



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

February 9, 2021

Conditional Use Application CU-20-010

Applicant:	Connie J. Klema
Owner:	Front Porch Investments, LLC.
Location:	50 Vine Street (PID: 064-310878-00.000, unimproved north lot)
Acreage:	0.2-acres
Zoning:	R-15 – Medium-High Density Residential
Request:	Requesting approval of a Conditional Use pursuant to Section 1233.04(7) of the Pataskala Code to allow for a two-family attached residential dwelling.

Description of the Request:

The applicant is seeking approval of a Conditional Use Application to permit the construction a Two-Family Attached Residential dwelling.

Staff Summary:

There are two (2) individual parcels with the address 50 Vine Street, Lots 18 and 29 of the Beeson's Subdivision platted in 1954. CU-20-010 is for the unimproved north lot, Lot 29, PID: 064-310878-00.000. The property is 0.20-acres, with frontage on Vine Street. It is currently occupied by two (2) sheds. The Applicant is proposing to construct a duplex on the property that would front onto Vine Street.

As proposed on the Applicant's Site Plan, the duplex on this lot is setback from the front property line 30-feet. It will be 16'-10 ½" from the north side property line, 16'-11 ¼" from the south side property line, and an unknown distance from the rear property line. Each unit in the duplex will be served by a driveway accessing onto Vine Street. No elevation or square footages for the proposed units were submitted.

Three (3) previous Two-Family attached dwellings were approved by the Board of Zoning Appeals as a Conditional Use on Lots 28, 19 and 16 of the Beeson's Subdivision, immediately to the east of the subject parcel, on Beeson Avenue. Two (2) in 2016, and one (1) in 2018. Setback variances were also approved for the three (3) existing duplexes. The Three (3) duplexes are two (2) stories tall, and approximately 2,900-square feet in size.

As stated in the Applicant's Narrative Statement, the owner wishes to construct two (2) two-family dwellings, one (1) on Lot 18 and one (1) on Lot 29. The owner has already constructed three (3) similar duplexes on the lots neighboring these to the east. The Applicant believes that the proposed use will not be hazardous or a detriment to neighboring uses, that they will not create excessive requirements at public cost and will not involve uses or conditions detrimental to people, property, or the general welfare.

Following the Tabling of this Application at the December 8, 2020 Board of Zoning Appeals hearing, the Applicant submitted a statement clarifying the following:

1. Both structures (CU-20-010 and CU-20-011) will be the same design as those constructed on Beeson Avenue. Elevations attached.
2. Each Unit will have three (3) parking spaces, as was done on Beeson. One (1) space in the garage and two (2) in the driveway.
3. The Sanitary Easements are not an issue and will remain clear as delineated in the Utility Director's report.

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 current Comprehensive Plan recommends Mixed Use for the subject property. Based upon that recommendation, the proposed duplex would be in harmony with the Comprehensive Plan.

It should be noted that with the proposed setbacks, the Applicant will require variances as the R-15 Zoning District requires a front yard setback of 35-feet (proposed at 30'), and a side yard setback of 25-feet (proposed at approximately 16/17-feet). The Applicant has requested these variances in VA-20-018.

The submitted site plans do not include all the information required for the approval of a New Residential Construction permit, ex: driveway width, driveway material, driveway apron, rear yard setback, elevations, etc. However, that information is not necessarily required for approval of a Conditional Use. The Applicant will need to provide that information with the New Residential Construction permit application.

Staff has no further comments on the proposal.

Pataskala Utilities Director:

There is an active and an abandoned water line in the right of way along the front of the properties on Vine Street. There is a sanitary main along the north property line of lot 29 as well as a sanitary main along the east property line for both lots. All of the easements associated with these water and sanitary lines must remain clear. The department has the necessary capacity to receive sewage from and provide water to the proposed development.

Other Departments or Agencies

No other comments received.

Surrounding Area:

Direction	Zoning	Land Use
North	GB – General Business	Gas Station
East	R-15 – Medium-High Density Residential	Two-Family Home
South	R-15 – Medium-High Density Residential	Single-Family Home
West	GB – General Business	Auto Parts Store

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-20-010:

- None

Department and Agency Review

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – No comments
- Pataskala Utilities – See attached
- Police Department – No comments
- West Licking Joint Fire District – No comments
- Southwest Licking 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.
- Applicant will address all comments from Planning and Zoning Staff, Pataskala Utilities.

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-20-010 ("with the following modifications" if modifications are to be placed on the approval)."

From: [Chris Sharrock](#)
To: [Jack Kuntzman](#); [Steven Blake](#); [Jim Roberts](#); [Scott Haines](#); [Bruce Brooks](#); [Doug White](#); [Perkins, Kasey \(Southwest Licking Local Schools\)](#); [Philip Wagner](#); [Alan Haines](#); [Chad Brown](#); [Chris Gilcher](#)
Cc: [Scott Fulton](#)
Subject: RE: BZA Review Memo for 01-12-2021
Date: Friday, December 18, 2020 3:50:46 PM

Jack,

Please see my comments below. As always, let me know if you have any questions or comments.

Thank you,

Chris Sharrock
City of Pataskala
Utility Director
430 South Main Street
csharrock@ci.pataskala.oh.us
Office: (740) 927-4134
Cell: (614) 554-2799

"The soldier is the Army. No army is better than its soldiers." – Gen George Patton

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
There is an active and an abandoned water line in the right of way along the front of the properties on Vine Street.
There is a sanitary main along the north property line of lot 29 as well as a sanitary main along the east property line for both lots. All of the easements associated with these water and sanitary lines must remain clear. The department has the necessary capacity to receive sewage from and provide water to the proposed development.

VA-20-018 (REVISED PLANS):: Steven Blake, Chris Sharrock, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines
There is an active and an abandoned water line in the right of way along the front of the properties on Vine Street.
There is a sanitary main along the north property line of lot 29 as well as a sanitary main along the east property line for both lots. All of the easements associated with these water and sanitary lines must remain clear. The department has the necessary capacity to receive sewage from and provide water to the proposed development.

CU-20-011 (REVISED PLANS):: Steven Blake, Chris Sharrock, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines
There is an active and an abandoned water line in the right of way along the front of the properties on Vine Street.
There is a sanitary main along the north property line of lot 29 as well as a sanitary main along the east property line for both lots. All of the easements associated with these water and sanitary lines must remain clear. The department has

the necessary capacity to receive sewage from and provide water to the proposed development.

VA-20-019 (REVISED PLANS):: Steven Blake, Chris Sharrock, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines
There is an active and an abandoned water line in the right of way along the front of the properties on Vine Street.
There is a sanitary main along the north property line of lot 29 as well as a sanitary main along the east property line for both lots. All of the easements associated with these water and sanitary lines must remain clear. The department has the necessary capacity to receive sewage from and provide water to the proposed development.

VA-20-020 (REVISED PLANS):: Steven Blake, Chris Sharrock, Jim Roberts, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines
The Utility Department has no comment on this variance application

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



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: 50 VINE STREET PATASKALA	
Parcel Number: 064-310878-00.000 & 064-310872-00.000	
Zoning: R-15	Acres: 0.2 / 0.2
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-20-010
Fee: 300.00
Filing Date: 11/13/2020
Hearing Date: 12/8/2020
Receipt Number: 21598

Applicant Information		
Name: CONNIE J. KLEMA ATTORNEY		
Address: P.O. Box 991		
City: PATASKALA	State: OH	Zip: 43062
Phone: 614 374 8488	Email: cklemattorney@gmail.com	

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

Property Owner Information		
Name: FRONT PORCH INVESTMENTS LLC		
Address: 5667 YORK RD SW		
City: PATASKALA	State: OH	Zip: 43062
Phone: 614 738 5790	Email: randy@fpcustombuilders.com	

Conditional Use Information	
Request (Include Section of Code): R-15 Conditional Use	
1233.04 (1) TO PERMIT ONE TWO-FAMILY RESIDENTIAL DWELLING ON EACH PARCEL	
Describe the Project:	
SEE ATTACHED	

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.
- 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):

Conne J. Klema Attorney

Date:

11.9.20

Property Owner: (Required):

Date:

From: [randy colvin](#)
To: [Jack Kuntzman](#)
Cc: [Connie Klema](#); [Rentals](#)
Subject: Vine St application for variances
Date: Friday, November 13, 2020 6:50:51 PM

Hi Jack,

This email is to serve as notice that we, Front Porch Investments, LLC, authorize Connie Klema to represent us regarding our request for BZA variances for two parcels that we own located at 50 Vine Street in the city of Pataskala. Please let me know if you need anything further from me.

Thanks,

Randy Colvin
Front Porch Investments
614-738-5790

Conditional Use Application
Lots 18 and 29 Beeson's Subdivision
Zoned R-15

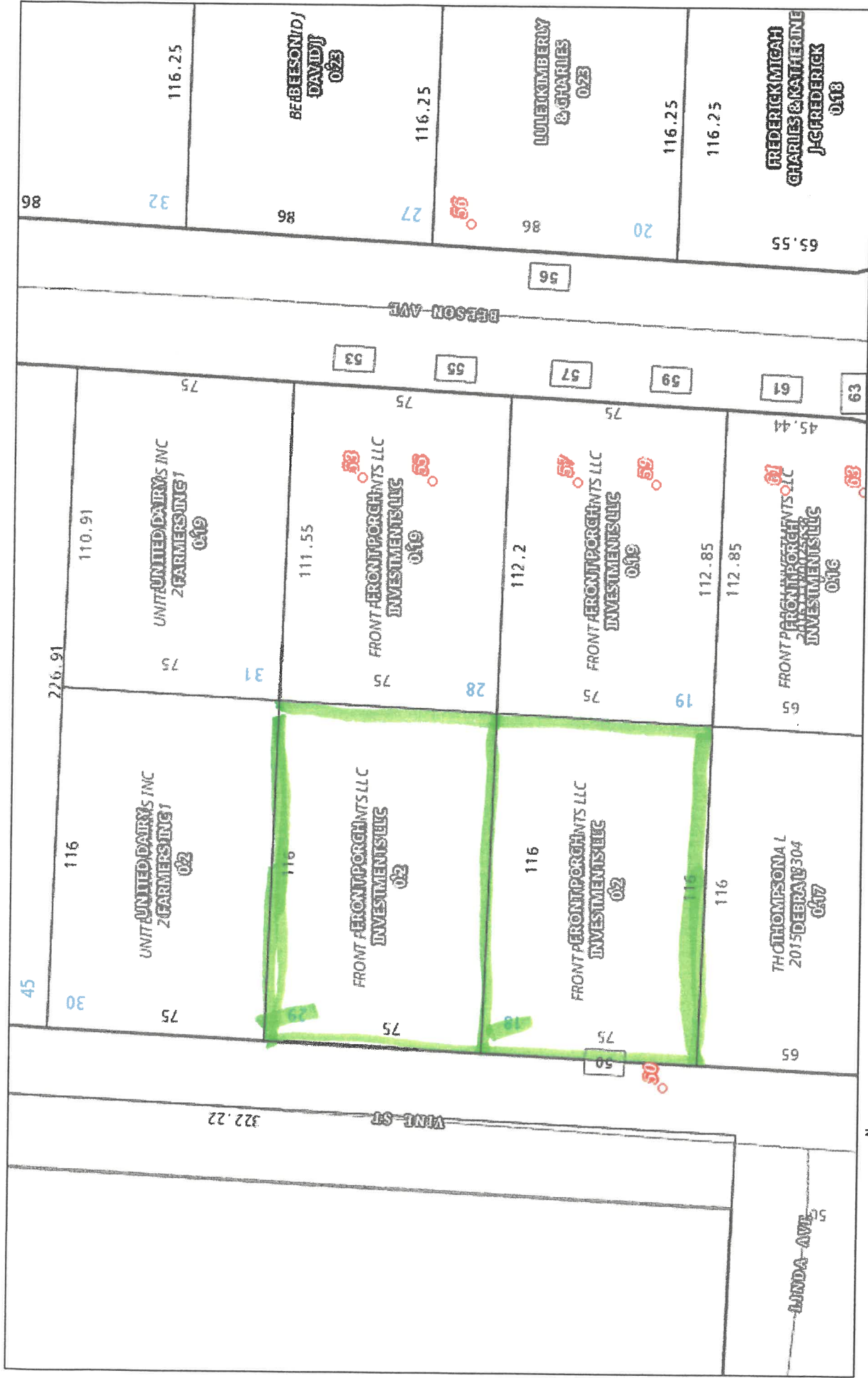
Lots 18 and 29 are zoned R-15, which permits one two-family residential dwelling on each lot as a conditional use.

Narrative Statement:

The Owner wishes to build one two-family dwelling on Lot 18 and one two-family dwelling on Lot 29. R-15 permits one two-family dwelling on a lot as a conditional use (1233.04(7)).

- 1) Lots 18 and 29 are in Beeson's Subdivision where there is a mix of single family and two-family dwellings. Three (3) two-family dwellings were approved and constructed by the Owner on 3 adjacent Lots.
- 2) The residential structures are designed and will be operated, maintained and harmonious in appearance with the neighborhood.
- 3) The residences will not be hazardous to neighboring residential uses.
- 4) Lots 18 and 29 are served adequately by public facilities.
- 5) The residences will not create excessive additional requirements at public cost and will not be detrimental to the economic welfare of the community.
- 6) The residences will not involve uses or conditions that will be detrimental to people, property, or the general welfare.
- 7) Lots 18 and 29 will have vehicular approaches designed to not create interference with traffic on surrounding public thoroughfares.
- 8) Lots 18 and 29 were platted to be developed for residential use. The residences will not destroy or damage a natural, scenic, or historical feature of major importance.

OnTrac Property Map



October 14, 2020

Street Number Only

Sales - 2020

Owner Name & Acres

Centerline Labels

Interstate/US/State Route

County Road

0 47 Feet

Township Road

Other Road Type

Interstates

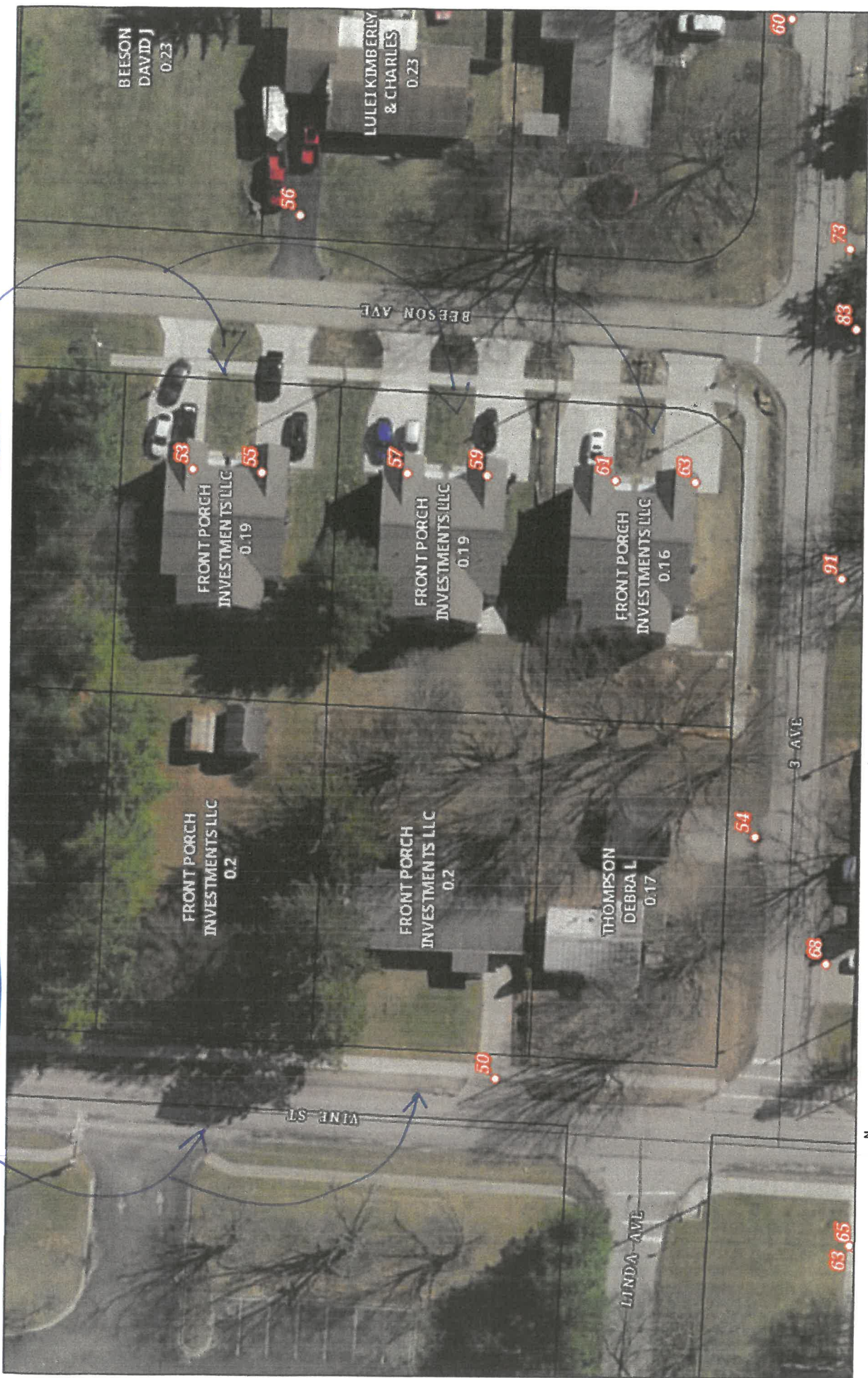
Municipal Corporations

Jurisdictional Townships

Licking County Auditor GIS

PROPOSED LOTS EXISTING

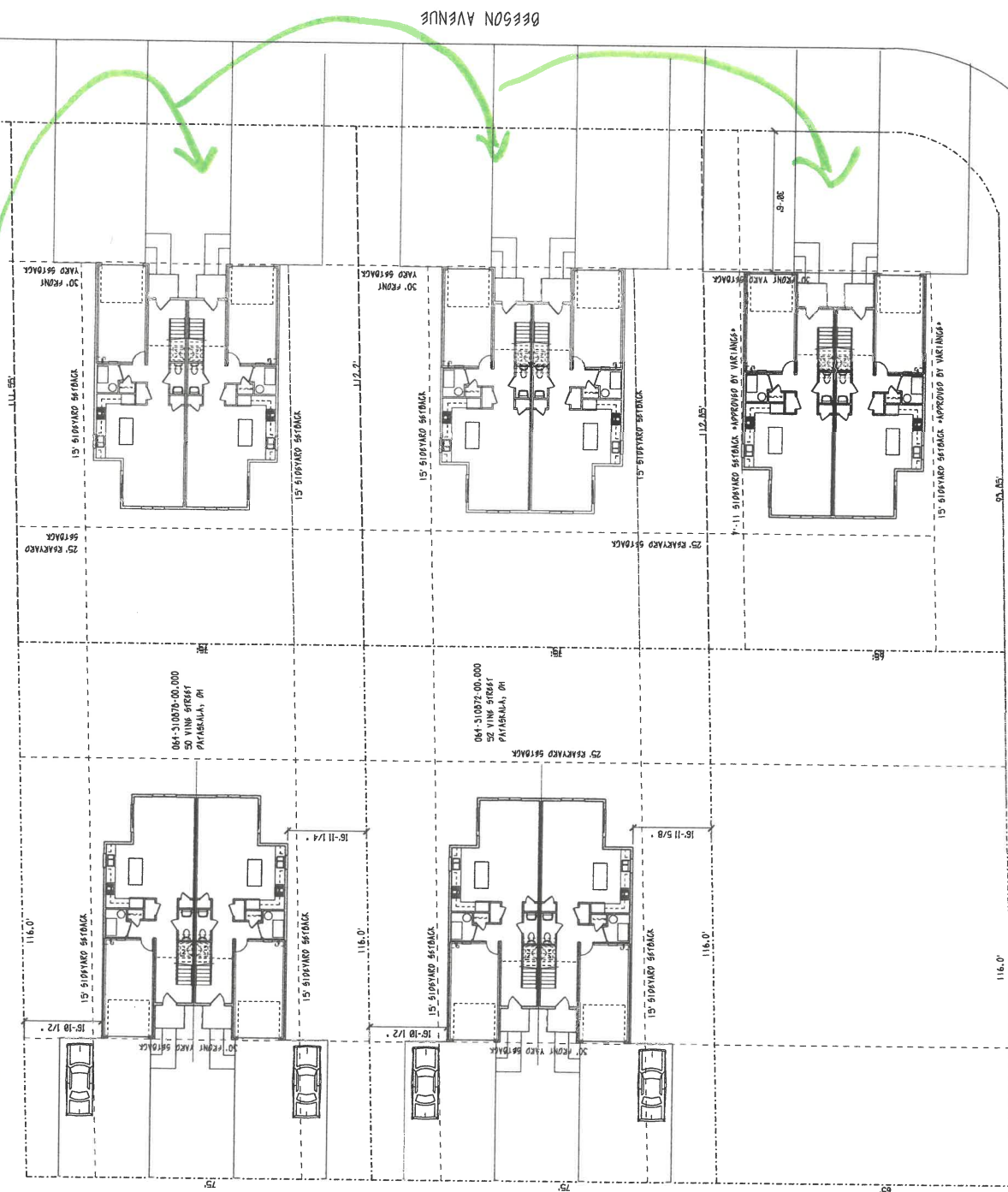
OnTrac Property Map



November 9, 2020

- Street Number Only
- Sales - 2020
- Owner Name & Acres
- Centerline Labels
- Interstate/US/State Route
- County Road
- 0 Township Road 47 Feet
- Other Road Type
- Interstates
- Municipal Corporations
- Jurisdictional Townships
- Driveway
- Licking County Auditor GIS

Proposed



3 AVE

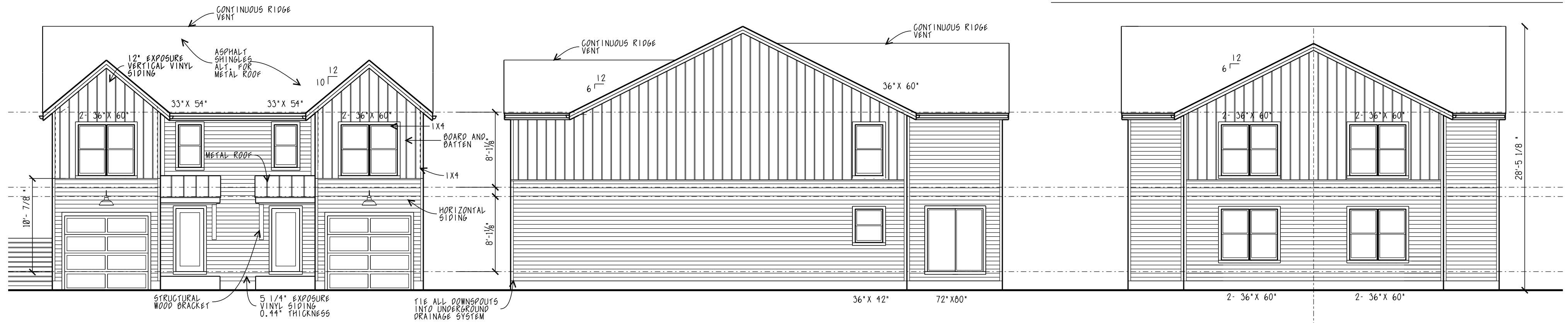
From: [Connie Klema](#)
To: [Jack Kuntzman](#)
Cc: ["Randy Colvin"](#)
Subject: CU20-010, CU20-011
Date: Tuesday, December 8, 2020 10:55:37 AM
Attachments: [FPN SHEET 5 ELEVATIONS.pdf](#)

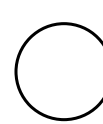
Hi Jack: After reviewing your staff reports for the Vine Street properties, I wanted to provide you some additional information:

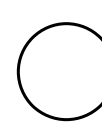
1. Both of the two-family structures will be the same design as those constructed on Beeson Avenue. I have attached the design/elevations. The elevations include the Units' square footages.
2. Each Unit will have 3 parking spaces, as was done on Beeson: 1 in the garage and 2 in the driveway areas parking areas.
3. The sanitary easements are not an issue and will remain clear as delineated in the Utilities Directors' report.


Thanks and let me know if you need any additional information before the January meeting.

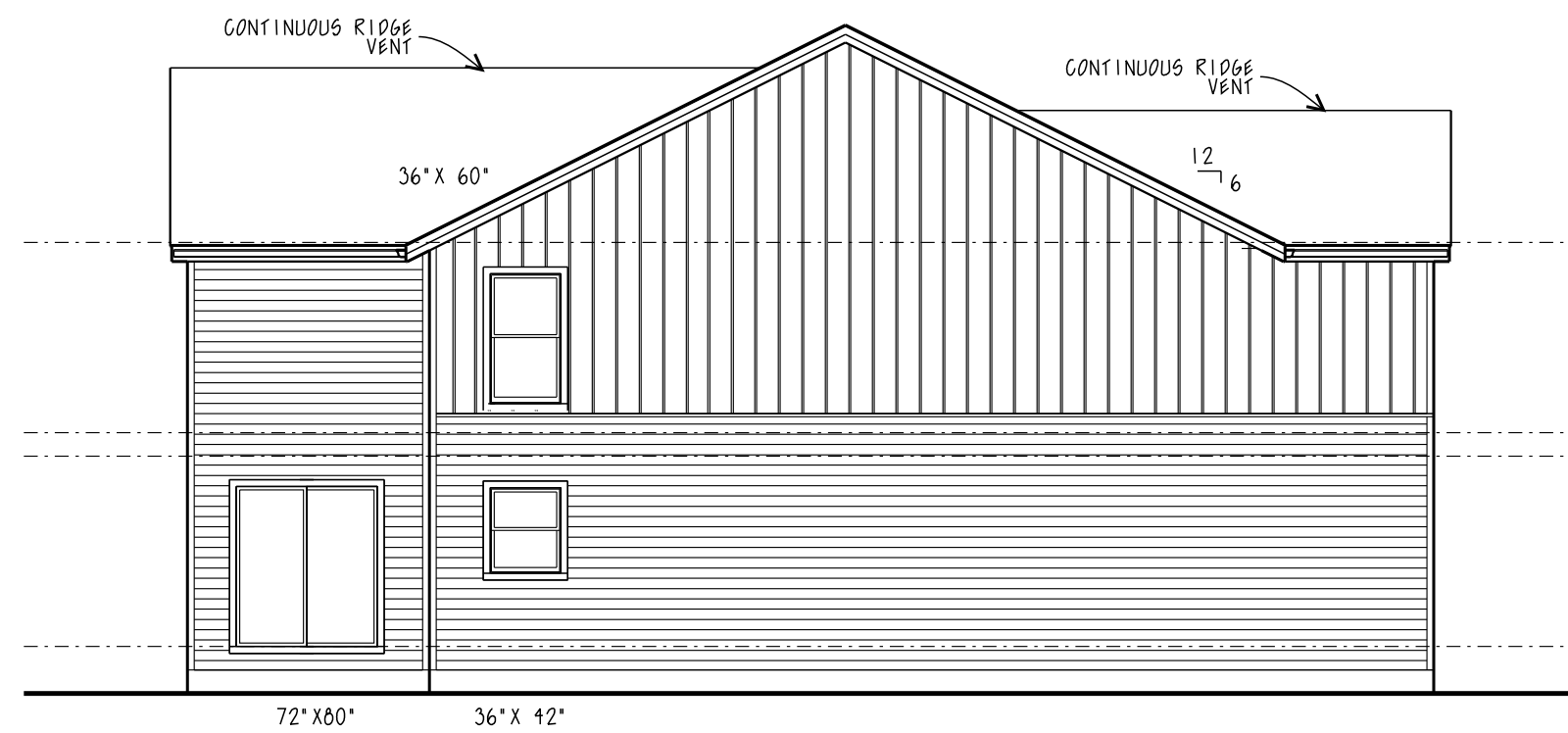
Connie

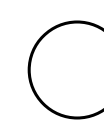


 EAST ELEVATION
SCALE: 1/8" = 1'-0"

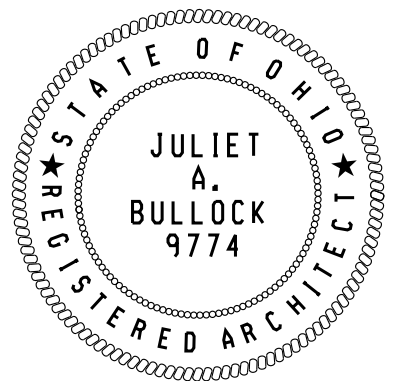
 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

 WEST ELEVATION
SCALE: 1/8" = 1'-0"



 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

UNIT	FIRST FLOOR LIVING	SECOND FLOOR LIVING	TOTAL FLOOR LIVING	CRAWL SPACE	GARAGE
LEFT	683.00 SF	837.00 SF	1520.00	627.00 SF	260.00 SF
RIGHT	683.00 SF	837.00 SF	1520.00	627.00 SF	260.00 SF



A NEW HOME FOR
FRONT PORCH INVESTMENTS
57/59 BEESON AVENUE
PATASKALA OHIO

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER

Approved By JR Sep 30, 2020
01150584605143001000 01150584605143009000

TRANSFERRED

Sep 30, 2020
Michael L. Smith
LICKING COUNTY AUDITOR
SEC 319.902 COMPLIED WITH
MICHAEL L. SMITH
By: CR 405.00

InstrID:202009300025757	9/30/2020
Pages:1	F: \$34.00
Bryan A. Long	3:54 PM
Licking County Recorder	T20200022683

GENERAL WARRANTY DEED

Annie B. Nixon, unmarried, for valuable consideration paid, grants with general warranty covenants to Front Porch Investments, LLC, an Ohio Limited Liability Company, whose tax mailing address is _____, the following real property:

Situated in the State of Ohio, County of Licking, former Township of Lima, now by merger the City of Pataskala and being further bounded and described as follows:

Being Lots No. 18 and 29 of Beeson's Subdivision in said Township of Lima (now city of Pataskala), as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Pages 143 and 144, Plat Records, Recorder's Office, Licking County, Ohio.

Prior Deed Reference: *Instrument Number 201505050008436, Recorder's Office, Licking County, Ohio*
Also known as: *50 Vine Street, Pataskala, OH 43062*
Auditor's Parcel No.: *064-310872-00.000 & 064-310878-00.000*

Excepting conditions, easements, restrictions, rights of way and zoning and other governmental regulations of record and taxes and assessments not yet due and payable which Grantees assume and agree to pay as a part of the consideration herein.

Executed on 09/25/2020

Annette Maureen Truex

Atty in Fact for Annie B. Nixon

Annie B. Nixon by Annette M.
Truex, her Attorney-In-Fact

State of Ohio
County of Licking SS:

The foregoing instrument was acknowledged before me on 09/25/2020, by Annette M. Truex, Attorney-In-Fact for Annie B. Nixon.



NOTARY

Prepared by:
Laurie R Wells, Esq.
Hayes Law Offices, Inc.
195 E Broad Street
Pataskala, OH 43062

Witness

Signed

24354

We do hereby certify that we have surveyed the above premises, prepared the plat and that said plat is correct.

and Surveyor # 425



BEESON'S SUBDIVISION

