



# CITY OF PATASKALA BOARD OF ZONING APPEALS

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

## STAFF REPORT

June 9, 2020

### Conditional Use Application CU-20-005

<b>Applicant:</b>	John Parsons d.b.a. Parsons Auto
<b>Owner:</b>	John Parsons
<b>Location:</b>	299 W Broad Street, Pataskala, OH 43062
<b>Acreage:</b>	0.93-acres
<b>Zoning:</b>	GB – General Business
<b>Request:</b>	Requesting approval of a Conditional Use pursuant to Section 1249.04(5) of the Pataskala Code to allow the property to be used as an automotive repair shop (NAICS – 811111)

#### Description of the Request:

The applicant is seeking approval of a conditional use to allow the property located at 299 W Broad Street to be operated as an automotive repair shop (NAIC – 811111)

#### Staff Summary:

The 0.98-acre property is currently occupied by a 1,850 square foot building built in 1967 with an additional 6,000 square feet of paved parking area. It is adjacent to two (2) public rights-of-way, with the main access off of Broad Street to the north, and a secondary gravel drive to Linda Avenue to the south. There are several trees in the southern portion of the property, near Linda Avenue, and an existing sign directly in front of the structure.

The Applicant is requesting approval of a Conditional Use to allow for the operation of an automotive repair shop on the property. The North American Industry Classification System (NAICS) 2007 assigns this use code 811111 for 'General Automotive Repair' and describes it as establishments "primarily engaged in providing (1) a wide range of mechanical and electrical repair and maintenance services for automotive vehicles, such as passenger cars, trucks, and vans, and all trailers or (2) engine repair and replacement.". Pursuant to Section 1249.04(5) of the Pataskala Code a automotive repair shop is a Conditional Use within the GB – General Business District zoning; provided all operations are conducted within a fully enclosed building and there is no open storage of wrecked vehicles, dismantled parts, or parts visible beyond the premises.

As proposed on the site plan submitted with this Conditional Use request, the Applicant is proposing to install 145 feet on six (6) fence along the east side property line where it borders several residential uses, and move the dumpster to the south of the building near the gravel driveway. 11 parking spaces with the dimensions 20'x9' will be placed along the rear and west side of the asphalt parking area, with one (1) additional handicap accessible space with the dimensions 23'x9'6" at the front of the parking area. Bushes will be placed five (5) feet apart with one (1) tree every 30 feet along the frontage of the property of Broad Street, along the west side property line, and a portion of the east side property line towards the front of the property. Two (2) lights will be installed in the parking area.

Per the Narrative Statement submitted by the Applicant for this request: all operations are conducted within a full enclosed building and there will be no open storage of wrecked vehicles or dismantled parts visible beyond the premises. All vehicle waste will be disposed of in accordance with state, local, and EPA guidelines, the property will be kept in an aesthetically pleasing condition. They believe the existing accesses are designed to allow for the organized flow of vehicles, and that the proposed use, if approved will not change or demolish any natural, scenic or historical features of major importance. The Applicant also stated that their goal is to serve as an affordable repair shop where customers know they are getting expert service.

Previously, the property was also used as an automotive repair shop. In 2014, a Conditional Use was granted to a previous occupant to allow use of the property as an automotive repair shop with seven (7) conditions relating to improvements on the property and standards that must be met. The occupant at the time did not follow through with the conditions on their Approval, and in addition, had several continuing code violations at the property.

Because of the failure to comply with the conditions of their approval, and the continuing code violations, the occupant at the time had their Conditional Use revoked (CU-15-003) by the Board of Zoning Appeals. The occupant at that time then attempted to have their Conditional Use reinstated (CU-15-008), however, the Board of Zoning Appeals denied this request.

The following year, a new occupant (Fellowship Auto) came to the site and requested approval of a Conditional Use (CU-16-007), which was approved by the Board of Zoning Appeals with several conditions (Decision letter for CU-16-007 attached). A couple of these conditions remain unmet. Ownership of the property has since transferred to the current Applicant.

**Staff Review:** *The following summary does not constitute recommendations but merely conclusions and suggestions from the Staff Review, the full text of which follows the summary.*

Planning and Zoning Staff:

The Future Land Use (2006) map designates this property as 'Mixed Use'. Mixed Use is a mix between residential and retail uses; therefore, the proposed use would be in line with the Comprehensive Plan.

As mentioned in the Staff Review, several of the conditions of approval that went along with CU-16-007 remain unmet or require repair. Staff has included these as possible conditions.

- CU-16-007(1): L2 Landscaping along the front of the property adjacent to Broad Street
  - Bushes and Trees indicated on Site Plan
- CU-16-007(5): The fence along the east property line shall be repaired and maintained per the requirements of the code.
- CU-16-007(7): The dumpster shall be enclosed per the requirements of the Pataskala Code
  - Dumpster enclosure fence appears to have fallen in on itself, will need repaired and dumpster to be stored within it.
- CU-16-007(12): L2 landscaping along the western property line abutting 325 Broad Street.
  - Applicant has installed bushes, however, the trees are still required.

Pursuant to Section 1291.07(C)(1) of the Pataskala Code, all ADA accessible spaces shall have designated signs consistent with the standard type of the 2005 Ohio Manual of Uniform Traffic Control Devices, or most current edition.

In addition, Staff feels it appropriate to include a possible condition that all vehicles parked on site must be within a designated parking space.

Based on the information supplied by the Applicant, Staff had no other concerns with the proposal.

Other Departments and Agencies

No other comments were received.

**Surrounding Area:**

Direction	Zoning	Land Use
North	GB – General Business	Vacant
East	R-10 – High Density Residential	Single-Family Homes Two-Family Homes
South	R-10 – High Density Residential	Two-Family Homes
West	GB – General Business	Auto Sales/Storage Medical Office

**Conditional Use Requirements:**

According to Section 1215.04 of the Pataskala Code, the Board of Zoning appeals shall consider whether the conditional use at the proposed location:

1. *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.*
2. *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.*
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.*

Furthermore, Section 1215.05 allows other factors to be considered, when determining if a conditional use is appropriate. In Staff's opinion the following factors from Section 1215.05 are applicable to Conditional Use Application CU-20-004:

- 1215.05(A)(7): All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, individual, or to the community in general.

**Department and Agency Review**

- Zoning Inspector – No comments.
- Public Service – See attached.
- City Engineer – See attached
- Pataskala Utilities – No comments.
- Police Department – No comments
- West Licking Joint Fire District – No comments.
- Southwest Licking School District – No comments.

**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. L2 Landscaping shall be installed along the front of the property adjacent to Broad Street.
3. The fence along the east property line shall be repaired and maintained per the requirements of the code.
4. The dumpster shall be enclosed per the requirements of the Pataskala Code.
5. L2 landscaping shall be required along the western property line abutting 325 Broad Street.

**Resolution:**

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

"I move to approve a Conditional Use pursuant to Section 1215.08 of the Pataskala Code for application CU-20-005 ("with the following 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

## CONDITIONAL USE APPLICATION

(Pataskala Codified Ordinances Chapter 1215)

Property Information	
Address: 299 West Broad St	
Parcel Number: 064-307956-00-000	
Zoning: 6B	Acres: .93
Water Supply:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site
Wastewater Treatment:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Staff Use
Application Number: CU-20-005
Fee: \$300.00
Filing Date: 5-14-2020
Hearing Date: 6-9-2020
Receipt Number: 21235

Applicant Information		
Name: John Parsons DBA Parsons Auto		
Address: 299 West Broad St		
City: Pataskala	State: Ohio	Zip: 43062
Phone: 740 919 0248	Email: JParsonsAuto@hotmail.com	

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: John Parsons		
Address: 299 West Broad St		
City: Pataskala	State: Ohio	Zip: 43062
Phone: 740 919 0248	Email: JParsonsAuto@hotmail.com	

Conditional Use Information
Request (Include Section of Code): 1249.045 Auto Repair Business
Describe the Project: NA

, 93 Acres

**Documents to Submit**

**Conditional Use Application:** Submit 1 copy of the conditional use application.

**Narrative Statement:** Submit 1 copy of a narrative statement explaining the following:

- The reason the conditional use has been requested. *Auto Shop*
- The specific reasons why the conditional use is appropriate as it pertains to Section 1215.04 of the Pataskala Code:
  1. *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 this application.*
  2. *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.*
  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 not 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 interference with traffic on surrounding public thoroughfares.*
  9. *Will not result in destruction, loss, or damage of a natural, scenic, or historical feature of major importance.*
- Specific standards for conditional uses can be found in Section 1215.05 of the Pataskala Code.
- Wireless Telecommunication Facilities must also meet the requirements outlined in Section 1293.06(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 conditional use 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/paxworld/>

**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 conditional use request.

Applicant (Required):

Date:

*5/14/20*

Property Owner: (Required):

Date:

*5/14/20*

Parsons Automotive  
John W. Parsons  
299 West Broad St.  
Pataskala, Ohio 43062  
(740)919-0248

To whom it may concern:

#### 1249.04 Conditionally Permitted Uses

Motor vehicle garage for the repair and service of vehicles, all operations are conducted within a fully enclosed building and there will be no open storage of wrecked vehicles, dismantled parts visible beyond the premises.

I John Parsons owner and operator of Parsons Automotive is requesting conditional use in order to continue using 299 West Broad St, Pataskala as an automotive repair shop. This facility has been being used as an automotive repair shop and therefore we will not be changing the use of the property. I plan to do this in accordance with the regulations and zoning of the City of Pataskala. We will follow the city's rules and regulations in regards to the noise ordinances and so forth. As an automobile repair facility there will be vehicle waste in which we will dispose of in accordance to the state and local regulations. We will not be dumping any waste and/or hazard materials in an inappropriate manner. All hazardous waste will be disposed of in accordance with the the EPA guidelines. We will have all utilities fully turned on and in working order at all times. The property will be kept esthetically pleasing to the community.

Even though this is an automotive repair shop, and therefore comes with the occasional car smoke and so forth, we as a company will do everything in our power to observe safety and health regulations to keep ourselves and our community safe. The existing entrance to the facility is designed to allow for organized flow of vehicles, therefore will be no obstruction to any public thoroughfares. As a company we will not change or demolish any natural, scenic or historical features of major importance.

I started as a mechanic in 1984 right out of High School, however my love of cars started as a young boy racing dirt track along side my dad. After graduation I worked in local garages as a mechanic until I was about 24. I then moved on to managing Midas and Monro Muffler and Break for the next several years. In 2012 I got the opportunity to start my own repair shop in Reynoldsburg, where I rented a small garage. At this location I served the community as an affordable repair shop where my costumers know they are getting expert service. Parsons Auto has served this area in that we have donated to the 4-H, the Reynoldsburg and Pickerington High School Football teams and for the past couple years mentored high school auto shop students by participating in an after school work program. I plan to continue to serve Pataskala

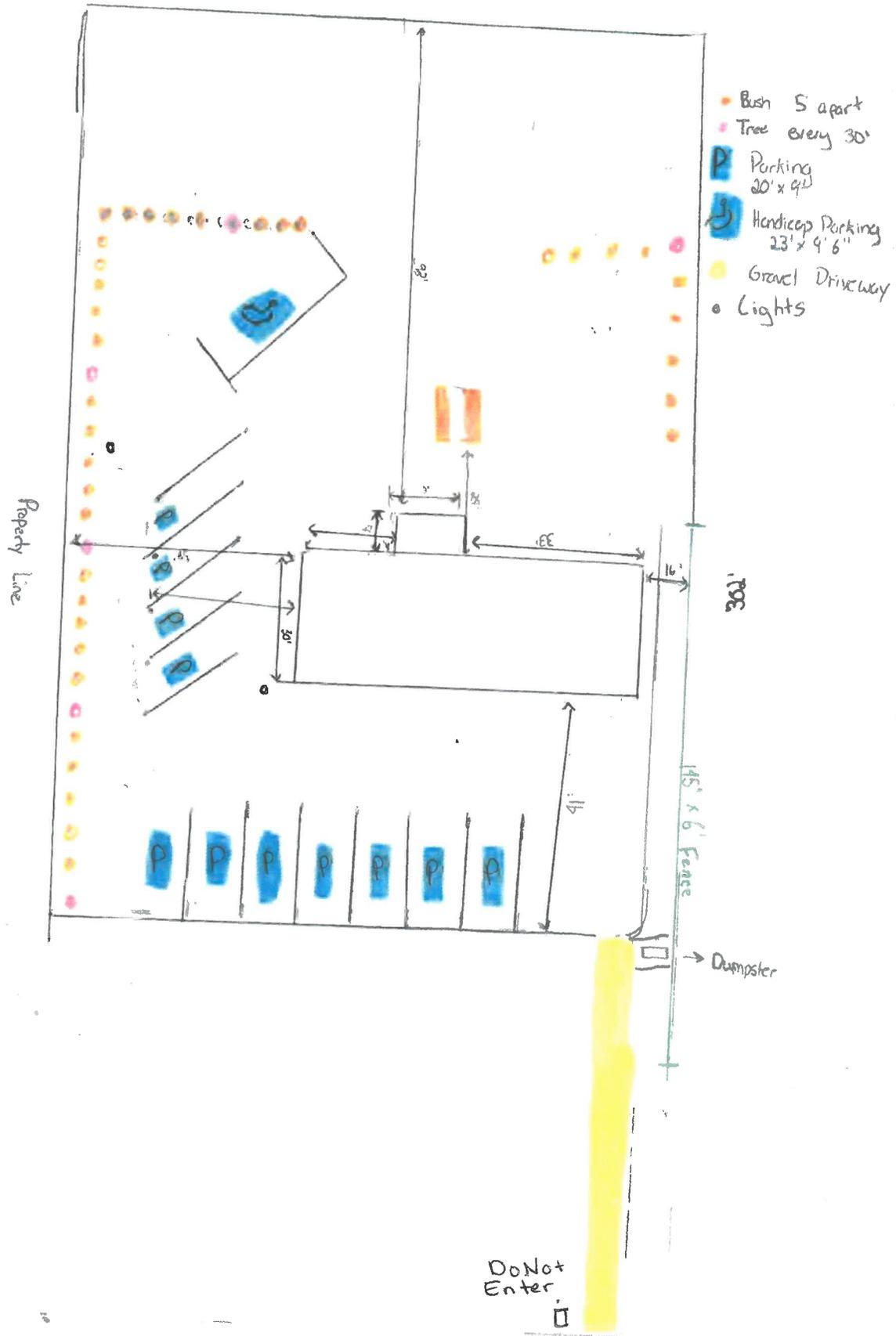
as I have Reynoldsburg with reliable and affordable automobile repair.

Thank you for your consideration for our conational use application.

Respectively;

John Parsons

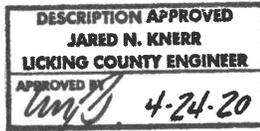
Parsons Automotive





202004240009152

Pgs:1 \$42.00 T20200008246  
4/24/2020 10:56 AM MEPCOLUMBUS T  
Bryan A. Long Licking County Recorder



**GENERAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, That

**Jerry A. Young, married**, of Licking County, Ohio

for valuable consideration paid, grant(s) with general warranty covenants, to

**John Parsons**

whose tax-mailing address is: 715 Bickel Church Rd NW, Baltimore, OH 43105

The following REAL PROPERTY:

See EXHIBIT "A" Attached Hereto

**Parcel No: 064-307956-00.000**

**Property Address: 299 West Broad Street, Pataskala, Ohio 43062**

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.

Prior Instrument Reference: **Instrument Number 201406300011854**



01150574508008002000

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

Taxes Due July 15th

- Map
- BOR
- 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



Search by:  
Address  
Search for:  
Trouble Searching?

064-307956-00.000  
PARSONS JOHN  
299 W BROAD ST  
PATASKALA, OH 43062

Acre: 0.93  
0.93 AC LOT 29 VAN  
ATTAS 3RD ADD

Land: \$113,000  
Improv: \$69,700  
Total: \$182,700

Sale Date: 04/24/2020  
Amount: \$140,000  
Conveyance: 1125  
Valid Sale: Yes