



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

October 12, 2021

Conditional Use Application CU-20-012 – **EXTENSION REQUEST**

Applicant:	Major Contracting, Co.
Owner:	Major Contracting, Co.
Location:	6359 Summit Road SW, Pataskala, OH 43062
Acreage:	2.00-acres
Zoning:	M-1 – Light Manufacturing
Request:	Requesting a six-month extension of an expired conditional use approval pursuant to Section 1215.09 of the Pataskala Code

Description of the Request:

The applicant is seeking a six-month extension of Conditional Use CU-20-012, and by association Variance VA-20-022, to allow for the construction of a self-storage facility that was not carried out within six-months of the date of approval as required pursuant to Section 1215.09 of the Pataskala Code.

Staff Summary:

The 2.00-acre property at 6359 Summit Road SW is a corner lot, with frontages on two (2) public rights-of-way; Summit Road SW to the west and Cleveland Road SW to the north. There is also railroad right-of-way along the south border of the property. It is currently occupied by 11,470-square foot commercial building built in 1977, and a 2,160-square foot barn built in 2014, and a 1,352- square foot office built in 1974. The area in front (west) of the office is paved with asphalt, with an access drive running through the railroad right-of-way to Summit Road SW. The remaining acreage is paved with gravel, and there is a 6-foot wood fence along the north and west of the property. Previously, this property was operated as a Truss Factory, however it is currently unused.

The applicant received conditional use approval on February 9, 2021 to allow for the property to be used as a self-storage facility. As approved, the Applicant will be using 10-foot by 20-foot Shipping Containers as the self-storage units, with 48 units overall. This approval was conditioned upon the applicant receiving “all necessary permits from the City of Pataskala and the Licking County Building Department within six (6) months of the date of approval unless an extension, pursuant to Section 1215.09 of the Pataskala Code, is granted. As the permits were not obtained by the deadline of August 9, 2021, the applicant is requesting a six-month extension, which is the maximum permitted pursuant to Section 1215.09 of the Pataskala Code. The staff report from February 9, 2021 is attached.

The applicant also received variances from Section 1251.05 for reduced setbacks, 1279.03(A)(1) to allow for a fence to exceed the maximum permitted height, and Section 1251.05(H) to allow for a reduction of the minimum width and depth for the shipping containers. This approval was also conditioned on obtaining all permits within six months unless an extension was granted by the Board of Zoning Appeals. As this was not completed, the granting of an extension for the Conditional Use will also grant a six-month extension for the afore mentioned variances. The staff report for VA-21-022 is attached.

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

Planning and Zoning Department:

The applicant emailed plans to the Planning and Zoning Department on Sunday, August 8, 2021. While plans were submitted by the approved deadline, the condition was all permits must be obtained from the Planning and Zoning Department and the Licking County Building Department by August 9, 2021. As a result, the plans were not accepted, and the applicant was informed that an extension request was required.

On September 7, 2021 the applicant applied for a fence permit to replace the existing fence which is in disrepair. However, the Planning and Zoning Department cannot take action on the application until the Board of Zoning Appeals makes a determination on the extension. The variance for the fence was tied to the condition that all permits be obtained within six-months or an extension granted.

Zoning Inspector

The Zoning Inspector has noted that there are currently three outstanding violations on the property for commercial-no permit (landscaping business), commercial-no permit (bus storage), and the unmaintained fence. These violations are scheduled to be heard in Mayor's Court on October 7, 2021. Full comments are attached.

City Engineer

Due to the impervious area added to the site, a full plan (construction plans) will be required for approval of the development. Full comments attached.

Other Departments and Agencies

No other comments were received.

Surrounding Area:

Direction	Zoning	Land Use
North	R-87 – Medium-Low Density Residential	Single-Family Homes
East	M-1 – Light Manufacturing	Construction Company
South	M-1 – Light Manufacturing	Railroad Single-Family Homes
West	R-20 – Medium Density Residential	Single-Family Homes

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-20-012:

- None

Department and Agency Review

- Zoning Inspector – See attached
- Public Service – No comments.
- City Engineer – See attached.
- SWLCWSD – No comments.
- Police Department – No comments
- West Licking Joint Fire District – No comments.
- Licking Heights 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 six (6) months of the date of approval.
2. The Applicant shall address all comments from Planning and Zoning Staff, City Engineer, and the Public Service Director.
3. The storage units shall be maintained and painted a uniform color
4. All variances approved via application VA-20-022 shall remain in effect so long as condition number one is met.

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 six-month extension of a Conditional Use pursuant to Section 1215.09 of the Pataskala Code for application CU-20-012 ("with the following conditions" if conditions are to be placed on the approval)."



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-20-012

Applicant:	Major Contracting, Co.
Owner:	Major Contracting, Co.
Location:	6359 Summit Road SW, Pataskala, OH 43062
Acreage:	2.00-acres
Zoning:	M-1 – Light Manufacturing
Request:	Requesting approval of a Conditional Use pursuant to Section 1215.08 of the Pataskala Code to allow for the property to be used as a self-storage facility (NAICS 2007 – 531130).

Description of the Request:

The applicant is seeking approval of a conditional use to allow the property located at 6359 Summit Road SW to be used as a self-storage facility utilizing shipping containers as self-storage units (NAICS 2007 – 531130).

Staff Summary:

The 2.00-acre property at 6359 Summit Road SW is a corner lot, with frontages on two (2) public rights-of-way; Summit Road SW to the west and Cleveland Road SW to the north. There is also railroad right-of-way along the south border of the property. It is currently occupied by 11,470-square foot commercial building built in 1977, and a 2,160-square foot office built in 2014. The area in front (west) of the office is paved with asphalt, with an access drive running through the railroad right-of-way to Summit Road SW. The remaining acreage is paved with gravel, and there is a 6-foot wood fence along the north and west of the property. Previously, this property was operated as a Truss Factory, however it is currently unused.

The Applicant is requesting approval of a Conditional Use Application to allow for the property to be used as a self-storage facility. The North American Industry Classification System (NAICS) 2007 assigns the use code 531130 for 'Lessors of Miniwarehouses and Self-Storage Units'; establishments primarily engaged in "renting or leasing space for self-storage. These establishments provide secure space (i.e., rooms, compartments, lockers, containers, or outdoor space) where clients can store and retrieve their goods". Pursuant to Section 1251.04(10) of the Pataskala Code 'Lessors of Miniwarehouses and Self-Storage Units' is a Conditional Use in the M-1 – Light Manufacturing District.

As proposed, the Applicant will be using 10-foot by 20-foot Shipping Containers as the self-storage units, with 48 units overall. Seven (7) in the northwest corner of the property; setback from the front property line on Cleveland Road SW 6'10 ¾", and 17'2 ¼" from the front property line on Summit Road SW. There are two (2) sets of containers in the northeast corner. Eight (8) will be set parallel to Cleveland Road SW, 6'10 ¾" from the front property line, and 18'8 ½" from the side (east) property line. The next seven (7) will be set back from the front property line on Cleveland Road SW 36'9 ¼", and 10' from the side (east) property line. The remaining 26 containers will be along the rear property line, adjacent to the railroad

right-of-way. They will setback 10'1 ¼' from the rear property line and 10' from the side (east) property line.

The Applicant will also be replacing the existing six (6) foot tall wood privacy fence, which has been damaged and degrading, with a new six (6) foot privacy fence around the entire property, set back from the property line along Cleveland Road SW 5' 5 ¼' and 6' 3 ½' from the property line along Summit Road SW. Shrubs and trees will be placed in front of the fence, between the fence and the property line.

Per the Narrative Statement submitted by the Applicant for this request: their intention is to convert an existing unused property into a self-storage facility utilizing re-purposed shipping containers as self-storage units. The Applicant is anticipating 40 units of shipping containers. Further stated; the Applicant also believes that there will be no adverse effect to neighboring properties or uses as they will be screened from view by the new fence and shrubs, that the property would be served adequately by public facilities and services, and that traffic into and out of the property would be minimal. No hazardous materials will be stored on site, and the property would use general business hours as to not interrupt neighbors.

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 recommends this property to be 'Office'; Therefore, the proposal *is not* in line with the City's Comprehensive Plan. However, it is currently zoned M-1 – Light Manufacturing.

Pursuant to Section 1251.05(C)(1) of the Pataskala Code requires a front yard setback of 50-feet (when the property has central sewer and water) in the M-1 – Light Manufacturing District. Furthermore, Section 1251.05(C)(4) states that the principal building and its accessory structures shall have the same minimum setback distance from all street right-of-way lines as required for the front yard. As this property has two (2) frontages on a right-of-way, the front yard setback shall be applied from both Summit Road SW and Cleveland Road SW. The side yard setback (east property line) shall be 25-feet per 1251.05(C)(2), and the rear yard setback (south property line) shall be 50-feet per 2351.05(C)(3). As proposed the additional Shipping Containers placed on site will not meet these setbacks, and as such, the Applicant has requested variances (VA-20-022).

Uses within the M-1 – Light Manufacturing District require L2 type screening along any frontage per 1283.07(B). Also stated within this section, for the side and rear property lines: L2 shall be provided if abutting a similar use; L5 if abutting a residential use or district; and L3 if other than residential. The side property line (east) is adjacent to an M-1 – Light Manufacturing zoned construction company. The rear property line (south) is adjacent to M-1 – Light Manufacturing zoned land comprising the railroad and vacant property. L2 shall be required along the frontage of Cleveland Road SW and Summit Road SW, L2 along the side (east) property line, and L2 along the rear property line. Per Section 1283.06 of the Pataskala Code: L2, L3 and L5 type screening shall consist of the following:

- L2: Enough low shrubs to form a continuous three (3) foot high screen, and one tree per 30 lineal feet. A three (3) foot high berm, or wall may be substituted for the shrubs.
- L3: Enough high shrubs to form a continuous six (6) foot high screen, and one tree per 30 lineal feet. A six (6) foot high, 100% opaque fence or wall may be substituted for the shrubs.

- L5: A berm between four (4) and six (6) feet high. If the berm is less than six (6) feet high, low shrubs that meet the L2 standard shall be planted atop the berm to bring it to a total height of six (6) feet. One tree per 30 lineal feet.
- Also pursuant to Section 1283.07, the minimum standards of these may be waived upon presentation of an **equivalent** landscaping plan subject to the approval of Planning and Zoning Staff.

Staff performed a review of the Applicant's concept plan prior to them submitting their concept plan. Staff has revised this review for the site plan included in this Conditional Use Application, which is attached to this staff report. Several items require variances, which are requested in VA-20-022. Those items requiring a variance are identified in the review as **red text**. Comments which the Applicant have been resolved are ~~struck through~~.

Pursuant to Section 1215.09 of the Pataskala Code the approval of a Conditional Use shall become void if such use is not carried out within six (6) months after the date of approval. The Board of Zoning Appeals may grant one (1) extension of a Conditional Use approval for an additional six (6) months.

Planning and Zoning Staff reached out to Licking County Building Code Department regarding whether Shipping Containers were an acceptable building material. The Licking County Building Code Department stated that they *can* be, however there are extra steps that would need to be taken. Notably, the containers must be securely anchored to the ground, and sealed engineer drawings would need to be provided to the Building Code Department for the building permit. Staff reached out to the Applicant with some timeline concerns, especially concerning whether the Applicant could have these drawings ready and approved within the six (6) month time frame. The Applicant believes they will be able to meet the six (6) month deadline.

Additionally, a conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than one year.

Licking Heights School District

District applauds them for turning the unutilized property into a business; however, the high fence should cover the shipping containers. Otherwise, they are not very attractive from the attachment shown.

Other Departments and Agencies

No other comments were received.

Surrounding Area:

Direction	Zoning	Land Use
North	R-87 – Medium-Low Density Residential	Single-Family Homes
East	M-1 – Light Manufacturing	Construction Company
South	M-1 – Light Manufacturing	Railroad Single-Family Homes
West	R-20 – Medium Density Residential	Single-Family Homes

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:

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- 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-20-012:

- None

Department and Agency Review

- Zoning Inspector – No comments.
- Public Service – No comments.
- City Engineer – No comments.
- SWLCWSD – No comments.
- Police Department – No comments
- West Licking Joint Fire District – No comments.
- Licking Heights 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 six (6) months of the date of approval unless an extension Pursuant to Section 1215.09 of the Pataskala Code is granted.
2. The Applicant shall address all comments from Planning and Zoning Staff and the Public Service Director.

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-20-012 ("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

CU-20-012 Staff Review

6359 Summit Road SW

February 9, 2021

Chapter 1251 – M-1 Light Manufacturing District

1251.04 Conditionally Permitted Uses

- ~~1251.04(10): All uses marked as "Conditional Uses" in the Light Manufacturing District (M-1) as listed in the NAICS Classification and Zoning District Matrix.~~
 - ~~As described previously, the use as a storage facility would fall under NAICS: 531130 "Lessors of Miniwarehouses and Self-Storage Units" which is a Conditional Use in the M-1 zoning district.~~
 - *Applied for CU-20-012, hearing 02-09-2021*

1251.05 General Requirements of the M-1 District

- 1251.05(C) Setbacks and Yards
 - 1251.05(C)(1): There shall be a front yard of not less than 50 feet in depth.
 - This applies to both north (Cleveland road) and west (summit road) property lines.
 - **North: at minimum, 5' 5 ¼" Variance requested (VA-20-022)**
 - **West: at minimum, 17' 2 ¼" Variance requested (VA-20-022)**
 - 1251.05(C)(2): There shall be a side yard of not less than 25 feet.
 - **East: at minimum, 10' Variance requested (VA-20-022)**
 - 1251.05(C)(3): There shall be a rear yard of not less than 50 feet.
 - **South: at minimum, 10' 1 ¼" Variance requested (VA-20-022)**
 - ~~1251.05(C)(4): The principal building and its accessory structures shall have the same minimum setback distance from all street right of way lines as required for the front yard~~
 - ~~As you have multiple street frontages (Summit Rd SW and Cleveland Rd SW), a 50-foot setback is required from both the north and east.~~
 - ~~Setbacks are measured from the edge of the right of way.~~
- 1251.05(D): The maximum percentage of the total lot area which may be occupied by both principal and accessory buildings for commercial uses shall be 90%.
 - Appears to be compliant but will need square footage calculations to confirm.
- 1251.05(G) All trash and garbage shall be stored in container systems which are located and enclosed so as to effectively screen them from view. Screening of trash and garbage areas shall meet the requirements of Section 1283.06. Container systems shall not be located in front yards.
 - If a dumpster or other trash container is to be used, must not be located within front yards and screened from view. No details provided.
- 1251.05(H): All structures shall have at least 600 square feet per business unit and not be less than 24 feet in width and depth. All structure requirements for the M-1 District are to be determined from outside dimensions, exclusive of porches, garages, and cellars or basements.
 - **New proposed structures comprised of 10x20 containers would not meet this requirement on the 10-foot side. Variance needed (VA-20-022).**

Chapter 1279 – Fences

1279.03 Height and Location

- 1279.03(A)(1): A fence or wall not exceeding 48 inches in height may be erected between the building setback line and a line three (3) feet toward the building setback line from the street right-of-way line.
 - Between 3 feet of the R/W and the 50-foot front yard setback, the maximum fence height is 4 feet. Proposed fence height is 8 feet, which is 4 feet over maximum. Variance request VA-20-022.
- ~~1279.03(A)(3): A fence or wall higher than 72 inches may be requested as a variance which would be considered by the Board of Zoning Appeals with notification of adjoining property owners. A living fence shall not be limited by the 72-inch restriction.~~
 - ~~Variance may be requested for fence height, but a living fence may be substituted instead.~~
- ~~1279.03(A)(4): No fence or wall may be erected within three (3) feet of the street right-of-way line.~~
 - ~~Setback from north right of way 5' 5 1/4", from west 6' 3 1/2".~~

Chapter 1283 – Landscaping and Screening

1283.06 Landscaping and Screening Standards

- 1283.06(3) Low Screen (L2)
 - 1283.06(b) Required Material: enough low shrubs to form a continuous 3' high screen, and 1 tree per 30 lineal feet. A 3' high berm or wall may be substituted for the shrubs.
- 1283.06(7): The minimum standards identified in this section may be waived upon presentation of an equivalent landscaping plan to the approval of the Planning and Zoning Department.
 - Meaning, that if you can meet the intent of the L2 code regarding landscaping, modifications can be made. I believe the fence would be a good idea as a substitute.

1283.07 Application of Landscaping Standards

- M-1 zoning district requires the following landscaping standards for the:
 - Front: L2.
 - Side: L2 if abutting similar use/district
 - Rear: L2 if abutting similar use/district

Jack Kuntzman

City Planner

City of Pataskala

t: 740-964-1316

e: jkuntzman@ci.pataskala.oh.us

From: Philip Wagner
To: Jack Kuntzman; Steven Blake; Jim Roberts; Scott Fulton; Scott Haines; Bruce Brooks; Doug White; Perkins, Kasey (Southwest Licking Local Schools); Chris Gilcher; Alan Haines; Chris Sharrock
Subject: RE: BZA Review Memo for 02-09-2021
Date: Wednesday, January 20, 2021 6:20:14 PM

Jack,

VA-20-022 & CU-20-012 are interesting. The property is located just northeast of the railroad tracks on Summit Road. The company would like to re-purpose the old Truss Factory into self-storage units using 40 shipping containers. I applaud them for turning the unutilized property into a business; however, the high fence should cover the shipping containers. Otherwise, they are not very attractive from the attachment you shared.

VA-20-026: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines
The owners, BuildPRO360 Construction Group would like to resurface the existing gravel lot.

VA-20-022: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines
The owner, Major Contracting Co would like to reduce the front, side and rear yard setbacks and increase the fence height.

CU-20-012: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines
The owner, Major Contracting Co would like to re-purpose the old Truss Factory into self-storage units using 40 shipping containers. The property is currently zoned light manufacturing and with the self-storage units, they need to apply for a conditional use permit.

If my summaries above are correct, the school district does not object.

Let me know if there are questions,

Philip Wagner

Philip H. Wagner, Ph.D.

Superintendent

Licking Heights Local Schools

Honoring our legacy. Inspiring the present. Ready for the future.

6539 Summit Road, S.W.

Pataskala, Ohio 43062

www.lhschools.org

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

Sent: Tuesday, January 19, 2021 2:25 PM

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

Subject: BZA Review Memo for 02-09-2021

Importance: High

Good Afternoon Everyone,

You are receiving this email because one or more of the Applications submitted for the February 9, 2021 Board of Zoning Appeals is within your jurisdiction. Please see the list below for which Applications are being submitted for your review.

VA-20-026: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines

VA-20-022: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines



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: 6359 Summit Rd. SW Pataskala, OH 43073	
Parcel Number: 063-147108-00.000	
Zoning: M-1	Acres: 2
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 checked="" type="checkbox"/> South West Licking <input type="checkbox"/> On Site	

Applicant Information		
Name: Major Contracting Co.		
Address: 3923 E. Main St.		
City: Columbus	State: OH	Zip: 43213
Phone: 614-237-2933	Email: sales@columbusupply.com	

Property Owner Information		
Name: Major Contracting Co.		
Address: 3923 E. Main St.		
City: Columbus	State: OH	Zip: 43213
Phone: 614-237-2933	Email: sales@columbusupply.com	

Staff Use
Application Number: CU-20-012
Fee: \$300
Filing Date: 11-16-20
Hearing Date: 12-8-20
Receipt Number: 21604

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

Conditional Use Information
Request (Include Section of Code): 1251.04 (10)
Describe the Project: Mini Storage Units using shipping containers.

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):

Majur Contracting Co. by 

Date:

11/16/20

Property Owner: (Required):

Majur Contracting Co. by 

Date:

11/16/20

Describe the Project

Our intention is to convert an existing unused portion of land that was previously used as a Truss Factory at 6359 Summit Road SW, Pataskala, Ohio 43073 into a self storage facility. Our vision is to re-purpose shipping containers into self-storage units. Per the enclosed architect rendering, we anticipate placing 40 units within the location. The land would be developed to include shrubbery, trees and new fencing.

- The conditional use is necessary as the property is currently Zoned M1 (Light Manufacturing). “Lessors of miniwarehouses and Self Storage Units” falls under NAICS:531130 as a conditional permitted use.
- Appropriation of Use
 1. Yes, is in fact a conditional use.
 2. Yes, in accordance with general objectives for the area. This property has been unutilized for years and to some extent was a dumping site for passerbys.
 3. Yes, new fencing, landscaping and upkeep of the property to Pataskala Standards.
 4. No hazardous materials will be on site. General business hours for the Storage facility as not to interrupt neighbors/community.
 5. Yes, currently sewer, water, and refuse on site. Will not affect streets/highways.
 6. No public cost. Sales/use tax and property taxes will go to Pataskala.
 7. No, tenants will be screened for their use at the facility.
 8. Traffic will be minimal and no change to traffic patterns along Summit Rd.
 9. No destruction to Nature, historical features, or scenic views.

SUMMIT ROAD (CO. RD. 26)

NORTH

179.00'

N.W.COR. LOT 21

CLEVELAND ST. (TWP. RD. 154)

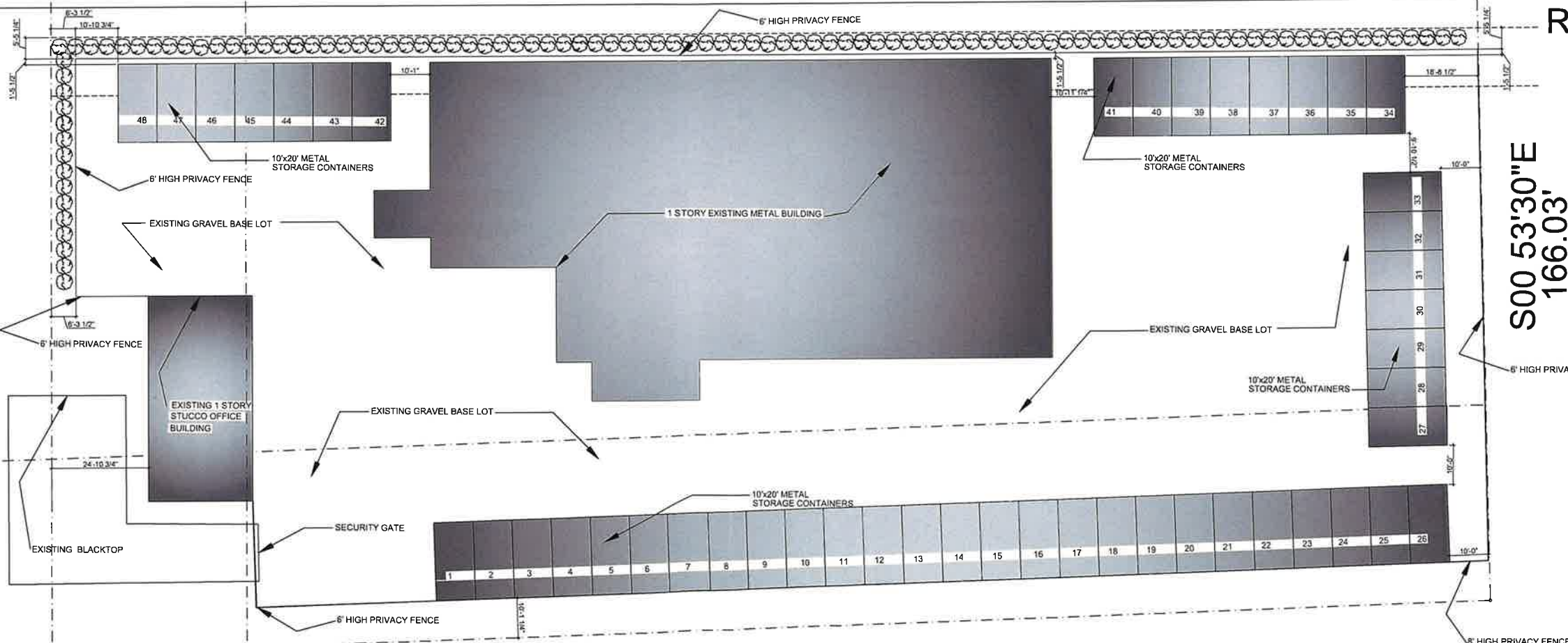
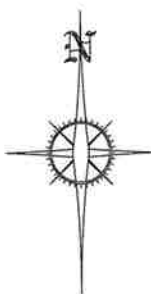
S 89 43' 00" E
416.20'

R/W

S00 53'30"E
166.03'

S 88 30' 30" E
418.92'

B & O RAILROAD



#	DATE	DESCRIPTION
1		
2		
3		
4		
5		

ISSUE DATE:

JOB DLB02242020

Storage Development
E & F Storage Services
6359 Summit Road SW
Pataskala, Ohio 43062



D.L.B. Architect, LLC
Architect & Planner
353 South Drexel Ave
Bexley, Ohio 43209
Phone 614-592-2454
email dsl@dlbarch.com

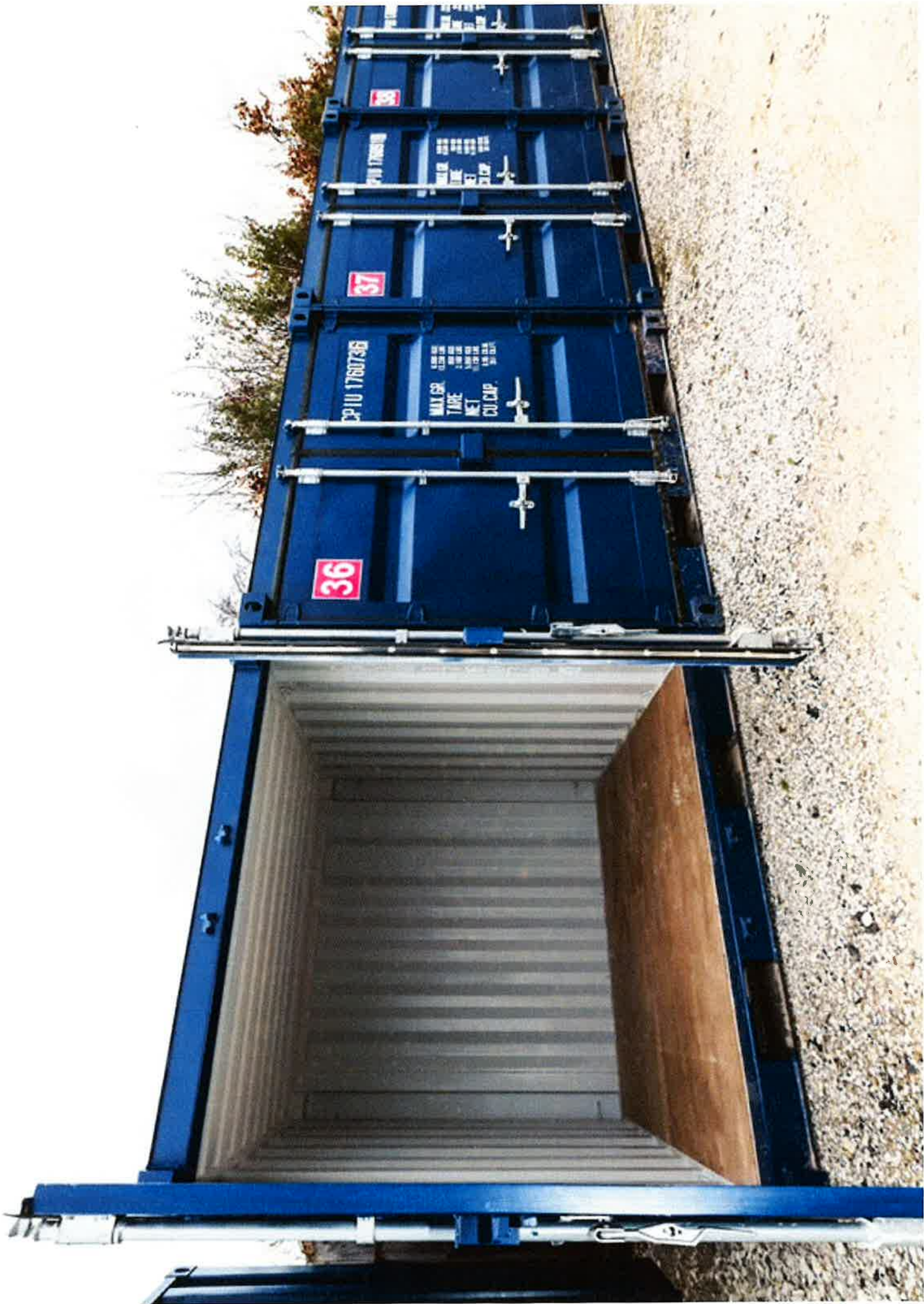
PROPOSED SITE PLAN

DISTRIBUTION DATE:

SCALE: GRAPHIC SCALE

SHEET:

A1





Know all Men by these Presents

That

Dane H. Merrill and Betty Merrill, husband and wife,
Ethel M. Merrill, unremarried widow

Dane H. Merrill also known as Dane Merrill

of the Township of Lima, County of Licking
and State of Ohio Grantor's, in consideration of the sum of
One Dollar and other valuable considerations

to them paid by

Major Contracting Company, an Ohio Corporation
2244 Mock Road, Columbus, Ohio
of the of County of Franklin
and State of Ohio Grantee, the receipt whereof is hereby
acknowledged, do hereby grant, bargain, sell and convey to the said
Grantee Major Contracting Company, its successors

~~transfers~~ and assigns forever, the
following Real Estate situated in the County of Licking
in the State of Ohio, and in the Township of
Lima and bounded and described as follows:

Being located in Lot No. 21 of the Third Quarter of Township 1, Range 15,
United States Military Lands, and being the same tract as conveyed to Charles
A. and Dane Merrill by deed of record in Deed Book 515 page 631, all references
being to records of the Recorder's Office, Licking County, Ohio, and being more
particularly bounded and described as follows:

Beginning at a railroad spike in the centerline of County Road No. 26 and at
the northwesterly corner of the said Lot No. 21, being also the southwesterly
corner of "BESSE ADDITION" as the plat of same is shown of record in Plat Book
3, page 149; thence along the southerly line of the said "BESSE ADDITION" being
the centerline of Cleveland Street, and the northerly line of the said Merrill
tract, South 89° 43' East, 416.2 feet to a point, said point being the north-
easterly corner of the said Merrill tract; thence along the easterly line of
the said tract, being the westerly line of the tract conveyed to James M. and
Corinne Faye Garrett by deed of record in Deed Book 591, page 512, South 0°
53' 30" East, (passing an iron pin found at 0.53 foot and passing a second iron
pin found at 13.85 feet), 166.03 feet to a railroad spike in a wooden post at the
southeasterly corner of the said Merrill tract and in the northerly right-of-way
line of the Baltimore and Ohio Railroad; thence along the northerly right-of-
way line of the said railroad, South 88° 30' 30" West, (passing an iron pin at
393.92 feet), 418.92 feet to a railroad spike at the intersection of the said
right-of-way line with the centerline of County Road No. 26; thence along the
centerline of the said County Road No. 26, NORTH, 179.0 feet to the place of
beginning, containing 1.653 acres, more or less.

Subject to all planning, zoning and other governmental land use regulations and
restrictions, if any, and all easements, leases, street and highway rights of way
and any and all other conditions and restrictions of record, if any.

The foregoing description being based on a survey and plat thereof made on
February 13, 1970 by W. H. Mechwart, Registered Surveyor No. 4072.

10-60
SEC. 319.272 COMPLIED WITH
GEORGE D. BUCHANAN, AUDITOR
BY

10-60
Dug 3-21
Licking County Engineer

LAST TRANSFER: Deed Record Volume, 657 , Page 558

To have and to hold said premises, with all the privileges and appurtenances thereunto belonging, to the said Grantee
Major Contracting Company, its successors
~~heirs~~ and assigns forever.

And the said Grantor s Dane H. Merrill and Betty Merrill
and Ethel M. Merrill

for themselves and their heirs,
do hereby covenant with the said Grantee
Major Contracting Company, its successors

~~heirs~~ and assigns, that they are lawfully seized of the premises
aforesaid; that the said premises are Free and Clear from all Incumbrances whatsoever
except the taxes and assessments for the year 1970 amount not yet determined
which the grantee assumes and agrees to pay as a part of the consideration hereof.

and that they will forever **Warrant and Defend** the same, with the
appurtenances, unto the said Grantee
Major Contracting Company, its successors
~~heirs~~ and assigns
against the lawful claims of all persons whomsoever

In Witness Whereof the said Grantor s

Dane H. Merrill and Betty Merrill, husband & wife
and Ethel M. Merrill, unremarried widow

who hereby release their respective right s of dower in the premises, ha ve
hereunto set their hand s this 28th day of February
in the year of our Lord one thousand nine hundred and seventy (1970) .

Signed and acknowledged in presence of

Dane H. Merrill
Betty Merrill

Witnesses to signatures of Dane H.
Merrill and Betty Merrill

Ethel M. Merrill

Witnesses to signature of Ethel
M. Merrill

x Dane H. Merrill
Dane H. Merrill

x Betty Merrill
Betty Merrill

x Ethel M. Merrill
Ethel M. Merrill

The State of OHIO
LICKING County } ss.

of February

A.D. 19 70 before me, the subscriber,

a Notary Public

in and for said county, personally came the

above named

Dane H. Merrill and Betty Merrill

and ~~Ethel M. Merrill~~

the Grantor s

in the foregoing Deed, and acknowledged the signing of the same to be their voluntary act and deed, for the uses and purposes therein mentioned.

In Testimony Whereof, I have hereunto

subscribed my name and affixed my official seal on

the day and year last aforesaid.

Howard G. Robinson

HOWARD G. ROBINSON, ATT'Y AT LAW

NOTARY PUBLIC - STATE OF OHIO

My Commission Has No Expiration Date

Sec. 147.03 Rev. Code Of Ohio

Pataskala, Ohio.

This instrument was prepared by

Howard G. Robinson, Attorney at Law, Pataskala, Ohio.

STATE OF OHIO, COUNTY OF LICKING, SS:

BE IT REMEMBERED, that on this 11th day of March, 1970, before me, the subscriber, a Notary Public in and for said county, personally came the above named Ethel M. Merrill, one of the Grantors in the foregoing Deed, and acknowledged the signing of the same to be her voluntary act and deed, for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Howard G. Robinson

HOWARD G. ROBINSON, ATT'Y AT LAW

NOTARY PUBLIC - STATE OF OHIO

My Commission Has No Expiration Date

Sec. 147.03 Rev. Code Of Ohio

This instrument was prepared by
Howard G. Robinson, Attorney
at Law, Pataskala, Ohio

81841° X 10
Warranty Deed

Dane H. Merrill
and
Betty Merrill

7-0

Major Contracting Company

Transferred March 18 1970

George D. Buckman
COUNTY AUDITOR

STATE OF OHIO

COUNTY OF Licking SS

RECEIVED FOR RECORD ON THE

18 day of March 1970

at 3:16 o'clock P.M.

and RECORDED March 20 1970

DEED Book 658 PAGE 332

Robert E. Whisenand
COUNTY RECORDER

RECORDERS FEE \$ 5.00

MAJOR CONTRACTING COMPANY

Howard G. Robinson

Pataskala, Ohio 43062



powered by
esri

Search by:
Address ▼
Search for:



063-147108-00.000
MAJOR CONTRACTING
CO
6359 SUMMIT RD
PATASKALA, OH 43062
Acres: 2.00
15.1 - 3 LOT 21 2.00A
Land: \$80,000
Improv: \$120,000
Total: \$200,000
Sale Date:
Amount:
Conveyance:
Valid Sale:
Homestead: No
Owner Occ: No
Foreclosure: No
Certified Delq: No
On Contract: No
Bankruptcy: No
Tax Lien: Yes



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

February 9, 2021

Variance Application VA-20-022

Applicant:	Major Contracting, Co.
Owner:	Major Contracting, Co.
Location:	6359 Summit Road SW, Pataskala, OH 43062
Acreage:	2.00-acres
Zoning:	M-1 – Light Manufacturing
Request:	Requesting approval of four (4) Variances total. Three (3) variances to allow for reduced front, side, and rear setbacks of principal structures, and one (1) to allow for a fence that exceeds the height limit within the front yard setback.

Description of the Request:

The applicant is seeking approval of a four (4) variances. (3) variances to allow for reduced front, size, and rear yard setbacks within the M-1 – Light Manufacturing district, and one (1) variances to allow for a fence to exceed the maximum height limit within the front yard setback.

Staff Summary:

The 2.00-acre property at 6359 Summit Road SW is a corner lot, with frontages on two (2) public rights-of-way; Summit Road SW to the west and Cleveland Road SW to the north. There is also railroad right-of-way along the south border of the property. It is currently occupied by 11,470-square foot commercial building built in 1977, and a 2,160-square foot office built in 2014. The area in front (west) of the office is paved with asphalt, with an access drive running through the railroad right-of-way to Summit Road SW. The remaining acreage is paved with gravel, and there is a 6-foot wood fence along the north and west of the property. Previously, this property was operated as a Truss Factory, however it is currently unused.

The Applicant is requesting approval of a Conditional Use Application to allow for the property to be used as a self-storage facility. The North American Industry Classification System (NAICS) 2007 assigns the use code 531130 for 'Lessors of Miniwarehouses and Self-Storage Units'; establishments primarily engaged in "renting or leasing space for self-storage. These establishments provide secure space (i.e., rooms, compartments, lockers, containers, or outdoor space) where clients can store and retrieve their goods". Pursuant to Section 1251.04(10) of the Pataskala Code 'Lessors of Miniwarehouses and Self-Storage Units' is a Conditional Use in the M-1 – Light Manufacturing District.

As proposed, the Applicant will be using 10-foot by 20-foot Shipping Containers as the self-storage units, with 48 units overall. Seven (7) in the northwest corner of the property; setback from the front property line on Cleveland Road SW 6'10 ¾", and 17'2 ¼' from the front property line on Summit Road SW. There are two (2) sets of containers in the northeast corner. Eight (8) will be set parallel to Cleveland Road SW, 6'10 ¾' from the front property line, and 18'8 ½' from the side (east) property line. The next seven (7) will be set back from the front property line on Cleveland Road SW 36'9 ¼', and 10' from the side (east) property line. The remaining 26 containers will be along the rear property line, adjacent to the railroad

right-of-way. They will setback 10' 1 ¼' from the rear property line and 10' from the side (east) property line.

The Applicant will also be replacing the existing six (6) foot tall wood privacy fence, which has been damaged and degrading, with a new six (6) foot privacy fence around the entire property, set back from the property line along Cleveland Road SW 5' 5 ¼' and 6' 3 ½' from the property line along Summit Road SW. Shrubs and trees will be placed in front of the fence, between the fence and the property line.

Per the Narrative Statement submitted by the Applicant for this request: their intention is to convert an existing unused property into a self-storage facility utilizing re-purposed shipping containers as self-storage units. The Applicant is anticipating 40 units of shipping containers. Further stated; The Applicant believes that the properties proximity to Cleveland Road SW and Summit Road SW prevent the property from being developed in strict conformity with the Zoning Code. They also believe that the existing character of the neighborhood will not be altered, would impair the use or development of adjacent parcels, and that the variance requested is the minimum amount required to afford relief.

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 1251.05(C)(1) of the Pataskala Code requires a front yard setback of 50-feet (when the property has central sewer and water) in the M-1 – Light Manufacturing District. Furthermore, Section 1251.05(C)(4) states that the principal building and its accessory structures shall have the same minimum setback distance from all street right-of-way lines as required for the front yard. As this property has two (2) frontages on a right-of-way, the front yard setback shall be applied from both Summit Road SW and Cleveland Road SW.

- Minimum setback from Cleveland Road SW (north) is 5' 5 ¼"; Therefore, the Applicant is requesting a variance of 44' 6 ¾", or a 89.125% decrease from the requirement on the north side.
- Minimum setback from Summit Road SW (west) is 17' 2 ¼"; Therefore, the Applicant is requesting a variance of 32' 9 ¾", or a 65.625% decrease from the requirement on the west side.

The side yard setback (east property line) shall be 25-feet per 1251.05(C)(2), the side (east) yard setback is proposed at a minimum of 10'; Therefore, the Applicant is requesting a variance of 15', or a 60% decrease from the requirement on the east side property line.

The rear yard setback (south property line) shall be 50-feet per 2351.05(C)(3). As proposed the minimum setback is at 10' 1 ¼"; Therefore, the Applicant is requesting a variance of 39' 10 ¾", or a 79.79% decrease from the requirement on the south rear property line.

Pursuant to Section 1279.03(A)(1) of the Pataskala Code, a Fence or Wall not exceeding 48-inches (4-feet) in height may be erected between the front building setback line (50-feet in M-1) and a line three (3) feet from the street right-of-way line. No fence shall be erected within three (3) feet of the street right of way. As the proposed fence is 5' 5 ¼' away from Cleveland Road SW and 6' 3 ½' from Summit Road SW, the maximum fence height is four (4) feet. The Applicant has proposed a six (6) foot high fence around the property. Therefore, the Applicant is requesting a variance of two (2) feet, or a 50% increase over the maximum allowable fence height when in the front yard setback.

Additionally, after further review staff has determined the need for an additional Variance not initially requested by the Applicant. Pursuant to Section 1251.05(H), All structures shall have at least 600 square feet per business unit and not be less than 24 feet in width and depth. A 10-foot by 20-foot shipping container would not meet this requirement. A possible condition has been added for the Board's consideration to add the approval of a Variance from Section 1251.05(H) of the Pataskala Code.

Other Departments and Agencies

No other comments were received.

Surrounding Area:

Direction	Zoning	Land Use
North	R-87 – Medium-Low Density Residential	Single-Family Homes
East	M-1 – Light Manufacturing	Construction Company
South	M-1 – Light Manufacturing	Railroad Single-Family Homes
West	R-20 – Medium Density Residential	Single-Family Homes

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:

- 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.*

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-20-022:

- None

Department and Agency Review

- Zoning Inspector – No comments.
- Public Service – No comments.
- City Engineer – No comments.
- SWLCWSD – No comments.
- Police Department – No comments
- West Licking Joint Fire District – No comments.
- Licking Heights School District – No comments.

Conditions:

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

1. The Board of Zoning Appeals shall approve a Variance from Section 1251.05(H) of the Pataskala Code.
2. The Applicant shall address all comments from Planning and Zoning Staff and the Public Service Director.
3. The Applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department within six (6) months of the date of approval, unless an extension Pursuant to Section 1215.09 of the Pataskala Code is granted.

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 Section 1251.05(C)(1), 1251.05(C)(2), 1251.05(C)(3), 1251.05(H), and 1279.03(A)(1) of the Pataskala Code for application VA-20-022 ("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

CU-20-012 Staff Review

6359 Summit Road SW

February 9, 2021

Chapter 1251 – M-1 Light Manufacturing District

1251.04 Conditionally Permitted Uses

- ~~1251.04(10): All uses marked as "Conditional Uses" in the Light Manufacturing District (M-1) as listed in the NAICS Classification and Zoning District Matrix.~~
 - ~~As described previously, the use as a storage facility would fall under NAICS: 531130 "Lessors of Miniwarehouses and Self-Storage Units" which is a Conditional Use in the M-1 zoning district.~~
 - *Applied for CU-20-012, hearing 02-09-2021*

1251.05 General Requirements of the M-1 District

- 1251.05(C) Setbacks and Yards
 - 1251.05(C)(1): There shall be a front yard of not less than 50 feet in depth.
 - This applies to both north (Cleveland road) and west (summit road) property lines.
 - North: at minimum, 5' 5 ¼" Variance requested (VA-20-022)
 - West: at minimum, 17' 2 ¼" Variance requested (VA-20-022)
 - 1251.05(C)(2): There shall be a side yard of not less than 25 feet.
 - East: at minimum, 10' Variance requested (VA-20-022)
 - 1251.05(C)(3): There shall be a rear yard of not less than 50 feet.
 - South: at minimum, 10' 1 ¼" Variance requested (VA-20-022)
 - ~~1251.05(C)(4): The principal building and its accessory structures shall have the same minimum setback distance from all street right of way lines as required for the front yard~~
 - ~~As you have multiple street frontages (Summit Rd SW and Cleveland Rd SW), a 50-foot setback is required from both the north and east.~~
 - ~~Setbacks are measured from the edge of the right of way.~~
- 1251.05(D): The maximum percentage of the total lot area which may be occupied by both principal and accessory buildings for commercial uses shall be 90%.
 - Appears to be compliant but will need square footage calculations to confirm.
- 1251.05(G) All trash and garbage shall be stored in container systems which are located and enclosed so as to effectively screen them from view. Screening of trash and garbage areas shall meet the requirements of Section 1283.06. Container systems shall not be located in front yards.
 - If a dumpster or other trash container is to be used, must not be located within front yards and screened from view. No details provided.
- 1251.05(H): All structures shall have at least 600 square feet per business unit and not be less than 24 feet in width and depth. All structure requirements for the M-1 District are to be determined from outside dimensions, exclusive of porches, garages, and cellars or basements.
 - New proposed structures comprised of 10x20 containers would not meet this requirement on the 10-foot side. Variance needed (VA-20-022).

Chapter 1279 – Fences

1279.03 Height and Location

- 1279.03(A)(1): A fence or wall not exceeding 48 inches in height may be erected between the building setback line and a line three (3) feet toward the building setback line from the street right-of-way line.
 - Between 3 feet of the R/W and the 50-foot front yard setback, the maximum fence height is 4 feet. Proposed fence height is 8 feet, which is 4 feet over maximum. Variance request VA-20-022.
- ~~1279.03(A)(3): A fence or wall higher than 72 inches may be requested as a variance which would be considered by the Board of Zoning Appeals with notification of adjoining property owners. A living fence shall not be limited by the 72-inch restriction.~~
 - ~~Variance may be requested for fence height, but a living fence may be substituted instead.~~
- ~~1279.03(A)(4): No fence or wall may be erected within three (3) feet of the street right-of-way line.~~
 - ~~Setback from north right of way 5' 5 1/4", from west 6' 3 1/2".~~

Chapter 1283 – Landscaping and Screening

1283.06 Landscaping and Screening Standards

- 1283.06(3) Low Screen (L2)
 - 1283.06(b) Required Material: enough low shrubs to form a continuous 3' high screen, and 1 tree per 30 lineal feet. A 3' high berm or wall may be substituted for the shrubs.
- 1283.06(7): The minimum standards identified in this section may be waived upon presentation of an equivalent landscaping plan to the approval of the Planning and Zoning Department.
 - Meaning, that if you can meet the intent of the L2 code regarding landscaping, modifications can be made. I believe the fence would be a good idea as a substitute.

1283.07 Application of Landscaping Standards

- M-1 zoning district requires the following landscaping standards for the:
 - Front: L2.
 - Side: L2 if abutting similar use/district
 - Rear: L2 if abutting similar use/district

Jack Kuntzman

City Planner

City of Pataskala

t: 740-964-1316

e: jkuntzman@ci.pataskala.oh.us



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

VARIANCE APPLICATION

(Pataskala Codified Ordinances Chapter 1211)

Property Information		Staff Use	
Address: 6359 SUMMIT ROAD, PATASKALA, 43073		Application Number: VA-20-022	
Parcel Number: 063-147108-00.000		Fee: \$300	
Zoning: M-1	Acres: 2	Filing Date: 11-16-20	
Water Supply: <input type="checkbox"/> City of Pataskala <input checked="" type="checkbox"/> South West Licking <input type="checkbox"/> On Site		Hearing Date: 12-8-20	
Wastewater Treatment: <input type="checkbox"/> City of Pataskala <input checked="" type="checkbox"/> South West Licking <input type="checkbox"/> On Site		Receipt Number: 21604	
Applicant Information		Documents	
Name: MAJOR CONTRACTING CO		<input type="checkbox"/> Application	
Address: 3923 E MAIN ST		<input type="checkbox"/> Fee	
City: COLUMBUS	State: OH	Zip: 43213	<input type="checkbox"/> Narrative
Phone: 614-237-2933	Email: SALES@COLUMBUSUPPLY.COM		<input type="checkbox"/> Site Plan
Owner Information		<input type="checkbox"/> Deed	
Name: MAJOR CONTRACTING CO		<input type="checkbox"/> Address List	
Address: 3923 E MAIN ST		<input type="checkbox"/> Area Map	
City: COLUMBUS	State: OH	Zip: 43213	
Phone: 614-237-2933	Email: SALES@COLUMBUSUPPLY.COM		
Variance Information			
Request (Include Section of Code):			
1251.05 (C)(1), 1251.05 (C)(2), 1251.05 (C)(3)			
1279.03 (A)(1), 1279.03 (A)(2)			
Describe the Project:			
Reduce front, side and rear yard setbacks.			
Increase in allowable fence height.			

Documents to Submit

Variance Application: Submit 14 copies of the variance application.

Narrative Statement: Submit 14 copies 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.*

Site Plan: Submit 14 copies of a site plan to scale of the subject property indicating the following:

- All property lines and dimensions
- 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 at www.lcounty.com/rec.

Address List: Submit one copy of a list of all property owners and addresses of those owning property within 200 feet or two parcels from any point on the subject property line, whichever creates more property owners. This list must be in accordance with the Licking County Auditor's current tax list and must be submitted on mailing labels.

Area Map: Submit 14 copies of an area map from the Licking County Engineer's office showing the area encompassed by the address list. Area maps can be obtained at www.lcounty.com/taxparcelviewer/default.

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:

Major Contracting Co, by Stephen MGR

Date:

11-12-20

Owner:

Major Contracting Co, by Stephen MGR

Date:

11-12-20

SUMMIT ROAD (CO. RD. 26)

NORTH

179.00'

R/W

N.W. COR. LOT 21

B & O RAILROAD

418.92'

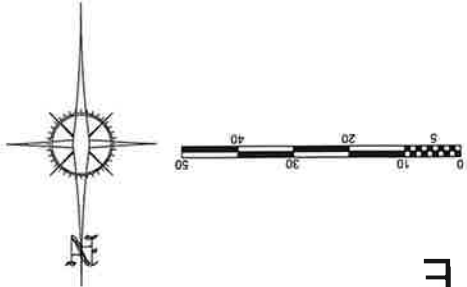
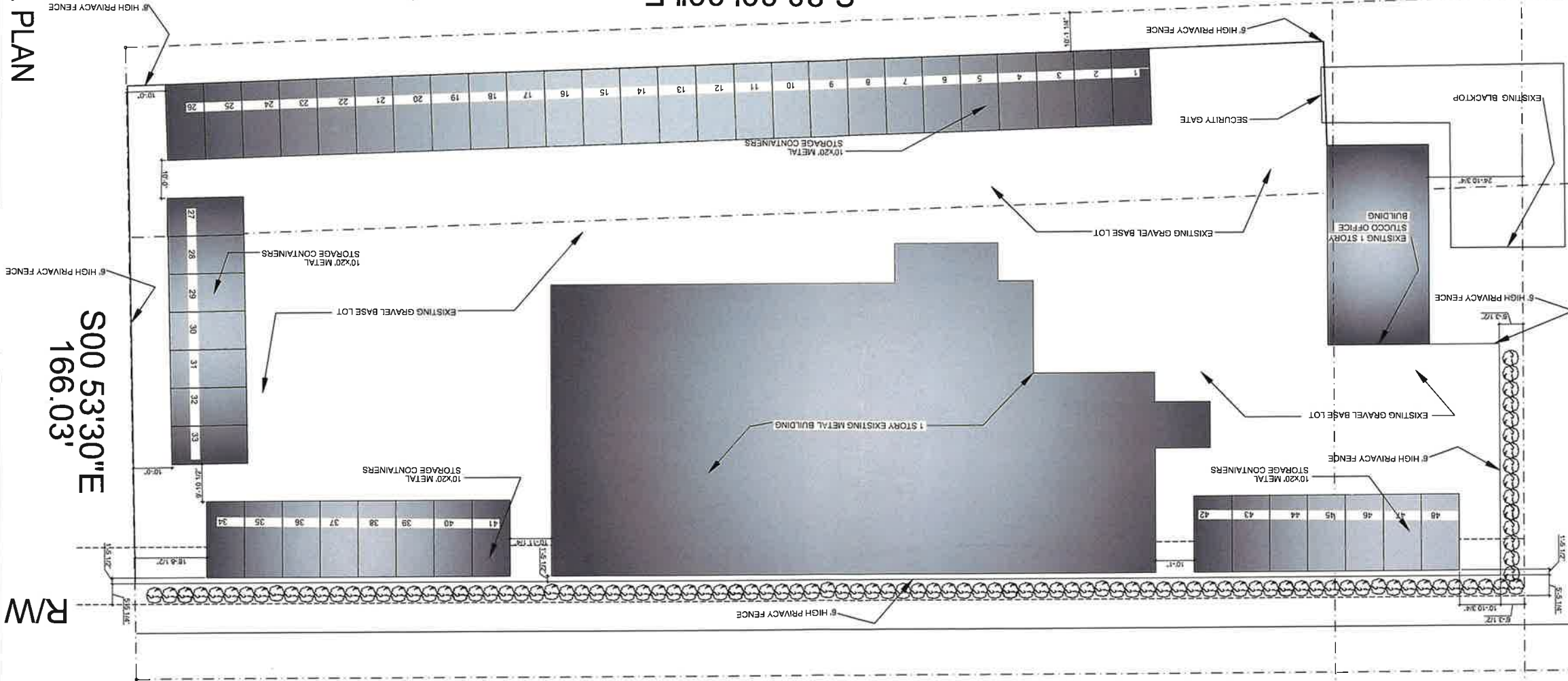
S 88 30' 30" E

CLEVELAND ST. (TWP. RD. 154)

416.20'

S 89 43' 00" E

PROPOSED SITE PLAN



A1

SCALE GRAPHIC SCALE

DISTRIBUTION DATE



Storage Development
E & F Storage Services
6359 Summit Road SW
Pataskala, Ohio 43062

JOB D.L.B.02242020

ISSUE DATE

#

DATE

DESCRIPTION

REVISIONS

DESCRIBE THE PROJECT

Our intention is to convert an existing unused portion of land that was previously used as a Truss Factory at 6359 Summit Road SW, Summit Station, Oh 43073 into a self-storage facility. Our vision is to repurpose shipping containers into self-storage units. Per the enclosed architect rendering, we anticipate placing 40 units within the location. The land would be developed to include shrubbery, trees, and new fencing.

Narrative statement

The reason the variance is necessary is that with the existing setback, we would not be able to create a viable storage facility.

- a. The property in question will yield a reasonable return as it will create revenue in an area that is currently unused. We are not able to determine another use for the property without the variance.
- b. The unique characteristic feature of the property is that the existing building is within a few feet of the East/West road, Cleveland Road SW. Per existing zoning, fencing the property 50' from the street would make any development on the property unfeasible.
- c. The variance requested is not substantial. In fact, it would be in-line with the existing building.
- d. The essential character of the neighborhood would not be altered nor would any adjoining properties suffer any detriment as a result of the variance as there is currently, and has been for over 20 years, a fence in the exact position that we would place the new fence.
- e. The variance, if granted, would not impair the appropriate use of development of adjacent properties. There is a street on two sides of the property, the third side is a railroad track and the fourth side has a fence and shrubbery between the properties.
- f. There would be no public detriment to public welfare. It actually will enhance the area giving people storage capabilities.
- g. There would not be any adverse affect of the delivery of governmental services.
- h. The property owner is aware of a zoning restriction.
- i. There is no other method to obviate the current predicament without a variance.
- j. Granting the variance is the minimum amount of variance that will afford relief and represent the least modification possible.
- k. The spirit and intent behind the zoning requirement would be observed and substantial justice would be done by granting the variance.

Know all Men by these Presents

That

Dane H. Merrill and Betty Merrill, husband and wife,
Ethel M. Merrill, unremarried widow

Dane H. Merrill also known as Dane Merrill

of the Township of Lima, County of Licking
and State of Ohio Grantor's, in consideration of the sum of
One Dollar and other valuable considerations

to them paid by

Major Contracting Company, an Ohio Corporation
2244 Mock Road, Columbus, Ohio
of the County of Franklin
and State of Ohio Grantee, the receipt whereof is hereby
acknowledged, do hereby grant, bargain, sell and convey to the said
Grantee Major Contracting Company, its successors

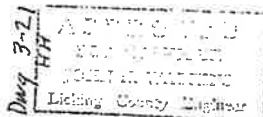
~~thence~~ and assigns forever, the
following Real Estate situated in the County of Licking
in the State of Ohio, and in the Township of
Lima and bounded and described as follows:

Being located in Lot No. 21 of the Third Quarter of Township 1, Range 15,
United States Military Lands, and being the same tract as conveyed to Charles
A. and Dane Merrill by deed of record in Deed Book 515 page 631, all references
being to records of the Recorder's Office, Licking County, Ohio, and being more
particularly bounded and described as follows:

Beginning at a railroad spike in the centerline of County Road No. 26 and at
the northwesterly corner of the said Lot No. 21, being also the southwesterly
corner of "BESSE ADDITION" as the plat of same is shown of record in Plat Book
3, page 149; thence along the southerly line of the said "BESSE ADDITION" being
the centerline of Cleveland Street, and the northerly line of the said Merrill
tract, South 89° 43' East, 416.2 feet to a point, said point being the north-
easterly corner of the said Merrill tract; thence along the easterly line of
the said tract, being the westerly line of the tract conveyed to James M. and
Corinne Faye Garrett by deed of record in Deed Book 591, page 512, South 0°
53' 30" East, (passing an iron pin found at 0.53 foot and passing a second iron
pin found at 13.85 feet), 166.03 feet to a railroad spike in a wooden post at the
southeasterly corner of the said Merrill tract and in the northerly right-of-way
line of the Baltimore and Ohio Railroad; thence along the northerly right-of-
way line of the said railroad, South 88° 30' 30" West, (passing an iron pin at
393.92 feet), 418.92 feet to a railroad spike at the intersection of the said
right-of-way line with the centerline of County Road No. 26; thence along the
centerline of the said County Road No. 26, NORTH, 179.0 feet to the place of
beginning, containing 1.653 acres, more or less.

Subject to all planning, zoning and other governmental land use regulations and
restrictions, if any, and all easements, leases, street and highway rights of way
and any and all other conditions and restrictions of record, if any.

The foregoing description being based on a survey and plat thereof made on
February 13, 1970 by W. H. Mechwart, Registered Surveyor No. 4072.



LAST TRANSFER: Deed Record Volume, 657, Page 558

To have and to hold said premises, with all the privileges and appurtenances thereunto belonging, to the said Grantee

Major Contracting Company, its successors
~~heirs~~ and assigns forever.

And the said Grantor s Dane H. Merrill and Betty Merrill
and Ethel M. Merrill

for themselves and their heirs,
do hereby covenant with the said Grantee
Major Contracting Company, its successors

~~heirs~~ and assigns, that they are lawfully seized of the premises
aforesaid; that the said premises are Free and Clear from all Incumbrances whatsoever
except the taxes and assessments for the year 1970 amount not yet determined
which the grantee assumes and agrees to pay as a part of the consideration hereof.

and that they will forever Warrant and Defend the same, with the
appurtenances, unto the said Grantee
Major Contracting Company, its successors
~~heirs~~ and assigns
against the lawful claims of all persons whomsoever

In Witness Whereof the said Grantor s

Dane H. Merrill and Betty Merrill, husband & wife
and Ethel M. Merrill, unmarried widow

who hereby release their respective rights of dower in the premises, have
hereunto set their hands this 28th day of February
in the year of our Lord one thousand nine hundred and seventy (1970).

Signed and acknowledged in presence of

[Signature]
[Signature]
Witnesses to signatures of Dane H.
Merrill and Betty Merrill

x Dane H. Merrill
Dane H. Merrill

x Betty Merrill
Betty Merrill

[Signature]
[Signature]
Witnesses to signature of Ethel
M. Merrill

x Ethel M. Merrill
Ethel M. Merrill

The State of OHIO
LICKING County } ss.

of February

A.D. 19 70 before me, the subscriber,

a Notary Public

in and for said county, personally came the

above named

Dane H. Merrill and Betty Merrill

and ~~Ethel M. Merrill~~

the Grantor s

in the foregoing Deed, and acknowledged the signing of the same to be their voluntary act and deed, for the uses and purposes therein mentioned.

In Testimony Whereof, I have hereunto

subscribed my name and affixed my official seal on

the day and year last aforesaid.

[Signature]

HOWARD G. ROBINSON, ATT'Y AT LAW
NOTARY PUBLIC - STATE OF OHIO

My Commission Has No Expiration Date

Sec. 147.03 Rev. Code Of Ohio

This instrument was prepared by Howard G. Robinson, Attorney at Law, Pataskala, Ohio.

STATE OF OHIO, COUNTY OF LICKING, SS:

BE IT REMEMBERED, that on this 11th day of March, 1970, before me, the subscriber, a Notary Public in and for said county, personally came the above named Ethel M. Merrill, one of the Grantors in the foregoing Deed, and acknowledged the signing of the same to be her voluntary act and deed, for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

[Signature]

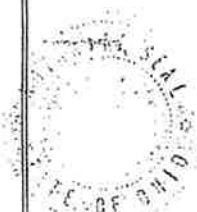
HOWARD G. ROBINSON, ATT'Y AT LAW

NOTARY PUBLIC - STATE OF OHIO

My Commission Expires On Expiration Date

Sec. 147.03 Rev. Code Of Ohio

This instrument was prepared by
Howard G. Robinson, Attorney
at Law, Pataskala, Ohio



81841° X
Warranty Deed

Dane H. Merrill
and
Betty Merrill

TO

Major Contracting Company

Instrument Dated 18 1970

George D. Buckner
COUNTY AUDITOR

STATE OF OHIO

COUNTY OF Licking SS

RECEIVED FOR RECORD ON THE

18 day of March 1970

at 3:16 o'clock P.M.

and RECORDED March 20 1970

DEED Book 658 PAGE 322

Robert E. White
COUNTY RECORDER

RECORDERS FEE \$ 5.00

COPIES OF THIS DEED TO BE FILED IN THE RECORDS OF THE COUNTY OF LICKING, OHIO.

Howard G. Robinson

Attorney-at-Law
Pataskala, Ohio 43062






Search by:
 Address ▼
 Search for:



063-147108-00.000
MAJOR CONTRACTING
 CO
 6359 SUMMIT RD
 PATASKALA, OH 43062
 Acres: 2.00
 15-1 -3 LOT 21 2.00A
 Land: \$80,000
 Improv: \$120,000
 Total: \$200,000
 Sale Date:
 Amount:
 Conveyances:
 Valid Sale:
 Homestead: No
 Owner Occ: No
 Foreclosure: No
 Certified Delq: No
 On Contract: No
 Bankruptcy: No
 Tax Lien: Yes



February 12, 2021

Major Contracting, Co.
3923 E Main Street
Columbus, Ohio 43213



*Planning and Zoning
Department*

RE: VA-20-022 and CU-20-012

Dear John,

Your request was given a public hearing by the Board of Zoning Appeals on February 9, 2021.

The enclosed Findings of Fact shall serve as official notification and outline the reasoning behind the Board of Zoning Appeal's decision.

Prior to an activity occurring on site related to this matter, a zoning certificate is required in accordance with Chapter 1209 of the Pataskala Code. Furthermore, be advised that a 30-day appeal period, from the date this letter was mailed, will be in effect wherein no activity related to this matter should occur on site. The City of Pataskala will notify you if an appeal is filed.

Please contact the Licking County Building Code Department at 740-349-6671 for any building permits they may require.

Should you have any questions, please feel free to contact me by phone at 740-927-4910, or email at lpaxton@ci.pataskala.oh.us.

Sincerely,

Lisa Paxton
Zoning Clerk

Enclosure

cc: File

Zoning Inspector



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

FINDINGS OF FACT

Area Variance

Hearing Date: February 09, 2021

Application Number: VA-20-022

Findings:

Pursuant to Section 1211.07(A)(1) of the Pataskala Code, the Board of Zoning Appeals (BZA) considered the following factors when determining whether the area variance you requested should be approved, approved with supplementary conditions, or disapproved. Consistent with the BZA's discussions and deliberations during the public hearing, and as set forth in the hearing minutes, the BZA finds as follows:

<u>Yes</u>	<u>No</u>	
------------	-----------	--

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | a) Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | c) Whether the variance requested is substantial; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | e) Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | f) Whether the variance, if granted, will be detrimental to the public welfare; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | g) Whether the variance, if granted, would adversely affect the delivery of government services; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | h) Whether the property owner purchased the subject property with knowledge of the zoning restriction; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | i) Whether the property owner's predicament can be obviated through some other method than variance; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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, |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | k) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. |

Decision:

Having considered all the evidence and testimony presented at the public hearing, the Board of Zoning Appeals:

- ☐ Disapproves your request
- ☐ Approves your request
- ☒ Approves your request with the following supplementary conditions:

1. The Board of Zoning Appeals shall approve a Variance from Section 1251.05 (H) of the Pataskala Code.

2. The Applicant shall address all comments from Planning and Zoning Staff and the Public Service Director.

3. The Applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department within six (6) months of the date of approval, unless an extension Pursuant to Section 1215.09 of the Pataskala Code is granted.

For purposes of further appeal by any party aggrieved by this Decision, the decision of the Board of Zoning Appeals shall be deemed final upon transmission by the Zoning Clerk by ordinary mail service.

February 12, 2021

Major Contracting, Co.
3923 E Main Street
Columbus, Ohio 43213



*Planning and Zoning
Department*

RE: VA-20-022 and CU-20-012

Dear John,

Your request was given a public hearing by the Board of Zoning Appeals on February 9, 2021.

The enclosed Findings of Fact shall serve as official notification and outline the reasoning behind the Board of Zoning Appeal's decision.

Prior to an activity occurring on site related to this matter, a zoning certificate is required in accordance with Chapter 1209 of the Pataskala Code. Furthermore, be advised that a 30-day appeal period, from the date this letter was mailed, will be in effect wherein no activity related to this matter should occur on site. The City of Pataskala will notify you if an appeal is filed.

Please contact the Licking County Building Code Department at 740-349-6671 for any building permits they may require.

Should you have any questions, please feel free to contact me by phone at 740-927-4910, or email at lpaxton@ci.pataskala.oh.us.

Sincerely,

Lisa Paxton
Zoning Clerk

Enclosure

cc: File

Zoning Inspector



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

FINDINGS OF FACT

Conditional Use

Hearing Date: February 09, 2021

Application Number: CU-20-012

Findings:

Pursuant to Section 1215.04(A) of the Pataskala Code, the Board of Zoning Appeals (BZA) considered the following factors when determining whether the conditional use you requested should be approved, approved with supplementary conditions, or disapproved. Consistent with the BZA's discussions and deliberations during the public hearing, and as set forth in the hearing minutes, the BZA finds as follows:

<u>Yes</u>	<u>No</u>	
------------	-----------	--

- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. <i>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.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. <i>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.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. <i>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.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. <i>Will not be hazardous or disturbing to existing or future neighboring uses.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. <i>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.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. <i>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.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7. <i>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.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8. <i>Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9. <i>Will not result in destruction, loss or damage of a natural, scenic, or historic feature of major importance.</i> |

Decision:

Having considered all the evidence and testimony presented at the public hearing, the Board of Zoning Appeals:

- ☐ Disapproves your request
- ☐ Approves your request
- ☒ Approves your request with the following supplementary conditions:

1. The Applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department within six (6) months of the date of approval unless an extension Pursuant to Section 1215.09 of the Pataskala Code is granted.
2. The Applicant shall address all comments from Planning and Zoning Staff and the Public Service Director.
3. Units to be maintained/painted in uniform color.

For purposes of further appeal by any party aggrieved by this Decision, the decision of the Board of Zoning Appeals shall be deemed final upon transmission by the Zoning Clerk by ordinary mail service.

August 10, 2021

City of Pataskala

Planning and Zoning Dept.

621 W. Broad St.

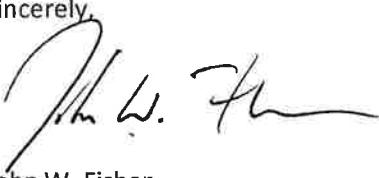
Pataskala, Ohio 43062

RE:VA-20-002 and CU-20-012

To whom it may concern:

Major Contracting, Co located at 6359 Summit Rd. SW Pataskala, Ohio 43062, would ask for a six month extension for VA-20-002 and CU-20-012. Our reasoning is the length of time taken to procure a Survey, Zoning Compliance Plan and Storm Water Management Report. In our current economic state, it took longer than expected to receive a Survey, Zoning Compliance Plan and Storm Water Report. With these reports now in our possession, we anticipate moving forward in the process, but will need an extension on these uses. Thanks for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John W. Fisher", written over a light blue horizontal line.

John W. Fisher

Lynn Edelman

Please see the below information regarding CU-20-012 (Major Contracting Co. Extension Request) for the Board of Zoning Appeals Review. Major Contracting Co. has had numerous violations of the City of Pataskala Codified Ordinances (Listed below):

<u>Violation Number</u>	<u>Date Started</u>	<u>Violation</u>	<u>Date Corrected</u>
<u>2018</u>			
VIO-18-425	August 8, 2018	Fence Unmaintained	N/A
VIO-18-426	August 8, 2018	Grass/Weeds Unmaintained	N/A
VIO-18-427	August 8, 2018	Inoperable Vehicle(s)	N/A
VIO-18-428	August 8, 2018	Junk Yard	N/A
VIO-18-429	August 8, 2018	Outdoor Storage (Household Items)	N/A
VIO-18-430	August 8, 2018	Refuse, Junk or Trash	N/A
<u>2020</u>			
VIO-20-594	June 8, 2020	Fence Unmaintained	N/A
VIO-20-595	June 8, 2020	Refuse, Junk or Trash	N/A
<u>2021</u>			
VIO-21-097	June 16, 2021	Commercial – No Permit	N/A (Summons 8/23)
VIO-21-104	June 23, 2021	Grass/Weeds Unmaintained	August 31, 2021
VIO-21-105	June 23, 2021	Fence Unmaintained	N/A (Summons 8/23)
VIO-21-106	June 23, 2021	Commercial - No Permit	N/A (Summons 8/23)

These violations were never addressed but 1 (One), nor did they attempt to contact Director Fulton, or myself, at any time to discuss and rectify the violations.

Major Contracting Co. were summonsed to Mayors Court on September 23, 2021; however, they were granted a “Continuance” scheduled for October 7, 2021.

If you have any questions, please feel free to contact me.

Thank you,

FELIX DELLIBOVI

Zoning Inspector

City of Pataskala

621 West Broad Street, Suite 2-A

Pataskala, Ohio 43062

Phone: 740-927-3885

Cell: 614-774-4446

Email: fdellibovi@ci.pataskala.oh.us



From: [Jim Roberts](#)
To: [Jack Kuntzman](#); [Felix Dellibovi](#); [Scott Haines](#); [Bruce Brooks](#); [Doug White](#); [Philip Wagner](#); [Chad Brown](#); [Chris Gilcher](#); [Alan Haines](#)
Subject: Pataskala BZA Review Memo for 10-12-2021
Date: Friday, September 24, 2021 9:06:52 PM
Importance: High

CAUTION: This email message came from an external (non-city) email account. Do not click on any links within the message or attachments to the message unless you recognize the sender's email account and trust the content.

Jack, Hull & Associates, LLC has reviewed this package and we offer the following comments:

CU-20-012

- The request is for an extension of the Conditional Use Approval for the property.
- We have no concern with the requested extension.
- This project is adding considerable impervious area to the site, so a full plan review will be required for approval of the development.

CU-21-004

- This is a request for Conditional Use approval to allow for a vehicle service use.
- We have no comments on the CU request.
- This project will be adding impervious area to the property, so a full set of plans should be submitted and approved by the city before the project moves forward.

VA-21-026

- This is a request to create a lot that will not meet the required minimum width.
- We have no engineering comments on this request.

Please let us know if there are any questions or if we can contribute to this agenda in any other way. We appreciate the opportunity to provide this service for the city.

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](#)

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

Sent: Wednesday, September 22, 2021 2:39 PM

To: Felix Dellibovi <fdellibovi@ci.pataskala.oh.us>; Jim Roberts <jroberts@hullinc.com>; Scott Haines <shaines@hullinc.com>; Bruce Brooks <bbrooks@pataskalapolice.net>; Doug White <DWhite@westlickingfire.org>; Philip Wagner <pwagner@lhschools.org>; Chad Brown <cbrown@lickingcohealth.org>; Chris Gilcher <cgilcher@swlcws.com>; Alan Haines <ahaines@ci.pataskala.oh.us>

Cc: Lisa Paxton <lpaxton@ci.pataskala.oh.us>

Subject: Pataskala BZA Review Memo for 10-12-2021

Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

You are receiving this email because one or more of the Applications submitted for the October 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-20-012 (Extension Request): Felix Dellibovi, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines

CU-21-004: Felix Dellibovi, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines

VA-21-026: Felix Dellibovi, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, Chad Brown, Alan Haines

If you have any comments or concerns regarding these applications, please have them submitted to me no later than Monday, October 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/EguLH6qH2ZBPj4OHauUgdTMAB3NdCJ55KQlwymn7UgWbO2A?e=OxOIN4

Thank you for your assistance.

JACK R. KUNTZMAN
City Planner

City of Pataskala
621 West Broad Street, Suite 2-A
Pataskala, Ohio 43062