



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

June 3, 2020

Variance Application VA-20-007

Applicant:	Kessler Sign Company
Owner:	Licking County Family YMCA
Location:	355 W Broad Street, Pataskala, OH 43062
Acreage:	17.13-acres
Zoning:	M-1 Light Manufacturing
Request:	Requesting approval of six (6) variances from Sections 1259.09(b)(2)(C), 1259.09(b)(4)(C), 1259.10(b)(7)(A)(3), 1295.10(b)(7)(B)(4), 1259.10(b)(7)(B)(5), 1259.10(b)(7)(B)(6) for a ground sign with an Electronic Message Center (EMC) sign.

Description of the Request:

The applicant is seeking approval of six (6) variances to allow for the construction of a new ground sign for the Pataskala YMCA with an Electronic Message Center (EMC) sign.

Staff Summary:

The 17.03-acre property at 355 W Broad St SW is currently occupied by the Pataskala Branch of the Licking County Family YMCA. The structure itself is approximately 26,660 square feet, with an approximately 44,688 square foot asphalt paved parking lot, with an access drive onto Broad Street. The lot is a flag lot, with the length being larger than the width.

The YMCA has been undergoing some renovations to their facility, notably some small additions approved in 2018 (Permit #18-951), and a new wall sign on the building itself (Permit #20-198). The YMCA is also proposing a new ground sign to be replace the existing one by E Broad Street, which as exists now is about 25 feet from the right-of-way on Broad Street.

As proposed, the ground sign is a total height of 16'6" with a total width of 8'. There are multiple components to the sign; a 8' by 9', or 72 square feet, white lexan sign with logos, a 4'5" by 7'3", or 32 square feet, full-color LED electronic message center (EMC), and a 3' by 8' sign base with white vinyl lettering showing the address.

Pursuant to Section 1295.09(b)(2)(C) and 1259.09(b)(4)(C) of the Pataskala Code a freestanding ground sign shall not exceed 32 square feet in size and 10' in height. As proposed the sign includes a 72 square foot sign and a 32-square foot EMC for a total of 104 square feet, and is a total height of 16'6".

Section 1259.10 of the Pataskala Code regulates Electronic Message Center (EMC) signs. Per this Section, they are limited to 24 square feet in size, may not change more than once in a three (3) minute period, shall be static and are not permitted to flash, roll, scroll or employ other motion or animation techniques during display or changing of copy, and are limited to dark backgrounds with a single color employed at any one time for any message or image.

In the Narrative Statement supplied by the Applicant; they stated the need for the sign was to communicate the expanded YMCA's activities, classes and events well to people travelling along Route 16 (Broad Street), as well as to provide visibility to their location as the main building is over 300 feet from Broad Street and not very visible. They also do not believe that the sign will impair visibility or public safety. Further stated, the higher sign height than permitted is because the driveway where the sign will be located site below the grade than Route 16.

Staff Review: *The following review does not constitute recommendations but merely conclusions and suggestions from staff.*

In summary, the Applicant is requesting six (6) variances total. They are:

1. Section 1295.09(b)(2)(C): to allow for a freestanding ground sign to exceed the 32 square feet maximum size and exceed the 10-foot maximum height.
 - a. The Applicant is proposing a total sign square footage of 104, which exceeds the maximum permitted square footage by 72 square feet, or 225%.
 - b. The Applicant is proposing a 16'6" total height, which exceed the maximum permitted height of by 6'6", or 65%.
2. Section 1295.09(b)(4)(C): to allow for a freestanding ground sign to exceed the 10-foot maximum height (this requirement is mentioned twice in the code).
 - a. The Applicant is proposing a 16'6" total height, which exceed the maximum permitted height of by 6'6", or 65%.
3. Section 1295.09(b)(7)(A)(3): to allow for an EMC sign that will exceed the maximum size of 24 square feet.
 - a. The Applicant is proposing a total EMC sign size of 32 square feet, which will exceed the maximum size by eight (8) feet, or 33.33%
4. Section 1295.10(b)(7)(B)(4): to allow for an EMC that will change more than once in a three (3) minute period.
5. Section 1295.10(b)(7)(B)(5): to allow for an EMC that will flash, roll, scroll or employ other motion or animation techniques.
6. Section 1295.10(b)(7)(B)(6): to allow for an EMC that will be employ more than one (1) color at any time for a message or image.

Pursuant to Section 1295.09(b)(2)(C) of the Pataskala Code, freestanding ground signs shall be at least 10 feet from the road right-of-way. It appears to be compliant if replacing the existing sign in the same location, however the actual distance should be indicated on the site plan when submitting for their Sign Permit.

Staff has not identified any other concerns with the proposal.

City Engineer

1. The Applicant shall ensure the sign is placed outside the City's Right-of-Way.

No other comments from applicable Departments or Agencies were received.

Surrounding Area:

Direction	Zoning	Land Use
North	GB – General Business R-10 – High Density Residential	Auto Sales/Storage Single-Family Homes
East	R-MH – Manufactured Home Residential	Trailer Park
South	AG – Agricultural	Railroad Tracks, Vacant Land
West	M-1 – Light Manufacturing	Auto Sales/Storage Lumber Yard

Variance Requirements:

According to Section 1211.07(1) of the Pataskala Code, the Board of Zoning appeals shall consider the following factors when determining if an area variance is warranted:

- a) *Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property;*
- b) *Whether there are unique physical circumstances or conditions that prohibit the property being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property;*
- c) *Whether the variance requested is substantial;*
- d) *Whether the essential character of the neighborhood would be substantially altered or the adjoining properties would suffer a substantial detriment as a result of the variance;*
- e) *Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;*
- f) *Whether the variance, if granted, will be detrimental to the public welfare;*
- g) *Whether the variance, if granted, would adversely affect the delivery of government services;*
- h) *Whether the property owner purchased the subject property with knowledge of the zoning restriction;*
- i) *Whether the property owner’s predicament can be obviated through some other method than variance;*
- j) *Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,*
- k) *Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.*

Furthermore, Section 1211.07(2) allows other factors to be considered, including comments from City staff, when determining if an area variance is warranted. The following factors from Section 1211.07(2) are applicable to Variance Application VA-20-007:

- 1211.07(2)(g): To increase the maximum allowable height or area of signs on a lot (it is suggested that the same should not be increased more than 25%).

Department and Agency Review

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – See Comments
- Health Department – No comments
- Pataskala Utilities – No comments
- Police Department – No comments
- West Licking Joint Fire District – No comments
- Southwest Licking School District – No comments

Supplementary Conditions:

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

1. The Applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department within one (1) year of the date of approval.

Resolution:

For your convenience, the following resolution may be considered by the Board of Zoning Appeals when making a motion:

"I move to approve variance from Sections 1259.09(b)(2)(C), 1259.09(b)(4)(C), 1259.10(b)(7)(A)(3), 1295.10(b)(7)(B)(4), 1259.10(b)(7)(B)(5), 1259.10(b)(7)(B)(6) of the Pataskala Code for variance application VA-20-007 ("with the following supplementary conditions" if conditions are to be placed on the approval)."

From: [Scott Haines](#)
To: [Jack Kuntzman](#)
Cc: [Scott Fulton](#); [Alan Haines](#); [Lisa Paxton](#)
Subject: RE: Pataskala BZA Review Memo for 06-09-2020
Date: Sunday, May 31, 2020 8:14:11 PM

Jack

Hull and Associates has reviewed the agenda items for the June 9, 2020 BZA Meeting and offer the following comments:

VA-20-006

1. The applicant shall ensure the fence does not encroach into the city's Right-of-Way.

VA-20-007

1. The applicant shall ensure the sign is placed outside the City's Right-of-Way
2. The applicant shall ensure the sign does not interfere with driver's sight lines on the street. **DISREGARD**

VA-20-008

1. The applicant shall ensure the fence does not encroach into the city's Right-of-Way.

CU-20-005

1. We have no engineering related comments on this application.

Thank You

Scott R. Haines, P.E., CPESC

Senior Project Manager

HULL | Newark, Ohio

Environment / Energy / Infrastructure

d: 740-224-0839 | o: 740-344-5451 | f: 614-973-9070

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[web](#) | [directions to offices](#)

From: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>

Sent: Tuesday, May 19, 2020 12:01 PM

To: Steven Blake <sblake@ci.pataskala.oh.us>; Chris Sharrock <csharrock@ci.pataskala.oh.us>; Jim Roberts <jroberts@hullinc.com>; Scott Haines <shaines@hullinc.com>; Bruce Brooks <bbrooks@pataskalapolice.net>; Doug White <DWhite@westlickingfire.org>; Philip Wagner <pwagner@lhschools.org>; kperkins@laca.org; Chris Gilcher <cgilcher@swlcws.com>; Alan Haines <ahaines@ci.pataskala.oh.us>

Cc: Scott Fulton <sfulton@ci.pataskala.oh.us>

Subject: Pataskala BZA Review Memo for 06-09-2020



CITY OF PATASKALA PLANNING & ZONING DEPARTMENT
621 West Broad Street, Suite 2A
Pataskala, Ohio 43062

VARIANCE APPLICATION
(Pataskala Codified Ordinances Chapter 1211)

Property Information	
Address: 355 W. Broad St Pataskala OH 43062	
Parcel Number: 064308136.00.000	
Zoning: M-1 Light Manufacturing	Acres:
Water Supply: N/A	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site
Wastewater Treatment: N/A	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Staff Use
Application Number: VA-20-007
Fee: \$300.00
Filing Date: 5-15-2020
Hearing Date: 6-9-2020
Receipt Number:

Applicant Information		
Name: Kessler Sign Co		
Address: 2609 National Rd		
City: Tanesville	State: OH	Zip: 43701
Phone: 740-453-0608	Email: ashley@kessler-signco.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"/> Area Map

Property Owner Information		
Name: Licking County Family Ymca		
Address: 355 W Broad St		
City: Pataskala	State: OH	Zip: 43062
Phone:	Email:	

Variance Information	
Request (Include Section of Code): 1259.09(b)(2)(C), 1259.09(b)(4)(C), 1259.10(b)(7)(A)(3), 1295.10(b)(7)(b)(4), 1295.10(b)(7)(b)(5), 1259.10(b)(7)(b)(6)	
Describe the Project: Installation of new Road Sign	

Documents to Submit

Variance Application: Submit 1 copy of the variance application.

Narrative Statement: Submit 1 copy of a narrative statement explaining the following:

- The reason the variance is necessary
- The specific reasons why the variance is justified as it pertains to Section 1211.07 of the Pataskala Code:
 - a) Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property without the variance;
 - b) Whether there are unique physical circumstances or conditions that prohibit the property from being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property;
 - c) Whether the variance requested is substantial;
 - d) Whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance;
 - e) Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;
 - f) Whether the variance, if granted, will be detrimental to the public welfare;
 - g) Whether the variance, if granted, would adversely affect the delivery of governmental services;
 - h) Whether the property owner purchased the subject property with knowledge of the zoning restriction;
 - i) Whether the property owner's predicament can be obviated through some other method than variance;
 - j) Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,
 - k) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- A use variance must also meet the requirements described in Section 1211.07(B) of the Pataskala Code.

Site Plan: Submit 1 copy (unless otherwise directed by staff) 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 variance request

Deed: Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained from the Licking County Recorder's website here: <https://apps.lickingcounty.com/recorded/recording-search.html>

Area Map: Submit 1 copy of an area map showing the property and the surrounding area. Area maps can be obtained from the Licking County Auditor's website here: <https://www.lickingcountyvaioia.us/>

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 variance request.

Applicant (Required):

Ashley Janner

Date:

5/4/2020

Property Owner (Required):

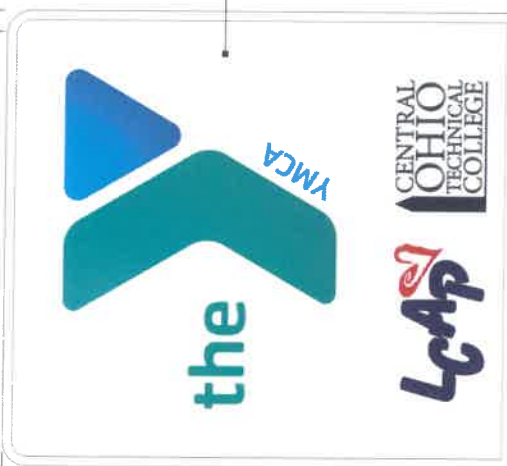
[Signature]

Date:

5-5-2020

- a. Current expansion of YMCA and all the different activities, classes and events need to be communicated and as well as the visual activity for people traveling along Route 16.
- b. Yes, the facility sits off the highway over 300ft and is not very visible to the traveling public.
- c. We are only 6'9" higher than code and that is needed because where the sign sits it is below the grade of the highway.
- d. The adjoining properties are commercial in nature. The sign will promote better safety of motoring public to have a timely turn into property.
- e. The sign will not impair visibility or promotion of adjacent property.
- f. No it will not , it will promote safety and promote welfare in the community to be able to travel safely.
- g. No in fact in the event EMS/Fire/Police would be called to the area they would be able to find the entrance easily and quickly.
- h. No
- i. No the variance is necessary.
- j. Yes it is minimum and mirrors other signs such as BP, First Federal, McDonald's and Dairy Mart.
- k. Absolutely, it will allow the YMCA to communicate with travelers in the community the classes and activities.

8'-0"
7'-3"



WHITE LEXAN FACE
W/ PRINTED VINYL "Y" LOGO
(MEETS SPACING STANDARDS)
& CUT VINYL SECONDARY LOGOS



ALUMINUM FILLER
ON EMC ENDS

4'-5" x 7'-3"
16MM FULL-COLOR
LED EMC



ALUMINUM REVEAL

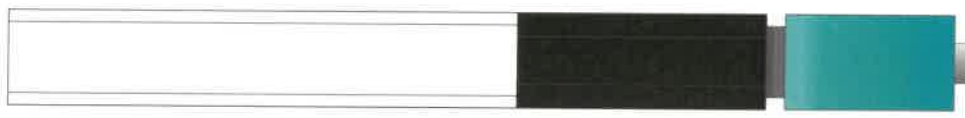
FABRICATED ALUMINUM POLE COVER
W/ REFLECTIVE WHITE VINYL COPY

AREA FOR LANDSCAPING
(SLOPED GRADE)

7'-2"

NEW D/F LED ILLUMINATED ROAD SIGN W/ 16MM FULL-COLOR LED EMCS

SCALE: 3/8" = 1'



CLIENT | YMCA

LOCATION | Pataskala

SAVED AS | YMCA_Pataskala

DATE | 2/27/20

REVISIONS |

SALESMAN | Rodger Kessler

DESIGNER | Jared Faber

SALESMAN INITIAL OF APPROVAL |

X

GLOSS

SATIN

SEMI-GLOSS

FLAT

CIRCUITS | 1

VOLTAGE | 120V



ALL CONCEPTS, DESIGNS, AND PLANS REPRESENTED
BY THIS DOCUMENT ARE THE PROPERTY OF THE
KESSELER DESIGN GROUP AND ARE FOR THE USE ON
THE PROJECT SPECIFIED IN THIS DOCUMENT.

COPYRIGHT 2016 BY KESSELER DESIGN GROUP
ALL RIGHTS RESERVED





GENERAL WARRANTY DEED

Acuity Lighting Group, Inc., formerly L & C Lighting Group, Inc., a corporation organized and existing under the laws of the State of Delaware for valuable consideration paid, grants, with general warranty covenants, to The Licking County Family YMCA, a not-for-profit corporation whose tax-mailing address is 470 W. Church St., Newark, OH the following real property situated in the Village of Pataskala, County of Licking and State of Ohio and bounded and described as follows: 43055

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

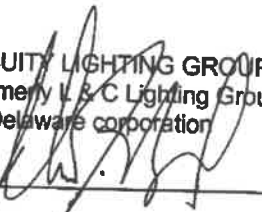
Subject to easements, conditions, and restrictions of record and taxes and assessments now and hereafter due and payable.

Parcel No. 064-308136-00.000
Parcel Address: 355 West Broad Street, Pataskala, Ohio


Prior Instrument Reference: Instrument No. 200109130033385 of the Deed Records of Licking County, Ohio.

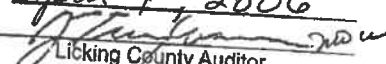
IN WITNESS WHEREOF, grantor has caused its corporate name to be subscribed hereto by Vernon J. Nagel, its Chairman, thereunto duly authorized by resolution of its Board of Directors, this 31 day of March, 2006.

ACUITY LIGHTING GROUP, INC.
formerly L & C Lighting Group, Inc.,
a Delaware corporation

By: 
Vernon J. Nagel
Print Name

Signed and acknowledged in the presence of:

By: 
KENNETH ZIRKMAN
Print Name

TRANSFERRED
Date April 7, 2006

Licking County Auditor

State Of Georgia)
County Of Fulton) ss:

SEC.319.202 COMPLIED WITH
J. TERRY EVANS, AUDITOR
BY MDW 1600

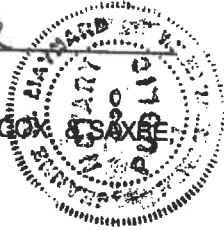
Be It Remembered, that on this 31 day of March, 2006, before me, the subscriber, a Notary Public in and for said County, personally came the above named, Vernon J. Nagel, as Chairman of Acuity Lighting Group, Inc., formerly L & C Lighting Group, Inc., the Grantor in the foregoing Deed, and acknowledged the signing of the

same to be his and its voluntary act and deed, pursuant to authority of its board of directors.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal, on the day and year last aforesaid.

James R. Daynard
Notary Public

This instrument was prepared by: J. Anthony Kington, CHESTER WILLCOX & SAXBE, LLP, 65 East State Street, Suite 1000, Columbus, Ohio 43215



239985.1

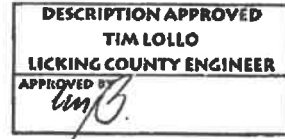


Exhibit "A "

Parcel No. 1

Situated in the Village of Pataskala, County of Licking, State of Ohio, being located in Section 4, Township 1, Range 15, United States Military, and being bounded and described as follows:

Beginning at an iron pin in the Southwest corner of Lot 28 in Van Atta's Third Addition, recorded in Plat Book 8, Page 8 of Licking County Records; thence South 0 deg. 7' 00" West, 1262.54 feet to an iron pin set in the North right of way line of the Pennsylvania Railroad; thence South 88 deg. 05' 00" West, along the North right of way of said railroad, 758.81 feet to an iron pin, being also the Southwest corner of said Byron Van Atta's land and the Southeast corner of the Hugh A. Cook 2.9 acre tract, recorded in Book 618, Page 233 of Licking County Records; thence North 0 deg. 07' 00" East, along the West line of said Van Atta's tract, 738.55 feet to an iron pin at the Southwest corner of the Loren S. Ramsey 2.12 acre tract, recorded in Book 578, Page 270 of Licking County Records; thence North 87 deg. 48' 00" East, along the South line of the Ramsey and Dave Smith Ford, Inc. tracts, 464 feet to an iron pin in the center line of Van Atta - Smith Road; thence North 0 deg. 07' 00" East, along the center line of Van Atta - Smith Road, 350 feet to an iron pin; thence North 0 deg. 38' 00" East, continuing along the center line of said Van Atta - Smith Road, 99.3 feet to an iron pin; thence North 74 deg. 22' 00" East, 305.28 feet to an iron pin at the place of beginning, containing 16.168 acres of land.

Parcel No. 2

Situated in the Village of Pataskala, County of Licking, State of Ohio, being a 60 foot strip of land running from the North line of the above described Parcel No. 1 and running North to State Route 16, and being bounded and described as follows:

Beginning at an iron pin at the Southwest corner of Lot 28 in the Van Atta's Third Addition, recorded in Plat Book 8, Page 8 of Licking County Records; thence South 74 deg. 22' 00" West, 216.75 feet to a point for the true place of beginning; thence North 0 deg. 38' 00" East, 672.46 feet to the centerline of State Route 16 for a corner; thence South 74 deg. 22' 00" West, along the centerline of State Route 16, 62.49 feet to a point for a corner; thence South 0 deg. 38' 00" West, 672.46 feet to a point in the North line of Parcel No. 1 for a corner; thence North 74 deg. 22' 00" East, 62.49 feet to the place of beginning, containing 0.926 acres of land.

Michael L. Smith, Auditor
 Olivia C. Parkinson, Treasurer

Taxes **BOB** July 13th
 CAUV Dog License

- 📄 Documents
- 📁 Downloads
- 📍 GIS
- 🏠 Homestead
- 🏠 Taxes
- 🔍 Other

- Map
- BOR
- Card
- CAUV
- Documents
- Land
- Map
- Parcel
- Pictometry
- Sketch
- Street View
- Structures
- Taxes
- Transfers
- Values
- Help
- Login



Search by: **Owner** ▼
 Search for: _____
 Trouble Searching?



064-308136-00.000
 LICKING COUNTY FAMILY
 YMCA
 355 W BROAD ST
 PATASKALA, OH 43062

Acres: 17.13
 17.13 AC LOT 13 R15 T1
 Q4

Land: \$523,400

For questions or suggestions regarding OnTrac, contact the Licking County Auditor's Office by clicking here. By accessing or using this web site, you agree to be bound by these Terms and Conditions. Using a low screen resolution? Try our Mobile Version.