



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

April 8, 2019

Variance Application VA-19-007

Applicant:	Holly L. Hunt
Owner:	Holly L. Hunt
Location:	380 Warrenpoint Ln. Pataskala, OH 43062
Acreage:	+/- 2.04 acres
Zoning:	R-87 – Medium-Low Density Residential
Request:	Requesting approval of variance from Section 1221.05(D)(1) of the Pataskala Code to allow for an accessory building to be located in front of the principal structure.

Description of the Request:

The applicant is seeking a variance to allow for a 25-foot x 30-foot accessory building to be constructed in front of the principal structure.

Staff Summary:

The 2.04-acre property at 380 Warrenpoint Ln is currently occupied by an approximately 2,928-square foot, two-story, single-family home. The home itself is set back approximately 245-feet from Warrenpoint Ln, with a single asphalt driveway onto said street. To the south of the driveway, in front of the home, is an approximately 6,800-square foot pond. There is an existing concrete driveway turn-around to the North, where the proposed garage is to be located.

Pursuant to Section 1221.05(D)(1) of the Pataskala Code, an accessory building shall be located even with or behind the front of a principal structure within the side or rear yard. The applicant has proposed building a 25-foot x 30-foot detached garage at the existing turn-around to provide additional parking and storage space.

The applicant stated on the application documents that the reason for this location is because the existing aeration and septic systems are in the northern side yard of the home, and the well is in the south side yard. They did not want to interfere with those systems in determining the location of the garage. The proposed garage will be located 38-feet from the northern property line. No narrative statement was submitted.

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

Pursuant to Section 1221.05(D)(1), an accessory building shall be located even with or behind the front of a principal structure within the side or rear yard. The principal structure on this lot, the house, is located approx. 240-feet from the front property line on Warrenpoint Dr. The proposed accessory building will be within the front yard of the lot, approx. 210-feet from the front property line.

Although the Applicant did not submit a Narrative Statement, Staff believes the information given on the application form and the site plan accurately describes the need for a variance. Staff understands the Applicant's desire to locate the proposed structure at the end of the existing driveway turn-around to avoid interference with the existing septic and aerator system that is in the north side yard of the lot. Staff also believes that it would be difficult to construct the proposed structure in the south side yard, as it is currently occupied by the pond and well system.

Pursuant to Section 1221.05(C)(2), Accessory Buildings on lots of 2-acres or more shall have a maximum height of 25-feet. No information was given regarding the proposed height of the structure. Staff would like to see this information on the elevation plans when submitting for a zoning permit. A possible modification has been added to address this.

The proposed structure will meet the other applicable requirements of Section 1221.05 – Accessory Building Regulations regarding size, number, and setbacks.

No other comments were received from applicable Departments and Agencies.

Surrounding Area:

Direction	Zoning	Land Use
North	R-87 – Medium-Low Density Residential	Single-Family Home
East	R-87 – Medium-Low Density Residential	Vacant (Farm Field)
South	R-87 – Medium-Low Density Residential	Single-Family Home
West	R-87 – Medium-Low Density Residential	Single-Family Home

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-19-007:

- None

Department and Agency Review

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – No comments
- Health Department – No comments
- Licking County Health Department– No comments
- 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 conditions may be considered:

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 identify the height of the proposed structure on the elevation plans when applying for the Accessory Building permit.

Resolution:

For your convenience, the following resolution may be considered by the Board of Zoning Appeals when making a motion:

"I move to approve variance from Section 1221.05(D)(1) of the Pataskala Code for variance application VA-19-007 ("with the following supplementary conditions" if conditions are to be placed on the approval)."



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: 380 Warrenpoint Ln Pataskala, OH 43062	
Parcel Number: 6314073600000	
Zoning: R-87	Acres: 2.04
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: VA-19-007
Fee: 300
Filing Date: 3-15-19
Hearing Date: 4-8-19
Receipt Number: 499650

Applicant Information		
Name: Holly L. Hunt		
Address: 380 Warrenpoint Lane		
City: Pataskala	State: OH	Zip: 43062
Phone: (614) 352-1688	Email: holly.hunt.hair@gmail.com	

Documents
<input 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 type="checkbox"/> Area Map

Property Owner Information		
Name: Holly L. Hunt		
Address: 380 Warrenpoint Lane		
City: Pataskala	State: OH	Zip: 43062
Phone: (614) 352-1688	Email: holly.hunt.hair@gmail.com	

Variance Information
Request (Include Section of Code): 1221.05(D)(1) of the Pataskala Code.
Permission to build detached garage where the driveway turn-around ends due to interference at the side of the house with the aeration, septic, and well location.
Describe the Project:
We are seeking to build a detached garage where the turn-around of the driveway currently ends. We chose this location due to the current location of the aeration, septic, and well systems in relation to the side of the house. This will serve as additional storage space and parking space.

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.*
- A use variance must also meet the requirements described in Section 1211.07(B) of the Pataskala Code.

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.

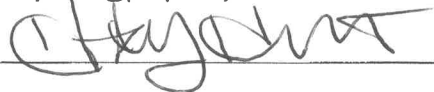
Applicant (Required):



Date:

3/14/19

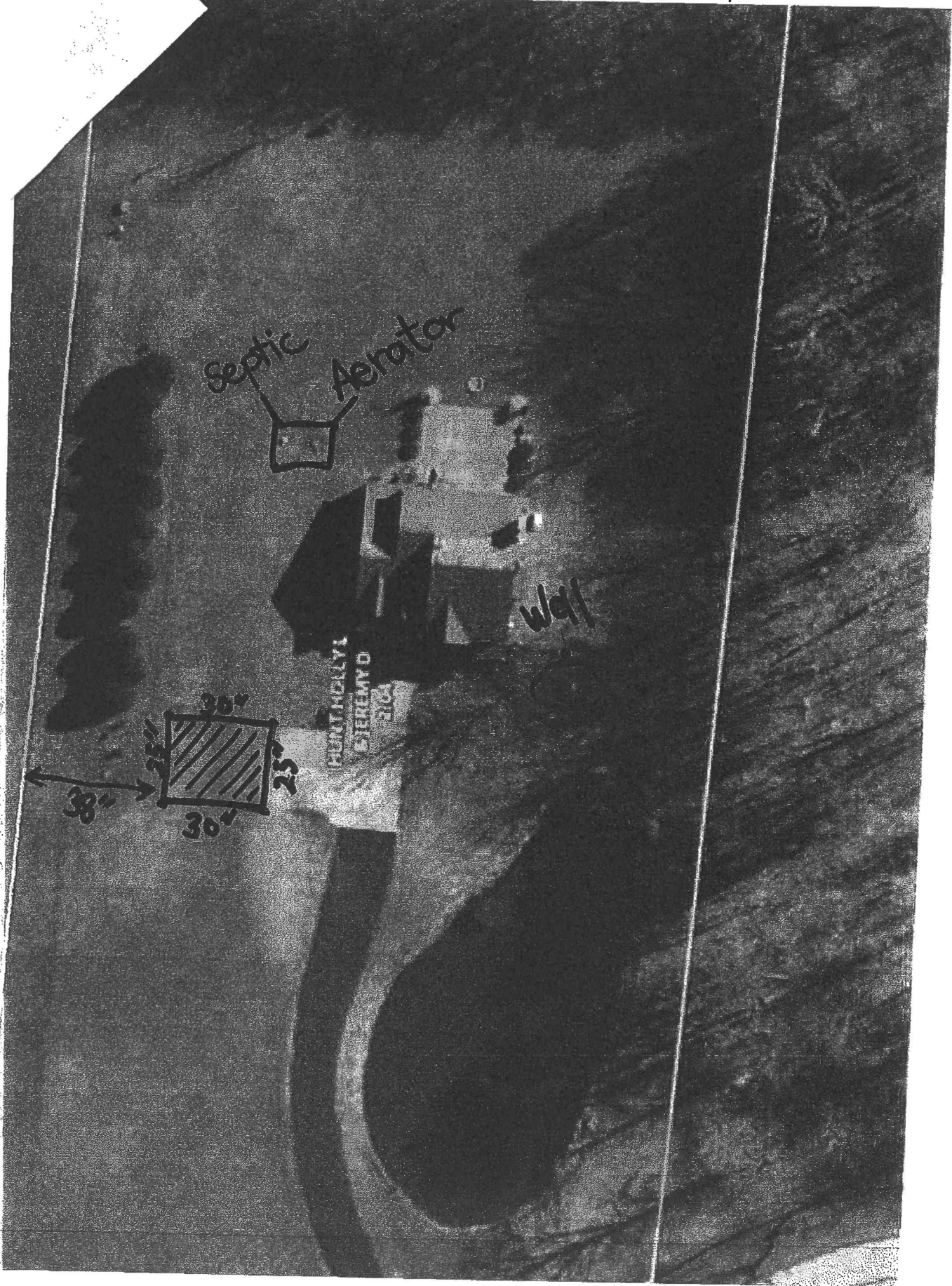
Property Owner (Required):



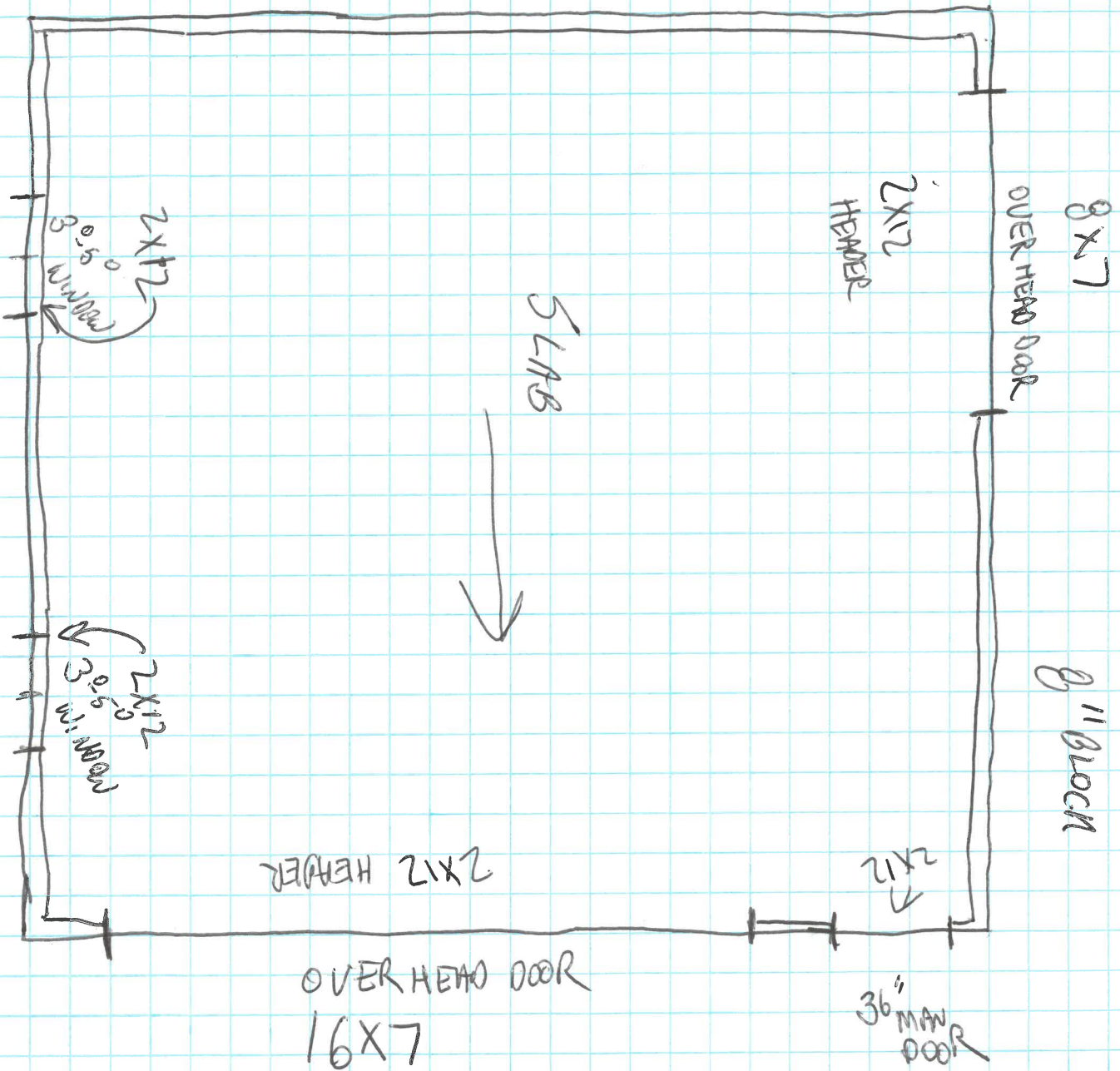
Date:

3/14/19

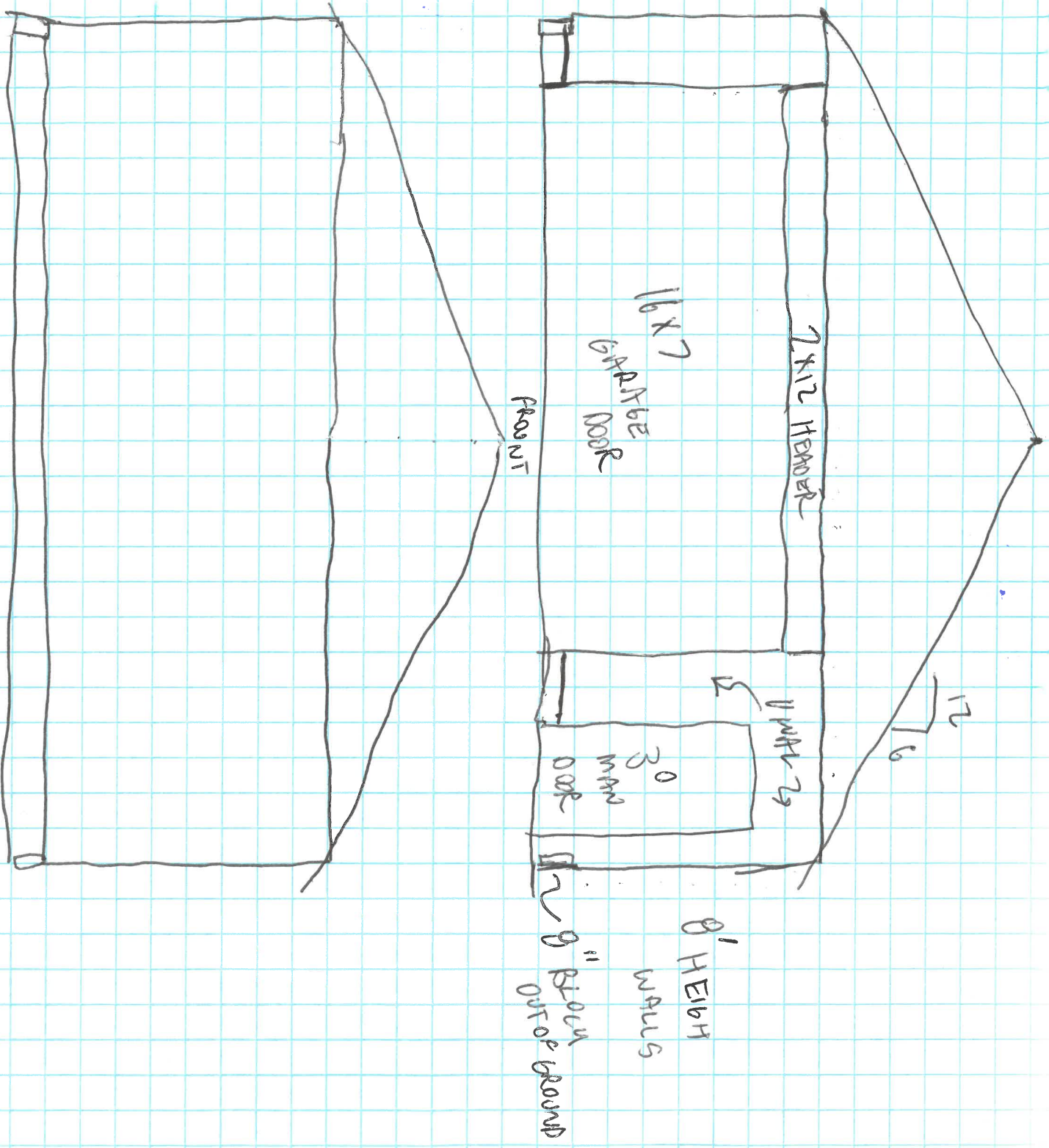
& Jeremy Hunt Site map / 380 Warrenpoint Lane



~~24~~ 25,



~~24~~ 30'



BACK

RIGHT SIDE
GARAGE

12" OVER HUB

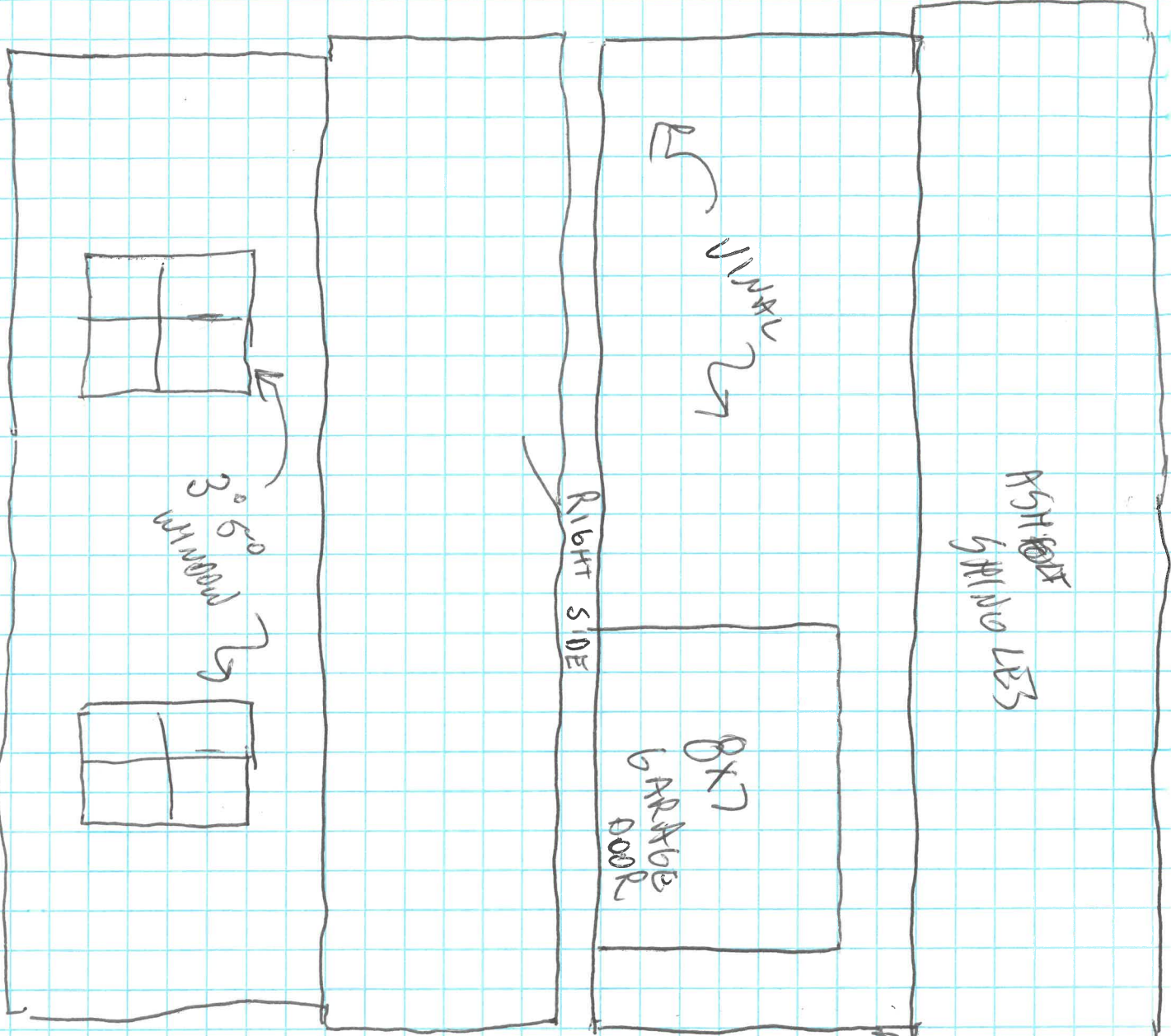
3' HUB

8' x 7'
GARAGE
DOOR

RIGHT SIDE

11' x 11'

3' x 6' HUB



12" TOTAL OVER HANG

PLE EN BURENED 6/12
TRUSS

2x6
SUB FLOOR

OVER
HANG

10"

8' 2x4 WALL

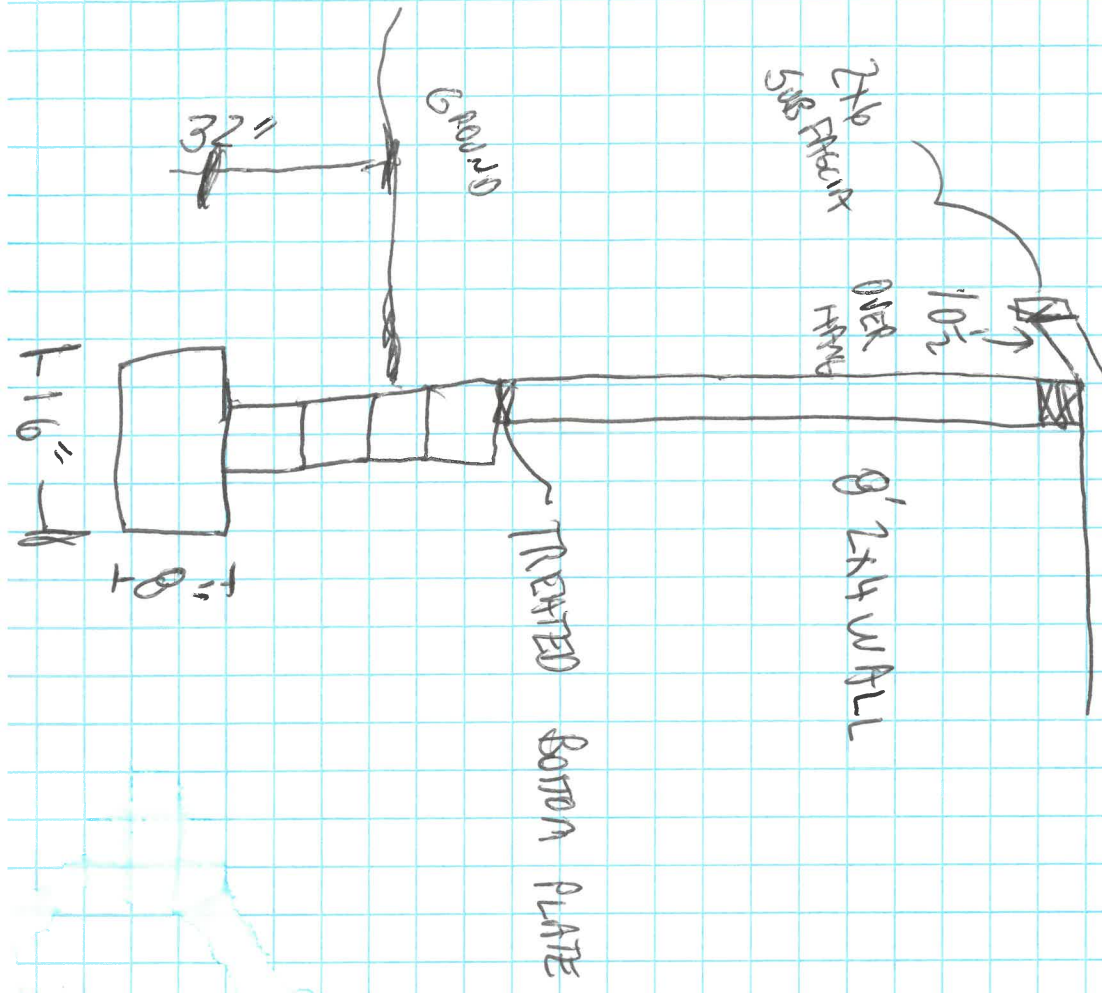
TREATED BOTTOM PLATE

GROUND

32"

1'-0"

1'-16"



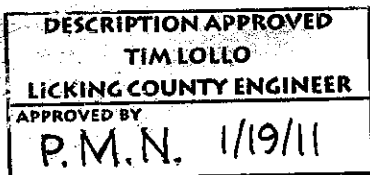
Michael L. Smith, Auditor
Olivia C. Parkinson, Treasurer

Taxes Due July 17th

- Map
- BOR
- Card
- CAUV
- Documents
- Land
- Map
- Parcel
- Pictometry
- Sketch
- Street View
- Structures
- Taxes
- Transfers
- Values
- Help
- Login

- BOR
- CAUV
- Dog License
- Downloads
- Forms
- GIS
- Homestead
- Taxes
- Other





201101190001307
Pgs: 2 \$28.00 T20110001241
01/19/2011 11:09AM BXARROW BOX
Bryan A. Long
Licking County Recorder



TRANSFERRED
Date January 19 2011
M. L. Smith
Licking County Auditor

GENERAL WARRANTY SURVIVORSHIP DEED

For valuable consideration hereunto received, be it known that the Grantors herein:

LOREN M. CLERE AND DIANE C. CLERE

SEC.319.202 COMPLIED WITH
MICHAEL L. SMITH AUDITOR
BY M. 530.00

Who are husband and wife, hereby grant and assign with general warranty covenants, to the Grantees herein:

HOLLY L. HUNT AND JEREMY D. HUNT

For their joint lives, with the remainder to the survivor of them, and whereby the tax-bill mailing address will be the same as the property address, which is: 380 Warren Point Lane, Pataskala, OH, 43062, unless the Mortgagee provides written instructions to the County Treasurer to the contrary, any and all of the Grantors' interest in the following real property:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Property Tax ID: 06314073600040
Property Address: 380 Warren Point Lane, Pataskala, OH 43062
Last Deed Ref: Instrument # 200707060017505 of the Official Records of Licking County

SAVE AND EXCEPT, reservations, conditions, limitations, highways, public roads, rights-of-way, easements and restrictions of record, zoning ordinances, if any, and real estate taxes and assessments both general and special, which are a lien but not yet due and payable.

The Grantors herein have read this Deed and hereby acknowledge the voluntary signing hereof.

Loren M. Clere
X by Linda Kroeger-Baum
her attorney in fact
Loren M. Clere by Linda Kroeger-Baum, his Attorney-In-Fact

Diane C. Clere
X by Linda Kroeger-Baum
her attorney in fact
Diane C. Clere by Linda Kroeger-Baum, her Attorney-In-Fact

State of Ohio)
County of Ottawa) ss.

The foregoing instrument was acknowledged before me this 12th day of January, 2011, by Loren M. Clere by Linda Kroeger-Baum, his Attorney-in-Fact and by Diane C. Clere by Linda Kroeger-Baum, her Attorney-in-Fact.



DONNA LYNN NEFF, NOTARY PUBLIC
State of Ohio
My Commission Exp. April 22, 2015

Donna Lynn Neff
Notary Public

Arrow File #1-2638

Instrument prepared by:
Jonathan Holfinger, Esq
4200 Regent Street, Suite 210
Columbus, OH 43219

After recording, return to:
Arrow Title Agency LLC
4200 Regent Street, Suite 210
Columbus, OH 43219

EXHIBIT "A"
(Arrow Title File #1-2638)

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

Being Lot Number Thirty-seven (37) of Kylemore Phase II, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 16, Page 61, Recorder's Office, Licking County, Ohio.

Parcel Number: 063-140736-00.040

Property Address: 380 Warren Point Lane, Pataskala, OH 43062

Prior Deed Reference: Instrument No. 200707060017505, Licking County Recorder's Office.