

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

**Tuesday, October 10, 2023**

The City of Pataskala Board of Zoning Appeals convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, Pataskala, Ohio, on Tuesday, October 10, 2023.

Present were:

Alan Howe, Chairman

Lon Coleman

Richard Cooper

Douglas Dandurand

City of Pataskala Planning and Zoning Department Staff:

Scott Fulton, Planning and Zoning Director

Jack Kuntzman, City Planner

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: Alan Howe, Lon Coleman, Richard Cooper and Douglas Dandurand. Rob Jimison was not present.

***First on the Agenda, Variance Application VA-23-023 – 148 Cedar Street***

Mr. Kuntzman gave an overview of the Staff Report, noting the Applicant's request for two Variances. The first, from Section 1279.03(A)(1) of the Pataskala Code to allow for a fence exceeding four feet within the front yard setback, and the Second, from Section 1279.03(A)(4) of the Pataskala Code to allow for a fence within three feet of the public right-of-way. Area map, property summary, Applicant's proposal and street view were reviewed. Fence requirements for corner lots were noted; however, it was stated the vacant right-of-way is not likely to be needed or improved in the future. There were no Departmental or Agency comments.

Phillip Coleman, 148 Cedar Street, Pataskala, was placed under oath.

A discussion was had regarding the fence's location.

No further questions were presented.

Findings of Facts were reviewed.

Mr. Cooper made a motion to approve variances from Section 1279.03(A)(1) and 1279.03(A)(4) of the Pataskala Code for variance application VA-23-023 with the following conditions:

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

2. The Applicant shall maintain a three (3) foot setback from the north property line for the fence.

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

**Next on the Agenda, Findings of Fact.**

**Variance Application VA-23-023:**

<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 Fact for Variance Application VA-23-023. Seconded by Mr. Coleman. Mr. Howe, Mr. Dandurand, Mr. Cooper and Mr. Coleman voted yes. The motion was approved.

**Next on the Agenda, Approval of Minutes from the September 12, 2023 Meeting.**

Mr. Howe made a motion to approve the Minutes of the September 12, 2023 meeting. Seconded by Mr. Dandurand. Mr. Cooper, Mr. Coleman, Mr. Dandurand and Mr. Howe voted yes. The motion was approved.

No other business was presented.

Mr. Howe made a motion to adjourn the meeting. Seconded by Mr. Coleman. Mr. Dandurand, Mr. Coleman, Mr. Cooper and Mr. Howe voted yes. The motion was approved.

The meeting was adjourned at 6:44 p.m. on Tuesday, October 10, 2023.

---

Chairperson

---

Date