

# CITY OF PATASKALA, OHIO

City of Pataskala  
Administrative Offices  
[www.ci.pataskala.oh.us](http://www.ci.pataskala.oh.us)



621 West Broad Street  
Suite 2B  
Pataskala, Ohio 43062  
Telephone: 740-927-2021  
Fax: 740-927-0228

## NOTICE OF PUBLIC HEARING

### CITY OF PATASKALA COUNCIL

The City of Pataskala Council will hold a public hearing on August 1, 2016, at 6:30 PM at City Hall in Council Chambers located at 621 West Broad Street, Pataskala, Ohio.

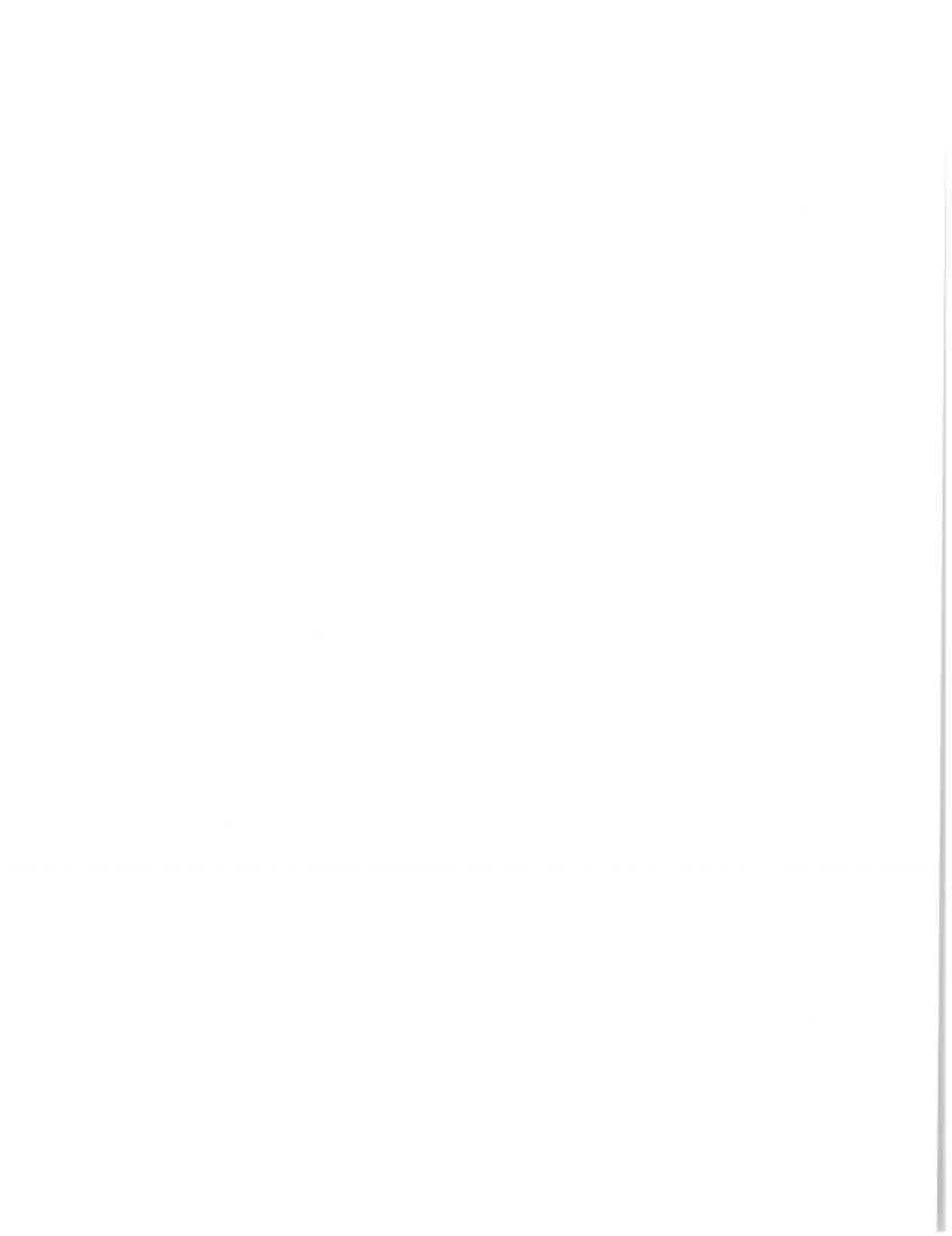
The following request will be considered:

**Code Amendment Application ZON-16-004:** Requesting to amend Pataskala Codified Ordinances Chapter 1203 Definitions and add Section 1221.06 Decks to Chapter 1221 Building Development Standards.

All interested citizens are welcome to attend.

All documents pertaining to the above will be available for examination at City Hall, 621 W. Broad Street, Monday through Friday, 8:00 AM to 4:00 PM.

Kathy Hoskinson  
Clerk of Council





*Planning and Zoning  
Department*

June 15, 2016

Pataskala Planning and Zoning Commission  
621 Broad Street  
Pataskala, Ohio 43062

RE: Zoning Application ZON-16-004

Pataskala Planning and Zoning Commission:

Your request for recommendation of approval for an amendment to Chapter 1221 of the Pataskala Code, pursuant to Chapter 1217 of the Pataskala Code, was given a public hearing by the Pataskala Planning and Zoning Commission on Wednesday, June 1, 2016.

The City of Pataskala Planning and Zoning Commission recommended approval of the request with the following modifications:

1. Section 1221.06(E)(2) shall be removed.
2. The word "that" shall be replaced with the word "than" in Section 1221.06(B)(2).
3. Section 1221.06(I) shall be added stating "A deck shall be maintained in good repair at all times".

**The recommendation shall be forwarded to Pataskala City Council for consideration as Ordinance Number 2016-4267 for a public hearing on Monday, August 1, 2016.**

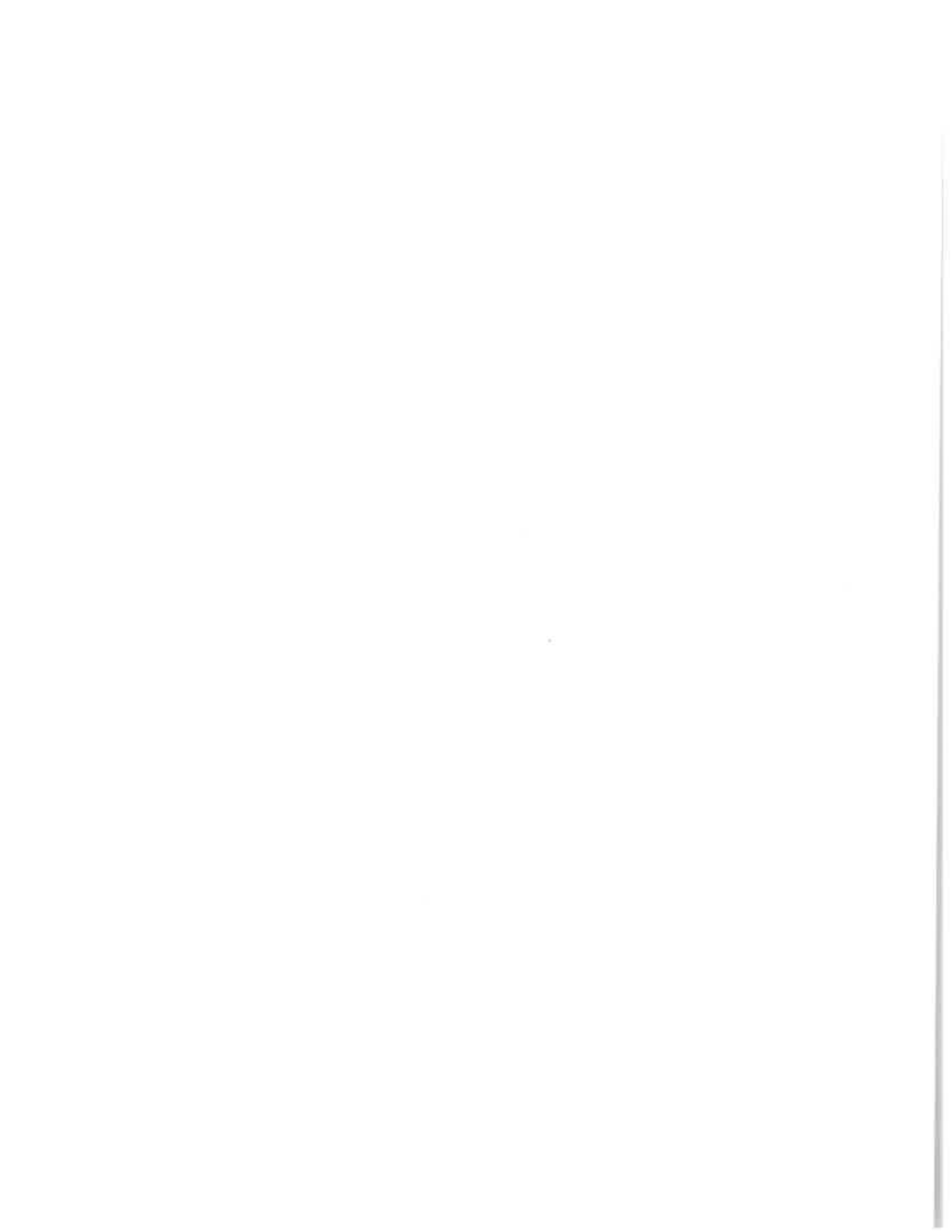
Keep this letter for you records as it constitutes your official notification of the decision by the City of Pataskala Planning and Zoning Commission.

Should you have any questions, please feel free to contact me by phone at 740-927-4910 or via email at [lpacton@ci.pataskala.ohj.us](mailto:lpacton@ci.pataskala.ohj.us).

Sincerely,

Lisa Paxton  
Zoning Clerk

cc: File





## CITY OF PATASKALA PLANNING AND ZONING COMMISSION

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

### STAFF REPORT

June 1, 2016

#### Rezoning Application ZON-16-004

<b>Applicant:</b>	Pataskala Planning and Zoning Commission
<b>Location:</b>	City Wide
<b>Request:</b>	Requesting to amend Pataskala Code Chapter 1221 General Regulations.

#### **Description of the Request:**

The proposed amendment would establish standards for decks and adjust the lettering and numbering of the Code accordingly.

#### **Staff Review:**

At the request of City Council, the Planning and Zoning Department staff has created regulations for the construction of decks. The current code does not specifically address regulations for decks and the Planning and Zoning Department has been approving deck permit applications based upon their conformance with the required setbacks of the principal structure in the zoning district in which it is located.

This has proven to be problematic as a number of variances have been required, specifically in the Old Village portion of the City where the existing homes rarely meet the required setbacks. The following amendment would be the addition of Section 1221.06 DECKS to Chapter 1221 GENERAL REGULATIONS and a definition of a deck added to Chapter 1203 DEFINITIONS.

The Planning and Zoning Commission reviewed a draft amendment at the May 4, 2016 Planning and Zoning Commission hearing.

Attachment A to the staff report outlines the proposed amendment. Deletions are ~~struck through~~ while additions are highlighted.

Should the Planning and Zoning Commission recommend approval of the amendment, it would proceed to City Council for consideration.

**Code Amendment Approval:**

According to Section 1217.04 of the Pataskala Code, the Planning and Zoning Commission shall consider approval of a code amendment if the proposal:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Comprehensive Plan and/or this Code.
2. 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.
3. Will not be hazardous or disturbing to existing or future neighboring uses.
4. 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.
5. 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.
6. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, air or water pollution, or potential for explosion.
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
8. Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

**Department and Agency Review**

- Zoning Inspector – No Comments
- Public Service Department – No Comments
- City Engineer – No Comments
- Pataskala Utilities – No Comments
- Police Department – No Comments
- West Licking Joint Fire District – No Comments
- Southwest Licking Schools – No Comments
- Licking Heights Schools – No Comments
- Licking County Health Department – No Comments
- SWLCWSD – No Comments

**Resolution:**

For your convenience, the following resolution may be considered by the Planning and Zoning Commission when making a motion:

“I move to (approve/disapprove) rezoning application number ZON-16-004 per Section 1217.10 of the Pataskala Code. (“with the following modifications” if modifications are to be placed on the approval).”



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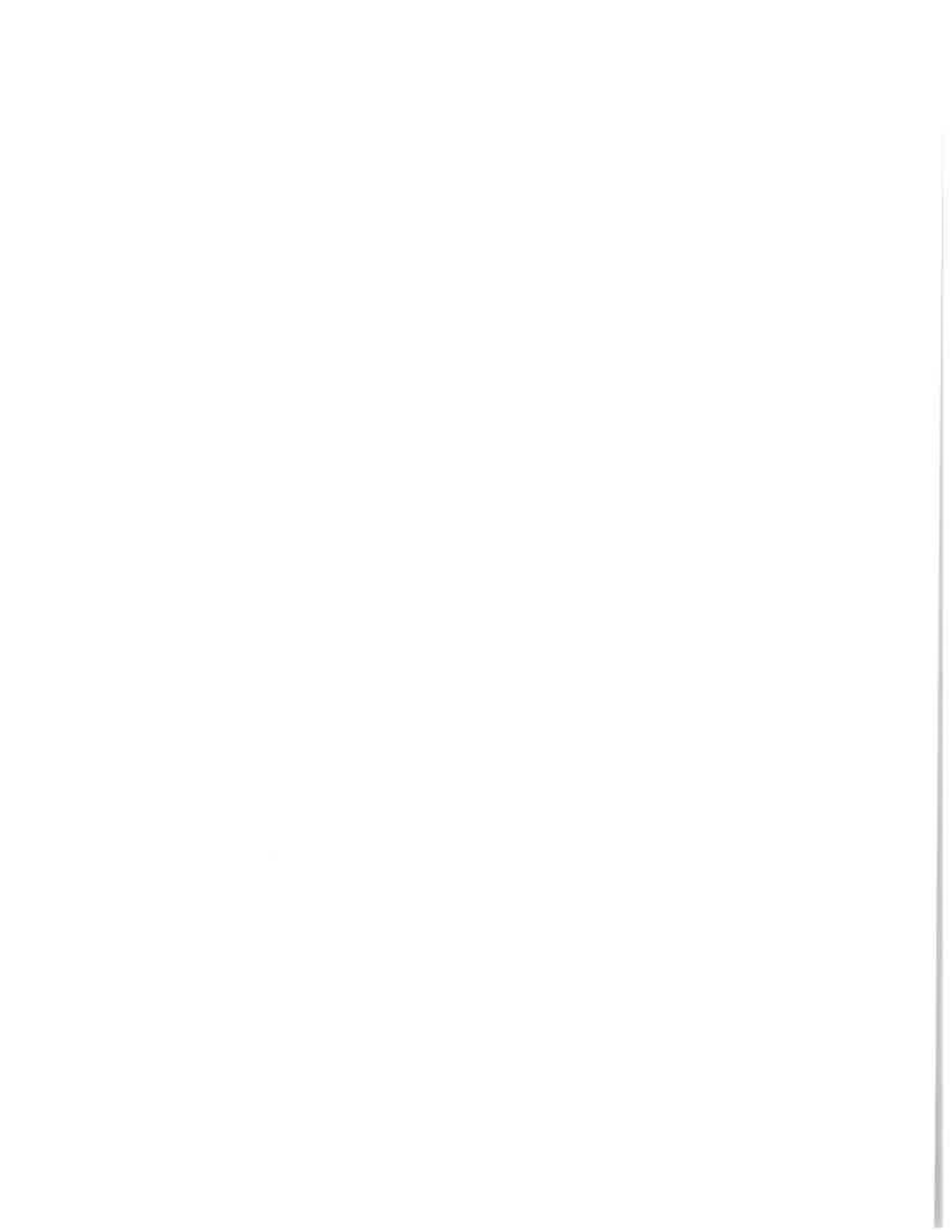
### ATTACHMENT A

#### 1203 – DEFINITIONS

**Deck:** An unroofed platform, either freestanding or attached to a building, which is supported by pillars or posts.

#### 1221.06 DECKS

- A. **Permitted:** A deck shall be permitted in all zoning districts.
- B. **Setbacks:**
  - 1. **Front:** A deck shall meet all front yard setbacks of the zoning district in which it is located.
  - 2. **Side:** A deck shall meet the required side yard setbacks of the zoning district in which it is located or shall not extend further into the side yard setback that the principal building on the lot, whichever is less.
  - 3. **Rear:** A deck shall not extend more than 25 percent into the required rear yard setback of the zoning district in which it is located.
- C. **Height:** The floor of a deck shall not be higher than the highest floor level of the principal structure on the lot
- D. **Appearance:** A deck shall have a finish that is compatible with the principal building on the lot.
- E. **Location:**
  - 1. A deck shall not be located in a recorded easement.
  - 2. A deck shall be located directly adjacent to the principal building on the lot.
  - 3. A deck shall not infringe on sanitary or water systems and shall comply with all applicable Licking County Health Department and/or Ohio Environmental Protection Agency regulations.
- F. **Commercial Use:** No commercial use shall be permitted from a deck on a residentially zoned lot unless approved as part of a home occupation as outlined in Chapter 1267.
- G. **Off-Site Impacts:** A deck shall not adversely affect neighboring properties so as to result in its loss of value or interfere with its use or enjoyment.
- H. **Materials:** All deck materials shall be approved materials recognized by the Ohio Building Code.







Introduced: 7/5/2016  
Revised:  
Adopted:  
Effective:

## CITY OF PATASKALA

### ORDINANCE 2016-4267

**AN ORDINANCE TO AMEND CHAPTER 1203 AND ADD SECTION 1221.06 TO CHAPTER 1221 OF THE CODIFIED ORDINANCES OF THE CITY OF PATASKALA, AND REPEAL ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH**

*WHEREAS*, the proposed amendment would establish a definition and standards for decks, remove conflicting standards from the Code, and adjust the lettering and numbering of the Code accordingly.

*WHEREAS*, the City Planning and Zoning Commission initiated the amendment pursuant to Section 1217.02, and

*WHEREAS*, a public hearing was held by the City Planning and Zoning Commission on June 1, 2016 pursuant to Section 1217.07, and

*WHEREAS*, the notice of a public hearing to be held by the City Planning and Zoning Commission was published in a newspaper of general circulation on May 19, 2016 pursuant to Section 1217.08, and

*WHEREAS*, upon hearing the application the City Planning and Zoning Commission recommended approval of the amendment on June 1, 2016 pursuant to Section 1217.10, and

*WHEREAS*, a public hearing was held by Council on August 1, 2016 pursuant to Section 1217.11, and

*WHEREAS*, the amendment was on file for public examination for a minimum of 30 days preceding the Council public hearing pursuant to Section 1217.12, and

*WHEREAS*, Council hereby determines that all applicable procedures required by Chapter 1217 of the Codified Ordinances have been followed, and that notice was given and a public hearing was held as required by Section 1217.11 of the Codified Ordinances, and Council hereby adopts the recommendation of the City Planning and Zoning Commission as provided for in Section 1217.13 of the Codified Ordinances;

*WHEREAS*, the Council of the City of Pataskala has determined that it is necessary to amend the Zoning Code of the Codified Ordinances.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF ALL MEMBERS ELECTED OR APPOINTED THERETO CONCURRING, THAT:**

**Section 1:** That Chapter 1203 be amended and Section 1221.06 be added to Chapter 1221 of the Zoning Code of the Codified Ordinances of the City of Pataskala to read as found in Exhibit A.

**Section 2:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

**Section 3:** This Ordinance shall become effective from and after the earliest period allowed by the Charter of the City of Pataskala.

ATTEST:

\_\_\_\_\_  
Kathy M. Hoskinson, Clerk of Council

\_\_\_\_\_  
Michael W. Compton, Mayor

Approved as to form:

\_\_\_\_\_  
Brian M. Zets, Law Director



## CITY OF PATASKALA PLANNING AND ZONING COMMISSION

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- G. **Off-Site Impacts:** A deck shall not adversely affect neighboring properties so as to result in its loss of value or interfere with its use or enjoyment.
- H. **Materials:** All deck materials shall be approved materials recognized by the Ohio Building Code.
- I. **Maintenance:** A deck shall be maintained in good repair at all times.

