



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

July 13, 2020

Conditional Use Application CU-21-003

Applicant:	Brian Joseph
Owner:	Spencer Taylor, LLC.
Location:	6747 Taylor Road SW
Acreage:	+/- 27.28-acres (total)
Zoning:	M-1 – Light Manufacturing
Request:	Requesting approval of a Conditional Use pursuant to Section 1251.04(4) to allow a portion of the property to be used for the storage of vehicles and boats.

Description of the Request:

The applicant is seeking approval of a conditional use to allow for a portion of the property at 6747 Taylor Road SW to be operated as a vehicle and boat storage facility (NAICS: 531130).

Staff Summary:

There are two (2) properties addressed 6747 Taylor Road SW, a larger 22.28-acre parcel and a smaller five (5)-acre parcel. The smaller five (5)-acre parcel is at the northeast corner of Taylor Road SW and Cypress Street SW with frontage on both those streets, and an access off Cypress Street SW. The larger parcel envelopes the smaller one, with frontage on Taylor Road SW and Cypress Street SW as well, with access onto both streets. Previously, the site was used for mulch manufacturing and wholesale. There are several structures on the site, identified on the Licking County Auditor’s website as: one (1) modular office building at 420 sf and three (3) pole barns; 2,300 sf, 7,200 sf, and 12,000sf. As well as 1,764 sf of concrete paving, and an additional 1,700 sf of asphalt paving. There is a railroad right-of-way running parallel to the north of the property.

The proposed use will operate from the approximately 7,200-square foot pole barn that is located on the 22.28-acre parcel, directly adjacent to the property line with the 5-acre parcel to the west. The Applicant has submitted a site plan showing the approximate area where the use will be located. No further details were provided.

According to the Narrative Statement supplied by the Applicant, the hours of operation are to be from 10:00AM to 5:00PM, Monday through Friday. The only employee is the Applicant themselves. The use is intended to terminate in August of 2022, as that is when the lease for the space ends. Furthermore, the Applicant believes the proposed use will not be hazardous or disturbing to existing or future uses, will be adequately served by essential public facilities, and will be harmonious with and in accordance with the general objectives of the comprehensive plan and Pataskala Code. On the Application form, the Applicant stated they intend to make no changes to the property, and that the purpose of this Conditional Use is to allow them to keep their sales license for wholesaling cars at this location.

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 map recommends this property as Light Industrial, which the Comprehensive Plan (2006) describes as “light intensity industrial”. The proposed use as a vehicle storage facility does fall in line with the Comprehensive Plan, however, vehicle sales would not.

The Applicant has a current and ongoing zoning violation since January of this year. Pursuant to Chapter 1251 of the Pataskala Code, vehicle sales, new or used, are not permitted within the M-1 – Light Manufacturing zoning district. Staff was made aware that an automobile sales business had occupied the property without obtaining the required permits and informed the owner that vehicles sales were not permitted. As requested by this Application, the use is for the storage of vehicles and boats. However, as mentioned in the Staff Summary, the Applicant stated the purpose of the request is to allow them to keep their sales license for wholesaling cars at this location, which is not permitted.

As mentioned in the Staff Summary, the Applicant’s site plan identifies the approximate area in which the use will be located, however, no further details are provided. Staff would like to know the approximate number of vehicles to be stored on site, lighting, layout of parking spaces, any fencing, etc. in order to have a better understanding on how the proposed use will function.

Section 1291.04 of the Pataskala Code states: any nonresidential parking area with 10 or more off-street parking spaces shall be striped. Individual parking spaces shall be clearly defined by painted striping with a minimum width of four (4) inches. The concept plan submitted does not show any provisions for lighting and does not identify the total number of spaces available or the dimensions of said spaces. Chapter 1291 of the Pataskala Code does not identify the required number of off-street parking spaces that shall be provided for the proposed use. Given that the requested use is for vehicle and boat storage, appropriate space should be dedicated and marked for the expected capacity of the site.

Section 1291.04 of the Pataskala Code states that any non-residential parking area with 10 or more off-street spaces shall be illuminated during periods of darkness to provide an average intensity of ½-foot candles of light as measured at the parking surface. No details on any proposed lighting were included.

As mentioned, above, the Applicant plans to make no changes to the property. Staff has concerns that the proposed use in conjunction with the requirements above will not be compliant with Pataskala Code without changes to the property.

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

Licking Heights Local Schools

Only concern would be for traffic on Taylor Road.

Other Departments and Agencies

No other comments were received.

Surrounding Area:

Direction	Zoning	Land Use
North	M-1 – Light Manufacturing R-20– Medium Density Residential	Rail Road Single-family homes
East	M-1 – Light Manufacturing	Truck/Trailer Storage Truck Maintenance/Repair
South	M-1 – Light Manufacturing	Misc. Industrial Uses
West	M-1 – Light Manufacturing	Misc. Industrial Uses

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-21-003:

- 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 – See Attached.

Conditions:

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

1. The Applicant shall address all comments from the Planning and Zoning Department.
2. The property shall not be used for the sale of automobiles.
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.

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-21-003 ("with the following conditions" if conditions are to be placed on the approval)."

From: [Jack Kuntzman](#)
To: [Jack Kuntzman](#)
Subject: FW: Pataskala BZA Review Memo for 07-13-2021
Date: Monday, June 28, 2021 10:12:38 AM

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,

In response to below:

AP-21-002: Land owner would like to construct a shed on the property. The school district does not have any concerns.

CU-21-003: The applicant is the renter of the property and would like to use the property to store vehicles and boats (currently he sells vehicles from the lot). My only thought would be traffic on Taylor Rd.

Let me know if there are questions,

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, June 15, 2021 3:37 PM

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

Cc: Scott Fulton <sfulton@ci.pataskala.oh.us>; Lisa Paxton <lpaxton@ci.pataskala.oh.us>

Subject: Pataskala BZA Review Memo for 07-13-2021

Importance: High

Good Morning, Everyone

You are receiving this email because one or more of the Applications submitted for the July 13, 2021 Board of Zoning Appeals is within your jurisdiction. Please see the list below for which Applications



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: 6747 Taylor Rd S.W.		
Parcel Number: 063-141-876-00-001		
Zoning: M-1	Acres: 29.28	
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

Staff Use
Application Number: CU-21-003
Fee: 300
Filing Date: 6-10-21
Hearing Date: 7-13-21
Receipt Number: 000104

Applicant Information		
Name: Brian Joseph		
Address: 7272 Fox Lake Dr		
City: Blacklick	State: Ohio	Zip: 43004
Phone: 614-357-1840	Email: easttownautos@aol.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

Property Owner Information		
Name: Spencer Taylor LLC		
Address: 6747 Taylor Rd SW		
City: Reynoldsburg	State: Ohio	Zip: 43068
Phone: 614-239-9029	Email: Jweber@ohiomulch.com	

Conditional Use Information
Request (Include Section of Code): Storage of Vehicles and Boats
Describe the Project: No modifications to the property

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. 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. Yes*
- 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:

6-7-21

Property Owner (Required):

Date:

Spencer Taylor LLC by: Beauvic Cylin, member

6/11/21

We would like to use the outlined area for storing vehicles and boats

Hours of operation are 10:00 AM to 5 Monday through Friday. The only employee is myself.

I am currently renting the property from Spencer Taylor LLC until August 2022. The property is currently zoned as light manufacturing.

We want to keep our sales licence for wholesaling cars at this location



Approximate Area outlined

Parcel

063-141876-00.001

SPENCER TAYLOR LLC

6747 TAYLOR RD SWREYNOLDSBURG, OH 43068



Parcel: **063-141876-00.001** ([Direct Link](#))

Owner Mailing **SPENCER TAYLOR LLC**

Address: **6747 TAYLOR RD SW
REYNOLDSBURG OH
43068**

Owner: **SPENCER TAYLOR LLC**

Parcel Address: **6747 TAYLOR RD SW
REYNOLDSBURG, OH 43068**

Mailing Address: **SPENCER TAYLOR LLC
6747 TAYLOR RD SW
REYNOLDSBURG OH
43068**

Legal Desc: **22.284 AC LOT 37 R15
T1 Q3**

Class Group: **Industrial**

Acres: **22.2800**

Class: **370 Small shops-machine,
tool etc)**

TIF:

Tax District: **063 PATASKALA LK HGHTS
LSD-WLJFD**

Township:

Utilities: **6 - All**

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER
APPROVED BY
MJD 7-28-20

CONDITIONAL APPROVAL FOR THIS TRANSFER
CORRECTION REQUIRED FOR NEXT TRANSFER
JARED N. KNERR, LICKING COUNTY ENGINEER

Parcel 2 - Approved
Parcel 1 - Poor beginning point



202007280018661

Pgs: 4 \$56.00 T20200016002
7/28/2020 2:39 PM MEPTITLE.CO I.
Bryan A. Long Licking County Recorder

TRANSFERRED
Date July 28, 2020
Michael L. Smith
Licking County Auditor
SEC. 319.202 COMPLIED WITH
MICHAEL L. SMITH, AUDITOR
BY: *CK EX-M*

LIMITED WARRANTY DEED 2
(O.R.C. §5302.07)

AKA EDNA R. SPENCER

EDNA P. SPENCER, a married individual ("Grantor"), for valuable consideration paid, grants, with limited warranty covenants, to SPENCER TAYLOR LLC, an Ohio limited liability company, ("Grantee"), whose tax mailing address is 6747 Taylor Road SW, Reynoldsburg, Ohio 43068, the following "Premises":

Legal description: See Attached EXHIBIT A

Subject to all conditions, restrictions, grants, easements, legal highways, rights-of-way and other matters of record (excluding mortgages), including without limitation any taxes, both general and specific, if any, which may now be or may hereafter become a lien on said premises.

Prior instrument reference: Instrument Number 198903270003646 Records of the Licking County, Ohio Recorder's Office OFFICIAL RECORD 85 PAGE 137

Parcel Numbers: 063-141876-00.001 and 063-141876-00.002

Also known as 6747 Taylor Road SW, Reynoldsburg, Ohio 43068

[SIGNATURES AND ACKNOWLEDGEMENTS ON FOLLOWING PAGE]



Exhibit "A"

PARCEL I:

Situated in the County of Licking, Township of Lima and State of Ohio:

Being a part of Lot 37, Third Quarter, Township 1, Range 15 of the United States Military Lands, City of Pataskala, Licking County, Ohio and being more particularly described as follows:

Beginning at a point in the centerline of Township Road 169 (Taylor Road) at the Southwest corner of a 1.138 acre tract of land conveyed to Donna and Travis M. Runyon as recorded in Volume 231, Page 856 of the Official Records Volume of Licking County; thence South 03°02'55" East, 170.43 feet along the centerline of Township Road 169 to a point for a corner, said point also being the true place of beginning for the parcel herein to be described; thence North 88°17'00" East, 491.79 feet to a point for a corner; thence South 00°38'39" East, 451.65 feet to a point for a corner; thence South 88°17'00" West, 472.84 feet to a point in the centerline of Township Road 169 for a corner; thence North 03°02'55" West, 451.69 feet to the true place of beginning, containing 5.00 acres.

In the above described parcel 1.454 acres being part of a 13.00 acre tract of land conveyed to Edna P. Spencer as recorded in Volume 85, Page 137 of the Official Records of Licking County and 3.546 acres being part of a 29.622 acre tract of land conveyed to Edna P. Spencer as recorded in Volume 213, Page 3 of the Official Records of Licking County.

The bearings in the above description are based on bearings taken from the Spencer Deed (Reference-Volume 85, Page 137, Official Records of Licking County).

The above description is based on a survey made by CBN Surveying, November, 1998.

PARCEL II:

Situated, in the State of Ohio, County of Licking, City of Pataskala, in lot 37 in Quarter Township 3, Township 1 North, Range 15 West, United States Military Lands, and being a 22.284 acres of land out of that 43.76 acre tract on record on Official Records Volume 213, Page 8, 43.679 acres by survey (all references herein are to records at the Recorder's Office, Licking County, Ohio) said 22.284 acres being more particularly described as follows:

Beginning for reference, at a point at the intersection of the southerly right-of-way line of Penn-Central Railroad and the centerline of Taylor Road (Township Road 169, 60 feet wide) said point also being the Northwest corner of said 43.76 acre tract; thence S. 88°05'24" E. with the northern line of said 43.76 acre tract, a distance of 249.02 feet to an iron pin found, the true point of beginning;

Thence S. 88°05'24" E. continuing with said northerly line a distance of 1279.02 feet to an iron pin found, said point being the northeasterly corner of the aforementioned 43.76 acre tract;

Thence S. 03°32'59" W. leaving said northerly line, and with the original easterly line of the 43.76 acres, a distance of 822.17 feet to an iron pin found at the Northern right-of-way line of Cypress Road (60 feet wide);

Thence through the original 43.76 acre tract the following three (3) courses and distances;

1. N. 88°5'01" W. with the northerly line of said Cypress Road, a distance of 1012.58 feet to a point on the southeasterly corner of a 5.00 acre tract of record on OR 262-276;

