



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

April 11, 2017

Conditional Use Application CU-17-006

Applicant:	Charles Evans – Penny Fab, LLC
Owner:	Piper Equities, LLC
Location:	77 Cypress Street
Acreage:	4.54
Zoning:	M-1 – Light Manufacturing
Request:	Requesting a conditional use pursuant to Section 1251.04(7) of the Pataskala Code to allow for the property to operate a metal fabrication facility.

Description of the Request:

The applicant is seeking a conditional use to allow the property to be used as a metal fabrication facility.

Staff Summary:

The property currently contains a roughly 70,000 square foot building that was built in 1996. The applicant has proposed to use the existing facility for the purpose of manufacturing, assembly, and distribution of metal products. According to the narrative, all operations will be contained within the premises and will limit all noise, smoke, fumes, etc.

Staff Review:

The following review does not constitute recommendations but merely conclusions and suggestions based on the summary

The property is already sufficiently landscaped on the property lines bordering the residential zones and the parking requirements have been met. The Future Land Use map designates this property as Light Industrial in which case the proposed use would conform to the Comprehensive Plan. The proposed use is a Conditional Use under the M-1 zone district.

The Licking County Fire District has requested that the applicant change the building group use to accommodate the proposed use and to complete calculations of the sprinkler system for verification that it can provide the required demand of the new use by a licensed sprinkler designer. Possible supplementary conditions have been listed to accommodate the comments.

Surrounding Area:

Direction	Zoning	Land Use
North	M-1 – Light Manufacturing	Tire shop
East	R-20 – Medium Density Residential	Single-family home
South	R-20 – Medium Density Residential	Single-family home
West	M-1 – Light Manufacturing	Industrial

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-17-006:

- 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 – See attached
- Southwest Licking School District – No comments

Supplementary Conditions:

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

1. The use group of the building shall be changed from S-1/B to F-1/B through the Licking County Building Department prior to occupying the building.
2. Calculations shall be made of the sprinkler system for verification that it can provide the required demand of the new use by a licensed sprinkler designer.
3. The applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department prior to operating the facility.
4. 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/disapprove) a conditional use pursuant to Section 1251.04(7) of the Pataskala Code for application CU-17-006 ("with the following supplementary conditions" if supplementary conditions are to be placed on the approval)."



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

CONDITIONAL USE APPLICATION

(Pataskala Codified Ordinances Chapter 1213)

Property Information		
Address:	77 Cypress St. Reynoldsburg, OH	
Parcel Number:	063-140430-00.007	
Zoning: M-1	Acres: 4.538	
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-17-006
Fee:
\$300 ⁰⁰
Filing Date:
3/17/17
Hearing Date:
4/11/17

Applicant Information		
Name: Penny Fab, LLC (Charles REvans - Pres.)		
Address: 451 E Coshocton St. Suite B		
City: Johnstown	State: OH	Zip: 43031
Phone: 740-815-2923	Email: ray@pennyfab.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"/> Address List
<input checked="" type="checkbox"/> Area Map

Owner Information		
Name: Piper Equities LLC		
Address: 4600 Hamilton Rd.		
City: Groveport	State: OH	Zip: 43125
Phone:	Email:	

Conditional Use Information	
Request (Include Section of Code):	Sect 1251.04 (7)
Conditional use of light Manufacturing District (M-1) for the purpose of manufacturing, assembly and distribution	
Describe the Project:	
Existing building and property to be purchased for use of light Industry as described in the Narrative Statement pending agreement of Manufacturing District Conditional Use by City of Pataskala.	

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.

Site Plan: Submit 1 copy 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 at www.lcounty.com/rec.

Address List: Submit one copy of a list of all property owners and addresses of those owning property within 200 feet or two parcels from any point on the subject property line, whichever creates more property owners. This list must be in accordance with the Licking County Auditor's current tax list and must be submitted on mailing labels.

Area Map: Submit 1 copy of an area map from the Licking County Engineer's office showing the area encompassed by the address list. Area maps can be obtained at www.lcounty.com/taxparcelviewer/default.

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:



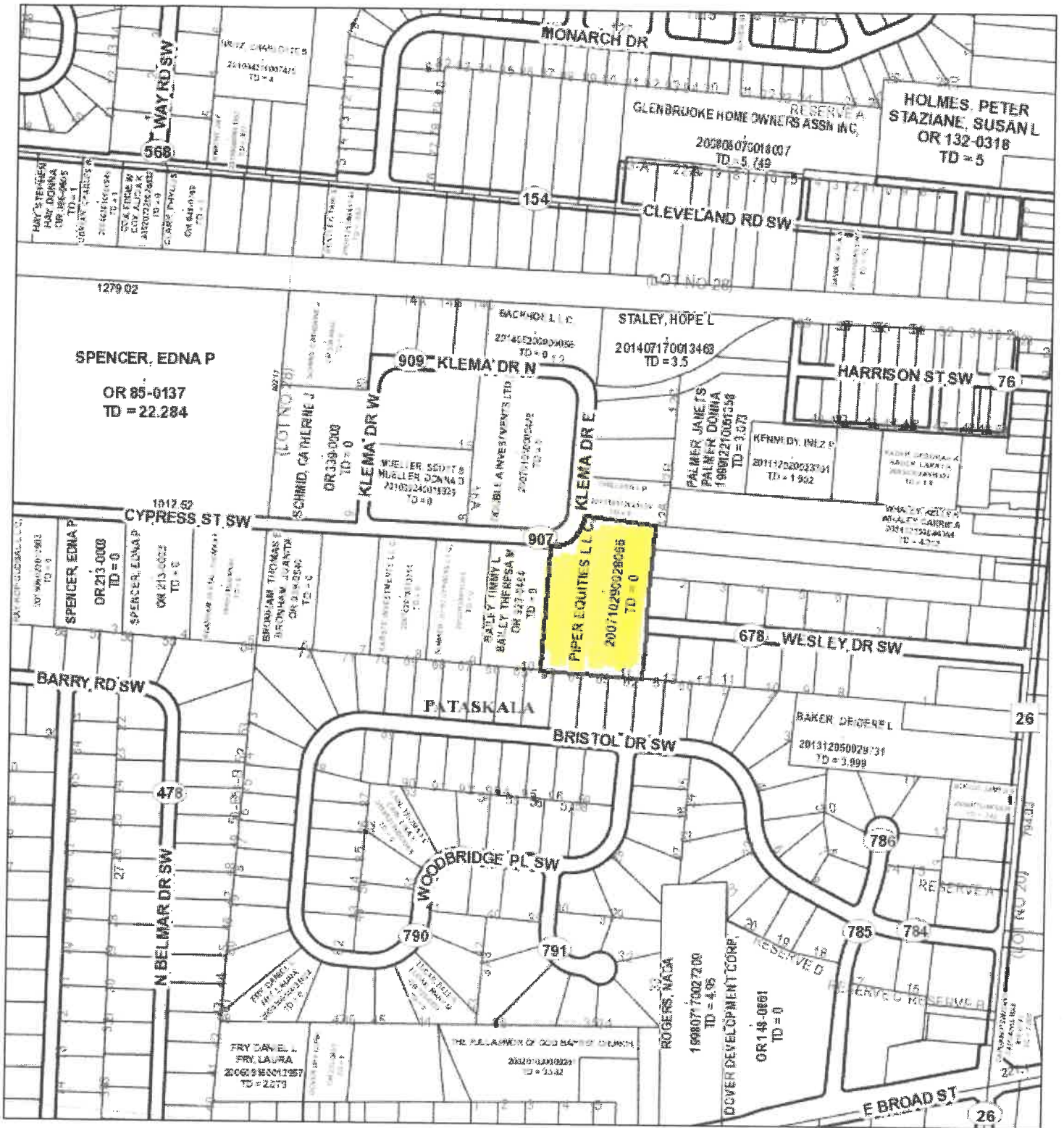
Date:

3/17/17

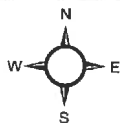
Owner:

Date:

77 Cypress



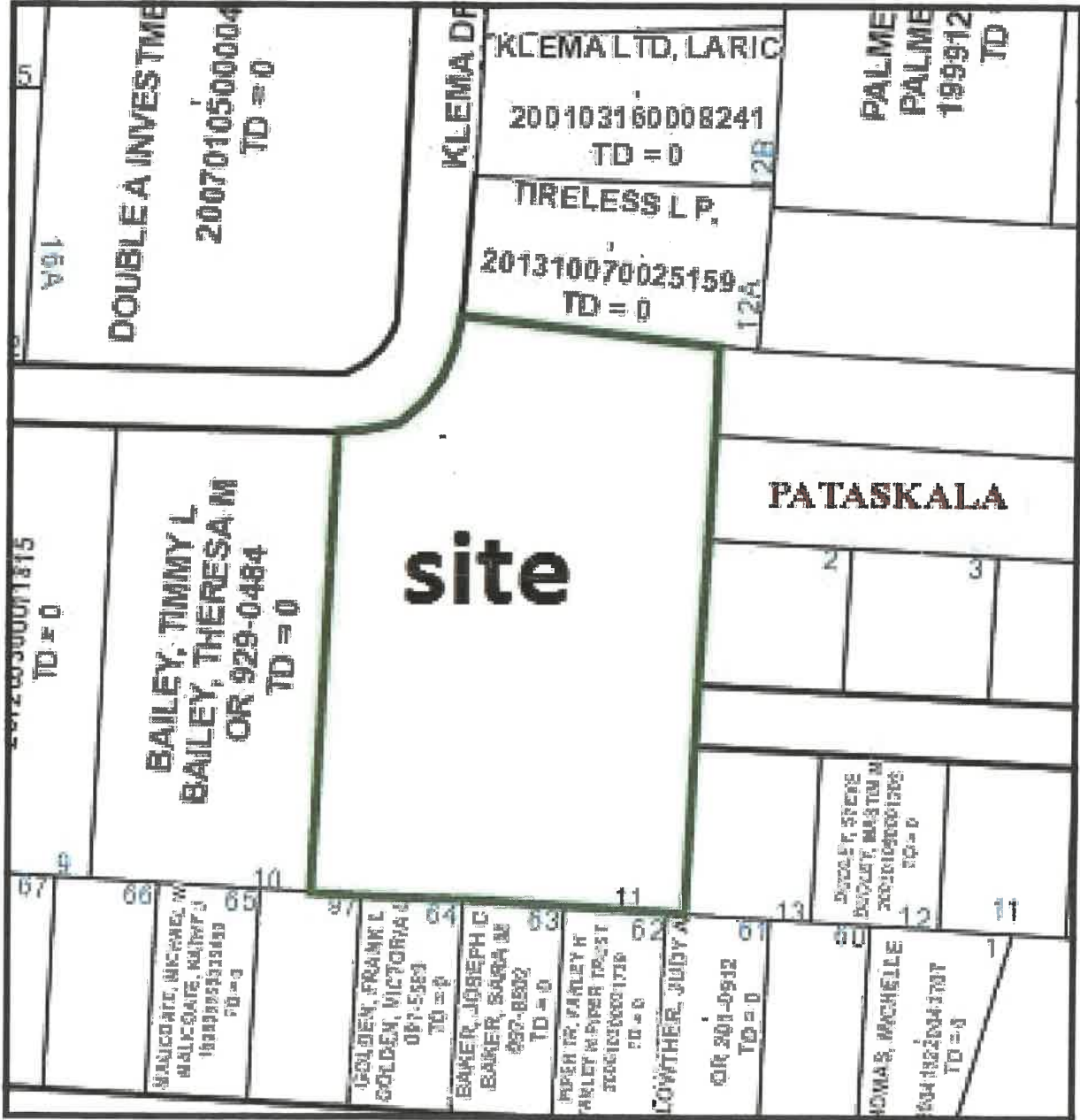
March 16, 2017

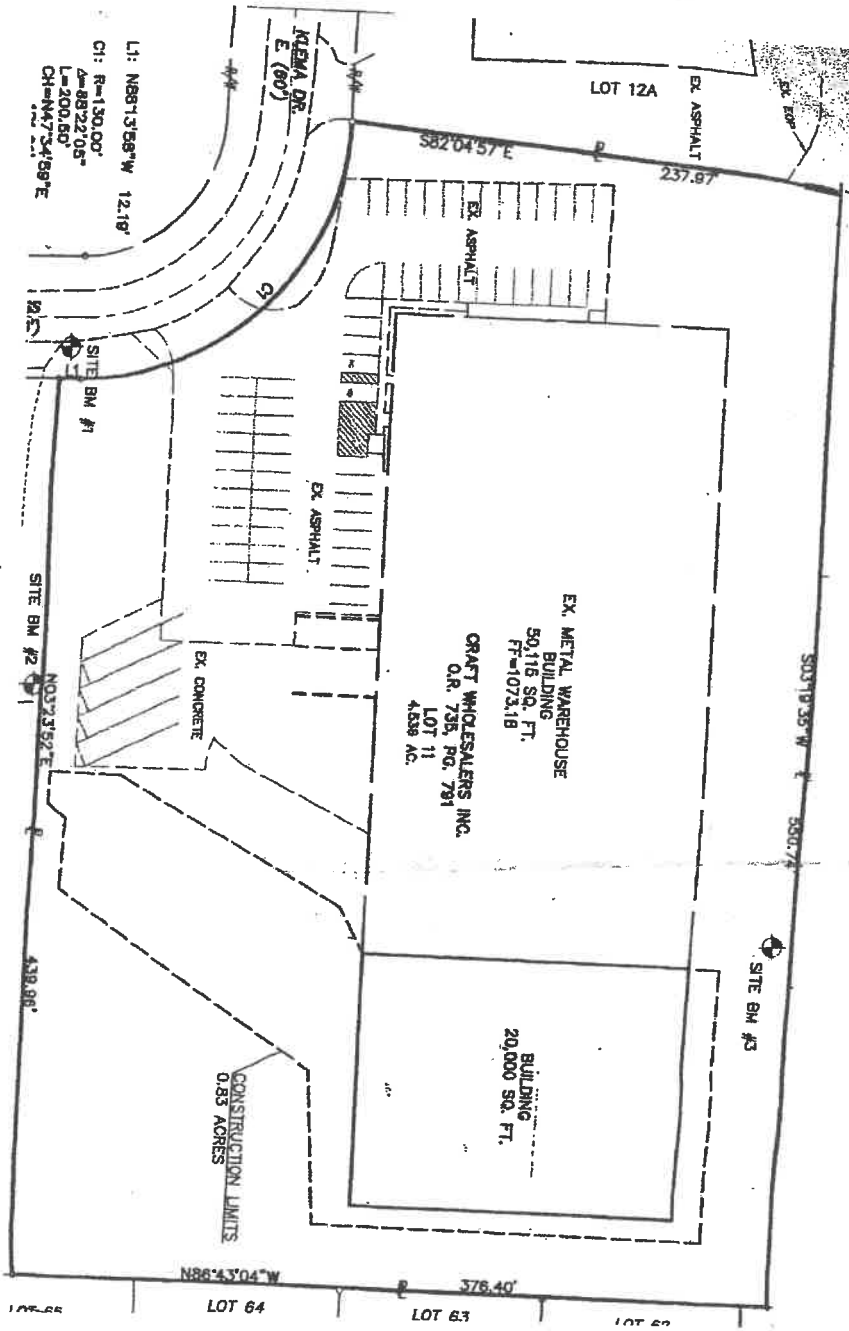


LICKING COUNTY TAX MAP

ISDEPT

77 Cypress Street, Reynoldsburg, Ohio





77 Cypress Street, Reynoldsburg, Ohio

Conditional Use Application

Narrative Statement

The Taylor Rd Commercial Park, which includes Cypress Street and Klema Drive, is zoned M1. Penny Fab, LLC is seeking to acquire the facility currently owned by Piper Equities, LLC, parcel #063-140430-00.007, for the purpose of Manufacturing, Assembly and Distribution.

Penny Fab is a precision metal fabrication company which has been in business for 26 years. We have been in operation in Johnstown, Ohio for the last 20 years. Penny Fab would be an excellent addition to the Pataskala's Light Manufacturing District as our operations will be "harmonious with and in accordance with the general objectives of the City of Pataskala's comprehensive plan for this M1 Code".

As specified in Chapter 1251 – Light Manufacturing District (M-1) of Pataskala Code

1251.04 Conditionally Permitted Uses.

A conditional use permit may be issued in accordance with Chapter 1215, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general principles outlined in Section 1215.04 as well as any additional conditions as required by the Board of Zoning Appeals and conditions referred to in the following description

7. Any other industrial use, including operations incidental to such use, which involves manufacturing, processing, packaging, assembly, storage: provided that any noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions related to the operation are not sufficient to create a nuisance beyond the premises.

As Penny Fab will be occupying the existing building, we will be harmonious in appearance and intended character of the area. The existing entry and parking areas, and any further extensions of parking, do not interfere with traffic on surrounding public thoroughfares. Operations within this facility will not create any additional requirements at public cost for public facilities and services, and will be served adequately by essential public facilities and services, such as highway, streets, police and fire protection, drainage structures, refuse disposal, water and sewer. This location has not and therefore will not result in loss or damage of a natural, scenic, or historical feature of major importance.

Operations are to be contained within the premises and will not be hazardous or disturbing to neighboring uses. The uses, activities, processes, materials, equipment and conditions of operations will limit all traffic, noise, smoke, fumes, glare, odor, etc. We will continue to strive to conduct operations so as not to be detrimental to any persons, property, or the general welfare, as described above.

Penny Fab looks forward to a mutually beneficial relationship with the City of Pataskala. Thank you for your consideration.

Charles R Evans

President

KNOW ALL MEN BY THESE PRESENTS; That **Craft Wholesalers, Inc.**, the grantor, a corporation organized and existing under the laws of the State of Ohio for Ten Dollars (\$10.00) and other good and valuable consideration paid, grants with general warranty covenants, to **Piper Equities, LLC**, an Ohio limited liability company the following Real Property:

See Exhibit A attached

Parcel No. 063-140430-00.007
Known as: 77 Cypress Street, Reynoldsburg, OH 43068

Tax Mailing Address: 77 Cypress Street, Reynoldsburg OH 43068

Subject to conditions, restrictions and easements, if any, contained in prior instruments of record.

Except taxes and assessments, if any, now a lien and thereafter due and payable.

Prior Instrument Reference: Official Record 735, Page 791 of the Deed Records of Licking County, Ohio.

Signed and acknowledged this 5 day of October, 2007, by Farley H. Piper, President of Craft Wholesalers, Inc., an Ohio corporation, the grantor, thereunto duly authorized by resolution of its Board of Directors.

Craft Wholesalers, Inc., an Ohio corporation

By: Farley H. Piper
Farley H. Piper, President

State of Ohio,
Franklin County, SS:

BE IT REMEMBERED, That on this 5th day of October, 2007, before me, the subscriber, a Notary Public in and for said county and state, personally came Farley H. Piper, President of Craft Wholesalers, Inc., an Ohio corporation, the Grantor in the foregoing deed, and acknowledged the signing thereof to be the free act and deed of said corporation pursuant to authority of its Board of Directors, and his free act and deed personally and as such officer.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Carmetta Principe
Notary Public

This instrument prepared by:
GEORGE L HENRY ESQ
555 S. Front Street
Suite 400
Columbus, OH 43215



CARMETTA PRINCIPE
Notary Public, State of Ohio
Commission Expires 09-28-08

TRANSFERRED
Date October 23, 2007

Titm First Box 1353469

Exhibit "A" – Legal Description
For File: 1353469

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

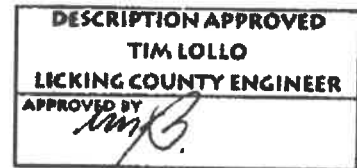
Being Lot Number Eleven (11) in TAYLOR ROAD COMMERCIAL PARK SECTION TWO as the same is numbered and delineated on the plat of said Addition recorded in Plat Book 14 at Pages 128 and 129, Licking County Plat Records.

Parcel No: 063-140430-00.007

Commonly known as: 77 Cypress Street, Reynoldsburg, OH 43068



01150553414128006000



From: Singleton, John
To: [Zachary Cowan](#)
Cc: [White, Doug](#)
Subject: Conditional use application comments
Date: Thursday, March 30, 2017 9:04:18 AM

Zack,

I have the following comments on the above listed applications:

CU-17-005 1. The use group of the building must be changed from S-2/B to S-1/B through the Licking County Building Code Department prior to occupying the building.

CU-17-006 1. The use group of the building must be changed from S-1/B to F-1/B through the Licking County Building Code Department prior to occupying the building.

2. Calculations will need to be made of the sprinkler system for verification that it can provide the required demand of the new use by a licensed sprinkler designer.

This concludes my comments at this time.
Please let me know if you have any questions.

Yours in Safety,

John R. Singleton
Fire Prevention Officer

West Licking Joint Fire District
851 East Broad Street
Pataskala, Ohio 43062
740-927-3046 Office
740-964-6621 Fax
740-281-6068 Cell
www.westlickingfire.org



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