



CITY OF PATASKALA
COUNCIL PUBLIC HEARING

March 20, 2023

The Council of the City of Pataskala held a Public Hearing on March 20, 2023 at 6:15 PM at City Hall located at 621 W. Broad Street. Pledge of Allegiance was given. Roll Call: Hite, Walther, Epperson, Dandurand, Galik, and Lee were present. Mayor Michael W. Compton presiding and Brian Zets, Law Director was present.

Mayor Compton stated, "Purpose of this public hearing is to consider the following variance application:

Council Variance Application: Andy Gottesman, M/I Homes of Central Ohio, LLC, is requesting variances from Section 1296.07 to allow for a reduction in the number of driveways that must be grouped, Section 1296.14(B) to allow for a reduction of the minimum width of shutters, and Section 1296.15(A) to allow for the reduction of the minimum width of the three-dimensional door surround system for the Forest Ridge subdivision (Parcel Nos. 255-067746-00.000 and 255-069072-00.000).

Scott Fulton provided a presentation to Council on this Variance Application.

Lee and Walther reported on the Development Committee's reviewed these items.

Public Comments:

Andy Gottesman and Josh Barkan addressed City Council. These Comments are available by audio recording through the Office of the Clerk of Council in accordance with the City's record retention schedule.

Walther noted that according to Section 1211.07(1) of the Pataskala Code, the following factors shall be considered when determining if a 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.*

Council considered these factors and determined as to Variance 1:

- a) No
- b) Yes
- c) Yes
- d) No
- e) No
- f) No
- g) No
- h) Yes
- i) No
- j) Yes
- k) Yes

Galik made a motion to approve a variance from Section 1296.07 of the Pataskala Code with the following condition.

Condition:

The City Administrator or designee must administratively approve deviations from the requirements of Section 1296.07 of the Pataskala Code if it is determined that the grouping of driveways is not possible or would negatively affect the functionality of the subdivision.

Seconded by Epperson. Roll Call: Hite, Walther, Epperson, Dandurand, Galik and Lee-yes. Mayor Compton declared the motion passed.

Council considered these factors and determined as to Variance 2:

- a) Yes
- b) Yes
- c) No
- d) No
- e) No
- f) No
- g) No
- h) Yes
- i) No
- j) Yes
- k) Yes

Lee made a motion to approve a variance from Section 1296.14(B) of the Pataskala Code with the following conditions.

Conditions:

1. All shutters shall be installed with hardware that give the appearance that the shutter is functional.
2. Apply shutter width that is consistent and shall be 15-inches.

Seconded by Epperson. Roll Call: Hite, Walther, Epperson, Dandurand, Galik and Lee-yes. Mayor Compton declared the motion passed.

Council considered these factors and determined as to Variance 3:

- a) Yes
- b) Yes
- c) No
- d) No
- e) No
- f) No
- g) No
- h) Yes
- i) No
- j) Yes
- k) Yes

Galik made a motion to approve a variance from Section 1296.15(A) of the Pataskala Code with the following condition.

Condition:

The detailed main entryway shall be a minimum five-inch wide three-dimensional surround system.

Seconded by Epperson. Roll Call: Hite, Walther, Epperson, Dandurand, Galik and Lee-yes. Mayor Compton declared the motion passed.

Public Comments:

There were none.

Walther made a motion to adjourn. Seconded by Dandurand. Roll Call: Hite, Walther, Epperson, Dandurand, Galik, and Lee-yes. Mayor Compton declared the motion passed.

Meeting Adjourned.

Minutes approved _____, 2023.

Kathy M. Hoskinson, Clerk of Council

Andrew Walther, Council President