

**MINUTES OF THE
CITY OF PATASKALA BOARD OF ZONING APPEALS**

Tuesday, August 10, 2021

The City of Pataskala Board of Zoning Appeals convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, Pataskala, Ohio, on Tuesday, August 10, 2021.

Present were:

William Cook

Alan Howe, Chairman

Jenna Kennedy, Vice Chairperson

Christine Lawyer

TJ Rhodeback

City of Pataskala Planning and Zoning Department Staff:

Scott Fulton, Planning and Zoning Director

Lisa Paxton, Zoning Clerk

Mr. Howe opened the hearing at 6:30 p.m., followed by the Pledge of Allegiance.

Present were: William Cook, Alan Howe, Jenna Kennedy, Christine Lawyer and TJ Rhodeback.

First on the Agenda, remove from table Appeal Application AP-21-002.

Mr. Cook made the motion to remove from table Appeal Application AP-21-002. Seconded by Ms. Lawyer. Ms. Kennedy, Mr. Howe, Ms. Rhodeback, Ms. Lawyer and Mr. Cook voted yes. The motion was approved.

Next on the Agenda, Appeal Application AP-21-002, 460 Connor Ave SW.

Mr. Fulton gave an overview of the Staff Report. Area map was reviewed. It was noted the Public Service Director approved a right-of-way permit in June of 2020 for the construction of a driveway to access two properties on Connor Avenue owned by Mr. Maynard. The provisions of the right-of-way permit noted the City owns the right-of-way and are not responsible for maintenance of the driveway and that the driveway could be removed by the City, if necessary. Once the driveway was completed, Mr. Maynard listed his properties for sale. The two properties south of Mr. Maynard's, owned by Kimberly Frostic, were also listed for sale. Site map was reviewed. Mr. Fulton stated although it was never formally discussed, it was not the understanding of the City that the installation of the driveway was done with the intent to sell the properties. Mr. Fulton noted several inquiries were received from realtors and prospective buyers of the properties and they were informed the properties were unbuildable until a public road was built by the developer(s) of the properties and the road dedicated to the City. It was noted the responsibility for the construction of the road would be the developer(s) of the properties and not the City's responsibility. In April of this year, Mr. Santa contacted Staff regarding a shed permit. Once the application was received, it was determined a permit was not allowed and Mr. Santa applied for a variance. Mr. Fulton responded to the variance application that it would not be accepted as Section 305.06 of the Pataskala Code is not subject to variances. It was also noted Mr. Santa was aware of the City's position prior to the purchase of his property.

Dan Santa, 3514 Clover Hill Drive, Clarksville, Tennessee, was placed under oath.

Mr. Santa stated just wanting to place a shed on the property.

Mr. Howe noted due to zoning restrictions and Section 305.06 of the Pataskala Code, a shed would not be permitted.

A discussion was had regarding zoning regulations.

Mr. Howe made a motion to approve the Applicant's appeal, pursuant to Section 1211.03 of the Pataskala Code, because the Planning and Zoning Department should have accepted the variance application. Seconded by Ms. Kennedy. Mr. Cook. Mr. Howe, Ms. Kennedy, Ms. Lawyer and Ms. Rhodeback voted no. The motion was not approved.

Next on the Agenda, Variance Application VA-21-024, 6408 Columbia Road.

Mr. Fulton gave an overview of the Staff Report, noting the Applicant's request for a variance from Section 1221.05(A) of the Pataskala Code to allow for more than two accessory buildings, and a variance from Section 1221.05(B)(1) to allow for the square footage of accessory buildings to exceed the maximum on a lot less than two acres in size. A site map was reviewed.

A discussion was had regarding the location of the proposed shelter house, set back requirements, combining existing structures, along with connecting the shelter house to the church.

George Moore, 76 Railroad Street, was placed under oath.

Mr. Moore noted clearing property and demolishing a home on property the church owns along Broad Street.

A discussion was had regarding combining the church's three properties into one lot.

Mr. Moore noted the shelter house would be an open floor plan, roof and concrete pad.

A discussion was had regarding attaching the church to the proposed shelter house. Location, setbacks and building permits were also discussed.

A discussion was had regarding tabling the application.

Ms. Lawyer made a motion to table Variance Application VA-21-024 to the September 14, 2021, meeting. Seconded by Mr. Cook. Ms. Kennedy, Ms. Lawyer, Mr. Cook, Mr. Howe and Ms. Rhodeback voted yes. The motion was approved.

Next on the Agenda, Excuse of Absence of TJ Rhodeback from the July 13, 2021, Meeting.

Mr. Howe made a motion to approve the absence of TJ Rhodeback from the July 13, 2021, meeting. Seconded by Mr. Cook. Ms. Lawyer, Mr. Cook, Mr. Howe and Ms. Kennedy voted yes. Ms. Rhodeback abstained. The motion was approved.

Next on the Agenda, Approval of the July 13, 2021, Regular Meeting Minutes.

Mr. Cook made a motion to approve the minutes from the July 13, 2021, regular meeting. Seconded by Ms. Kennedy. Mr. Cook, Ms. Lawyer, Mr. Howe and Ms. Kennedy voted yes. Ms. Rhodeback abstained. The motion was approved.

Mr. Cook made a motion to adjourn the meeting. Seconded by Ms. Rhodeback. Ms. Kennedy, Mr. Howe, Mr. Cook, Ms. Lawyer and Ms. Rhodeback voted yes. The motion was approved.

The hearing was adjourned at 7:16 p.m.

Minutes of the August 10, 2021, regular meeting was approved on

_____, 2021.