



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

January 12, 2021

Variance Application VA-20-025

Applicant:	Kevin Ramey
Owner:	Kevin Ramey
Location:	5643 Summit Road SW, Pataskala, OH 43062
Acreage:	6.75-acres
Zoning:	RR – Rural Residential
Request:	Requesting approval of three (3) variances to allow for an Accessory Building that will not meet the required side yard setback and will be in front of the Primary Structure.

Description of the Request:

The Applicant is seeking approval of three (3) variances, from Section 1221.05(D)(1) to allow for an Accessory Building to be in front of the principal structure, and from Section 1221.05(E)(2) and 1221.05(E)(1) to allow for the Accessory Building to have a reduced side yard setback.

Staff Summary:

The property at 5643 Summit Road SW is currently two separate parcels, 5.47-acres to the south and 1.38-acres to the north. The 5.47-acre parcel is occupied by a 1,936-square foot single-family home built in 1950, and a 1,500-square foot pole barn built the same year. It has frontage on two (2) public rights-of-way; Summit Road SW to the west and Halloon Lane SW to the south. The north 1.38-acre parcel is unoccupied, and only has frontage along Summit Road SW to the west. Access to the property is via a gravel driveway on Summit Road SW.

As proposed, the Applicant would like to construct a 30-foot by 50-foot (1,500-square foot) addition to the existing Accessory Building, creating a single structure 3,000-square feet in size. The addition will be constructed on the west face of the existing structure; lining up with the south face of the building creating one continuous south wall. The setback from the front (west) property line along Summit Road SW is approximately 297-feet, and to the north it will cross the property lines between the 5.47-acre parcel and 1.38-acre parcel. The north setback is proposed at approximately 99-feet away from the northern property line of the 1.38-acre parcel. The existing Accessory Building is located approximately 220-feet away from the rear property line, and approximately 558-feet from the right-of-way on Halloon Lane SW.

The proposed addition will bring the accessory building in front of the principal structure facing Summit Road SW and is proposed to be a total of 18-feet in height. A large concrete parking area will be constructed in between the existing home and Accessory Building.

As stated in the Applicant's Narrative Statement, the reason for the Addition is to allow the construction of a building that will have large overhead doors so that the Applicant may park trailers inside. The Applicant also believes the Variance allowing the Accessory Building to be in front of the home is justified as it will still be set back from Summit Road SW approximately 290-feet. Further stated, they believe the

Variance, if granted, would not be detrimental to the surrounding character of the neighborhood, as the surrounding area is rural and similar metal buildings have been constructed nearby.

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:

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 proposed addition to the existing Accessory Building will bring it in front of the principal structure by about 23-feet. The Applicant has requested a Variance from this section to allow for the Accessory Building to be located in front of the primary structure.

Section 1221.05(E)(2) of the Pataskala Code states that an Accessory Building shall be setback from the side and rear property lines a minimum of 10-feet for lots that are greater than two (2) acres in size, additionally, Section 1221.05(E)(1) states that on lots less than two (2) acres, the side and rear yard setback shall be a minimum of 5-feet. As the proposed addition will cross the property lines between the south 5.37-acre parcel and the north 1.38-acre parcel; a Variance from both Sections are required.

The first, from Section 1221.05(E)(2) to allow for a 0-foot side yard setback on a parcel two (2) acres or greater. the Applicant is requesting a variance of 10-feet, or a 100% reduction. The second, from Section 1221.05(E)(1) to allow for a 0-foot side yard setback on a parcel less than two (2) acres. The Applicant is requesting a variance of 5-feet, or a 100% reduction. The side yard setback on the northernmost property line, at approximately 99-feet, is compliant with this provision of the Pataskala Code.

As proposed, the improvements are in compliance with all other applicable regulations. Staff does not have any further concerns.

Licking County Health Department

Inspected location of well, and proposed expansion will not impact it. No other concerns.

Other Departments and Agencies

No other comments received.

Surrounding Area:

Direction	Zoning	Land Use
North	RR – Rural Residential	Church
East	RR – Rural Residential	Single-Family Home
South	RR – Rural Residential	Agricultural
West	RR – Rural 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:

- *Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property;*
- *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;*
- *Whether the variance requested is substantial;*
- *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;*
- *Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;*
- *Whether the variance, if granted, will be detrimental to the public welfare;*
- *Whether the variance, if granted, would adversely affect the delivery of government services;*
- *Whether the property owner purchased the subject property with knowledge of the zoning restriction;*
- *Whether the property owner's predicament can be obviated through some other method than variance;*
- *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,*
- *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-20-025:

- None

Department and Agency Review

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

Modifications:

Should the Board choose to approve the applicant's request, the following modifications may be considered:

- 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.

Resolution:

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

"I move to approve variances from Sections 1221.05(E)(1), 1221.05(E)(2), and 1221.05(D)(1) of the Pataskala Code for Variance Application VA-20-025 ("with the following conditions" if conditions are to be placed on the approval)."

From: [Scott Morris](#)
To: [Jack Kuntzman](#)
Cc: [Chad Brown](#)
Subject: RE: BZA Review Memo for 01-12-2021
Date: Thursday, December 17, 2020 3:22:05 PM
Attachments: [image003.png](#)

Jack,

I went out to this property today and I see no issue with the expansion. There should be no impact on the well. Let me know if there are any other questions or concerns.

Thank you,
Scott Morris
EH Sanitarian
Licking County Health Department
675 Price Rd. | Newark, OH | 43055
Office: (740) 349-6475
www.lickingcohealth.org



Find LCHD on Social Media:



From: Chad Brown <cbrown@lickingcohealth.org>
Sent: Wednesday, December 16, 2020 5:54 PM
To: Scott Morris <smorris@lickingcohealth.org>
Subject: FW: BZA Review Memo for 01-12-2021

Scott-FYI below. Can you take a look at the lot on Summit and make sure the well won't be impacted?

Thanks
Chad

Chad Brown, RS, MPH
Health Commissioner
Licking County Health Department
675 Price Rd. | Newark, OH | 43055
Office: (740) 349-6487
www.lickingcohealth.org



Find LCHD on Social Media:



From: Chad Brown

Sent: Wednesday, December 16, 2020 5:54 PM

To: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>

Subject: RE: BZA Review Memo for 01-12-2021

Thanks Jack. My thoughts are below:

VA-20-023 (295 Mill St Rd): This site has concerns regarding floodplain intrusion on the lot. We received a soil analysis for this property in 2018, but we have not received a design plan for a sewage treatment system for the property. We will need an approved design plan before we could issue a permit for a sewage treatment system on the lot. I would encourage you to not approve the request until the owner we approve the design plan. This will allow us to confirm that the lot can sustain an approved sewage treatment system and water well.

VA-20-023 (5643 Summit Rd): Based on the information we have on file, the water well may be impacted by the expansion. We will have someone take a look at this tomorrow, and they will notify you of the inspection results.

Thanks

Chad

Chad Brown, RS, MPH
Health Commissioner
Licking County Health Department
675 Price Rd. | Newark, OH | 43055
Office: (740) 349-6487
www.lickingcohealth.org



Find LCHD on Social Media:



From: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>

Sent: Wednesday, December 16, 2020 10:52 AM

To: Steven Blake <sblake@ci.pataskala.oh.us>; Chris Sharrock <csharrock@ci.pataskala.oh.us>; Jim Roberts <jroberts@hullinc.com>; Scott Haines <shaines@hullinc.com>; Bruce Brooks <bbrooks@pataskalapolice.net>; Doug White <DWhite@westlickingfire.org>; Perkins, Kasey (Southwest Licking Local Schools) <kperkins@laca.org>; Philip Wagner <pwagner@lhschools.org>; Alan Haines <ahaines@ci.pataskala.oh.us>; Chad Brown <cbrown@lickingcohealth.org>; Chris Gilcher <cgilcher@swlcws.com>

Cc: Scott Fulton <sfulton@ci.pataskala.oh.us>

Subject: BZA Review Memo for 01-12-2021

Importance: High

Good Afternoon Everyone,

You are receiving this email because one or more of the Applications submitted for the January 12, 2021 Board of Zoning Appeals is within your jurisdiction. Please see the list below for which Applications are being submitted for your review.

CU-20-010 (REVISED PLANS): Steven Blake, Chris Sharrock, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines

VA-20-018 (REVISED PLANS):: Steven Blake, Chris Sharrock, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines

CU-20-011 (REVISED PLANS):: Steven Blake, Chris Sharrock, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines

VA-20-019 (REVISED PLANS):: Steven Blake, Chris Sharrock, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines

VA-20-020 (REVISED PLANS):: Steven Blake, Chris Sharrock, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines

VA-20-023: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Chad Brown, Alan Haines

VA-20-024: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines

VA-20-025: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Chad Brown, Alan Haines

This is quite an agenda for the upcoming hearing, so please review the applications, and if you have any questions about them feel free to give me a call.

If you have any comments or concerns regarding these applications, please have them submitted to me by at least January 4th. They will be included in the Staff Report that is given to the Board members.

Here is a link to download the review memo:

https://pataskala-my.sharepoint.com/:f/g/personal/jkuntzman_ci_pataskala_oh_us/Epu3SqjMaxpLup_abn6AKMABNM7PtwdR1KwOA7SQkJwYZw?e=dl1GK1

JACK R. KUNTZMAN

City Planner

City of Pataskala

621 West Broad Street, Suite 2-A

Pataskala, Ohio 43062

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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: 5643 Summit Rd. SW Pataskala, Ohio 43062		
Parcel Number: 063-141012-00.006, 063-141012-00.002		
Zoning: R2R PATASKALA LK HIGHTS LSD-WLJFD	Acres: 5.37, 1.38	
Water Supply:		
<input type="checkbox"/> City of Pataskala	<input checked="" type="checkbox"/> South West Licking	<input type="checkbox"/> On Site
Wastewater Treatment:		
<input type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking	<input checked="" type="checkbox"/> On Site

Applicant Information		
Name: Kevin Ramey		
Address: 5643 Summit Rd. Sw		
City: Pataskala	State: Ohio	Zip: 43062
Phone: 614-301-8787	Email: Kevin@rameyresidentialconstruction.com	

Property Owner Information		
Name: Theresa Justine Ramey		
Address: 5643 Summit Rd. Sw		
City: Pataskala	State: Ohio	Zip: 43062
Phone: 614-301-8787	Email: theresariet4@yahoo.com	

Staff Use
Application Number: VA-20-025
Fee: 300
Filing Date: 12-11-20
Hearing Date: 1-12-21
Receipt Number: 21619

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

Variance Information
Request (Include Section of Code): Variance to cross property lines owned by the same person two lots. Build further into front of existing home. (A) 1221.05(E)(2) (B) 1221.05(D)(1)
Describe the Project: Extend existing block garage with new steel building with connecting roof line. The new building will cross both of our property lines and will extend 20' in front toward summit rd from our existing structure.

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:

12-10-2020

Property Owner (Required):

Date:

12-10-2020

Narrative Statement

The reason the variance is necessary- The variance will let me put in a building that will accept 10'-12' overhead door to put work trailers inside.

•The specific reasons why the variance is justified as it pertains to Section 1211.07 of the Pataskala Code: The building will still be over 290' setback off the road and will not extend higher than the existing block garage.

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;* The property will allow for inside parking and storing of longer and higher trailers that would normally be visible to the public.

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;* The neighborhood is rural area the rear neighbor put up a similar metal building recently. The new building would be blocked by existing trees from the road. We are on a corner lot with one neighbor to the north that is a church.

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;* The new building will blend in with the current structures on the property that will include windows.

g) *Whether the variance, if granted, would adversely affect the delivery of governmental services;* **No**

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;*

k) *Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.*

Summit Rd. S.W.

Parcel Number_063-141012-00.006
S.37 AC LOT 24 R15 T1

Parcel Number_063-141012-00.002
1.38 AC LOT 24 R15 T1

New metal siding pole barn with concrete floor 90'x50' attaching to
existing block garage. (roof peak is 18' and will be into garage roof)

Existing 3 Story House 22'x44'

Septic tank

Well Pump

Existing Block Garage 50'x50' (18' to peak of roof)

550'-1"

230'-0 3/8"

220'-0 3/8"

210'-1 3/8"

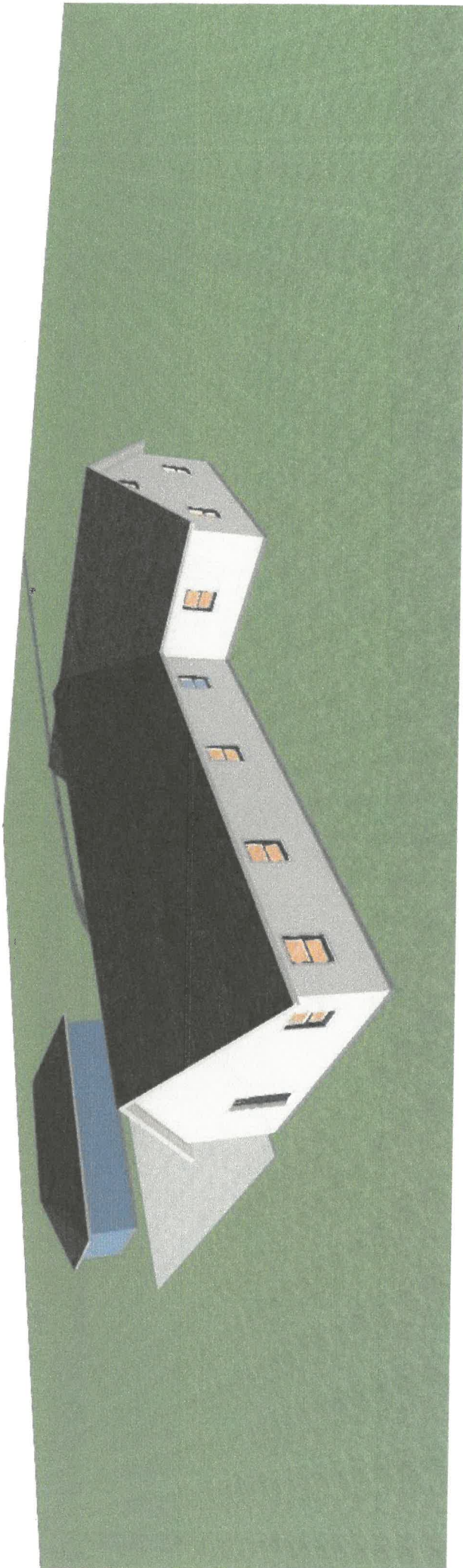
320'-4 5/8"

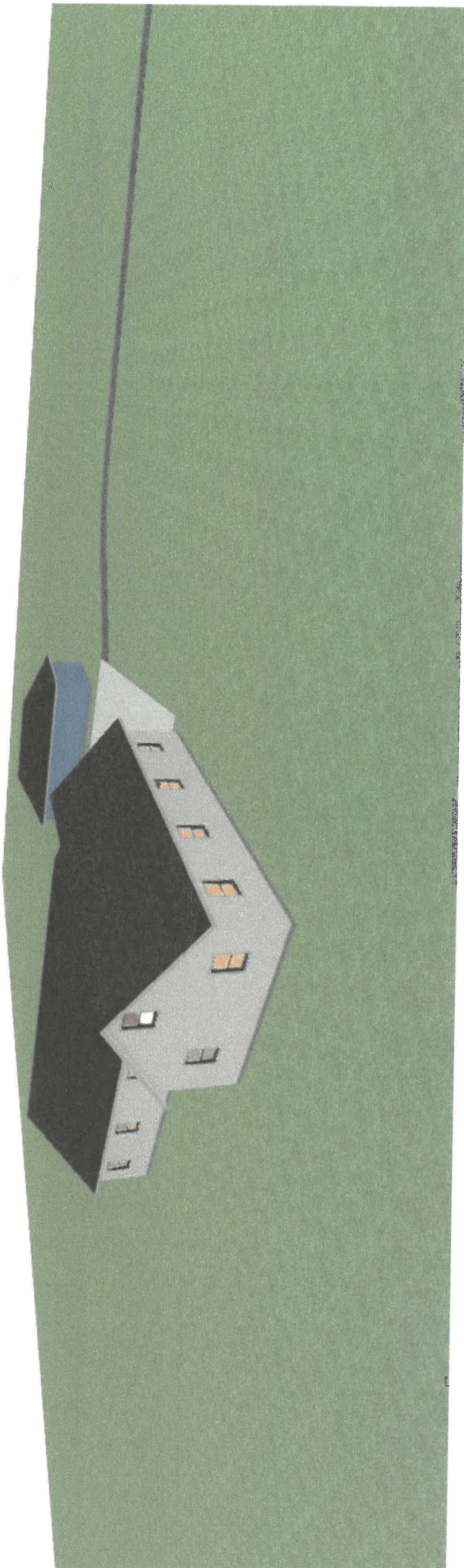
297'-2 11/16"

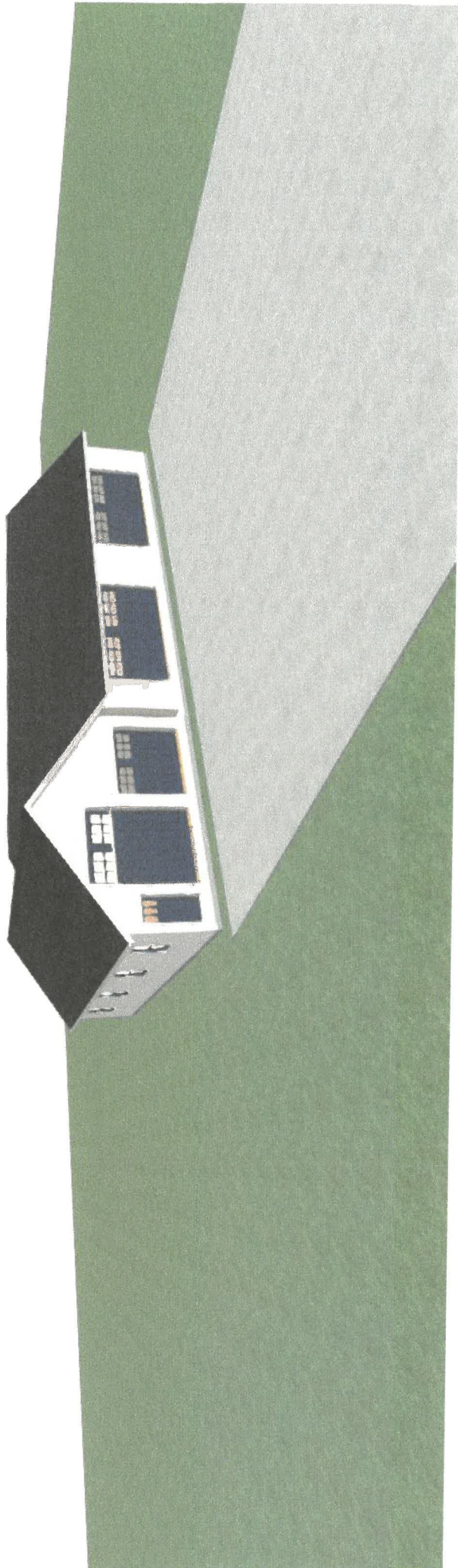
102'-10"

99'-1 7/16"

116'-0 1/2"







DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER

Approved By JR Jul 02, 2020
0115PA00500000071000 0115PA00500000072000

TRANSFERRED

Jul 02, 2020
Michael L. Smith
LICKING COUNTY AUDITOR
SEC 319.902 COMPLIED WITH
MICHAEL L. SMITH
By: CR EX-X

InstrID:202007020016040	7/2/2020
Pages:2	F: \$34.00 3:39 PM
Bryan A. Long	T20200013688
Licking County Recorder	

GENERAL WARRANTY DEED

Theresa Justine Ramey hta: Theresa J. Rietschlin, married to Kevin Lee Ramey, Jr., for valuable consideration paid, grant(s), with general warranty covenants, to Theresa Justine Ramey, whose tax-mailing address is 21 South 1st Street, Newark, OH 43055, the following described real estate:

Property Address: 5643 Summit Road Southwest, Pataskala, Ohio 43062

PARCEL I:

Situated in the State of Ohio, County of Licking. City of Pataskala and bounded and described as follows:

Being part of the same premises conveyed to the Countywide properties by deed recorded in Volume 135, Page 583 of the official records of Licking County, Ohio in Lot 24, 3rd Quarter, Township L Range 15 or the United States Military Lands and more particularly bounded and described as follows:

Beginning at a point in the intersection of the centerline of County Road 26 (Summit Road) and the southerly line of lot 24, said point also being in the southeast corner of the Dow H. Jr. & Edna M. Strider Property (Deed Reference: Volume 65 I, Page 469 of the Licking County deed records); thence; north 0 degree 25' 57" East, along the said centerline, 389.56 feet to a point; thence, South 89 degrees 34' 03" East, 600.05 feet to a point; thence, South 0 degree 24' 17" West, 389.27 feet to a point; thence; North 89 degrees 35' 43" West, along the northerly line of parcel 2 of the Joyce & Bryan Owens Property (Deed Reference: Volume 697, Page 526 of the deed records) 600.24 feet to the place of beginning.

Contains 5.37 acres, more or less.

The foregoing description based on survey and plat made by William E. Henderson, Registered Surveyor #5242 on February 26, 1987, and designated as parcel "82".

Especially a Thirty (30) foot right-of-way North of the centerline of recently dedicated Halloon Lane (Township Road #) and a thirty (30) foot right-of-way East of the centerline of Summit Road (county Road #26). Being Lot Split #87-50 approved 3/24/87.

Parcel Number: 063-141012-00.006

PARCEL II:

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

Thence, South 0 degree 24' 17" West, 100.0 feet to a point; thence, North 89 degree 35' 43" West, 600.05 feet to the true place of beginning.
Contains 1.38 acres, more or less.

The forgoing description based on survey and plat made by William B. Henderson.
Registered Surveyor #5242 on February 26, 1987, and designated as parcel "B-1".

Parcel Number: 063-141012-00.002

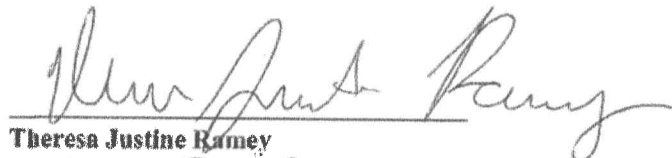
Theresa Justine Ramey states that she is the same person as Theresa J. Rietschlin.

This conveyance is subject to zoning ordinances; legal highways; covenants, restrictions, conditions, and easements, if any, that do not reasonably interfere with present lawful use; all coal, oil, gas and other mineral rights and interests previously transferred or reserved of record; and all taxes and assessments if any, now a lien and thereafter due and payable.

Prior Deed Reference: Instrument Number 201703150005260

Kevin Lee Ramey, spouse of grantor, hereby waives all rights of dower herein.

Executed this 16th day of June, 2020.



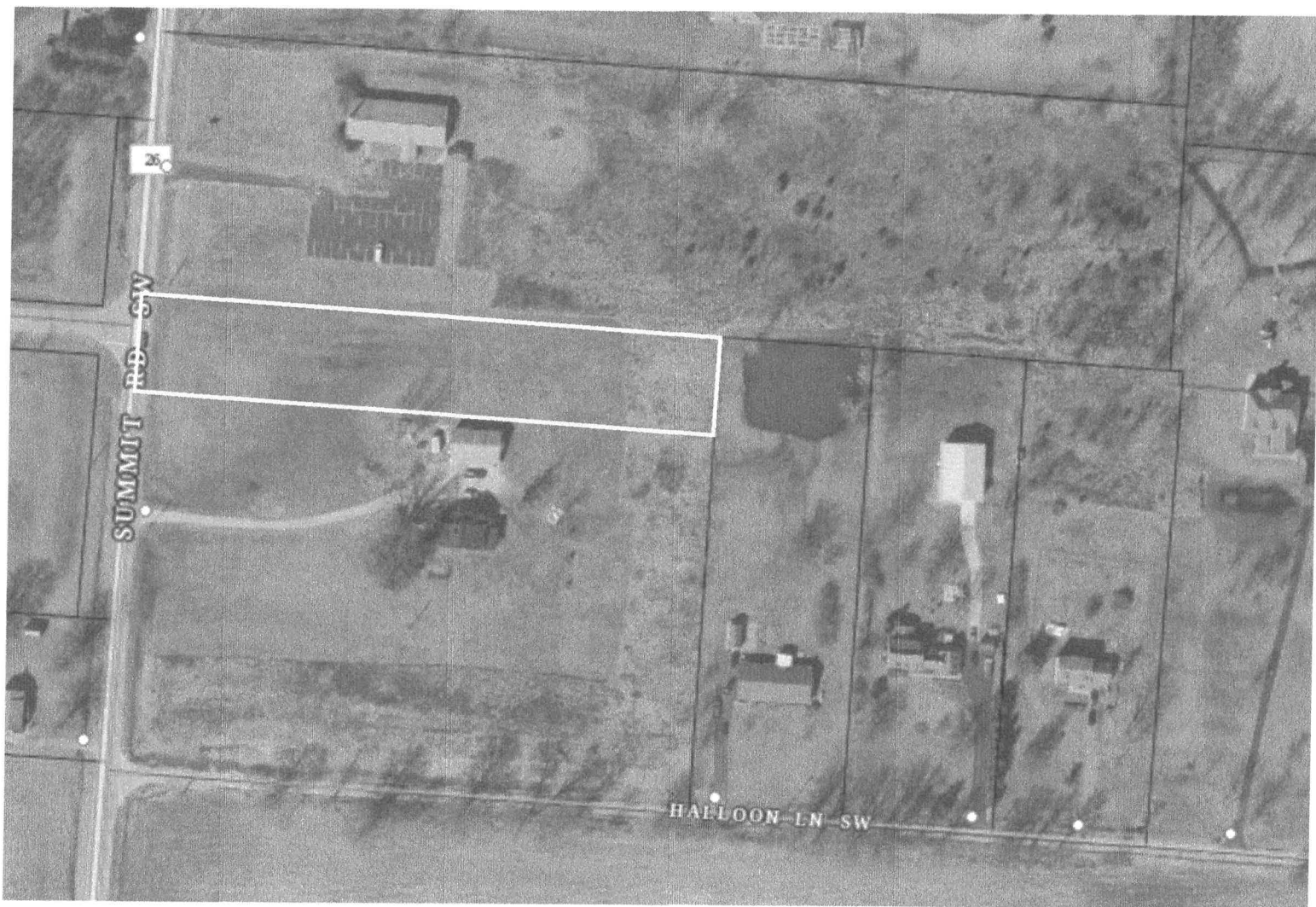
Theresa Justine Ramey



Kevin Lee Ramey

State of Ohio
County of Licking SS:

The foregoing instrument was acknowledged before me this 16th day of June, 2020 by Theresa Justine Ramey.



SUMMIT RD SW

HARLOON LN SW