



## CITY OF PATASKALA BOARD OF ZONING APPEALS

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

### STAFF REPORT

July 11, 2017

#### Conditional Use Application CU-17-010

<b>Applicant:</b>	Steve Draughon
<b>Owner:</b>	John Jones
<b>Location:</b>	6407 Summit Road
<b>Acreage:</b>	0.22 acres
<b>Zoning:</b>	GB – General Business District
<b>Request:</b>	Requesting a conditional use pursuant to Section 1249.04(5) of the Pataskala Code to allow for the property to operate an automotive repair facility.

#### Description of the Request:

The applicant is seeking a conditional use to allow the property to be used for an auto-body repair facility.

#### Staff Summary:

The property contains a roughly 540 square foot building that was built in 1936 that is currently being used as a hair salon as well as an 840 square foot pole barn that was built in 1968. The applicant is proposing to use the existing pole barn as an auto-body repair facility. According to the applicant's narrative, two employees will be working Monday-Friday 9am to 5pm. The scope of work includes removing and/or repairing bumpers, fenders, doors, etc. and painting the parts.

The garage was previously used as an automotive repair facility but was zoned M-1 – Light Manufacturing, which did not permit auto-repair facilities. In May 2016, the owner rezoned 6407, 6409, and 6431 Summit Road from M-1 – Light Manufacturing to GB – General Business in order for an auto-repair facility to be a conditionally-permitted use on those properties.

#### Staff Review:

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

Section 1291.16 of the Code lists types of uses with their minimum number of required parking spaces. Automotive repair facilities or similar uses are not listed within the section. Based upon the lack of detail in the code, staff cannot determine the required amount of off-street parking spaces required for the business. The existing parking area is a gravel lot that is not striped and shows no clear delineation of parking spaces. The applicant has not indicated how the parking area will be shared with the existing salon on the lot which requires 3 spaces for each operating station. Staff has had issues in the past with similar uses parking haphazardly and possible conditions have been placed to address the parking concerns.

The applicant has indicated that auto painting will be done on site which is in a dense area in close proximity to the school and many homes. Staff wants to ensure that there is adequate ventilation on site considering that painting without proper ventilation has the potential to create a fire and/or explosion hazard.

The Public Service Director has commented that vehicles shall not be permitted to occupy the right-of-way at any time for parking or storage and that under no circumstances shall liquid pollutants be permitted to enter storm or sanitary facilities. He has requested that the applicant provide details of methods to be used to retain and properly dispose of pollutants.

The City Engineer has commented that the city must ensure that there is adequate parking for the business and that access to the property needs to be safe for additional traffic. In addition, the engineer noted that the runoff of fluids and paint is concerns and questions what provisions will be made to protect from dirt runoff or spills.

**Surrounding Area:**

Direction	Zoning	Land Use
North	M-1 – Light Manufacturing	Auto-repair facility
East	M-1 – Light Manufacturing	Vacant
South	GB – General Business	Single-Family home
West	GB – General Business	Pizza shop

**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-17-010:

A – Protection of Surrounding Properties and Neighborhoods

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.*

B – Specific Performance Standards

2. *Hours may be limited further depending upon the surrounding land uses.*

E – Access

8. *The applicant shall submit a parking and traffic circulation plan to the Board of Zoning Appeals for approval. The design, location, and surface of the parking areas and vehicular approaches shall be subject to approval by the Board so as to reduce congestion, promote safety, and reduce the impact on the residential character of the neighborhood. The plan shall provide for the separation of incoming and outgoing vehicles during high volume periods and shall, if applies, provide a safe drop off point for pedestrians that will not impede other traffic.*

G – Miscellaneous – Administrative

1. *The Board of Zoning Appeals may, at its discretion, require that, upon the issuance of a conditional use permit, the conditions of the permit be subject to periodic review to insure compliance with the terms of the permit.*

**Department and Agency Review**

- Zoning Inspector – No comments
- Public Service – See attached
- City Engineer – See attached
- Police Department – No comments
- SWLWSD – No comments
- West Licking Joint Fire District – No comments
- Licking Heights 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 applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department prior to operating the facility.
2. No vehicles shall be permitted occupy the right-of-way for parking at anytime.
3. Liquid pollutants shall not enter or be allowed to enter any storm or sanitary facilities at any time.
4. The applicant shall submit details of method(s) to be used to retain and properly dispose of pollutants for review and approval by the Public Service Director.
5. 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.
6. No parking on other lots without a shared parking arrangement shall be permitted pursuant to Section 1291.08.
7. Parking shall be permitted only in designated spaces.
8. The applicant shall submit a parking and traffic circulation plan pursuant to Section 1215.05(E).
9. All applicable permits shall be obtained to ensure that there is proper ventilation.

**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 1249.04(5) of the Pataskala Code for application CU-17-010 ("with the following supplementary conditions" if supplementary conditions are to be placed on the approval)."

**From:** Jim Roberts  
**To:** [Zachary Cowan](#)  
**Cc:** [Scott Fulton](#); [Alan Haines](#); [Lisa Paxton](#); [Scott Haines](#)  
**Subject:** July 11 BZA Hearing  
**Date:** Sunday, June 25, 2017 10:27:25 PM

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Zack,

JHA has reviewed the agenda items for the July 11 BZA meeting. We offer the following engineering comments:

Case VA-17-015 and VA-17-016

- Our only comment on this case (there are two cases that address the same property) is to ensure there are no negative drainage impacts on any abutting properties.

Case VA-17-017

- We have no engineering comments on this case.

Case VA-17-018

- We note that ODOT allows up to 12% drive slopes in extenuating circumstances. We have no other comments.

Case VA-17-019

- We have no engineering comments on this case. We are not certain if the actual hardship is evident, but we do not have engineering concerns.

Case CU-17-009 and CU-17-101

- These two cases appear to be for the same new business.
- The city must ensure there is adequate parking for this business
- The access to the property needs to be safe (sight distance, drive spacing, etc.) for additional traffic.
- Runoff of car fluids and paint is a concern. Will there be an oil/water separator? What provisions will be made to protect from any dirty runoff or spills?

Case CU-17-011

- We have no comments on this case.

We appreciate the opportunity to provide this service for the city. Please let us know if there are any questions or concerns or if we can help in any other way.

Jim

**James G. Roberts, P.E.**

PRESIDENT

**Jobes Henderson**

A HULL COMPANY

59 Grant Street | Newark, Oh 43055

PH: (740) 344-5451 x 225 | FAX: (740) 344-8659

[jroberts@hullinc.com](mailto:jroberts@hullinc.com)

[www.jobeshenderson.com](http://www.jobeshenderson.com)

[www.hullinc.com](http://www.hullinc.com)

**From:** [Alan Haines](#)  
**To:** [Zachary Cowan](#)  
**Cc:** [Lisa Paxton](#); [Scott Fulton](#)  
**Subject:** July 11th BZA Comments  
**Date:** Thursday, June 22, 2017 9:44:33 AM

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Zach,

Please see my comments below with regard to the July 11<sup>th</sup> BZA hearing.

1. VA-17-015
  - a. No comment
2. VA-17-016
  - a. No comment
3. VA-17-017
  - a. No comment
4. VA-17-018
  - a. No comment
5. VA-17-019
  - a. No comment
6. CU-17-009
  - a. Vehicles shall not be permitted to occupy the right-of-way at any time for parking or storage.
  - b. Under no circumstances shall liquid pollutants (gas, oil, coolant, etc.) be permitted to enter storm or sanitary facilities. Applicant shall provide details of method(s) to be used to retain and properly dispose of pollutants.
7. CU-17-010
  - a. Vehicles shall not be permitted to occupy the right-of-way at any time for parking or storage.
  - b. Under no circumstances shall liquid pollutants (gas, oil, coolant, etc.) be permitted to enter storm or sanitary facilities. Applicant shall provide details of method(s) to be used to retain and properly dispose of pollutants.
8. CU-17-011
  - a. No comment

Let me know if questions or concerns.

Regards,

Alan W. Haines, P.E.  
Public Service Director  
City of Pataskala

621 W. Broad Street  
Suite 2B  
Pataskala, Ohio 43062

Office: 740-927-0145  
Cell: 614-746-5365



# 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: <i>6407 Summit Rd.</i>	
Parcel Number: <i>063-141906-00,000</i>	
Zoning: <i>GB</i>	Acres: <i>0.2</i>
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: <i>CU-17-010</i>
Fee: <i>\$300<sup>00</sup></i>
Filing Date: <i>6/15/17</i>
Hearing Date: <i>7/11/17</i>
Receipt Number: <i>20558</i>

Applicant Information		
Name: <i>STEVE DRAUGHON</i>		
Address: <i>5765 SPINNETREE DR.</i>		
City: <i>COLUMBUS</i>	State: <i>OHIO</i>	Zip: <i>43232</i>
Phone: <i>614-670-6723</i>	Email: <i>LWMA Daddy @ yahoo.com</i>	

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: <i>Scott H Jones</i>		
Address: <i>9416 Main</i>		
City: <i>REYNOLDS AVE</i>	State: <i>OH</i>	Zip: <i>43068</i>
Phone: <i>740 779 1760</i>	Email:	

Conditional Use Information
Request (Include Section of Code):
Describe the Project:
<i>AUTO REPAIR, BODY &amp; FENDER REPAIR</i>
<i>SPOT PAINTING</i>



## 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.lcountv.com/rec](http://www.lcountv.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.lcountv.com/taxparcelviewer/default](http://www.lcountv.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:

6-9-17

Owner:

Date:

6/4/17

S & L Body Shop  
6407 B Summit Rd.  
Summit Station, OH  
43073

THE TYPE REPAIRING THAT WE WILL  
BE DOING IS BODY REPAIR AND SPOT  
PAINTING.

HOURS OF OP. WILL BE 9:00 AM -  
TO 5:00 P.M. MONDAY THRU FRIDAY AND  
SATURDAYS 9:00 A.M. TO 2:00 P.M.

THERE WILL BE TWO PERSON'S WORKING  
THERE NAME'S STEVE & LARRY.  
BODYWORK WILL BE REMOVING OR REPAIRING  
BUMPER'S, FENDERS, DOORS, QTR. PANELS  
& PAINTING ONLY OF THESE PARTS.

SOME LIKE MECHANICAL REPAIRS, BRAKES,  
ROTOR'S, WATER PUMPS, ETC.

THIS IS THE SCOPE OF WORK  
AT THIS LOCATION.

THANK YOU



6-15-17



COLUMBUS METRO E  
OR 650-062  
TD = 203

GAPIN, BERNE  
2009101012360  
TD = 18,444

151

BROAD ST SW

LINCOLN ST SW

WAGNER CONTRACTING CO.  
681-4822  
TD = 1553

MORRIS, SALIYAH  
BECKETT, DONALD L  
OR 414-0729  
TD = 14,637

BD OF ED LICKING HEIGHTS LSD,  
428-0161  
TD = 501

BD OF ED LICKING HEIGHTS LSD,  
234-0000  
TD = 5

BD OF ED LICKING HEIGHTS LSD,  
689-0019  
TD = 17,72

BD OF ED LICKING HEIGHTS LSD,

26

HOLMES, PETER  
STAZIANE, SUSAN L  
OR 142-0418  
TD = 5

GLENBROOK HOMEOWNERS ASS'NING,  
200808070018037  
TD = 57,3

26

HARRISON ST SW

DRIVEWAY

BAKER, DENZEL  
KANE, SHARON A  
2010010010228  
TD = 2,40

KENNEDY, INEZ P  
20112420073351  
TD = 1,602

PALMER, JAMES S  
199912210051538  
TD = 3,074

STALEY, HOPE L  
2014974008813  
TD = 3,9

MONARCH DR

678

WESLEY DR SW

BAKER, DENZEL  
201312150028741

PIPER EQUITIES LLC  
200710290028066  
TD = 0

VAN WINKLE, JAMES G

STEINWARTER, DONALD R

BD OF ED LICKING HEIGHTS LSD,



MORRIS, SALLY W  
BECKETT, DONALD L  
08142424  
TD = 14.637

100.62

100.62

JONES, JOHN H  
201108050014921  
TD = 24.5

JONES, JOHN H  
201108050014322  
TD = 24.5

184.6

JONES, JOHN H  
201108050014323  
TD = 25

NEWTON, WILLIAM III - SO-TR  
NEWTON, WILLIAM III - SO-TR

26

ING HEIGHTS USD

MAV B L L C  
201309040022613  
TD = 0

MAV B L L C  
201309040022613  
TD = 0

MAV B L L C  
201309040022613  
TD = 0

MAV B L L C  
201309040022613  
TD = 0

HOWELL, JACQUELINE  
1899426000103  
TD = 0

MAYNARD, DOUGLAS BRYAN JR

ST SW

76

49.5

5432

**OnTrac<sup>®</sup> Summary Information For The 2016 Tax Year**

**Parcel Number:** 063-141906-00.000

**Owner:** JONES JOHN H

**Address:** 6409 SUMMIT RD SUMMIT STATION 43073

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

**2016 Rates:** 86.61000 (Full) / 75.79670 (Effective)

**Land Use:** 455 Commercial garages

**Class:** Commercial

**Legal Description:** 0.22 AC LOT 21

**Mailing Address:** JONES JOHN H

PO BOX 265

ETNA OH 43018

**Market Land Value:** \$17,600

**Market Improvement Value:** \$33,100

**Total Market Value:** \$50,700

**Sale Date:** 8/5/2011

**Sale Amount:** \$150,000.00

**Deed Type:** WD - WARRANTY

**Conveyance Number:** 1625

**Valid Sale:** Yes

**Foreclosure:** No

**Homestead/Disability:** No

**Owner Occupied Reduction:** No

**On Contract:** No

**Tax Lien Sold:** No

OWNER1	OWNER2	Address	City	State	Zip Code
BAGBY, LAWRENCE E	BAGBY, GOLDIE K	14163 CLEVELAND RD	PATASKALA	OH	43062
WEST LICKING HISTORICAL SOCIETY, BD OF ED LICKING HEIGHTS LSD,	,	PO BOX 1025	PATASKALA	OH	43062
JONES, JOHN H	,	6539 SUMMIT RD	PATASKALA	OH	43062
JONES, JOHN H	,	PO BOX 265	ETNA	OH	43018
JONES, JOHN H	,	PO BOX 265	ETNA	OH	43018
HOFFMAN, NANCY C	,	PO BOX 265	ETNA	OH	43018
HOFFMAN, NANCY C	,	6376 SUMMIT RD	PATASKALA	OH	43062
HOFFMAN, NANCY C	,	6376 SUMMIT RD	PATASKALA	OH	43062
JONES, JOHN H	,	6376 SUMMIT RD	PATASKALA	OH	43062
MADDEN, ESTILENE	,	PO BOX 265	ETNA	OH	43018
DELIBERA, BEVERLY J	,	PO BOX 164	SUMMIT STATION	OH	43073
DELIBERA, BEVERLY J	,	PO BOX 202	SUMMIT STATION	OH	43073
APPLEMAN, FRED W	,	PO BOX 202	SUMMIT STATION	OH	43073
APPLEMAN, FRED W	APPLEMAN, JUDITH S	13593 WAGRAM RD	PICKERINGTON	OH	43147
DUDLEY, ANNABELLE B	APPLEMAN, JUDITH S	13593 WAGRAM RD	PICKERINGTON	OH	43147
MORRIS, SALLY W	,	14173 CLEVELAND RD SW	PATASKALA	OH	43062
MAVB L L C,	BECKETT, DONALD L	41 S HIGH ST FL 32	COLUMBUS	OH	43215
GOODMAN, DAMIAN SCOTT	,	4832 KELLER RD	HEBRON	OH	43025
MAVB L L C,	,	6454 SUMMIT RD	PATASKALA	OH	43062
BOURIZK, MAURICE	,	4832 KELLER RD	HEBRON	OH	43025
MAJOR CONTRACTING CO, WONSICK, BEVERLY J	BOURIZK, SIERA	6466 SUMMIT RD	PATASKALA	OH	43062
JOSEPH, JILL	,	PO BOX 1013	BRICE	OH	43109
NEWTON, WILLIAM A-III-CO-TR	JOSEPH, KANDACE	PO BOX 93	SUMMIT STATION	OH	43073
HOWELL, JACQUELINE	NEWTON DARROUGH, NANCI-CO-TR	PO BOX 158	SUMMIT STATION	OH	43073
ZINK, CRETA F	,	12933 JUG ST	JOHNSTOWN	OH	43031
MAVB L L C,	RILEY, ONA M	PO BOX 212	SUMMIT STATION	OH	43073
ZINK, CRETA F	,	6364 SUMMIT RD	PATASKALA	OH	43062
MAYNARD, DOUGLAS BRYAN-JR	RILEY, ONA M	4832 KELLER RD	HEBRON	OH	43025
	,	6364 SUMMIT RD	PATASKALA	OH	43062
	,	6442 SUMMIT RD	PATASKALA	OH	43062