



## CITY OF PATASKALA BOARD OF ZONING APPEALS

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

### STAFF REPORT

July 8, 2019

#### Variance Application VA-19-018

<b>Applicant:</b>	Russell Houck
<b>Owner:</b>	Ryan Durban
<b>Location:</b>	332 Edenderry Dr, Pataskala, OH 43062
<b>Acreage:</b>	2.26-acres
<b>Zoning:</b>	R-87 – Medium-Low Density Residential
<b>Request:</b>	Requesting approval of a variance from Section 1221.05(D)(1) of the Pataskala Code to allow an accessory building to be located in front of a principal structure.

#### Description of the Request:

The applicant is seeking a variance to allow for a 28-foot x 50-foot accessory building to be constructed in front of the principal structure.

#### Staff Summary:

The 2.21-acre property at 332 Edenderry Lane is currently occupied by an approximately 2,642-square foot, two-story, single-family home. The home itself is set back approximately 100-feet from the front setback line on Edenderry Lane, with a single concrete driveway onto said street. There is an existing concrete driveway turn-around to the east, 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 28-foot x 50-foot (1,400-square 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 the proposed location was to utilize the existing driveway turnaround.

**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. 100-feet from the front property line on Warrenpoint Dr. The proposed accessory building will be within the front yard of the lot, approx. 73-feet from the front property line.

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-19-018:

- 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-19-018 (“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: 332 Edenderry Drive Pataskala, OH 43062	
Parcel Number: 63-140 736-00-015	
Zoning: R-87	Acres: 2.26
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-19-018
Fee: 300
Filing Date: 5-31-19
Hearing Date: 7-8-19
Receipt Number: 499801

Applicant Information		
Name: Russell Houck		
Address: 3464 Gale Rd.		
City: Grandville	State: OH	Zip: 43023
Phone: 740-739-0714	Email:	

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

Property Owner Information		
Name: Ryan Durban		
Address: 332 Edenderry Dr. Pataskala, OH		
City: Pataskala	State: OH	Zip: 43062
Phone: 614-743-6225	Email:	

Variance Information
Request (Include Section of Code): <del>1225.05</del> 1221.05 (px) accessory buildings in front of principal structure
Describe the Project: Construction of a 1400' Garage

## 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):

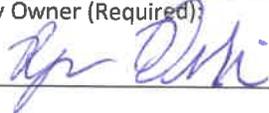
Date:

X 

5-30-19

Property Owner (Required):

Date:

X 

5-30-19

Thursday, May 30, 2019



**Russell Houck**  
(740) 739-0714

3464 Gale Road  
Granville, OH 43023

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**Client:**

Ryan Durban  
332 Edenderry Drive  
Pataskala Ohio  
614-743-6225

Homeowner (Ryan Durban) requests for his new garage to be set beyond the front line of his existing home. This placement will enable the homeowner to utilize his existing driveway and turnaround. If the homeowner is required to place the garage behind the front line of the home, the driveway and turnaround will need to be modified which will extend the time and cost of his project.

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

Taxes Due July 17th

- BOR CAUV Dog License Downloads Forms GIS Homestead Taxes Other



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

Search by:  
Address  
Search for:  
Trouble Searching?

063-140736-00.015  
PIATT MATT D &  
ANGLETED  
335 EDENDERRY LN  
PATASKALA, OH 43062

Acres: 2.26  
LOT 12 KYLEMORE PH I  
(2.26 AC)

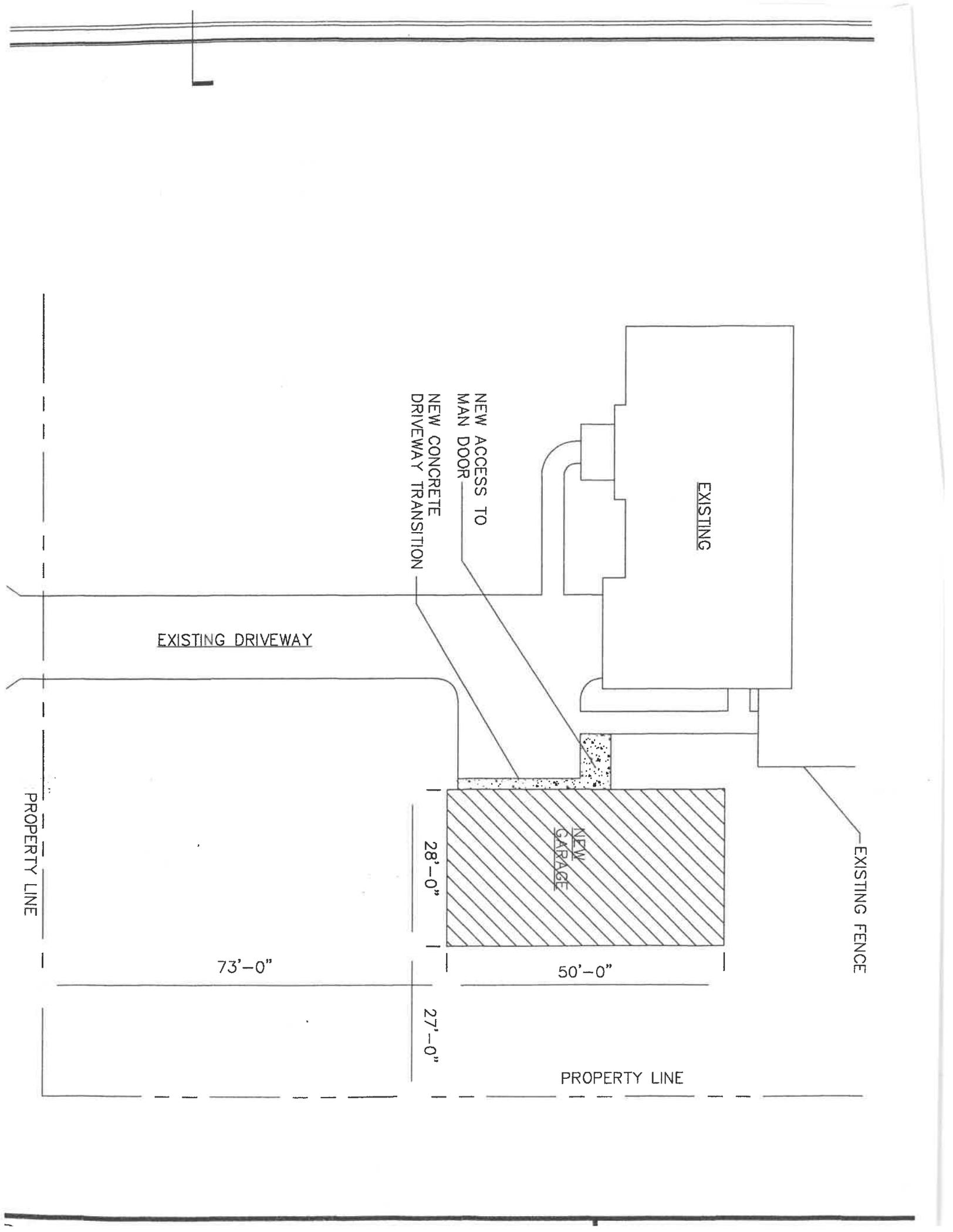
Land: \$62,200  
Improv: \$248,900  
Total: \$311,100

Sale Date: 12/23/1999  
Amount: \$208,000  
Conveyance: 04437  
Valid Sale: No

Homestead: No  
Owner Occ: Yes

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

For questions or suggestions regarding OnTrac, contact the Licking County Auditor's Office by clicking here. By accessing or using this web site, you agree to be bound by these Terms and Conditions. Using a low screen resolution? Try our Mobile Version.



EXISTING

NEW ACCESS TO  
MAN DOOR  
NEW CONCRETE  
DRIVEWAY TRANSITION

EXISTING DRIVEWAY

EXISTING FENCE

NEW  
GARAGE

28'-0"

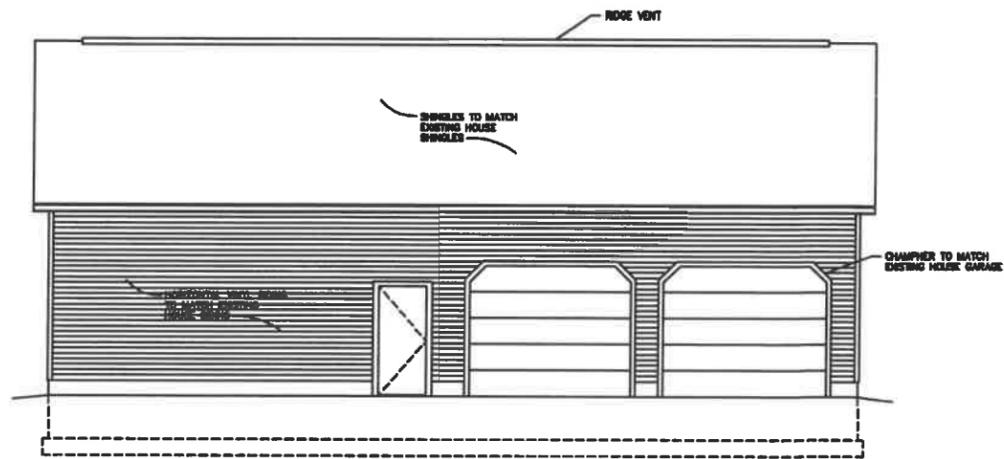
50'-0"

27'-0"

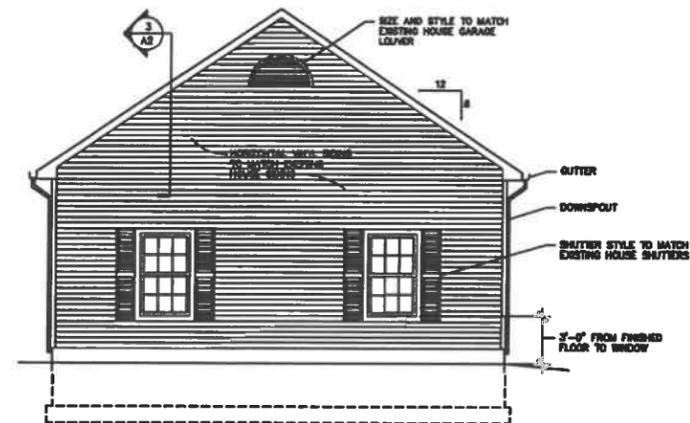
73'-0"

PROPERTY LINE

PROPERTY LINE



WEST ELEVATION



SOUTH ELEVATION

1 BUILDING ELEVATIONS  
1/8"=1'-0"

REVISIONS	BY
△	
△	
△	
△	
△	
△	

TAVENNER DRAFTING SERVICES  
DUBLIN, OHIO 43016  
(614)792-7562

EXTERIOR ELEVATIONS  
GARAGE  
for  
RYAN DURBAN  
332 EDENBERRY DRIVE PATASKALA, OHIO 43082

DATE 05/24/10

SCALE 1/4"=1'-0"

JOB NO. 201010

DRAWN BY TAVENNER

CHECKED

SHEET

A3

DESCRIPTION APPROVED  
WILLIAM C. LOZIER  
LICKING COUNTY ENGINEER  
APPROVED BY  
*W.C. Lozier* 8-9-12

201208090017954  
Pgs: 2 \$28.00 T20120020299  
08/09/2012 2:55PM BXREAL LIVING  
Bryan A. Long  
Licking County Recorder



TRANSFERRED  
Date August 9 2012  
*M. L. Smith*  
Licking County Auditor  
SEC. 319.202 COMPLIED WITH  
MICHAEL L. SMITH, AUDITOR  
BY *TL* 544.00

### SURVIVORSHIP DEED

File # 123112

KNOW ALL MEN BY THE PRESENTS THAT; Paula J. D'Aurora, Trustee of the Dolan Family Trust dated October 24, 2003, Grantor(s), for Ten Dollars (\$10.00) and other good and valuable consideration paid, grant(s), with general warranty covenants, to Ryan E. Durbin and Sara L. Durbin, husband and wife, Grantee(s), for their joint lives, remainder to the survivor of them, whose Tax Mailing Address will be Huntington National Bank, c/o First American Real Estate Tax Service, 1 First American Way, Westlake, TX 76262

The following described real property:

**REAL LIVING TITLE BOX**  
123112

Situated in the State of Ohio, County of Licking, and in the City of Pataskala:

Being Lot Number Thirteen (13), of Kylemore Phase 1, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 15, Page(s) 356, 357, and 358, Recorder's Office, Licking County, Ohio.

Parcel Number: 63-140736-00.016  
Known as: 332 Edenderry Lane  
Pataskala, OH 43062

Subject to covenants, conditions, restrictions, easements and zoning ordinances, if any, contained in prior instruments of record.

Excepting therefrom taxes and assessments if any, now a lien and thereafter due and payable.

Prior Instrument Number: Instrument Number 200310240051712 and Instrument Number 200302240008172, of the Records of the office of the Recorder, Licking County, Ohio.



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
- My OnTrac
- My Email
- My Parcels
- My Password
- My Lists/Report
- Logout

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



Search by:  
Owner  
Search for:

Trouble Searching?



063:140736-00.016  
DURBIN RYAN E & SARA L  
332 EDENDERRY LN  
PATASKALA, OH 43062

Acres: 2.21  
LOT 13 KYLEMORE PH I  
(2.21 AC)

Land: \$61,100  
Improv: \$237,200  
Total: \$298,300

Sale Date: 08/09/2012  
Amount: \$272,000  
Conveyance: 4473  
Valid Sale: Yes

Homestead: No  
Owner Occ: Yes

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