

**MINUTES OF THE  
CITY OF PATASKALA BOARD OF ZONING APPEALS**

**Monday, March 11, 2019**

The City of Pataskala Board of Zoning Appeals convened in Council Chambers, City Hall, 621 West Broad Street, Pataskala, Ohio on Monday, March 11, 2019.

Present were:

Robert Platte, Chairperson

D. Chadd McKitrick, Vice Chairperson

Alan Howe

TJ Rhodeback

City of Pataskala Planning and Zoning Department staff:

Scott Fulton, Planning Director

Jack Kuntzman, City Planner

Mr. Platte opened the hearing at 6:30 p.m., followed by the Pledge of Allegiance.

Roll call was made. Present were: Alan Howe, D. Chadd McKitrick, Robert Platte and TJ Rhodeback. Bruce Ashcraft was not present.

***First on the Agenda, remove from table Variance Application VA-19-002, Watkins Road, Parcel No. 064-068442.00.047.***

Mr. McKitrick made a motion to take off the table Variance Application VA-19-002. Seconded by Mr. Howe. Mr. Platte, Mr. Howe, Ms. Rhodeback and Mr. McKitrick voted yes. The motion was approved.

Mr. Platte noted the Applicant's request for Variance Application VA-19-002 to remain tabled to the June 10, 2019 hearing.

Mr. Platte made a motion to table Variance Application VA-19-002 to no later than the June 10, 2019 hearing. Seconded by Mr. McKitrick. Mr. McKitrick, Ms. Rhodeback, Mr. Howe and Mr. Platte voted yes. The motion was approved.

***Next on the Agenda, Remove from table Conditional Use Application CU-18-005, Pataskala Storage, LLC.***

Ms. Rhodeback made a motion to remove from the table Conditional Use Application CU-18-005. Seconded by Mr. Howe. Ms. Rhodeback, Mr. Platte, Mr. McKitrick, and Mr. Howe voted yes. The motion was approved.

***Next on the Agenda, Application CU-18-005, Pataskala Storage, LLC.***

Mr. Kuntzman gave an overview of the Applicant's request for an expansion of the existing storage facility. Future expansions were reviewed, Staff and Department comments were noted.

Cory Bonda, 230 West Street, Suite 100, Columbus was placed under oath.

Mr. Bonda stated adhering to the landscaping requirements, also noted drainage concerns from neighbors.

Tom Sampson, 218 Autumn Way, was placed under oath.

Mr. Sampson noted concerns regarding lighting, stormwater runoff, wetlands, tree removal and screening.

A discussion was had regarding the location of pond placements.

Tree removal and tree replacement was discussed.

Lighting and lighting studies were noted.

Modifications were discussed.

Ms. Rhodeback asked when the ponds would be put in place.

Mr. Bonda stated not knowing until the stormwater calculations are received.

Further discussion was had regarding lighting.

Findings of Facts were reviewed.

Mr. McKitrick made a motion to approve Conditional Use Application CU-18-005 with the following modifications:

1. The Applicant shall obtain all necessary permits from the City of Pataskala within one (1) year of the date of approval.
2. The Applicant shall provide a Tree Survey upon submission for Zoning Permit.
3. The Applicant shall provide Stormwater Calculations for review by the Public Service Director and City Engineer upon submission for Zoning Permit.
4. The Applicant shall combine all lots (PIDs: 063-141402-00.000, 063-145914-00.000, 063-147282-00.000) into one.
5. The Applicant will supply mylars of the plans upon approval of the Zoning Permit.
6. The Applicant will apply for a TCOD-Permit for any further expansion.
7. The Applicant shall provide a light study for the Planning and Zoning Department for review and approval to ensure compliance with Section 1287.09 of the Pataskala Code.
8. The Conditional Use shall only apply to Phase 2 of the application and the plan dated February 14, 2019. Any subsequent expansions shall require conditional use approval from the Board of Zoning Appeals.
9. All lighting shall be a warmer white in variety.
10. The maximum height of lighting shall be 20 feet in height and shall have a cutoff downcast fixture.

Seconded by Ms. Rhodeback. Mr. McKitrick, Mr. Platte, Ms. Rhodeback and Mr. Howe voted yes. The motion was approved.

***Next on the Agenda, Conditional Use Application CU-19-001, 421 West Broad Street.***

Mr. Kuntzman gave an overview of the Staff Report, noting the Applicant's request for the property to be used as a vehicle towing service. The Site Plan was reviewed, noting paving, fencing, signage and parking. Services will be available for residents and the City's Police Department and State Highway Patrol. Lighting and security were noted. Staff and Department comments were noted.

Sidewalks, paths and fee in lieu of were discussed.

Mr. Fulton noted TCOD not being required.

Calvin Berkey, 421 West Broad Street, was placed under oath.

Mr. Berkey noted concerns regarding the path requirement.

Pamela Parkinson, P.O. Box 1400, Pataskala was placed under oath.

Ms. Parkinson noted owning the property to the east of the subject property, and had concerns regarding water runoff onto her property. Ms. Parkinson inquired as to how many cars will be permitted, and if it will be a car lot.

Mr. Fulton stated there are no approvals for a car lot.

Ms. Parkinson also noted concerns regarding proper vehicle liquid disposal.

Mr. Platte inquired as to the timeframe that cars will be stored.

Mr. Berkey stated maximum storage of 30 days; however, abandoned cars will be stored at his other location. Cars in accidents should be picked up within seven days and taken for repairs. Mr. Berkey noted there will be no dismantling, junking or selling cars.

Ms. Rhodeback inquired as to the standard operating procedure regarding vehicle spills.

Mr. Berkey stated using pans under vehicles to collect any spills; however, it was noted he hasn't had issues with spills. Mr. Berkey indicated he does not know about the water runoff onto the adjacent property, but wants to be a good neighbor. Mr. Berkey noted time limits on vehicles that are impounded, and highly motivated to not keep cars in lot.

Parking and fencing were discussed.

Findings of Facts were reviewed.

Mr. Platte made a motion to approve Conditional Use Application CU-19-001 with the following modifications:

1. The Applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department within one (1) year of the date of approval.
2. The Applicant shall address all comments from Planning and Zoning Staff, City Engineer, Public Service Director, and the Licking County Health Department.

3. The Applicant shall ensure that the any lighting shall not constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway.
4. Salvage/Scrap and vehicle sales shall be prohibited

Seconded by Mr. McKitrick. Mr. Howe, Mr. McKitrick, Ms. Rhodeback and Mr. Platte voted yes. The motion was approved

**Next on the Agenda, Findings of Fact.**

Ms. Rhodeback made a motion to approve Conditional Use Application CU-18-005. Seconded by Mr. Howe. Mr. Howe, Mr. Platte, Mr. McKitrick and Ms. Rhodeback voted yes. The motion was approved.

**Conditional Use CU-18-005, Summit Road, Pataskala Storage, LLC, Parcel No. 063-141402-00.000**

<u>Yes</u>	<u>No</u>	
✓		1. <i>Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on the Application.</i>
	✓	2. <i>Will be harmonious with and in accordance with the general objectives or with any specific objective of the City comprehensive plan and/or this Code.</i>
✓		3. <i>Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.</i>
✓		4. <i>Will not be hazardous or disturbing to existing or future neighboring uses.</i>
✓		5. <i>Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.</i>
✓		6. <i>Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.</i>
✓		7. <i>Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.</i>
✓		8. <i>Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.</i>
✓		9. <i>Will not result in destruction, loss or damage of a natural, scenic, or historic feature of major importance.</i>

Mr. Howe made a motion to approve Conditional Use Application CU-19-001. Seconded by Ms. Rhodeback. Ms. Rhodeback, Mr. Platte, Mr. McKitrick and Mr. Howe voted yes. The motion was approved.

**Conditional Use CU-19-001, 421 West Broad Street**

<u>Yes</u>	<u>No</u>	
✓		1. <i>Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on the Application.</i>
✓		2. <i>Will be harmonious with and in accordance with the general objectives or with any</i>

- specific objective of the City comprehensive plan and/or this Code.*
- ✓ 3. *Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
  - ✓ 4. *Will not be hazardous or disturbing to existing or future neighboring uses.*
  - ✓ 5. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
  - ✓ 6. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.*
  - ✓ 7. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.*
  - ✓ 8. *Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.*
  - ✓ 9. *Will not result in destruction, loss or damage of a natural, scenic, or historic feature of major importance.*

***Next on the Agenda, approval of the February 11, 2019 regular meeting minutes.***

Mr. Howe made a motion to approve the February 11, 2018 regular meeting minutes. Seconded by Mr. McKitrick. Mr. McKitrick, Mr. Platte, Ms. Rhodeback and Mr. Howe voted yes. The motion was approved.

***No other Business was presented.***

Mr. McKitrick made a motion to adjourn the meeting. Seconded by Ms. Rhodeback. Mr. Platte, Mr. Howe, Ms. Rhodeback and Mr. McKitrick voted yes. The meeting was adjourned at 8:20 p.m.

Minutes of the March 11, 2019 meeting were approved on

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