

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

Monday, December 9, 2019

The City of Pataskala Board of Zoning Appeals convened in Council Chambers, City Hall, 621 West Broad Street, Pataskala, Ohio, on Monday, December 9, 2019.

Present were:

Alan Howe, Vice Chairperson

Bruce Ashcraft

Brandon Galik

TJ Rhodeback

Joshua Butler

City of Pataskala Planning and Zoning Department Staff:

Jack Kuntzman, City Planner

Lisa Paxton, Planning and Zoning Clerk

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

Roll call was made. Present were: Bruce Ashcraft, Brandon Galik, Alan Howe, JT Rhodeback and Joshua Butler.

Variance Application VA-19-002 remained tabled.

Remove from table Variance Application VA-19-023.

Mr. Ashcraft made a motion to remove from the table Variance Application VA-19-023. Seconded by Ms. Rhodeback. Mr. Ashcraft, Mr. Howe, Mr. Butler, Mr. Galik and Ms. Rhodeback voted yes. The motion was approved.

Next on the Agenda, Variance Application VA-19-023, 0 Vine Street, Parcel No. 064-307736-00.000.

Mr. Kuntzman gave an overview of the Staff Report, noting the Applicant's request to place an accessory building on a lot without a principal structure; the lot is used for parking by the Pataskala Masonic Lodge. Three public right-of-ways adjacent to the lot were noted. Mr. Kuntzman noted revised plans will need to be submitted, including dimensions of the accessory building and distance to property lines.

A discussion was had regarding setbacks and right-of-way locations.

Bob Peters, 6532 Beecher Road, Granville, Ohio was placed under oath.

Mr. Peters noted the proposed location of the accessory building.

Findings of Facts were reviewed.

Mr. Ashcraft made a motion to approve Variance Application VA-19-023. Seconded by Ms. Rhodeback. Mr. Galik, Mr. Butler, Ms. Rhodeback, Mr. Ashcraft and Mr. Howe voted yes. The motion was approved.

Next on the Agenda, Approval of Findings of Fact.

Variance Application VA-19-023:

Yes No

- ✓ 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.*

Mr. Howe made a motion to approve Findings of Fact for Variance Application VA-19-023. Seconded by Mr. Galik. Mr. Butler, Mr. Galik, Mr. Ashcraft and Mr. Howe voted yes. Ms. Rhodeback abstained. The motion was approved.

Next on the Agenda, Approval of the November 12, 2019 Regular Meeting Minutes.

Ms. Rhodeback made a motion to approve the minutes from the November 12, 2019 meeting. Seconded by Mr. Galik. Mr. Ashcraft, Mr. Howe, Mr. Galik and Ms. Rhodeback voted yes. Mr. Butler abstained. The motion was approved.

Next on the Agenda, Excuse of Absences.

Mr. Howe made a motion to approve the absences of Mr. Ashcraft and Ms. Rhodeback from the November 12, 2019 meeting. Seconded by Mr. Galik. Mr. Ashcraft, Mr. Howe, Mr. Butler and Mr. Galik voted yes. Ms. Rhodeback abstained. The motion was approved.

A discussion was had regarding the 2020 Board of Zoning Appeals hearing schedule.

Mr. Ashcraft made a motion to adjourn the meeting. Seconded by Mr. Galik. Mr. Howe, Mr. Ashcraft, Mr. Galik, Mr. Butler and Ms. Rhodeback voted yes. The meeting was adjourned at 6:53 p.m.

Minutes of the December 9, 2019 meeting were approved on

_____, 2020.