



CITY OF PATASKALA PLANNING AND ZONING COMMISSION

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

STAFF REPORT

October 2, 2019

Replat Application REP-19-001

Applicant:	Isaac Liller
Owner:	Isaac Liller
Location:	239 Sims Road SW, Pataskala OH, 43062
Acreage:	0.14-acres
Zoning:	R-87 – Medium-Low Density Residential
Request:	Requesting approval of a Replat for lots 19 & 20 of the Sims Gardens Subdivision pursuant to Section 1113.48 of the Pataskala Code

Description of the Request:

The applicant is proposing to Replat lots 19-20 of the Sims Gardens subdivision, creating one single lot. Pursuant to Section 1113.42 of the Pataskala Code, alterations to an existing plat require a Replat to be approved by the Planning and Zoning Commission.

Staff Summary:

Sims Gardens subdivision was platted in July of 1960, and contained 30 lots at approximately 0.70 acres each, for a total of 22.86-acres. Of the original 30 lots, 26 remain. Lots 7 + 8, and lots 17 + 18, have since been re-platted into a single lot. The applicant has proposed re-platting lots 19 + 20 into one lot that will be 1.4-acres in size. The proposed dimensions are approximately 200-foot width at the right-of-way, and 304.5-foot length.

The Applicant has stated in their supplied Narrative Statement that the purpose of re-platting the lots is that they wish to build an accessory building on the adjoining lot beside their residence. The proposed building is 24-feet by 36-feet and will be used to store lawn equipment, and recreational woodworking equipment.

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

Section 1113.39 of the Pataskala Code details the information to be presented on the Plat before recording. Several of these items are missing from the submitted site plan. They are as follows:

- 1113.39(c): Final Plat boundaries shall include angular dimensions, for example “S 86’15’51 E”.
- 1113.39(e): The parcel identification number of the original tract(s) and the owners name(s) and parcel identification number(s) of all adjacent parcels.

- 1113.39(f): Radii, internal angles, points of curvature, tangent bearings, lengths or arcs, all easements and right-of-way provided for public services or utilities, building setback lines with dimensions, right-of-way width, and names of all streets within and adjoining the Final Plat.
- 1113.39(g): Acreage of all lots being re-platted.
- 1113.39(i): The locations and descriptions of all monuments and pins.
- 1113.39(j): When lots are located on a curve or when lot lines are at angles other than 90 degrees, the width at the building line shall be shown. If the building line is curved, the arc length shall be shown.
- 1113.39(m): Required statements and signatures to be affixed on the Final Plat.
- 1113.44(c): New lot numbers shall be assigned to all new or modified lots. Number shall consist of the lowest original lot number contained within the proposed lot. For example, combining lots 19 and 20 will create lot 19-A.

Section 1113.50 of the Pataskala Code details the required statements that shall be affixed to the Plat. In addition, Pursuant to Section 1113.44 a replat shall be shown at a scale not less than 100 feet to the inch and shall be on one or more sheets 18-inches by 24-inches in size. If the lots being re-platted have existing structures, then a separate dimensionally accurate sketch prepared by a registered surveyor illustrating the revised lot lines together with the outlines of such structures shall be submitted.

Pursuant to Section 1221.05 of the Pataskala Code, Accessory Buildings cannot be constructed on a lot without a principal structure. In addition, the maximum size of Accessory Buildings on lots less than 2-acres is limited by the equation $((\text{gross acreage of lot}) \times 600) + 120 \times 2$. Re-platting the two lots into one allows the Applicant to construct an accessory building on the adjoining lot and increases the maximum permitted size from 1,080-square feet to 1,920-square feet. The Applicant will still be required to obtain an Accessory Building permit for the future structure.

Public Service Director (Full comments attached)

Pursuant to Section 1113.44(f) the Public Services Director has the authority to require easements of 5' minimum to be placed upon the property lines of the rear or side yards. The Public Services director has commented that no easements will be necessary.

City Engineer (Full comments attached)

- From site plan provided, cannot tell where proposed out-building will be located.
- Appears to be adequate space for proposed out building, recommend city ensure location meets zoning requirements.
- There are a lot of trees on the property. Location of out-building could impact several trees.
- If the property is served by well/septic, the homeowner will need to make sure no impacts occur to those due to construction.
- The homeowner will need to ensure no drainage issues arise on abutting properties as a result of the work.
- We have no engineer objections to this request. We offer the above items for reference and to protect the property owner, the city, and the abutting properties.

Surrounding Area:

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

Department and Agency Review

- Zoning Inspector – No Comments
- City Engineer – See attached
- Public Service – See attached
- Licking County Health Department – No Comments
- Police Department – No Comments
- West Licking Joint Fire District – No Comments
- Licking Heights School District – No Comments

Modifications:

Should the Commission choose to approve the applicant’s request, the following modifications may be considered:

1. Replat shall be revised to meet all comments from Staff and shall include the required statements.
2. Applicant shall address all comments from the City Engineer
3. Pursuant to 1113.49 of the Pataskala Code, the Replat shall be recorded within 30 days of the latest signature.
4. The applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department prior to construction of the dwelling.

Resolution:

For your convenience, the following resolution may be considered by the Planning and Zoning Commission when making a motion:

“I move to approve Replat Application number REP-19-001 pursuant to Section 1113.48 of the Pataskala Code. (“with the following modifications” if modifications are to be placed on the approval).”

From: [Alan Haines](#)
To: [Jack Kuntzman](#)
Subject: PZC - 10-2-19
Date: Wednesday, September 25, 2019 11:09:14 AM

Jack,

I have the following comments regarding the 10-2-19 PZC:

1. REP-19-001
 - a. Note that side/rear yard easements will not be required for this replat.
 - b. Otherwise, no comments.

Please let me know if questions.

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

From: [Jim Roberts](#)
To: [Jack Kuntzman](#); [Scott Fulton](#)
Cc: [Scott Haines](#)
Subject: October 2 PZC Agenda
Date: Sunday, September 15, 2019 9:37:14 PM

Jack, per your request, Hull & Associates has reviewed the agenda for the October BZC hearing. There was only one agenda item, and we offer the following comments:

REP-19-001

- This is a request for a Lot Combination/Replat of two lots on Sims Road SW.
 - From the sketch provided, we cannot tell where the proposed out-building will be located.
 - It would appear there will be adequate space for the out-building to be constructed
 - We would recommend the city ensure the location of the proposed building meets zoning requirements.
 - There are a lot of trees on the property. The location of the out-building could impact several trees.
 - If this property is served by well/septic, the homeowner will need to make sure no impacts occur to those due to the construction.
 - The homeowner will need to ensure no drainage issues arise on abutting properties as a result of the work.

We have no engineering objections to this request. We offer the above items for reference and to protect the property owner, the city, and the abutting properties.

Please let us know if there are any questions.

Thanks. Jim

James G. Roberts, P.E.

Vice President
Newark Office Manager

HULL | Newark, Ohio

Environment / Energy / Infrastructure

o: 740-344-5451 | d: 740-224-0739

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



CITY OF PATASKALA PLANNING AND ZONING COMMISSION

621 West Broad Street, Suite 2A
Pataskala, Ohio 43062

REPLAT APPLICATION

(Pataskala Codified Ordinances Chapter 1113)

Property Information	
Address: 239 Sims Rd SW, Pataskala OH, 43062	
Parcel Number: 19 / 20 (063-147342-00.000 + 063-142578-00.000)	
Zoning: R-87	Acres: (2) 0.7 acer lots
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: REP-19-001
Fee: \$500.00
Filing Date: 9-6-19
Hearing Date: 10-2-19
Receipt Number: 21152

Applicant Information		
Name: Isaac Liller		
Address: 239 Sims Rd SW		
City: Pataskala	State: OH	Zip: 43062
Phone: (304) 851-4845	Email: isaac.liller09@gmail.com	

Documents
<input checked="" type="checkbox"/> Application
<input checked="" type="checkbox"/> Fee
<input type="checkbox"/> Cover Letter
<input checked="" type="checkbox"/> Replat
<input checked="" type="checkbox"/> Original Final Plat
<input checked="" type="checkbox"/> Deed
<input checked="" type="checkbox"/> Electronic Copies

Property Owner Information		
Name: ISAAC LILLER		
Address: 239 Sims Rd SW		
City: Pataskala	State: OH	Zip: 43062
Phone: 304-851-4845	Email: ISAAC.LILLER09@gmail.com	

Replat Information
Describe the Project: Combine two (2) 0.7 acer lots to create one (1) 1.4 acer lot.

Documents to Submit

Replat Application: Submit one (1) copy of the Replat application.

Cover Letter: Submit one (1) copy of a cover letter detailing the contents and purpose of the Replat submittal.

Replat: Submit 14 copies of the Replat including the following:

- Name of the subdivision located by section, range, township, or by other survey number, date, north arrow, and acreage.
- Name and address of the professional registered surveyor who prepared the replat and appropriate numbers and seals.
- Replat boundaries based on accurate traverse with angular and linear dimensions, both linear and angular shall be determined by an accurate control survey in the field, which must balance, and close within the limit of 1:10,000.
- Bearings and distances to the nearest established street lines or other recognized permanent monuments.
- The parcel identification number of the original tract(s) and the owners name(s) and parcel identification number(s) of all adjacent parcels.
- Radial, internal angles, points of curvature, tangent bearings, lengths or arcs, all easements and right-of-way provided for public services or utilities, building setback lines with dimensions, right-of-way width, and names of all streets within and adjoining the Replat.
- New lot numbers assigned to all new or modified lots. This number shall consist of the lowest original lot number contained within the lot lines of the proposed lots and hyphenated with the letter "A", or next alphabetical letter needed to make the proposed lot unique within the subdivision.
- All lot lines with accurate dimensions in feet and hundredths, and acreage.
- Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.
- The locations and descriptions of all monuments and pins.
- When lots are located on a curve or when lot lines are at angles other than 90 degrees, the width at the building line shall be shown. If the building line is curved, the arc length shall be shown.
- Locations of all wetlands, ponds, watercourses and other naturally occurring water features on the property including a 25-foot buffer as measured from the edge of the water feature.
- Any part of the subdivision located within the 100-year flood plain as indicated on the Flood Insurance Rate Map (FIRM), or as determined by other appropriate persons.
- Required statements and signatures to be affixed on the Replat.
- If the lots being replatted have existing structures, then a separate dimensionally accurate sketch prepared by a registered surveyor illustrating the revised lot lines, together with the outlines of such structure shall be submitted.
- The Replat shall meet all applicable zoning and subdivision regulations.
- All existing easements and reserves shall be maintained on the Replat. The Planning and Zoning Commission may waive this requirement if it is determined that the existing easement would not serve a purpose as part of the replatted lots.
- Where no easements exist, a minimum five (5) foot easement along the property line of the side and rear yards if determined to be necessary by the City Administrator or their designee.

Original Final Plat: Submit 14 copies of the original Final Plat.

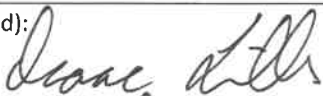
Deed: Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained at www.lcounty.com/rec.

Electronic Copies: Submit an electronic copy of the Replat as a Portable Document Format (pdf) file or other acceptable format.

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 Replat request.

Applicant (required):



Date:

9/6/19

Property Owner (required):



Date:

9/6/19

September 5, 2019

Jack Kuntzman

City Planner

621 West Broad Street, Suite 2A

Pataskala, OH 43062

Mr. Kuntzman,

My wife and I are wanting to replat our adjoining lots in order to build an out building. The building will be located on the lot beside our residence, hence he replat. The building will be a 24 foot by 36 foot detached garage, built by Weaver Barns. It will have a concrete floor, built to the necessary code of Licking County. The building will be used to store lawn equipment and some recreational wood working equipment.

If you have any questions about anything regarding this project, please do not hesitate to email me at Isaac.liller09@gmail.com, or call me at 304-851-4845. Thank you for your help.

Sincerely,

Isaac Liller

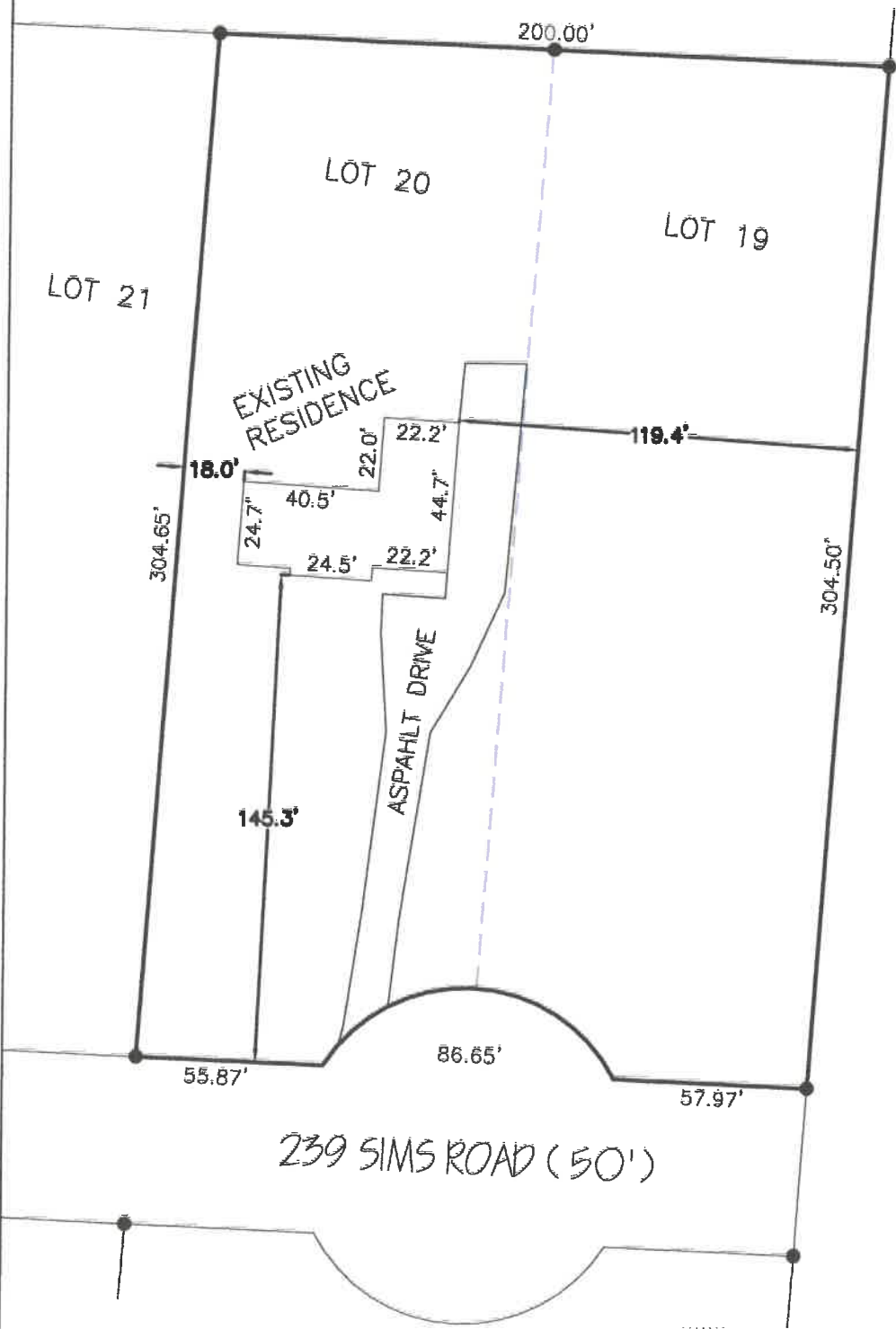
0 50 100



SCALE 1" = 50'

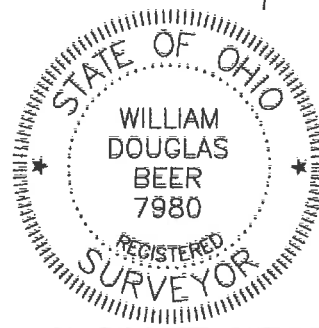
SITE PLAN

LOTS 19 & 20, SIMS GARDEN SUB.,
P.B. 07, PAGE 107, CITY OF
PATASKALA, LICKING COUNTY,
STATE OF OHIO



LEGEND:

● = IRON PIN FOUND



BENCHMARK LAND SURVEYING

3501 Manila Drive
Westerville, Ohio 43081
(614) 794-9609 ~ Office
E-mail: bmisurveying@yahoo.com

I hereby certify that the forgoing SITE PLAN
Survey was prepared from actual
field measurements in accordance with Chapter
4733-37 Ohio Administrative Code.

William D. Beer 09/04/19

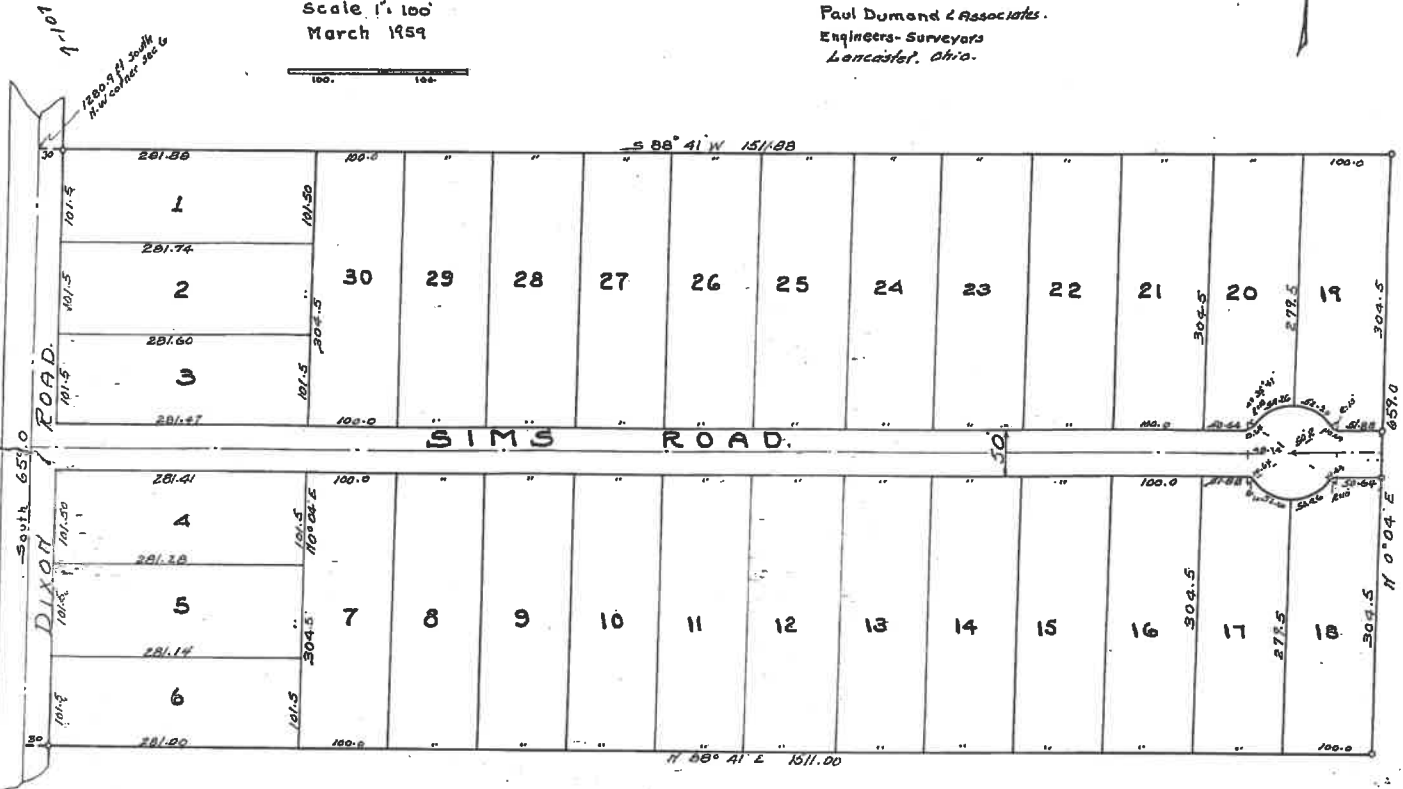
WILLIAM D. BEER DATE
Registered Surveyor No. 7980

SIMS GARDENS

A SUBDIVISION IN SEC. 6.
LIMA TWP. LICKING CO. OHIO.

Scale 1" = 100'
March 1959

Paul Dumond & Associates.
Engineers-Surveyors
Lancaster, Ohio.



I hereby certify the above plat is correct as surveyed and plotted by us.

Paul Dumond
Paul Dumond & Associates

Description:

Being a part of section 6 T. 1 R. 15 Lima Township, Licking County, Ohio, and bound as follows: Beginning at a point in the west line of sec 6, 1280.9 ft. south of the northwest corner of sec 6; thence south with sec. line and center of road 659.0 ft. to a point; thence $11.88^{\circ} 41' E$ 1511.0 ft. to an iron pin, passing an iron pin at 30.0 ft.; thence $11^{\circ} 04' E$ 659.0 ft. to an iron pin; thence $S 88^{\circ} 41' W$ 1511.88 ft. (passing an iron pin at 441.88 ft.) to the place of beginning, containing 22.86 acre..

The lots are as represented on the Plat, with dimensions given in ft. and decimals of a foot.

We the undersigned Charles W. Ballman and Helen J. Ballman, husband and wife, owners of the land delineated on this plat, do hereby acknowledge the making and signing of this Plat to be our free act and deed. We do hereby dedicate all streets or roads or any part of same within the limits of this Plat to public use as such

James L. Bates
John T. Hentz
Witness

Charles W. Ballman
Helen J. Ballman
Witness

State of Ohio County of FRANKLIN

Be it remembered that on this 22 day of June 1960 before me a notary public, within and for said County, personally came the above named Charles W. Ballman and Helen J. Ballman who then and there acknowledged the making and signing of the above Plat to be their voluntary act. In testimony whereof I have hereunto set my hand and seal the day and the year aforesaid.

John T. Hentz
Notary Public.

JOHN T. HENTZ
NOTARY PUBLIC, FRANKLIN COUNTY, OH.
MY COMMISSION EXPIRES 2-18-62

This Plat accepted this 14 day of July 1960 by the Licking County Board of Commissioners.

Co. Commissioners

Robert G. Hous
Paul W. Cantrell

This plat transferred on the tax duplicate this 14 day of July 1960

85941

County Auditor Licking County

Paul E. Coffman
AUDITOR
JUL 23 1960

This Plat received for record at 10:38 A.M. this 14 day of July 1960

Recorded this 14 day of July 1960 on page 127 P.B. 7

Lewell W. Vermillion
LICKING COUNTY RECORDER.

Fee \$3.25

This instrument was prepared by Paul Dumond.



201907170014273

Page: 1 \$28.00 T2019001186
7/17/2019 1:26 PM MFPGAHANNA T
Bryana A. Long Licking County Recorder

TRANSFERRED
Date July 17 2019
Michael Smith
Licking County Auditor
SEC. 319.202 COMPLIED WITH
MICHAEL L. SMITH, AUDITOR
BY: JAE WD.00

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER
APPROVED BY
7-17-19 JW



01150910307107016000

SURVIVORSHIP DEED

Chad M. Jensen and Kristin M. Jensen, husband and wife, for valuable consideration paid, grant(s), with general warranty covenants, to Emily P. Liller and Isaac P. Liller, for their joint lives, remainder to the survivor of them, whose tax mailing address is 239 Sims Rd SW Pataskala OH 43062, the following real property:

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

Being Lot Number Nineteen (19) of Sims Gardens Subdivision as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Page 107, Recorder's Office, Licking County, Ohio.

Tax district and parcel number: 063-142578-00.000
Street address of property: Lot 19, Sims Gardens, Sims Rd., Pataskala, OH 43062
Prior deed reference: Instrument Number 201504030006208, Recorder's Office, Licking County, Ohio

Signed this 15th day of July 2019.

Chad M. Jensen

Kristin M. Jensen

**STATE OF OHIO:
COUNTY OF FRANKLIN, SS;**

SWORN TO BEFORE ME and acknowledged in my presence this 15th day of July 2019 by Chad M. Jensen and Kristin M. Jensen.



JENNIFER L. ROUTTE
Attorney at Law
Notary Public, State of Ohio
My Comm. Expires has no expiration date
Section 147.93 R.C.

Notary Public

This instrument prepared by: Jennifer L. Route, Attorney at Law
142 Granville Street ACS Gahanna Title Box #19-0109A
Gahanna, OH 43230

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER
APPROVED BY
J.C. 12-7-17

TRANSFERRED
Date: December 9, 2017
Murdock Smith
Licking County Auditor
SEC. 319.202 COMPLIED WITH
MICHAEL L. SMITH, AUDITOR
BY: T. G. 15.00



201712070026866
Page: 3 \$36.00 T20170027697
12/7/2017 1:38 PM BX
Bryan A. Long Licking County Recorder

GENERAL WARRANTY SURVIVORSHIP DEED

Know all persons by these presents, that

Brian R. Murphy

a married individual, and whose spouse is signing herein to release dower rights, the designated Grantor herein whether one or more than one, for valuable consideration received, hereby grants and assigns with general warranty covenants, to:

Emily Liller and Isaac Liller

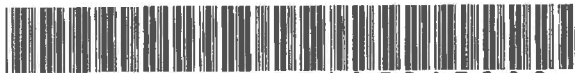
the designated Grantee herein whether one or more than one, for their joint lives with the remainder to the survivor of them, whose tax-bill mailing address will be NTFN, Inc., a Corporation, 700 State Hwy 121 Bypass, Suite 100, Lewisville, TX 75067, all interest in the following real property:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Property Address: 239 Sims Road Southwest, Pataskala, OH 43062
Parcel No.: 063-147342-00.000

Prior Deed Reference: Instrument No. 201303110006389 of the Licking County, Ohio records

The foregoing real property is granted by the Grantor and accepted by the Grantee except for the following and subject to all of which this conveyance is made: legal highways; zoning ordinances; real estate taxes and assessments which are now or may hereafter become a lien on said premises; covenants, conditions, restrictions and easements of record; and all coal, oil, gas, and other mineral rights and interests previously transferred or reserved of record.



01150910307107015000

①

12-7346

And for valuable consideration received, Erica Murphy, the spouse of Brian R. Murphy, does hereby remise, release and forever quit-claim unto the Grantee herein, and the Grantee's heirs, successors, and assigns, all his right and expectancy of Dower in the above described premises.

The Grantor herein has read this Deed and hereby acknowledges the voluntary signing hereof.

Executed on this 29 day of November, 2017.

Brian R. Murphy
Brian R. Murphy

Erica R. Murphy
Erica Murphy

STATE OF Ohio

COUNTY OF Franklin, ss.

Be it remembered, that on this 29 day of November, 2017, before me, the subscriber, a Notary Public in and for said State, personally came Brian R. Murphy and Erica Murphy, the Grantor in the foregoing instrument, and acknowledged the signing thereof to be his/her/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.

[Signature]
Notary Public



John F. Graver, Jr.
Notary Public
In and for the State of Ohio
My Commission Expires
June 24, 2022

This instrument prepared by:
The Holfinger Stevenson Law Firm
4200 Regent Street, Suite 210
Columbus, OH 43219

After recording, return to:
Northwest Select Title Agency, LLC
c/o Lee Ritchey
100 East Wilson Bridge Road, Suite 105
Worthington, OH, 43085

File #12-7346

EXHIBIT "A"
(File #12-7346)

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

Being Lot Number Twenty (20), of SIMS GARDEN SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Page 107, Recorder's Office, Licking County, Ohio.

Parcel No.: 063-147342-00.000

Prior Deed Reference: Instrument No. 201303110006389 of the Licking County, Ohio records