



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

January 9, 2024

Conditional Use Application CU-23-006

Applicant:	Ken Laney, Spark LLC.
Owner:	Jeff Branham
Location:	53 George Street, Pataskala, OH 43062 (PID: 064-307908-00.000)
Acreage:	+/- 0.124-acres
Zoning:	DB – Downtown Business
Request:	Requesting approval of a Conditional Use pursuant to Section 1215.08 of the Pataskala Code to allow the property to be used as a facility for adults with developmental disabilities.

Description of the Request:

The applicant is seeking approval of a Conditional Use pursuant to Section 1215.08 of the Pataskala Code to allow for a unit located in the existing property at 53 George Street to be utilized a facility for adults with developmental disabilities.

Staff Summary:

The 0.124-acre parcel located at 53 George Street is currently occupied by a 3,640-squarefoot barn constructed at an unknown date but was recently renovated into a commercial structure within the past year, containing two (2) units. The parcel itself, and the adjacent 0.124-acre parcel to the east was rezoned from M-1 – Light Manufacturing to DB – Downtown Business by approval of City Council (Ordinance No. 2022-4430 effective January 4, 2023). On the adjoining parcel directly to the east, the property owner is currently constructing a surface parking lot with a total of seven (7) spaces, including one (1) ADA accessible space.

As proposed, the Applicant is requesting approval of a Conditional Use to allow for one (1) of the units in the existing structure to be used as a facility for adults with developmental disabilities. Pursuant to Section 1245.04(1) of the Pataskala Code, Institutions are a Conditional Use in the DB – Downtown Business zoning district. “Institution” is defined by the Pataskala Code as a “building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling or other correctional services”. The proposed use would fit the description as stated within Pataskala Code.

In the Narrative Statement as submitted by the Applicant, Spark LLC. is an agency provider for adults with developmental disabilities. They specialize in providing means to integrate within the community and improve quality of life. The business has been operating within Pataskala for over 10 years (previously at 325 Broad Street). The hours of operation are to be Monday-Friday, 10:00AM-3:00PM, with an expected number of 10-15 clients throughout any day. The business employs 2-5 people, with an expected 2-3 vehicles on site at any time.

Further stated, the business provides clients with in-house education, team building exercises, creative expression outlets, skill development, vocational habilitation, and job development. The Applicant believes that the proposed use will be harmonious with the surrounding neighborhood, will not create additional requirements at public cost, and will not be detrimental to existing to future neighboring uses.

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, Pataskala Code defines an “Institution” as a “building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling or other correctional services”. Pursuant to Section 1245.04(1) of the Pataskala Code, Institution Uses are Conditional in the DB – Downtown Business zoning district.

Regarding parking, pursuant to Section 1291.17 of the Pataskala Code, uses within the DB district are exempt from the requirements of Sections 1291.16 and 1291.17, therefore; are not required to provide on-site parking. That being said, the property owner is currently constructing a paved surface parking area with a total of seven (7) parking spaces on the lot directly adjacent to the east.

Should any signage for the proposed use be installed, it shall require a permit prior to installation and be subject to the requirements of Chapter 1295 of the Pataskala Code.

The existing structure on the lot is compliant with Pataskala Code. Additionally, pursuant to Section 1215.09 of the Pataskala Code, all Conditional Uses shall be carried out within six (6) months from the date of approval. The Applicant may apply for a one time extension of an additional six (6) months if need be. Staff has no further comments on the proposal.

Other Departments and Agencies

No other comments were received.

Public Comments (Full comments attached)

Received an email from the residents of 504 Jefferson Street stating that they have no objections with the application.

Surrounding Area:

Direction	Zoning	Land Use
North	R-7 – Village Single Family Residential	Single-Family Homes
East	DB – Downtown Business R-7 – Village Single Family Residential	Parking Lot Single-Family Homes
South	M-1 – Light Manufacturing	Sound & Stage Equipment Rentals
West	R-7 – Village Single Family 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-23-003:

- None.

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 carry out the Conditional Use within six months from the date of approval pursuant to Section 1215.09 of the Pataskala Code.

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)."

Lisa Paxton

From: CR H <chegenberger@gmail.com>
Sent: Saturday, December 23, 2023 12:46 PM
To: Lisa Paxton
Subject: Conditional Use Application CU-23-006

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.

We are ok with this application.

Chuck and Missy Hegenberger
504 Jefferson St
Pataskala, Oh
43062



CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

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

CONDITIONAL USE APPLICATION

(Pataskala Codified Ordinances Chapter 1215)

Property Information	
Address: 5366 George St Pataskala OH 43062	
Parcel Number: 064 307908-00.000	
Zoning: DB	Acres: 0.135
Water Supply:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site
Wastewater Treatment:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Staff Use
Application Number: CU-23-006
Fee: 300
Filing Date: 12-5-23
Hearing Date: 1-9-24
Receipt Number: 001421

Applicant Information		
Name: Mr Lanny SPARK LLC		
Address: 224 Creighton Court		
City: Columbus	State: Ohio	Zip: 43230
Phone: 740-644-2614	Email: Klaney@SPARKLLC.org Klaney@SparkLLC.ORG	

Property Owner Information		
Name: Jeff Branham		
Address: 6570 Beaver Run Rd		
City: Pataskala OH 43062	State: OH	Zip: 43062
Phone: 740-975 7810	Email: jbranham1@yahoo.com	

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

Conditional Use Information
Request (Include Section of Code): Recreational Agency for Adults with Developmental Disabilities
Describe the Project: SPARK LLC plans to provide community integrated services for adults with developmental disabilities. Providing a variety of activities and programming, helping further improve the quality of life of those we serve and provide the community a source of support and giveback.

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:
- Yes 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.*
 - Yes 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.*
 - Yes 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.*
 - Yes 4. *Will not be hazardous or disturbing to existing or future neighboring uses.*
 - Yes 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.*
 - Yes 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.*
 - Yes 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.*
 - Yes 8. *Will have vehicular approaches to the property which shall be so designed as to not create interference with traffic on surrounding public thoroughfares.*
 - Yes 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:

September 9, 2023

Property Owner: (Required):

Date:

Sept 9 23

SPARK LLC
Narrative Statement
53 George Street Pataskala, Ohio

SPARK LLC is an agency provider for adults with developmental disabilities. We specialize in providing this population a means to integrate within the community and further fulfill quality of life. We have been a business operating within Pataskala for well over ten years, and our participants are all members of the local community. Our ties to local business and community partners run deep, as they are the backbone to the services we provide. The goal of our agency is to equipped our participants with the skills/ability to not only engage within the community but to help our community thrive as active members. This is done through a variety of activities and services that I have provided below.

Hours of operation: Monday-Friday, 10:00am-3:00pm

Expected number of Clients: 10-15

Employees on site: 2-5

Vehicles on site: 2-3

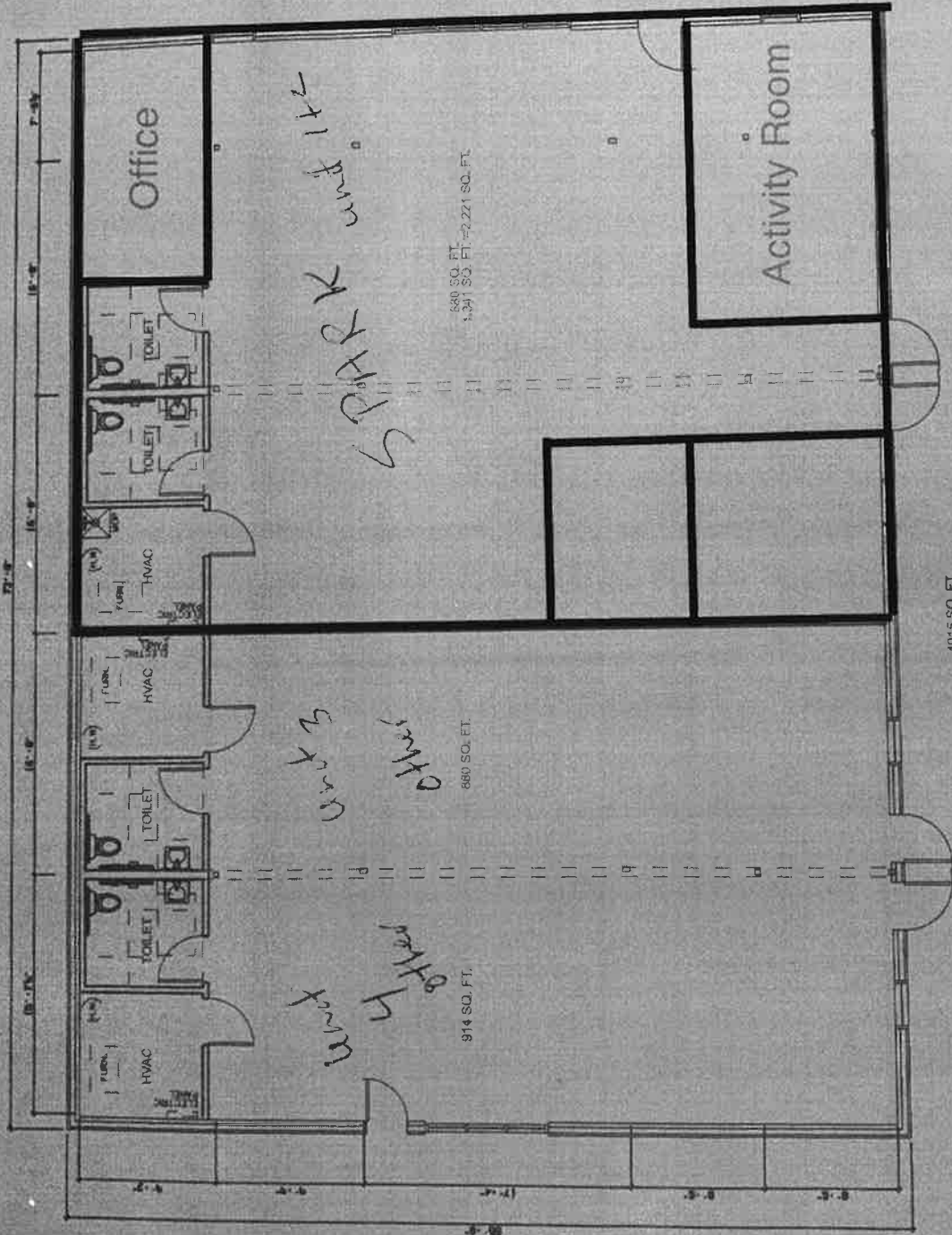
Services & Activities:

At SPARK we provide a wide variety of activities, programming, and community offerings. We provide volunteer opportunities (cleaning up the parks, YMCA facility upkeep, etc.), community giveback (providing goodie bags to the local fire department and service departments), outings to local businesses (restaurants, shops, and community centers), and much more! While the community is the backbone to our mission, we also provide in house opportunities such as continued education classes, team building exercises, creative expression outlets, and skills development. In addition, several of our participants are employed within the community. Vocational Habilitation and job development is also offered at SPARK. Helping place these individuals into a job of their dreams!

All in all, SPARK strives to ensure our participants and community grows. Through the implementation of food drives, soup kitchens, volunteer work, community service, and outreach. We are able to provide our participants real life experience while given back to the community we love in one fell swoop. There is nothing more important to us than ensuring the light that is shinned on our participants if bright an untainted. To fulfill this, leaving a positive impact on the community is essential.

CEO, Ken Laney
November 29, 2023

A handwritten signature in black ink, appearing to be 'Ken Laney', written over a horizontal line.



OFFICE BUILDING SCHEMATIC

55 George Street, Pataskala, OH 43062

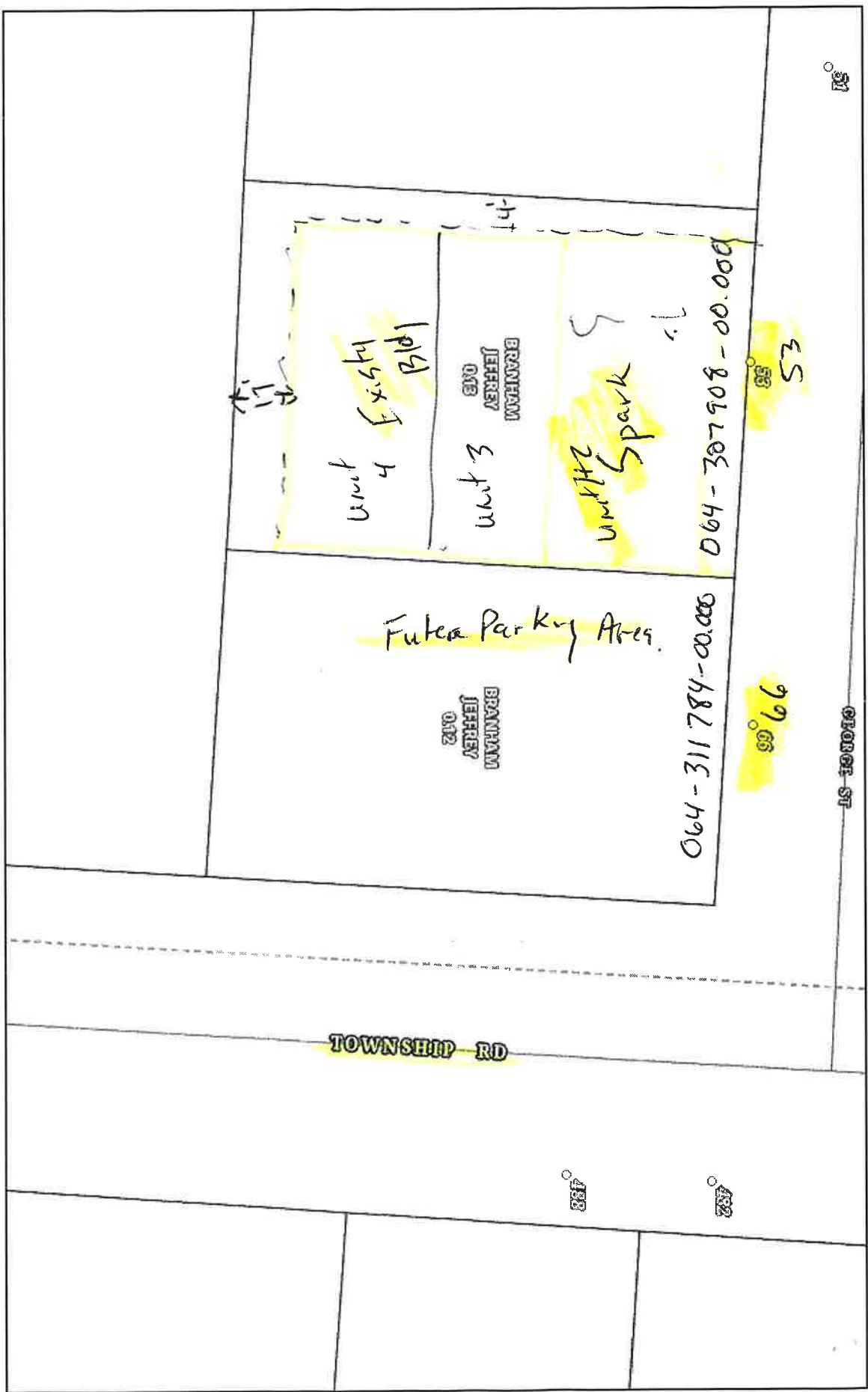
EAST

URE
LLC

Mark

George

OnTrac Property Map

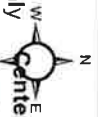


November 15, 2022

☐ Street Number Only

☒ Sales - 2022

Owner Name & Acres



Centerline Labels

0 24 Feet

Interstates

Municipal Corporations

LICKING COUNTY TAX MAP

Interstate/US/State Route

Other Road Type

Judicial Townships

LICKING COUNTY TAX MAP

County Road

Driveway

Judicial Townships

LICKING COUNTY TAX MAP

Licking County Auditor GIS

Map

BOR
Card
CAUV
Documents
Land
Map
Parcel
Pictometry
Sketch
Street View
Structures
Taxes
Transfers
Values

Help
Login



Print

FIND YOUR PARCEL

Map title: Owner

Layout: Let

Format: PD

1. OnTrac

2. OnTrac

Parcel:

054-311784-00.000
BRANHAM JEFFREY
66 GEORGE ST
PATASKALA, OH 43062

Acres: 0.12
0.12 AC R15 T1 Q1

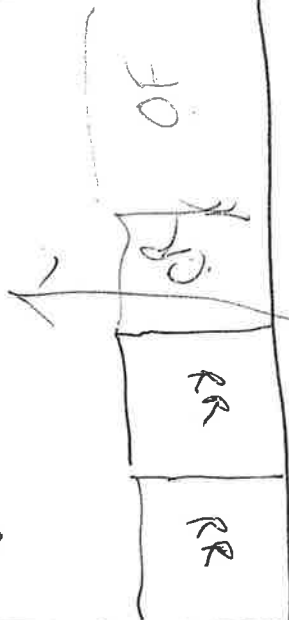
Land: \$17,900
Improv: \$0
Total: \$17,900

Transfer Date: 06/14/2019

53
George

66 George
Future Parking

Phase #1



HCR 9

HC 5R



8 spots

Gas

George

Phase #2
Gravel Parking Lot.

MR

Scale

3/32" = 1' foot

60'

Drainage to

Corner

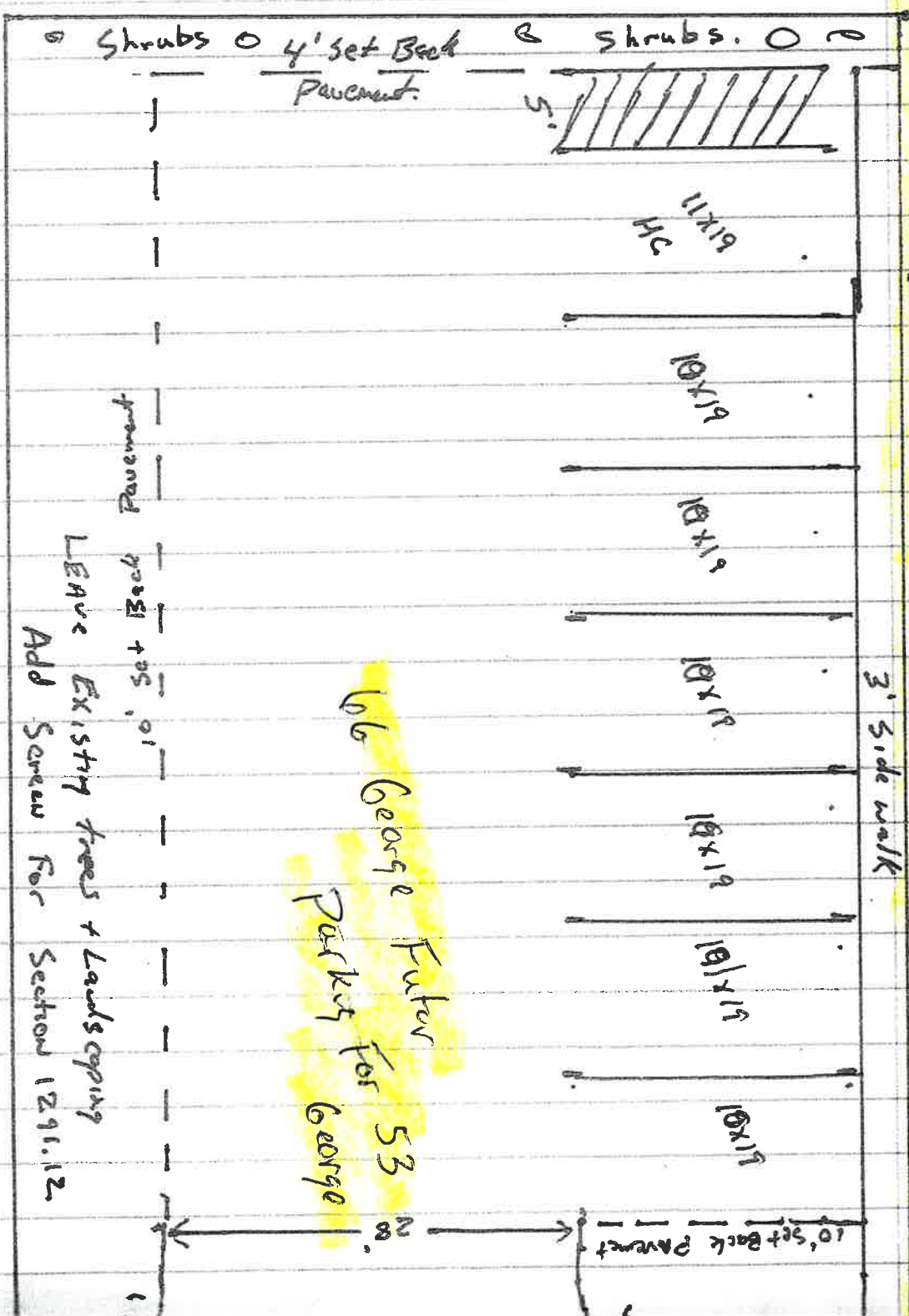
or find



storm

working with city

17'
Existing
Stone
Rear
Walk



53 GEORGE ST

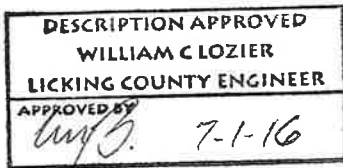
Existing Building

3' side walk

George Future 53
Parks for George

LEAVE Existing trees + Landscaping
Add Screen For Section 12911.12

90'



201607050013873

Pgs: 3 \$36.00 T20160016231
07/05/2016 3:07PM BXHAYES TITLE
Bryan A. Long
Licking County Recorder

GENERAL WARRANTY DEED

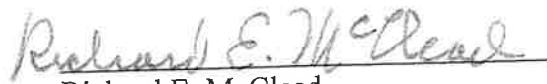
Richard E. McClead, unmarried, of Licking County, Ohio, for valuable consideration paid, grants with general warranty covenants to **Jeffrey Branham**, married, whose tax mailing address is _____, the following real property:

Situated in the State of Ohio, County of Licking and village of Pataskala, now City of Pataskala and further described on the attached Exhibit "A".

Prior Deed Reference: Instrument Number 20030829041996 and 201006080010842, Licking County Recorder's Office, Licking County, Ohio.
Also known as: 53 George Street, Pataskala, Ohio 43062
Auditor's Parcel #064-307908-00.000

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

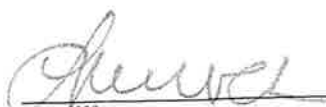
Executed this 30th day of June, 2016


Richard E. McClead

State of Ohio
County of Licking SS:

The foregoing instrument was acknowledged before me this 30th day of June, 2016 by Richard E. McClead




LAURIE WELLS, ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.