

**MINUTES OF THE
CITY OF PATASKALA BOARD OF ZONING APPEALS**

Tuesday, December 12, 2017

The City of Pataskala Board of Zoning Appeals convened in Council Chambers, City Hall, 621 West Broad Street, Pataskala, Ohio, on Tuesday, December 12, 2017.

Present were:

Catherine Baird

Kathleen Hasson

TJ Rhodeback

City of Pataskala Planning and Zoning Department Staff:

Scott Fulton, Planning Director

Zack Cowan, City Planner

Lisa Paxton, Zoning Clerk

Chairperson Baird opened the hearing at 6:30 p.m., followed by the Pledge of Allegiance.

Roll call was made. Bruce Ashcraft and Rob Platte were not present.

First on the Agenda, remove from table, Conditional Use Application CU-17-014.

Ms. Rhodeback made a motion to remove from the table Conditional Use Application CU-17-014. Seconded by Mr. Hasson. Ms. Baird, Ms. Hasson and Ms. Rhodeback voted yes. The motion was approved.

Next on the Agenda, Conditional Use Application CU-17-014, Jennifer Jordan, 122 Christy Lee Drive.

Mr. Cowan gave an overview of the Staff Report, noting the applicant is seeking a conditional use to allow for the residence to be used for a dog grooming service under "Type B" Home Occupation. The applicant's narrative noted she will be the only employee, have no more than five clients per day, hours of operation listed as 8am-5pm, Monday through Friday. Noise will be limited and no pets will be outside. The area map and surrounding properties were viewed. Sections 1267.03(C) and 1276.04 of the Pataskala Code were reviewed, and noted the applicant has met the requirements.

Mr. Cowan reviewed the Health Department's comments noting the public health nuisance has been abated and the owner has made the necessary repairs to bring the system into compliance; in addition, the applicant obtained a 1-year service contract to provide any necessary inspections and repairs, and the service provider will submit a service report to the Health Department after each inspection.

The City Engineer's comment were reviewed, noting there may be an issue with more than one vehicle at a time; however, staff does not see this as being an issue, given the applicant has stated there will be no more than one client at a time.

Mr. Cowan reviewed additional information the applicant submitted, along with a letter submitted by Ed Rich noting his concerns.

Jennifer Jordan, 122 Christy Lee Drive, was placed under oath.

Ms. Jordan reviewed the information submitted regarding recirculating pet bathing system and septic system maintenance.

Patricia Ackers, 140 Christy Lee, was placed under oath.

Mr. Ackers noted her concerns regarding a business in the neighborhood, security issues and property value.

A discussion was had regarding safety concerns, hours of operation.

A discussion was had regarding signage.

Ms. Jordan noted having no issues with no sign, since new clients are referred. Ms. Jordan also noted business hours would be during the day when neighbors are at work.

Michael Kapavik, 8470 Loudon Street, Johnstown, owner of 96 Christy Lee Drive, was placed under oath.

Mr. Kapavik noted his concerns, including traffic, property value and safety.

A discussion was had regarding periodic review of the business.

Findings of Facts were discussed.

Ms. Rhodeback made a motion to approve Conditional Use Application CU-17-014, pursuant to Section 1229.04(1) of the Pataskala Code, with the following supplementary conditions:

1. The applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department prior to operating the home occupation.
2. The applicant shall reapply for a home occupation permit within four (4) years from the date of approval.
3. The applicant shall comply with all Licking County Health District regulations.
4. The applicant shall meet all applicable Home Occupation requirements pursuant to Chapter 1267 of the Pataskala Code.
5. No sign shall be permitted.
6. The Planning and Zoning Department shall review the conditional use on an annual, non-formal, basis to insure compliance with the terms of the Conditional Use, pursuant to section 1215.05(G)(1) of the Pataskala Code.
7. The applicant shall limit the number of dogs per day to five (5).

Ms. Hasson seconded the motion. Ms. Hasson, Ms. Baird and Ms. Rhodeback voted yes. The motion was approved.

Next on the Agenda, Findings of Fact.

Ms. Hasson made a motion to approve Findings of Facts for Conditional Use Application CU-17-014:

Yes No

✓

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.*

Seconded by Ms. Hasson. Ms. Baird, Ms. Rhodeback and Ms. Hasson voted yes. The motion was approved.

Next on the Agenda, approval of the November 14, 2017 regular meeting minutes.

Ms. Hasson made a motion to approve the November 14, 2017 regular meeting minutes. Seconded by Ms. Rhodeback. Ms. Hasson, Ms. Baird and Ms. Rhodeback voted yes. The motion was approved.

Next on the Agenda, Other Business.

No new business.

Ms. Rhodeback made a motion to adjourn the meeting. Seconded by Ms. Hasson. Ms. Rhodeback, Ms. Hasson and Ms. Baird voted yes.

The meeting was adjourned at 7:21 p.m.

Minutes of the November 14, 2017 meeting were approved on

_____, 2018.

Chairperson