



CITY OF PATASKALA
COUNCIL PUBLIC HEARING

March 4, 2024

The Council of the City of Pataskala held a Public Hearing on March 4, 2024 at 5:45 PM at City Hall located at 621 W. Broad Street. Pledge of Allegiance was given. Roll Call: Hite, Walther, Epperson, Hampshire, Galik, and Lee - present. Kohman – absent. 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: Joel West, M/I Homes of Central Ohio, LLC, is requesting variances for the Forest Ridge subdivision (Parcel Nos. 255-067746-00.000 and 255-069072-00.000) for the following:

1. Section 1296.05 of the Pataskala Code to allow for the reduction of the required minimum weight of asphalt dimensional shingles.
2. Section 1296.11 of the Pataskala Code to allow for the height of the roof over a garage with non-livable area to exceed the maximum permitted height.
3. Section 1296.15(D)(3) of the Pataskala Code to remove the requirement for a masonry water table and plinth, of at least two feet in height as measured from grade, to occur along all elevations of a vinyl sided house.
4. Section 1296.15(C) of the Pataskala Code to remove the requirement for a minimum eight-inch-wide water table trim board at the foundation.

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

Public Comments:

Joel West 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(A)(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) Yes
- b) No
- c) No
- d) No
- e) No
- f) No
- g) No
- h) Yes
- i) Yes
- j) No
- k) Yes

Walther made a motion to approve a variance from Section 1296.05 of the Pataskala Code with the following condition.

Condition: The minimum weight of asphalt dimensional shingles shall be reduced from 240 pounds per 100 square feet to an average weight of 217-229 pounds per 100 square feet.

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

Council considered these factors and determined as to Variance 2:

- a) Yes
- b) No
- c) No
- d) No
- e) No

- f) No
- g) No
- h) Yes
- i) Yes
- j) Yes
- k) No

Walther made a motion to approve a variance from Section 1296.11 of the Pataskala Code with the following conditions.

Conditions: The maximum roof height over a garage with non-livable area shall be 20 feet as measured from grade for home models Bella A and Caymus A.

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

Council considered these factors and determined as to Variance 3:

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

Walther made a motion to approve a variance from Section 1296.15(D)(3) of the Pataskala Code with the following condition.

Condition: The requirement for a masonry water table and plinth, of at least two feet in height as measured from grade, to occur along all elevations of a vinyl sided house shall be removed and instead all exposed foundation walls shall be covered with brick, veneer brick, stone, or cultured stone.

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

Council considered these factors and determined as to Variance 4:

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

- i) Yes
- j) Yes
- k) No

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

Condition: The requirement for a minimum eight-inch-wide water table trim board at the foundation shall be removed and five-inch-wide trim board and drip edge shall be installed at the foundation.

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

Public Comments:

There were none.

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

Meeting Adjourned.

Minutes approved _____, 2024.

Jessica M. Cumbo, Clerk of Council

Andrew Walther, Council President