



Introduced: 8/1/2016  
Revised: 10/3/2016  
Adopted:  
Effective:

## CITY OF PATASKALA

### ORDINANCE 2016-4267

**AN ORDINANCE TO AMEND CHAPTER 1203 AND ADD SECTIONS 1221.07 AND 1221.09 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 definitions and standards for decks, patios, porches and balconies, 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 Sections 1221.07 and 1221.09 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 & ZONING DEPARTMENT

621 West Broad Street, Suite 2A  
Pataskala, Ohio 43062

### EXHIBIT A

Ordinance 2016-4267

#### 1203 – Definitions

Deck: A platform, either open or partially located under roof, that is supported by pillars or posts. A deck may be either freestanding or attached to the principal structure.

Porch: A fully roofed platform, which may be enclosed by screens, attached to the principal structure with direct access to or from it.

Patio: A hard surfaced area on the ground, typically adjoining the principal structure, constructed of concrete, bricks, tiles, pavers or similar materials.

Balcony: A platform attached to the principal structure projecting from the wall above the ground floor.

#### 1221.07 - Decks and Patios

A. Permitted: Decks and patios shall be permitted in all zoning districts.

B. Setbacks:

1. Residential Districts

- i. Front: Decks and patios shall meet all front yard setbacks of the zoning district in which they are located.
- ii. Rear: Decks and patios shall not extend more than 50 percent into the required rear yard setback of the zoning district in which they are located.
- iii. Side: Decks and patios shall meet the required side yard setbacks of the zoning district in which they are located or shall not extend further into the side yard setback than the principal structure on the lot, whichever is less

2. Commercial and Industrial Districts

- i. Front: Decks and patios shall meet all front yard setbacks of the zoning district in which they are located.
- ii. Rear: Decks and patios shall not extend more than 50 percent into the required rear yard setback of the zoning district in which they are located.
- iii. Side: Decks and patios shall not extend more than 50 percent into the required side yard setback of the zoning district in which they are located.

C. Height: The floor of decks and patios shall not be higher than the highest floor level of the principal structure on the lot.

- D. Appearance: Decks and patios shall have a finish that is compatible with the principal structure on the lot.
- E. Location:
  - 1. Decks and patios shall not be located in a recorded easement.
  - 2. Decks and patios 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 decks or patios on a residentially zoned lot unless approved as part of a home occupation pursuant to Chapter 1267.
- G. Off-Site Impacts: Decks and patios shall not adversely affect neighboring properties so as to result in its loss of value.
- H. Materials: All materials for decks and patios shall be approved materials recognized by the Ohio Building Code.
- I. Maintenance: Decks and patios shall be maintained in good repair at all times.

#### **1221.09 – Porches and Balconies**

- A. Permitted: Porches and balconies shall be permitted in all zoning districts.
- B. Setbacks: Porches and balconies shall meet all required setbacks for a principal structure in the zoning district in which they are located.
- C. Height: The floor of a porch or balcony shall not be higher than the highest floor level of the principal structure on the lot.
- D. Appearance: Porches and balconies shall have a finish that is compatible with the principal structure on the lot.
- E. Location:
  - 1. Porches and balconies shall not be located in a recorded easement.
  - 2. Porches and balconies 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 porch or balcony on a residentially zoned lot unless approved as part of a home occupation pursuant to Chapter 1267.
- G. Off-Site Impacts: Porches and balconies shall not adversely affect neighboring properties so as to result in its loss of value.
- H. Materials: All materials for porches and balconies shall be approved materials recognized by the Ohio Building Code.
- I. Maintenance: Porches and balconies shall be maintained in good repair at all times.