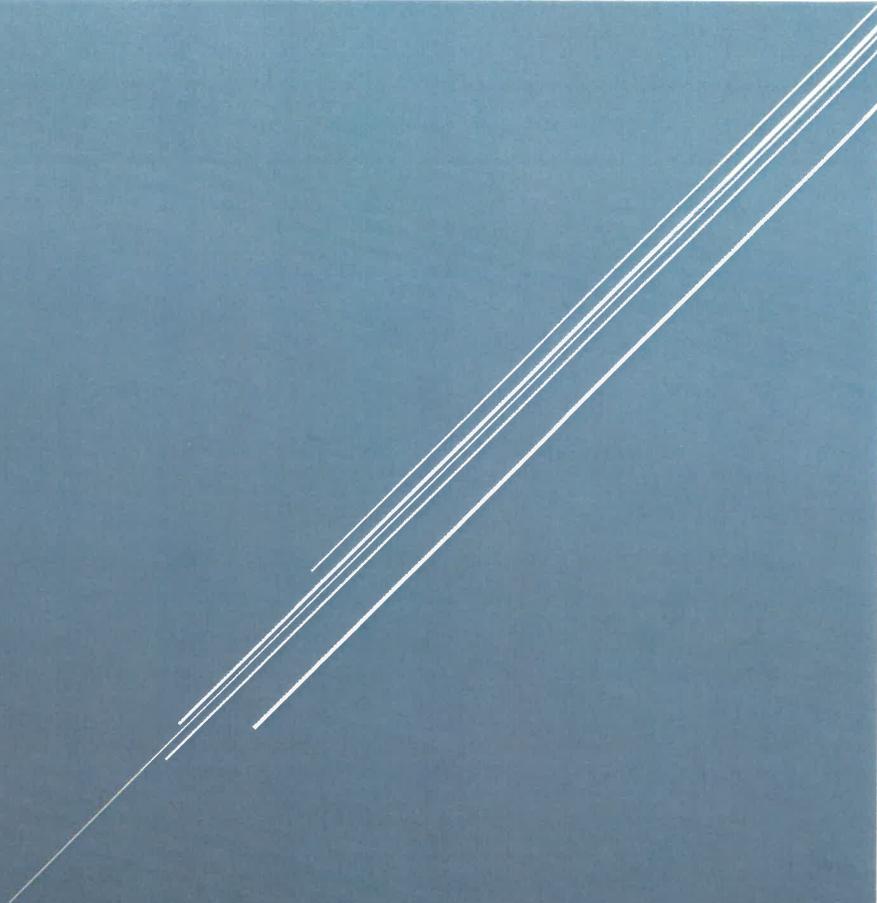
Date:

7/14/18

Property Owner (Required):

Date:

9/14/18



# NARRATIVE STATEMENT

Wellness Center - 5624 Mink Street

**Narrative Statement:**

The requester seeks approval for “Use Variance” to operate a Wellness Center at the property located on 5624 Mink Street in Pataskala.

The requester initially studied and intended to apply for Home Occupation Type B. However, the limitations imposed on Section 1267.03 “Use-Related Regulation”, more specifically section “C” which states only ONE nonresidential employee and, ONLY twelve (12) customers or clients per day are permitted, as well as the prohibitions for “Outdoor activities” found on section 267.04(B) create a hardship that handicap the ability to successfully operate and limit the power for growth.

The initiative for this Wellness Center is to provide a holistic approach to wellness. The main appeal will focus on beautiful landscaping that attracts and retains clients in a nature environment that ensues peace and tranquility. For example, yoga or meditation are practices used as an alternative form of exercise to keep the mind and body healthy. There is a great benefit of performing these activities outdoors; practicing yoga improves balance, endurance, flexibility, and strength, while meditation helps keep the mind sharp, relieves stress and anxiety.

The Wellness Center ambitions to utilize the natural environment as a therapeutic modality, and plans to offer a combination of group classes (for example yoga/meditation), or one-on-one sessions such as mental therapy or massage therapy.

Although outdoor activities are essential to the wellness practice, the organization does not expect to affect the neighborhood; matured trees surround the property and close neighbors are roughly 500 feet in distance. Additionally, the organization does not expect to significantly impact local traffic.

For this reason, it is important to emphasize that one principal objective of the business is to provide a calm, quiet, peaceful environment that promotes respect to one another and nature.

The hours of operations will be limited to weekdays from 9:00 AM to 9:00 PM, and on weekends from 10:00 AM to 6:00 PM.

At the current moment, the organization has recruited the services of Avant Tax Works LLC., for tax related matters, and the Robinson Legal Group, Ltd. as the legal business firm. Lastly, the organization is planning to form a Board of Advisors to formally and objectively steer the trajectory of the business.

**Section 1211.07(B) of the Pataskala Code**

- A. The property owner did not create any hardship. The property is zoned as Rural Residential,
  
- B. A use variance is requested in lieu of rezoning. Rezoning opens up the possibility for commercialize uses in a RR zone, therefore it is preferable to pursue a use variance for the sole purpose of operating a Wellness Center.
  
- C. Yoga and meditation are practices traditionally hosted outdoors. In Ohio there are several establishments operating in some form of this concept, for example, “Release Yoga” in Akron Ohio or “Sacred Geo Experience” in Centerburg Ohio. However, in Pataskala, to our knowledge, there are no registered businesses operating in similar format. The property is composed of 2 lots that amount to 11.42 acres. By utilizing the natural grounds already available to the property, the Wellness Center intends to use the land for outdoor activities such as yoga, meditation and other modalities related to wellness. The wooded and secluded areas will provide privacy and peacefulness to the clients without disturbing the surrounding neighbors.



7/16/2018

# Business Plan Summary

Wellness Center

Carlos Daniel Segovia

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## Business Case

### **Objective:**

Create a self-sustained corporation that serves the community while taking advantage of existing resources such as the land.

### Business needs

The initiative for this wellness center is to provide a holistic approach to wellness, from the mind to the body and the spirit. The main appeal will focus on beautiful landscaping that attracts and retains clients in a nature environment that ensues peace and tranquility.

Our wellness center will provide a variety of holistic services, from mental/emotional therapy to Yoga classes, Massage therapy, Kinesio taping, Energy work (Reiki), Meditation, Nutrition, and individual or group retreats as well as educational workshops focused on mind and body wellness.

The Wellness Center is expected to serve the population of Pataskala and surrounding areas such as Blacklick, Gahanna, and Reynoldsburg. As of July 2018, the suburbanstats.org estimates a 14,962 population in the city of Pataskala. The median age is 35 years old with almost 50.5% female and 49.5% male with a median income of \$69,000. The demographic is mostly white (13,461), followed by a small percentage of black or African American (891). The smallest demographic group is comprised of mix race (376), Hispanic or Latino (306) and Asian (101).

Our expected demographic is from young adults to middle age population, with few teens and advanced age groups

The city of Pataskala is expected to grow as new housing and business developments are coming up as close as 2 miles radius. The new Amazon distribution facility is roughly four miles south. In addition, Mink Street is undergoing a major expansion to accommodate new traffic pattern from. Furthermore, Licking Heights high school is one-mile north on Mink street. The already school system coupled with new housing development, major business and the expansion of Mink road are positive indicators of growth and sustainability.

### Other Competitors

The city of Pataskala's website shows no similar businesses.

An internet search for massage therapy in zip code 43062 (Pataskala) returned eight (8) hits. The top three have poor online presence or none at all. There are no wellness centers or retreats within two or three-miles radius

One business of interest is "The advanced spine rehab and athletics", about four miles east, in the center of Pataskala. It is a strong-well established rehabilitation clinic with robust online presence, and their services include chiropractic, massage therapy, physical therapy, and sports injury treatment and prevention. According to their website, two chiropractor doctors lead the clinic, and their practice is supplemented with the remaining services.

Although this appears to be a solid chiropractic business that embodies similar services, it does not provide the natural scenery away from the city our wellness center is ambitioning; the chiropractic clinic is located in a medical business center in Pataskala. Lastly, it does not offer yoga, reiki, meditation, or group retreats.

One last clinic to consider is Heavenly touch massage. This clinic is located 4.4 miles or nine (9 minutes) southeast from our proposed wellness center, on the opposite side of town. Although there is online presence, the website is poor and has no online ratings.

### Other Business models

The initiative for this kind of wellness center is born from the combination of two solid business models already operating in Ohio. First one is “House of Aum” in Yellow Springs Ohio. This organization provides indoors and outdoors Yoga classes, as well as meditation, massage therapy and a variety of workshops geared to wellness through mind-body connection. The second one is the “Sacred Geo Experience” in Centerburg Ohio. This organization provides outdoors gathering inspired by the land and its beautiful landscape.

By combining the success of these two models, our wellness center intends to tailor these experiences to create an environment that accommodates to the yearly seasons.

### Benefit Management goal:

Because one main principal of the wellness center is to connect the individual with nature, it is imperative to recognize the need for an organization that fosters the nurturing growth of beautiful plants and trees, as well as picturesque landscaping that relaxes and ensues tranquility.

To support the above initiative additional business will be created, such as a nursery entity. The nurturing aspect of the nursery will enhance the holistic approach to mindfulness and connection to nature by growing trees and flowers. Once matured, they will be sold for profit to local establishments.

The creation of the wellness center and the supporting businesses will strategically aligned to maximize revenue and tax laws. The search and retention of expert attorneys and accounting firms are necessary to accomplish this goal to its fullest.

### Rollout plan:

Supporting business will be born on a fast-tracking phase to support the birth of the wellness center. However, the wellness center will be phased out in stages starting with massage therapy and will follow a progressive order until completion. The massage portion could be launched as early as October 2018, but not later than March 2019, follow by Reiki and meditation. Since workshops require the most resources, it will be the last one to rollout within three years.

In order to progress through the phases, the wellness center will rely on the strategic planning and tactical execution of tax laws. Individual phases will have their own individual tracking and operational code. And all gains will be reinvested in the form of loan to finance the next rollout phase.

At the current moment, the land is zoned as Rural Residential. A conditional use for Home occupation will be filed with the City of Pataskala.

There will be a yearly assessment of the progress and the planning for the next phase. Should the proof of concept deems successful, a request for a Variation will be filed with the city to continue with the subsequent phases. Should the city not approve the request, a search for a new location will begin.

New rollout phases will be planned six months in advance. Overlapping relationship between phases is expected.

Business is expected to be fully operational by 2025.

## Assumptions and constrains:

- 1) Location:
  - a. Property is located on Mink Street in Pataskala. One mile north of Broad Street
- 2) Zoning:
  - a. The land is roughly 11 acres
  - b. Property is divided in two parcels (A and B) but one mailing address.
  - c. Zoned as Rural Residential.
  - d. Need to apply for Home Occupation – Type B or
  - e. Rezone for conditional use
  - f. Either application cost \$300
  - g. Requires approval from Zoning Board
- 3) Current buildings:
  - a. A Single-family ranch style home at the center of property.
    - i. Three bedroom/offices
    - ii. Two bathrooms (one in master room, and one in communal area)
    - iii. Full finished basement with office
    - iv. Full kitchen
    - v. Back deck
    - vi. Outside structure requires upgrades, siding, deck, landscaping, curb appeal
    - vii. Bathrooms require upgrades
    - viii. Bedrooms require upgrades
  - b. One detached garage - unfinished
  - c. One unserviceable toolshed – no plumbing or electricity. Need rebuilding
  - d. One 40x30 feet Barn – unfinished, no plumbing or electricity.
- 4) Utility:
  - a. Well water
  - b. Sewer line to city
  - c. Electricity provided by AEP
  - d. Gas Furness – Columbia gas
  - e. Internet and telephone – Spectrum
- 5) Landscaping:
  - a. North side of property is mostly wooded
  - b. South side is mostly high grass with no trees
  - c. West side is at the highest elevation but it is mostly brush vegetation.
  - d. East side is adjacent to main road and provides road access.
  - e. Roughly 600 feet of driveway from road to home structure.
  - f. No ponds
  - g. Land homes variety of wild life, deer, birds, rabbits, squirrels, etc.
  - h. High maintenance lawn care
  - i. No flower beds
- 6) Financial resources:
  - a. Initial and operational cost has not been identified
  - b. Financial sponsors have not been identified

Taxes Due July 18th

Michael L. Smith, Auditor  
Olivia C. Parkinson, Treasurer

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063-141636-00.004  
**SEGOVIA CARLOS D &  
 DESTINY R**  
 5624 MINK ST  
 PATASKALA, OH 43062

Acres: 6.37  
 6.378 AC LOT 8 PT  
 Land: \$120,800  
 Improv: \$153,500  
 Total: \$274,300

Sale Date: 03/09/2017  
 Amount: \$0  
 Conveyance: 99999  
 Valid Sale: No

Homestead: No  
 Owner Occ: **Yes**

Foreclosure: No  
 Certified Delq: No  
 On Contract: No  
 Bankruptcy: No

Taxes Due July 18th

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Search By: **Owner** Search Icon

Trouble Searching?

063-141636-00.003  
**SEGOVIA CARLOS D & DESTINY R**  
 MINK ST  
 PATASKALA, OH 43062

Acres: 5.05  
 5.053 AC LOT 8 PT

Land: \$83,800  
 Improv: \$0  
 Total: \$83,800

Sale Date: 03/09/2017  
 Amount: \$0  
 Conveyance: 9999c  
 Valid Sale: No

Homestead: No  
 Owner Occ: No  
 Foreclosure: No  
 Certified Delq: No  
 On Contract: No  
 Bankruptcy: No  
 Tax Lien: No

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DESCRIPTION APPROVED  
TIM LOLLO  
LICKING COUNTY ENGINEER  
APPROVED BY  
*[Signature]* 8-17-10

201008250016476  
Pgs: 3 \$36.00 T20100016457  
08/25/2010 10:46AM BXTALON HOLD  
Bryan A. Long  
Licking County Recorder

SEC.319.202 COMPLIED WITH  
J. TERRY EVANS, AUDITOR  
BY MW 488.00

TRANSFERRED  
Date August 25, 2010  
[Signature]  
Licking County Auditor

Order Number: 1665174-NE

### Talon Title - W

## SURVIVORSHIP DEED

Holly R. Mueller and Steve O. Mueller, wife and husband, of Licking County, Ohio, for valuable consideration paid, grants, with general warranty covenants to Carlos D. Segovia and Destiny R. Segovia, husband and wife, for their joint lives, remainder to the survivor of them, whose tax mailing address is USAA Federal Savings Bank, 10750 McDermott Freeway, San Antonio, TX 78288 the following real property:

“See Exhibit “A” attached hereto and made a part hereof....”

Parcel Number: 063-141636-00.004 and 063-141636-00.003

Property Address: 5624 Mink Street SW, Pataskala, OH 43062

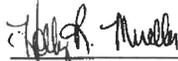
Subject to taxes and assessments which are now or may hereafter become liens on said premises and except conditions and restrictions and easements, if any, contained in former instruments of record for said premises, subject to all of which this conveyance is made.

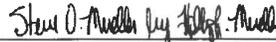
Prior Instrument Reference: Instrument Number 200612210036495, Recorder’s Office, Licking County, Ohio.

  
0115PA00500000027000

  
0115PA00500000026000

Witness their hand(s) this 4<sup>th</sup> day of August, 2010.

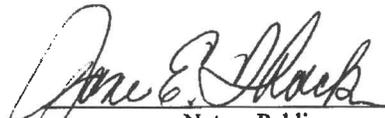
  
\_\_\_\_\_  
Holly R. Mueller

  
\_\_\_\_\_  
Steve O. Mueller by Holly R. Mueller,  
his Attorney-in-Fact  
*his Attorney-in-Fact.*

**State of Ohio**  
**County of Delaware ss:**

**Be It Remembered**, that on this 4<sup>th</sup> day of August, 2010, before me, a Notary Public in and for said State, personally appeared the above named Holly R. Mueller and Steve O. Mueller by Holly R. Mueller, his Attorney-in-Fact, the Grantor(s) in the foregoing deed, and acknowledged the signing thereof to be their voluntary act and deed.

**In Testimony Thereof**, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

  
\_\_\_\_\_  
Notary Public



JANE E. THACKER  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES OCT. 18, 2014

This instrument prepared by Magnuson & Barone, Attorneys at Law

## EXHIBIT 'A'

1665174-NE

### LEGAL DESCRIPTION

Situated in the City of Pataskala, County of Licking, State of Ohio, and is described as follows:

#### PARCEL ONE:

Being part of Lot No. 8 in the Third Quarter of Township No. 1, Range No. 15, U.S.M. Lands, also being part of a 70 acre tract conveyed to Myrhl R. Taylor, as the same is shown of record in Deed Book No. 677, Page No. 595 in the records of the Recorder's Office, Licking County, Ohio, and being more particularly described as follows:

Beginning at an iron pin in the Westerly line of the above mentioned Lot No. 8, said point being South 00° 28' 22" East, a distance of 749.82 feet from the Northwesterly corner of Lot No. 8; thence from said point of beginning, North 89° 08" East and passing an iron pin on line of 898.02 feet, a distance of 928.02 feet to a point in the centerline of County Road No. 41 (Mink Street Road); thence South 00° 49' 00" West and along the centerline of County Road No. 41, a distance of 316.00 feet to a point; thence South 89° 33' 08" West and passing an iron pin on line at 30.00 feet, a distance of 920.91 feet to an iron pin in the Westerly line of Lot No. 8; thence North 00° 28' 22" West and along the Westerly line of Lot No. 8, a distance of 315.92 feet to the place of beginning and containing 6.704 acres, subject to all easements and/or restrictions shown of record, also subject to all legal right-of-way.

#### PARCEL TWO:

Being a part of Lot No. 8 in the Third Quarter of Township No. 1, Range No. 15, U.S.M. Lands; also being part of a 70 acre tract conveyed to Myrhl R. Taylor, as the same is shown of record in Deed Book No. 677, Page No. 595 in the records of the Recorder's Office, Licking County, Ohio, and being more particularly described as follows:

Beginning at an iron pin in the Westerly line of Lot No. 8; said point being, South 00° 28' 22" East, a distance of 499.88 feet from the Northwesterly corner of Lot No. 8; thence from said point of beginning, North 89° 33' 08" East and passing an iron pin on line at 903.65 feet, a distance of 933.65 feet to a point in the centerline of County Road No. 41 (Mink Street Road); thence South 00° 49' 00" West and along the centerline of County Road No. 41, a distance of 250.00 feet to a point; thence South 89° 33' 08" West and passing an iron pin in the Westerly line of Lot No. 8, a distance of 928.02 feet; thence North 00° 28' 22" West and along the Westerly line of Lot No. 8, a distance of 249.94 feet to a place of beginning and containing 5.340 acres.

For informational Purposes only:

Property Address: 5624 Mink Street SW Pataskala, Ohio 43062

Parcel No.:063-141636-00.004 063-141636-00.003

Taxes Due July 18th

Michael L. Smith, Auditor  
Olivia C. Parkinson, Treasurer

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 Valid Sale: No

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 Owner Occ: **Yes**

Foreclosure: No  
 Certified Delq: No  
 On Contract: No  
 Bankruptcy: No

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	PARK NATIONAL BANK	PO BOX 3500		PO BOX 3500		NEWARK	OH	43058
SCHLATER   365	SADDLE PATH	LN		365 SADDLE PATH LN		PATASKAL/OH		43062
DREYER HA 379	SADDLE PATH	LN		379 SADDLE PATH LN		PATASKAL/OH		43062
WYCUFF KI 391	SADDLE PATH	LN		391 SADDLE PATH LN		PATASKAL/OH		43062
MCMILLEN 6634	MERWIN	RD		6634 MERWIN RD		COLUMBU:OH		43235
SEGOVIA C. 5624	MINK	ST		5624 MINK ST	SW	PATASKAL/OH		43062
SEGOVIA C. 5624	MINK	ST		5624 MINK ST	SW	PATASKAL/OH		43062
LOPER JUD 5601	MINK	ST		5601 MINK ST	SW	PATASKAL/OH		43062
SAMMONS 5634	MINK	ST		5634 MINK ST		PATASKAL/OH		43062



# FOLLOW UP QUESTION

Use Variance hearing October 9, 2018

**1. Hours of Operation**

- a. From 9:00 AM to 9:00 PM week days
- b. From 10:00 AM to 6:00 PM weekends

**2. Number of Employees – See weekly schedule below**

- a. The company plans to staff three (3) service providers. However, the weekly schedule is staggered in such a way that no two services are offered at the same time, nor all providers are in the premises at the same time.
- b. Except for Self, service providers will be 1099 (independent contractors)
- c. There will be two (2) 1099 individuals.
  - i. 1 Counselor (Talk Therapy)
  - ii. 1 Yoga Teacher (evening classes)
- d. Self will provide
  - i. Yoga (morning classes)
  - ii. Massage Therapist
  - iii. Meditation
  - iv. Tai Chi

**3. Number of Customers – See weekly schedule below**

- a. A busy day is projected to service approximately 20 customers
- b. A slow day is projected to service approximately 7 customers
- c. An average of three (3) to four (4) Yoga clients are expected in a single class hour, and there are large gaps between classes
- d. Except for Yoga, all other sessions are mostly a one on one meeting (clinical hour - 50 minutes) with client and service provider

Weekly Schedule								
	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
9:00		1		1		1		Counselling (Contractor)
10:00			3	3	3	3	3	Yoga (Instructor 1 - Self)
11:00	1	1	1			1	1	Counselling (Contractor)
12:00		3	3	3	3	3	2	Yoga (Instructor 1 - Self)
1:00	1	1	1			1	1	Counselling (Contractor)
2:00			1		1		1	Taichi (Self)
3:00	1	1	1			1	1	Counselling (Contractor)
4:00		1	1	1	1	1	1	Meditation (Self)
5:00	4	4	4	4	4	4		Yoga (Instructor 2 - Contractor)
6:00	3	3	3	3	3	3		Yoga (Instructor 2 - Contractor)
7:00		1	1	1	1			Massage Therapy (Self)
8:00		1	1	1	1			Massage Therapy (Self)
9:00								
Totals per day	11	20	20	17	20	18	7	
Total per Week	109							Counsellor (Contractor) = 1
								Yoga Teachers (Self + 1 Contractor) = 2
								Massage Therapist (Self) = 1
								Meditation Instructor (Self) = 1
								Tai Chi (Self) = 1
								<b>Total 3 Service providers (1 Couns + 1 Yoga Teach + Self)</b>
Weekly Average	15.5714286							

**4. Retail Sales**

- a. There are no plans for retail sales at this time.

**5. Signs**

- a. Will meet the requirements of the code

**6. Outdoor activity**

- a. Weather permitting, activities are expected to be performed outdoors.
- b. Decorative landscaping is being formulated to promote privacy between sessions, modalities and neighbors.
- c. We have reached out to GreenScapes Landscape Company to start the conversations.



**7. Possible expansion on the property (new structures, new uses, etc.)**

- a. No plans at this time

**8. More detailed explanation of uses (there was some confusion on “mental therapy”)**

- a. **Our project ambitions to staff Therapist or Counselors for “Counselling” which is probably best-known as TALKING THERAPY.**

A therapist’s goal is to help patients make decisions and clarify their feelings in order to solve problems.

Many counselors focus on common life issues, including stress and anxiety, mild to moderate depression, relationship conflicts such as marriage or family counselling, couples’ therapy, and work or career development.

**9. Having the property remain primarily a residence**

- a. I have intentions to reside at this location