



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

May 9, 2023

Conditional Use Application CU-23-003

Applicant:	Kayla Boals
Owner:	Zachary D. Smith & Kayla Boals
Location:	5275 Mink Street SW, Pataskala, OH 43602 (PID: 063-145104-00.000)
Acreage:	+/- 1.371-acres
Zoning:	AG – Agricultural
Request:	Requesting approval of a Conditional Use to allow for a Type B Home Occupation, a nail salon, to be located within an Accessory Building on the property pursuant to Section 1225.04(6) of the Pataskala Code.

Description of the Request:

The applicant is seeking approval of a Conditional Use to allow for a Type B Home Occupation, a nail salon, to be located within an Accessory Building to be installed at the property pursuant to Section 1225.04(6) of the Pataskala Code.

Staff Summary:

The 1.26-acre property located at 5275 Mink Street SW is Lot 6 of the Bates-Emswiler Subdivision, and is currently occupied by 1,984-square foot single-family home built in 1973 and a 240-square foot shed built in 2000. Access to the property is by a gravel paved, horseshoe-shaped driveway with two access points onto Mink Street SW. There are asphalt paved pads at the entrance/exit points, and a gravel driveway extends eastwards to the garage (facing north) and behind the existing home.

As proposed, the Applicant is requesting approval of a Conditional Use in order to locate a 'Type B' Home Occupation within a future Accessory Building that will be constructed on the lot. Per Section 1267.02(B) of the Pataskala Code, a Type B Home Occupation is any home occupation in which either one employee or one or more customers come to the site. As the proposed use includes customers traveling to the site, it would be considered a Type B Home Occupation, and pursuant to Section 1225.04(6) of the Pataskala Code, 'Type B' Home Occupations and a Conditional Use in the AG - Agricultural zoning district.

As proposed, the Applicant intends to install a 10' by 22' (220-square foot) Accessory Building on the lot (subject to Zoning Permit Approval, and not a part of this request. Only the use of shed is being considered) to be utilized as a location to conduct business as a nail salon. Per the Applicant, the use will exclusively operate from the future Accessory Building and will be open to appointments only, with the stated intent for only one (1) to two (2) clients being present on the property at any one time. Hours of operation are proposed to fall between 7:00AM and 9:00PM only on Tuesdays through Saturdays. The business has no employees besides the Applicant/Owner.

Per the Narrative Statement as submitted by the Applicant, the reasoning behind the request is to allow the Applicant to operate her business on a small scale with an established clientele. The Applicant believes that the requested Conditional Use will not adversely affect neighboring properties, existing or future neighboring uses, and will not be detrimental to the public welfare. Equipment used on site is limited to

that of a typical nail salon and do not emit excessive noise or pollution. Further stated, the Applicant believes that traffic to and from the site will be minimal and that clients will be able to enter and park on the existing gravel driveway on-site. The proposed Accessory Structure will be constructed and maintained in such a way to remain harmonious in appearance with the existing structures on the property and the character of the general area, which is residential in nature.

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:

As mentioned above, A Type B Home Occupation, in which either one (1) employee or one (1) or more customers come to the site, is a Conditional Use in the AG - Agricultural zoning district. As customers would be coming to receive services, the proposed use requires Conditional Use approval from the Board of Zoning Appeals.

Pursuant to Section 1267.03(C), there are additional regulations which cover Type B Home Occupations. Those being:

1. Customers may visit the site only during the hours of 7:00 a.m. to 9:00 p.m.
2. One nonresident employee is allowed.
3. Only twelve (12) customers or clients may visit the site in a day.
4. Retail sales of goods must be entirely accessory to any services provided on the site.
5. No more than one (1) Type B Home Occupation per dwelling unit is allowed.

In addition, there are several other site-related standards that must be adhered to. The appearance and of the structure and site must remain residential in appearance (1267.04(C)), outdoor activities are prohibited, and the property is permitted to have one (1) sign not to exceed two (2) square feet in area if within 15-feet of the public right-of-way, or six (6) square feet is further than 15-feet.

From the information received, Staff believes the Applicant would be in compliance with the requirements, however, a possible condition has been added to address any uncertainty. Pursuant to Section 1267.06(E), a Home Occupation permit may be revoked by the Zoning Inspector for failure to comply with the regulations of Chapter 1267 – Home Occupations.

As this is a Conditional Use, the approval shall become null and void if such use is not carried out (all permits applied for and received) within six (6) months after the date of approval.

The Applicant will need to apply for and receive approval of an Accessory Building Permit prior to the installation/construction of any Accessory Buildings on the site.

Other Departments and Agencies

No other comments were received.

Surrounding Area:

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

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-23-003:

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

Department and Agency Review

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

Conditions:

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

1. The Applicant shall obtain all necessary permits and inspections from the City of Pataskala, Licking County Building Code Department, and West Licking Joint Fire District within six (6) months of the date of approval.
2. The Applicant shall adhere to the requirements of Chapter 1267 of the Pataskala Code for the duration of business operations.
3. All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general.

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-23-003 ("with the following conditions" if conditions are to be placed on the approval)."



CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

621 West Broad Street, Suite 2A
Pataskala, Ohio 43062

CONDITIONAL USE APPLICATION

(Pataskala Codified Ordinances Chapter 1215)

Property Information	
Address: 5275 Mink Street SW Pataskala, Ohio 43062	
Parcel Number: 063-145104-00.000	
Zoning: AG	Acres: 1.371
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: Kayla Smith, aka Kayla Boals		
Address: 5275 Mink Street SW		
City: Pataskala	State: OH	Zip: 43062
Phone: 419-989-2820	Email: kboals0932@gmail.com	

Property Owner Information		
Name: Zachary D. Smith and Kayla Boals		
Address: 5275 Mink Street SW		
City: Pataskala	State: OH	Zip: 43062
Phone: 419-989-2820	Email: kboals0932@gmail.com	

Conditional Use Information
Request (Include Section of Code):
Applicant is seeking a conditional use permit under the Codified Ordinances of Pataskala Chapter 1215 and Section 1225.04 to place a drop shed on the property accessory to the primary residential structure as a Type B home occupation under the Codified Ordinances of Pataskala Chapter 1267 in order to operate her nail salon business.
Describe the Project:
Applicant wishes to obtain a conditional use permit to place a drop shed on her property, which would be accessory to the primary residence. Applicant intends to conduct her nail salon business exclusively from the drop shed after also obtaining a Type B home occupation permit. Applicant intends to purchase a pre-constructed shed, which will be harmonious in appearance to the other structures on the property, which include the primary residence and a shed. It will be placed on the property near the gravel driveway, but set back and to the side of the residence. There will limited visibility of the shed from Mink Street. The size of the shed will not exceed 720 square footage nor would it exceed a maximum height of 18 feet. Please see the attached narrative statement for additional information.

Staff Use
Application Number:
CU-23-003
Fee:
300
Filing Date:
4-14-23
Hearing Date:
5-9-23
Receipt Number:
001066

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

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.

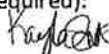
Applicant (Required):



Date:

04 / 12 / 2023

Property Owner: (Required):



Date:

04 / 12 / 2023



MAGUIRE
SCHNEIDER
HASSAY

AN OHIO LIMITED LIABILITY PARTNERSHIP

1650 LAKE SHORE DRIVE, SUITE 150 COLUMBUS, OHIO 43204 (614) 224-1222 FAX (614) 224-1236

Alexandria Nagel, Esq.
anagel@msh-lawfirm.com

April 12, 2023

The City of Pataskala
Planning & Zoning Department
Felix Dellibovi, Zoning Inspector
621 W. Broad Street
Pataskala OH 43062

***RE: Property of 5275 Mink Street SW Pataskala, Ohio 43062
Narrative Statement in Support of Conditional Use Application***

Mr. Dellibovi,

I am writing on behalf of my client, Applicant Kayla Smith ("Applicant"), for her narrative statement in support of the enclosed Conditional Use Application ("the Application") Thank you for your consideration of this Application.

Applicant is one of the two property owners of 5275 Mink Street SW Pataskala, Ohio 43062 ("the Property"), the other being her husband, Zachary Smith. The property is in the City of Pataskala's Agricultural Zoning District (Pataskala Code Chapter 1225). The Property currently contains two structures, the primary residence, and a shed.

Pursuant to the Pataskala Code Sections 1215.04 and 1225.04, Applicant is seeking a conditional use permit for the Property. In sum, Applicant is requesting a permit to place a second shed on the Property, in which she will exclusively operate her nail salon business. Pursuant to the Pataskala Code Section 1221.05, placement of the proposed second shed would not exceed the maximum number of accessory buildings permitted on a single lot.

In support of her Conditional Use Application, Applicant sets forth below the specific reasons for why the proposed conditional use is appropriate in accordance with Section 1215.04 of the Pataskala Code.

Under the Pataskala Code Section 1225.04, which establishes the conditionally permitted uses of the Agricultural Zoning District, Applicant is requesting a conditional use permit for a Type B

Home Occupation (Pataskala Code Section 1267) in order to operate her nail salon business from the proposed shed.

The overall purpose of the Pataskala Zoning Code is to promote and protect public health and safety and provide for the orderly growth and development of lands. More specifically the purpose of the Agricultural Zoning District is to preserve and protect prime agricultural land and to protect open space and rural lifestyle. Applicant's request is being made to allow her to operate a small private business providing specific services to a limited clientele. While Applicant's business is not necessarily related to the agricultural industry, her request is not adverse to neighboring agricultural operations as her business will be contained exclusively to the proposed shed and will operate on a small scale. Applicant's request is further not intended to result in any urban development, in congruence with the purpose of the Agricultural District.

While the Property is located in the Agricultural District, it is neighbored by other residential properties. The proposed shed Applicant intends to place on the Property will be residential appearing in nature. Applicant has included images of the proposed shed with this Application, attached as Exhibit A. The proposed shed will be purchased as a pre-constructed shed. It will be maintained in such a manner that it remains harmonious in appearance with the existing structures on the Property and with the essential character of the general area, which is residential in nature.

Applicant's request is being made for the purpose of placing a second shed on the Property in which she will operate her nail salon business. This use will not be hazardous or disturbing to existing or future neighboring uses. Applicant's business will operate exclusively from within the proposed shed. The business will not be open to the general public, but instead will operate based on appointments only. Applicant has been in the cosmetology industry for eight years and has built an established clientele. The intention is for only one or two clients to be present on the Property at any one time for services. Applicant intends to operate her business within the hours of 7:00 a.m. to 9:00 p.m. on Tuesdays, Wednesdays, Thursdays, and Saturdays. Applicant's business has no employees, business partners, or co-owners. Applicant's purpose in making this request is to provide her business with an affordable place to continue working with established clientele.

Applicant's requested use will be adequately served by the essential public facilities and services. The proposed shed will be maintained on the Property and will be accessed by Mink Street and the gravel driveway located on the Property. If necessary, the proposed shed will be served by utilities already available on the Property. Further the proposed shed will be maintained on the Property in such a manner as to not obstruct any police or fire protection.

Applicant's requested use will not create a necessity for additional public facilities or services. Applicant intends to operate a small private business from the proposed shed, utilizing the public services/utilities already established on the Property.

Applicant's requested use will not be detrimental to any person, property, or the general welfare. Applicant will operate her private nail salon business from the proposed shed. In the day-to-day operations, no equipment, materials, or processes will be used that would be dangerous or hazardous to the surrounding environment. Applicant will use standard cleaning products and equipment to keep the proposed shed sanitary per the State Cosmetology Board guidelines. The

equipment used by Applicant to perform nail services include but are not limited to, handheld UV gel polish lamps, a salon nail drill, and a dust collector fan, which all operate on standard electrical outlets and do not emit excessive noise. Further, Applicant's services will only be performed on one client at a time. At any given time, there will be no more than two to three people, including Applicant, present in the proposed shed during business hours. As such, there will not be an excessive production of traffic or noise from the requested use.

Applicant's requested use will have vehicular approaches to the Property and will not create interference with traffic on Mink Street or any surrounding public roadways. The proposed shed will be maintained on the Property near the end of the gravel driveway, set back to the side of residence. Applicant's clients will be able to enter and exit the Property using the gravel driveway and access the proposed shed by foot at the end of the driveway. Further, there will be no interference with traffic, as only one or two clients at any given time will be present at the Property.

Applicant's requested use will not result in destruction, loss, or damage of a natural, scenic, or historical feature of major importance. Applicant intends to place a second accessory building on the Property. Applicant's Property is approximately 1.3 acres, with sufficient open space to place a secondary accessory building. The placement of the proposed shed will not require any destruction or preparation of the land, as Applicant intends to place it in the available open space at the end of the gravel driveway and to the side of the residence. Please see the enclosed images of the Property attached as Exhibit B. Further, the visibility of the proposed shed will be limited from Mink Street. Applicant does not intend to place any signage or other commercial exterior lighting on the proposed shed or Property, as the business will not be open to the general public. Overall, the proposed shed will appear residential in nature and will remain harmonious in appearance with the essential character of the general area.

For the reasons set forth in this narrative statement, Applicant respectfully requests that her Conditional Use Application be granted, and she be permitted to place a second shed on the Property in which she will operate her nail salon business.

As further required, copies of the Site Plan (Exhibit C), the Property Deed (Exhibit D), and an Area Map (Exhibit E) are also attached to the Application.

Thank you for your consideration of this Application. Should you require any additional information, please do not hesitate to contact me by phone at (380) 242-4636 or by email at anagel@msh-lawfirm.com. Applicant will also be available for requests of additional information or site visits as you may deem necessary.

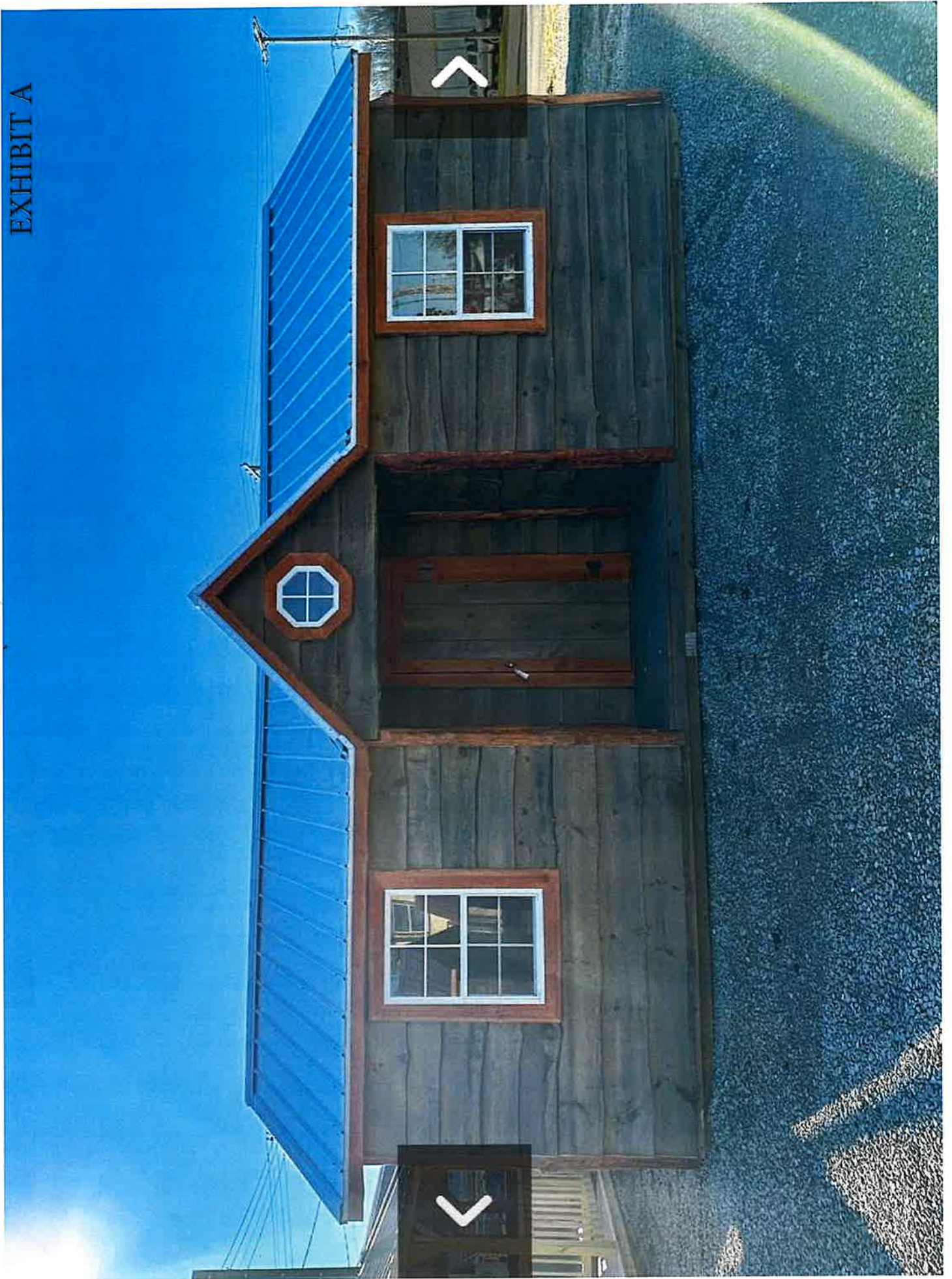
Sincerely,

/s/ Alexandria Nagel

Alexandria Nagel, Esq.

Enclosures

EXHIBIT A





9:58

5G 22%

AA

ohiovalleysheds.com



1/6

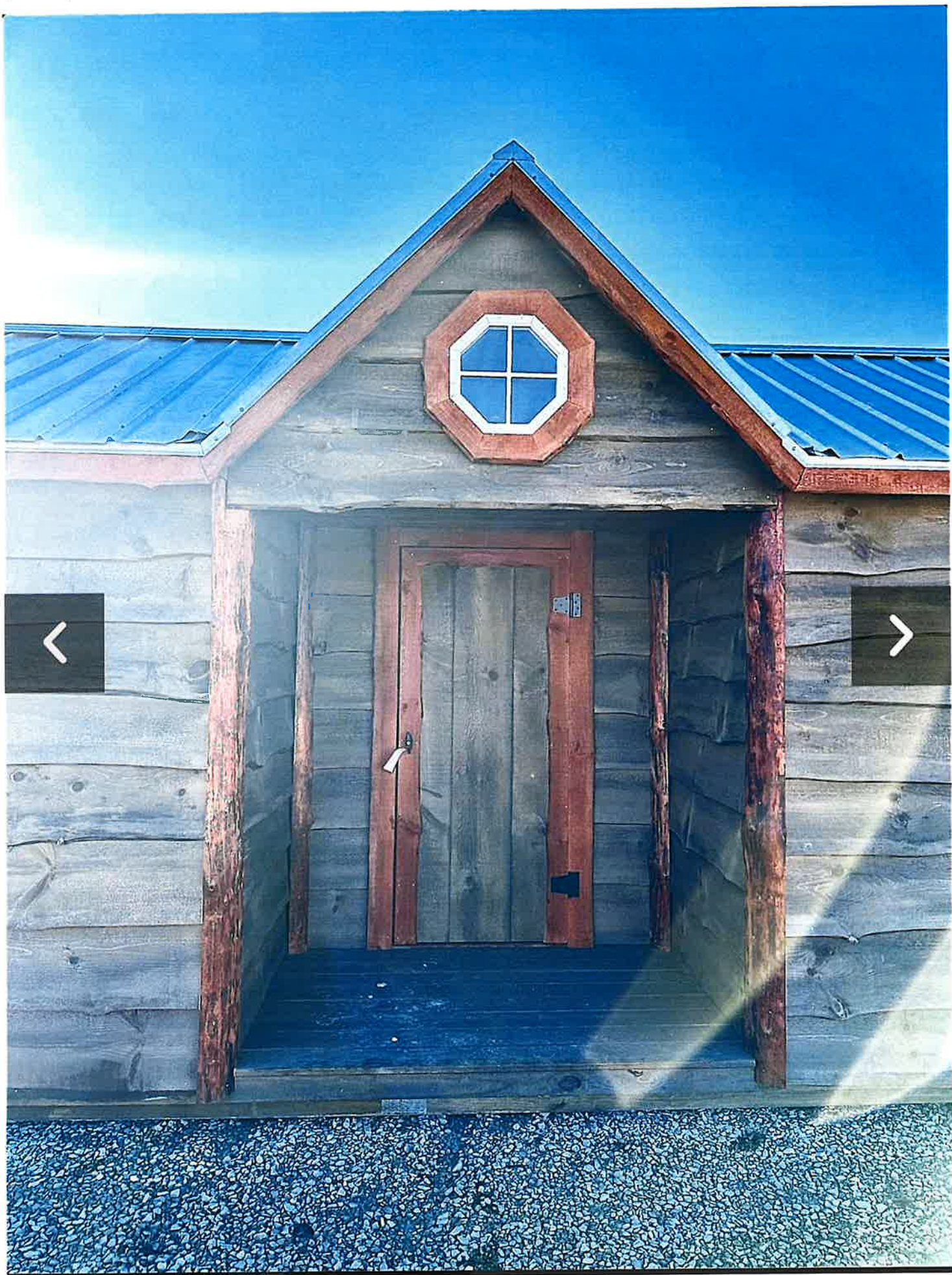


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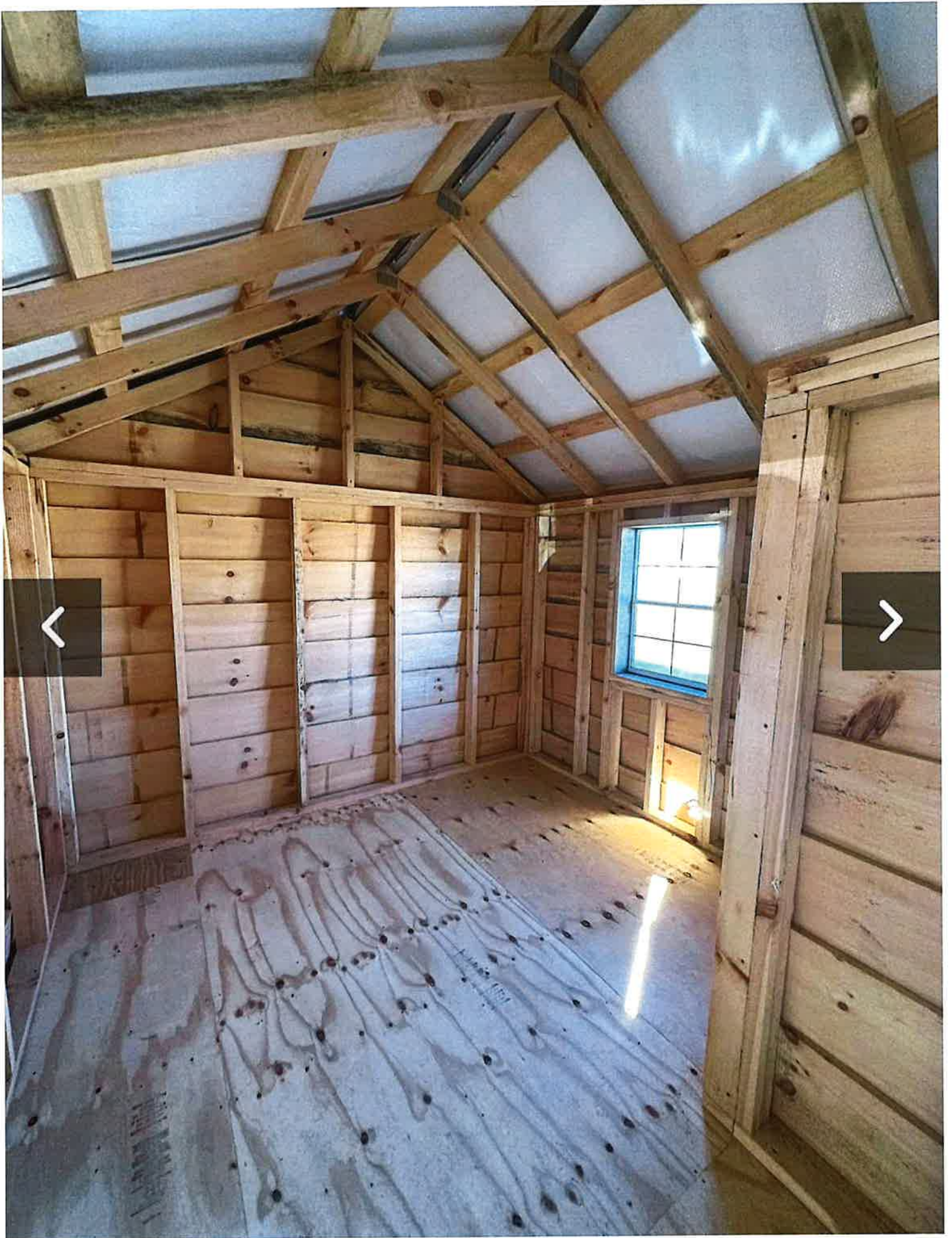


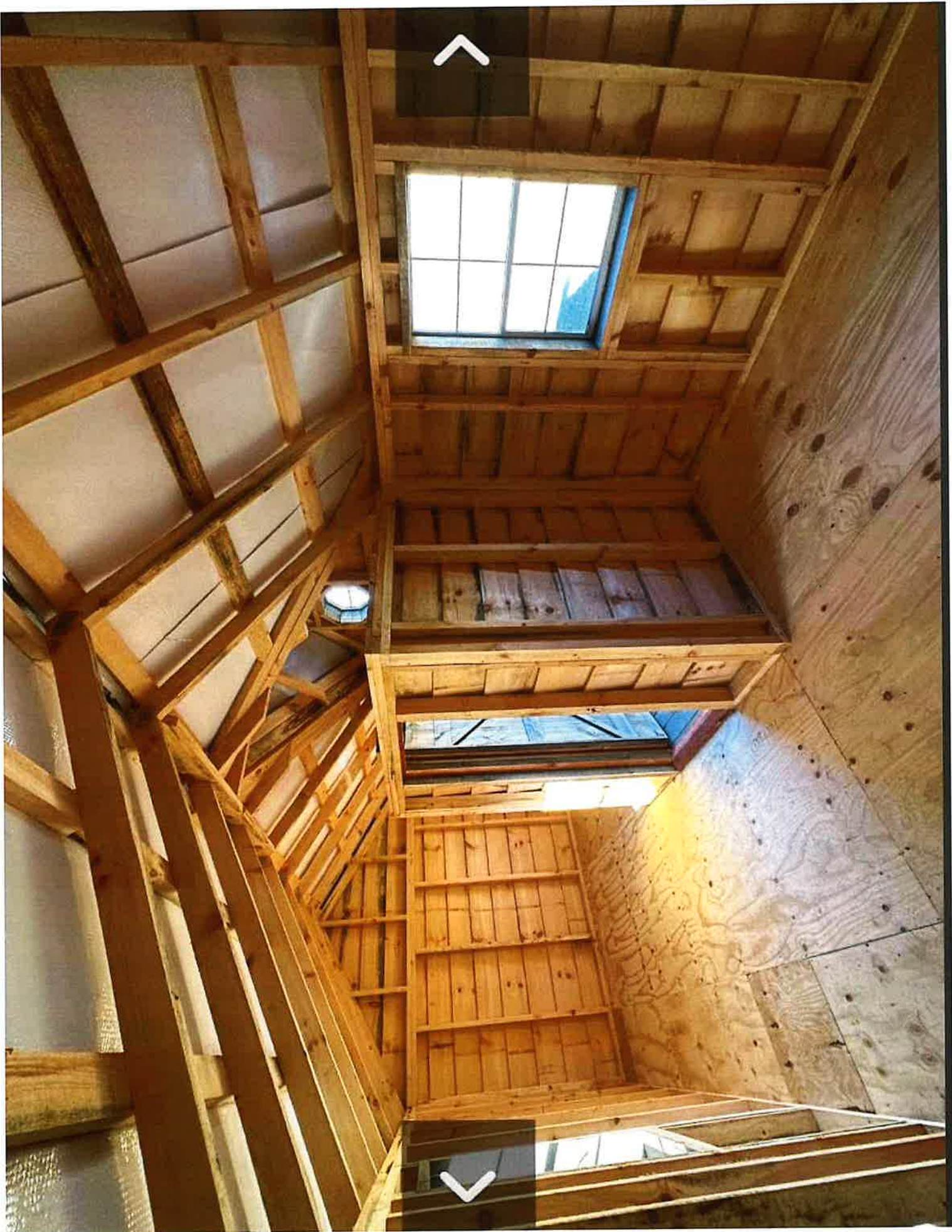
IMG_6611 Rustic Cabin

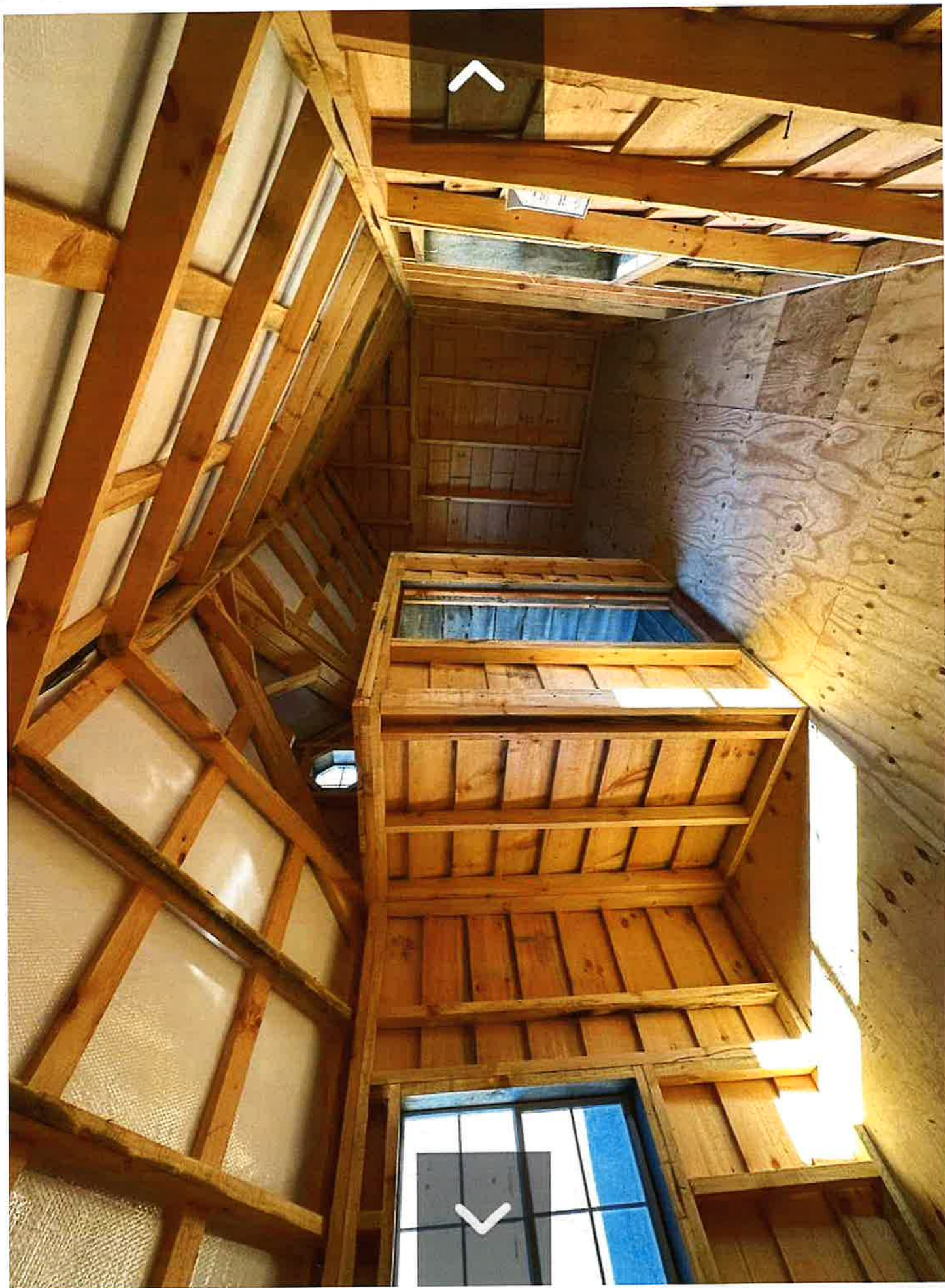












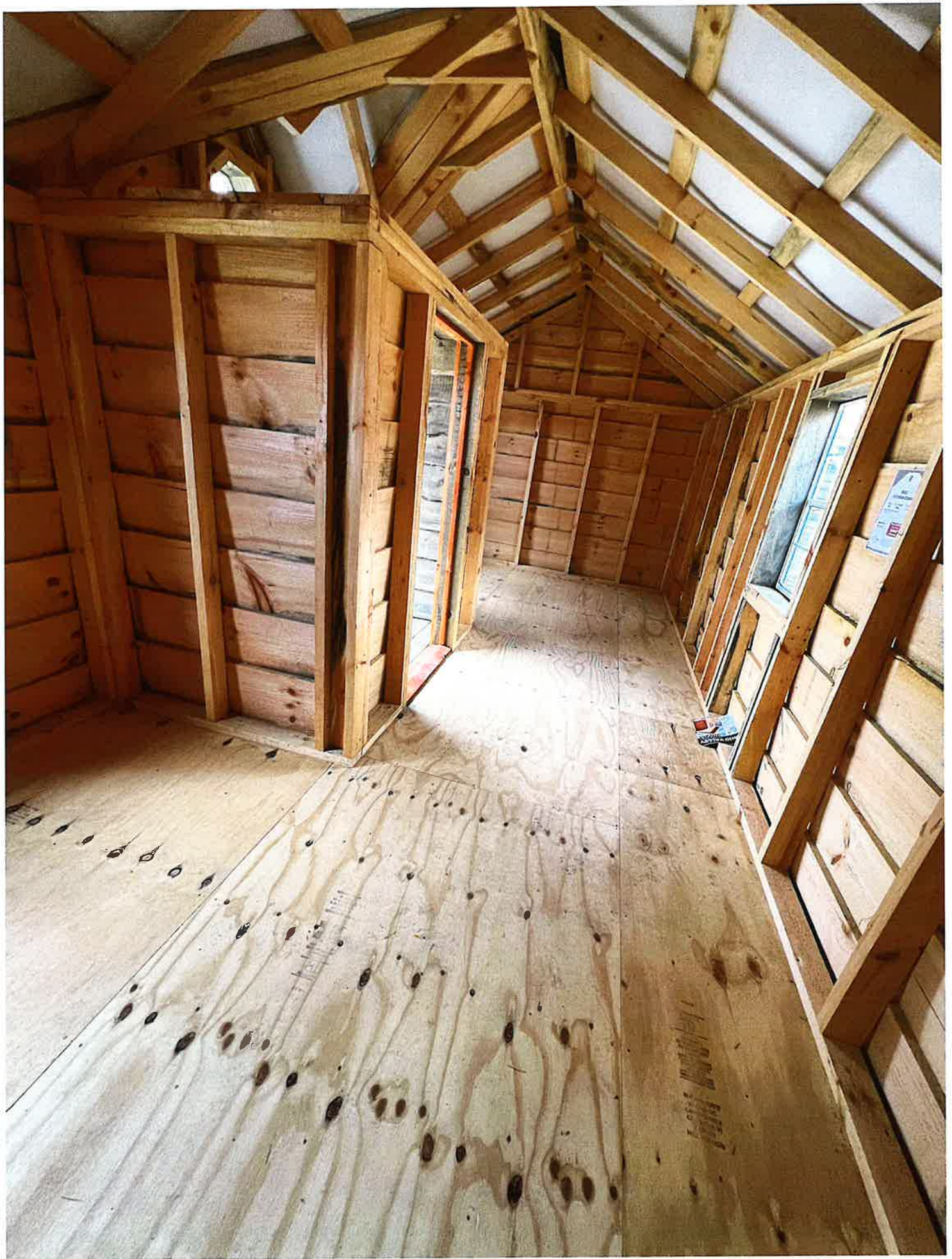


EXHIBIT B



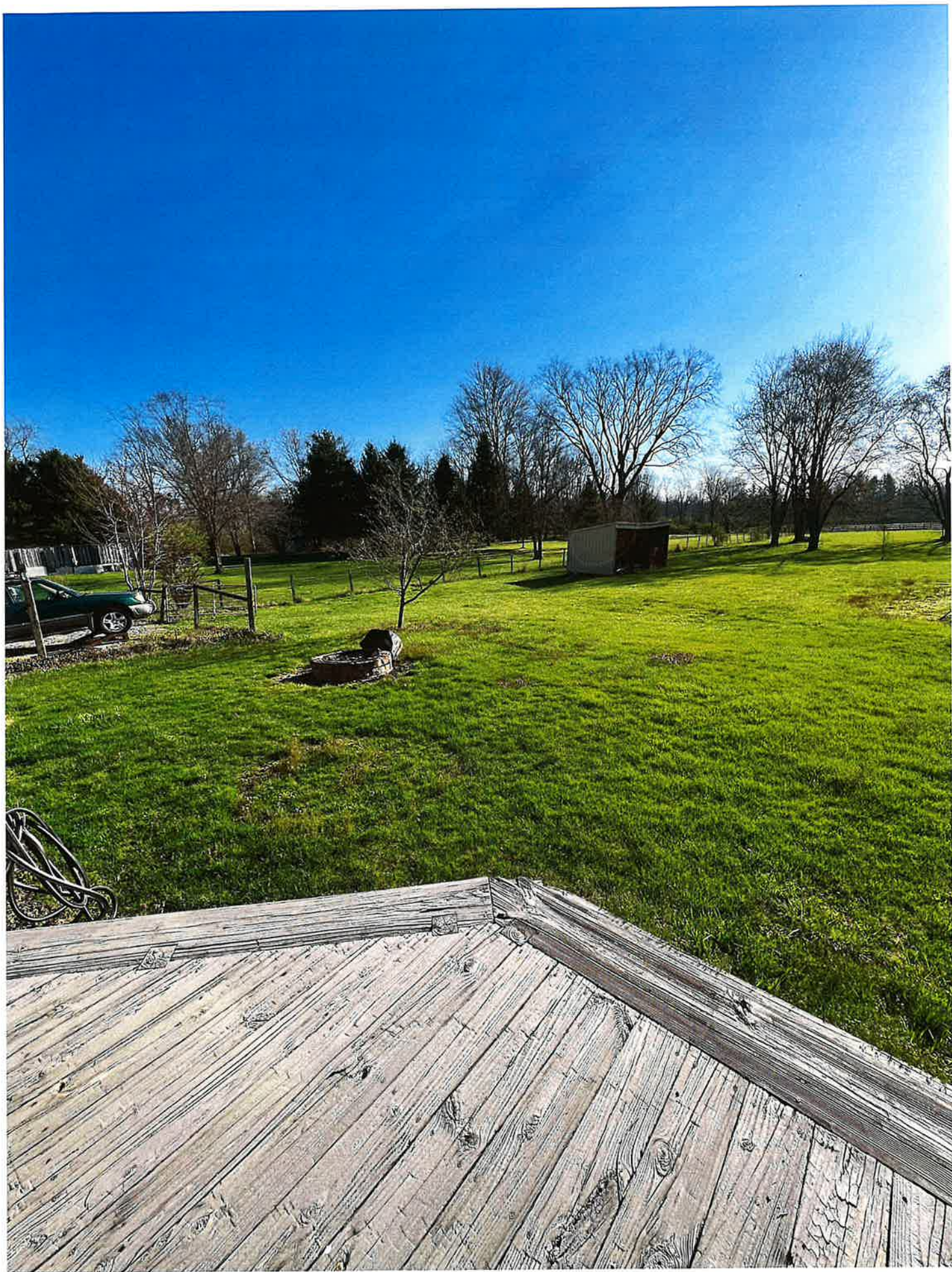
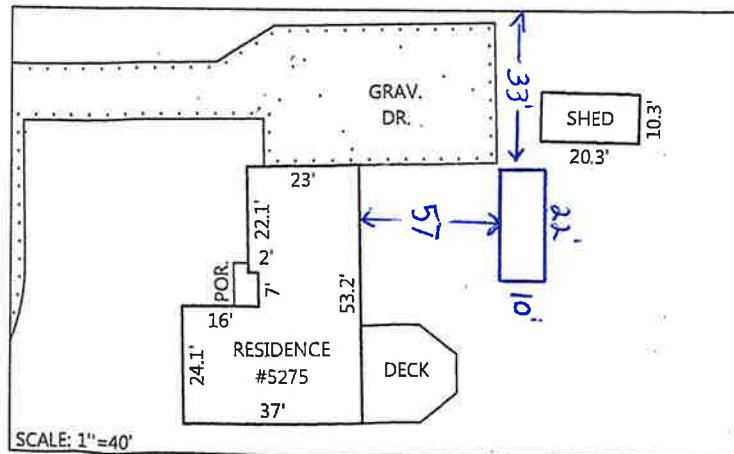
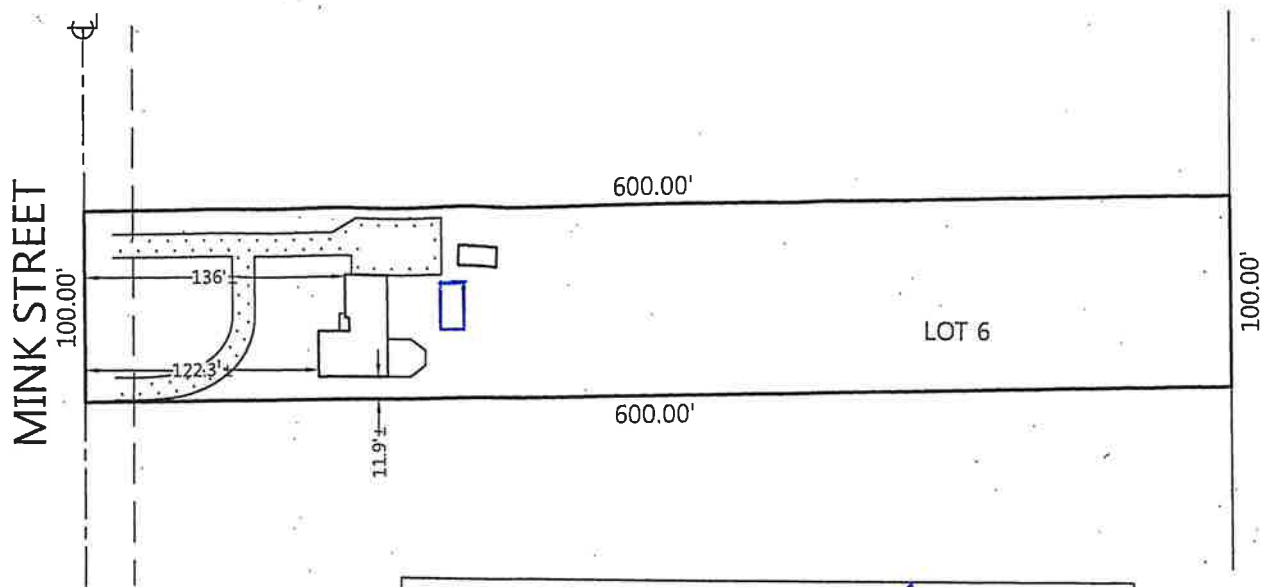




Exhibit C

I/We have received a copy
of this survey & find the
conditions acceptable.



David B. McCoy

THIS PLAT IS NOT TO BE USED TO ERECT
FENCES OR OTHER STRUCTURES, AND MAY
NOT SHOW ALL EASEMENTS AFFECTING THE
SUBJECT TRACT

LSGI#: 19083661



SCALE: 1" = 100'

EXHIBIT D

201910080021846
Pg:3 \$36.00 T20190018241
10/8/2019 1:05 PM BXCROWN
Bryan A. Long Licking County Recorder

TRANSFERRED
Date OCT 8, 2019
Michael Smith
Licking County Auditor
SEC. 319.202 COMPLIED WITH
MICHAEL L. SMITH, AUDITOR
BY: JS 674.70

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER
APPROVED BY
10-8-19 JW

01150741905218006000

Order Number: 2562019-00820/DR

CROWN SEARCH SERVICES / QCT

GENERAL WARRANTY DEED

Tracie R. Yates, Married, of Licking County, Ohio, for valuable consideration paid, grants, with general warranty covenants to **Zachary David Smith, Unmarried, and Kayla Boals, Unmarried**, whose tax mailing address is Union Home Mortgage, 8241 Dow Circle West, Strongsville, OH 44136 the following real property:

"See Exhibit "A" attached hereto and made a part hereof..."

Parcel Number: ~~180-004839-00~~ 063-145104.00.000

Property Address: 5275 Mink St SW, Pataskala, OH 43062

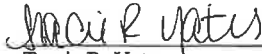
Except for the following and subject to all of which this conveyance is made: legal highways; zoning ordinances; real estate taxes and assessments which are now or may hereafter become a lien on said premises; covenants, conditions, restrictions and easements of record; and all coal, oil, gas, and other mineral rights and interests previously transferred or reserved of record.


Prior Instrument Reference: Instrument No. 201405290009620; (Excepting therefrom 0.112 Acres in Deed filed in Instrument No. 201704200008136), Recorder's Office, Licking, County, Ohio.

Matthew C. Yates, Husband of the Grantor, releases all rights of dower therein.

GW-Rel Dower

Witness their hands this 27th day of September, 2019.


Tracie R. Yates

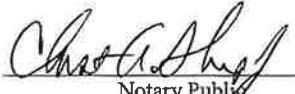

Matthew C. Yates

State of Ohio
County of Fairfield ss:

This is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act.

The foregoing instrument was acknowledged before me this 27th day of September, 2019, by Tracie R. Yates and Matthew C. Yates.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.


Notary Public



CHESTER A. SHARP JR.
Notary Public, State of Ohio
My Commission Expires FEB. 1st, 2024

This instrument prepared by Magnuson & Barone, Attorneys at Law

GW-Rel Dower

EXHIBIT 'A' LEGAL DESCRIPTION

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

Being Lot Number Six (6), of BATES-EMSWILER SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 218, Recorder's Office, Licking County, Ohio.

EXCEPTING THEREFROM:

Situated in the State of Ohio, County of Licking, City of Pataskala, being part of Section 13, Township 1, Range 15, United State Military Lands, and being part of Lot 6, of that subdivision entitled "Bates-Emswiler Subdivision", as recorded in Plat Book 5, Page 218, said lot containing 1.371 acres, by calculation, (Parcel No. 063-145104-00.000), as conveyed to Tracie R. Yates, as recorded in Instrument Number 201405290009620, all references being to those of record in the Recorder's Office, Licking County, Ohio and being more particularly bounded and described as follows:

Being a parcel of land lying on the right of the centerline survey of **LIC-CR41-7.47** made by Jobes Henderson & Associates, Inc., as recorded in Instrument Number 201610260023677, and being located within the described points in the boundary thereof;

Beginning at the point in the centerline of Mink Street marking the southwest corner of Lot 6, said point being centerline station 92+16.02;

Thence along said centerline, **North 3 degrees, 05 minutes, 54 seconds East, 99.70 feet** to the point marking the northwest corner of Lot 6 and the southwest corner of Lot 7, said point being centerline station 93+15.72;

Thence leaving said centerline, along the northerly line of Lot 6 and the southerly line of Lot 7, **South 87 degrees, 27 minutes, 45 seconds East, 49.00 feet** to an iron pin set in the proposed easterly right-of-way line, passing the existing easterly right-of-way line at 30.00 feet, said iron pin set being 49.00 feet right of centerline station 93+16.20;

Thence leaving the northerly line of Lot 6, along said proposed easterly right-of-way line, **South 3 degrees, 05 minutes, 54 seconds West, 99.70 feet** to an iron pin set in the south line of Lot 6, said iron pin set being 49.00 feet right of centerline station 92+16.50;

Thence along the southerly line at Lot 6, passing the existing easterly right-of-way line at 19.00 feet and an iron pipe found at 23.95 feet; **North 87 degrees, 27 minutes, 45 seconds West, 49.00 feet** to the **Point of Beginning** and containing **0.112 acres**, more or less, in which the present road occupies 0.069 acres, more or less, leaving a net take of 0.043 acres, more or less, which is located in Licking County Auditor's Permanent Parcel Number 063-145104-00.000, according to a survey made by Jobes Henderson & Associates, Inc., during February 2013.

Grantor claims title by instrument as recorded as Instrument Number 201405290009620, Licking County Recorder's Office, Licking County, Ohio.

The bearings in the above description are based on State Plane Coordinates System, Ohio South Zone.

All iron pins set are 5/8" diameter rebar by 30" in length with red identification caps marked "J&H, PS 8283".

Subject to all valid and existing easements, restrictions, and conditions of record.

This description is based on a survey made under the direction and supervision of Jeremy L. Van Ostran, Registered Surveyor Number 8283.

Parcel ID#: 063-145104-00.000
File Number: 2562019-00820

EXHIBIT E

