

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

Tuesday, December 13, 2022

The City of Pataskala Board of Zoning Appeals convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, Pataskala, Ohio, on Tuesday, December 13, 2022.

Present were:

Alan Howe, Chairman

Rob Jimison, Vice Chairman

Lon Coleman

Richard Cooper

Douglas Dandurand

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.

Roll call was made. Present were: Richard Cooper, Douglas Dandurand, Alan Howe, Rob Jimison and Lon Coleman.

First on the Agenda, Variance Application VA-22-029 – 14027 Havens Corners Road SW.

Mr. Fulton gave an overview of the Staff Report, noting the Applicant's request for a Variance from Section 1279.03(A)(1) of the Pataskala Code to allow for a fence exceeding 48-inches in height to be erected within the front yard, between the front building setback line and the public right-of-way. Area map, site plan and existing conditions were reviewed. Neighboring property with similar fencing was reviewed.

Vickie Ulry, 14027 Havens Corners Road, Pataskala, was placed under oath.

Ms. Ulry stated needing the fence for her dogs and grandchildren.

Melinda Dunham, 14055 Havens Corners Road, Pataskala, was placed under oath.

Ms. Dunham noted concerns regarding traffic at the intersection and possible visual obstruction to the intersection.

A discussion was had regarding the proposed fencing.

Findings of Facts were reviewed.

Mr. Cooper made a motion to approve a variance from Section 1279.03(A)(1) of the Pataskala Code for Variance Application VA-22-029, with the following conditions:

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.
2. Fence Shall be set back a minimum of 3' from East (Summit Road) and North (Haven's Corners Road) property lines.
3. Install 5' wood posts, with wire fencing and one top-trim board, around property.

Seconded by Mr. Jimison. Mr. Dandurand, Mr. Jimison, Mr. Howe, Mr. Coleman and Mr. Cooper voted yes. The motion was approved.

Next on the Agenda, Findings of Fact.

Variance Application VA-22-029

<u>Yes</u>	<u>No</u>	
✓		a) <i>Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property;</i>
✓		b) <i>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;</i>
✓		c) <i>Whether the variance requested is substantial;</i>
✓		d) <i>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;</i>
✓		e) <i>Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;</i>
✓		f) <i>Whether the variance, if granted, will be detrimental to the public welfare;</i>
✓		g) <i>Whether the variance, if granted, would adversely affect the delivery of government services;</i>
✓		h) <i>Whether the property owner purchased the subject property with knowledge of the zoning restriction;</i>
✓		i) <i>Whether the property owner's predicament can be obviated through some other method than variance;</i>
✓		j) <i>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,</i>
✓		k) <i>Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.</i>

Mr. Howe made a motion to approve Findings of Facts for Variance Application VA-22-029. Seconded by Mr. Jimison. Mr. Howe, Mr. Jimison, Mr. Cooper, Mr. Dandurand and Mr. Coleman voted yes. The motion was approved.

Next on the Agenda, Approval of Minutes from the November 8, 2022 Regular Meeting.

Mr. Howe made a motion to approve the Minutes of the November 8, 2022 regular meeting. Seconded by

Mr. Cooper, Mr. Jimison, Mr. Howe, Mr. Coleman, Mr. Dandurand and Mr. Cooper voted yes. The motion was approved.

No other business was given.

Mr. Howe made a motion to adjourn the meeting. Seconded by Mr. Jimison. Mr. Cooper, Mr. Dandurand, Mr. Howe, Mr. Coleman and Mr. Jimison voted yes. The meeting was adjourned at 6:57 p.m.

Chairperson

Date