

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

Tuesday, March 12, 2024

The City of Pataskala Board of Zoning Appeals convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, Pataskala, Ohio, on Tuesday, March 12, 2024.

Present were:

Richard Cooper

Douglas Dandurand

Alan Howe, Chairman

Robert Jimison, Vice Chairman

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

Variance Application VA-23-028 – Remain Tabled

Next on the Agenda, Conditional Use CU-24-001 - 14652 E. Broad Street

Mr. Kuntzman gave an overview of the Staff Report, noting the Applicant's request for approval of a Conditional Use, pursuant to Section 1215.08 of the Pataskala Code, to allow for the establishment of Watercraft and/or Recreational Vehicle storage on two lots for property located at 14652 East Broad Street, Reynoldsburg. Area map, existing conditions and property summary were reviewed. It was noted the Applicant plans to demolish the existing home. Proposed site plan, including 155 storage spaces, lighting, landscaping, fencing, screening and Applicant's Narrative Statement were reviewed.

It was also noted that the property is within the Transportation Corridor Overlay District and development of the site would require an approved TCOD Application before the Planning and Zoning Commission. Planning and Zoning Staff comments, along with Departmental and Agency comments, were noted.

Tyler Nighland, 74 East Avenue, Pataskala, Ohio, was placed under oath.

Mr. Nighland stated he is waiting on the approval of this application before moving forward with the other variance and house demolition.

Richard Main, 74 East Avenue, Newark, Ohio, was placed under oath.

Mr. Main noted drainage plans are at the early stages, which will also depend on whether they use milling or pave the lot.

A discussion was had regrading a traffic study and drainage.

Sandra Elswick, 279 Woodbridge Place, Reynoldsburg, Ohio was placed under oath.

Ms. Elswick noted concerns regarding the possibility of damage to her fence during construction, concerns with drainage, would like the existing mature trees to remain on the lots, concerns with property values, and additional lighting that would be added.

Mr. Fulton noted that there is nothing in the code that prohibits the property owner from removing trees and a lighting plan would be required from the Applicant.

Findings of Fact were reviewed.

Mr. Jimison made a motion to approve a Conditional Use pursuant to Section 1215.08 of the Pataskala Code for application CU-24-002 with the following conditions:

1. The Applicant shall address all comments from the City Engineer, Public Service Department, SWLCWSD, West Licking Joint Fire District, and Planning and Zoning Staff.
2. The Applicant shall carry out the Conditional Use within six months from the date of approval pursuant to Section 1215.09 of the Pataskala Code.
3. All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general.
4. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway.
5. Traffic Impact Study shall be required as part of the TCOD Application.

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

Next on the Agenda, Conditional Use CU-24-002 - Broad Street & John Reese Parkway

Mr. Kuntzman gave an overview of the Staff Report, noting the Applicant's request for an approval of a Conditional Use, pursuant to Section 1215.08 of the Pataskala Code, to allow for the establishment of a Restaurant with a drive through for property located at the corner of Broad Street and John Reese Parkway, Parcel ID No. 064-311112-00.002. Area map, existing conditions and property summary were noted. Proposed site plan, elevations, access and Applicant's Narrative Statement were reviewed. Planning and Zoning Staff comments, along with Departmental and Agency comments, were noted. A list of Public Comments and names opposed to the proposal were presented to the Board.

Jerry Royce, 3951 Hammersmith Lane, Loveland, Ohio was placed under oath.

Mr. Royce noted the right-in and right-out issues and plans on having a traffic study prepared.

A discussion was had regarding access to the property along with the need for a traffic study.

Susan Loudermilk, 1814 Fairgrounds Street, Pataskala, Ohio was placed under oath.

Ms. Loudermilk noted concerns regarding traffic, noise and losing green space.

Joyce Zimmerman, 26 Liden Avenue, Pataskala, Ohio was placed under oath.

Ms. Zimmerman noted concerns regarding traffic, access and drainage issues.

Heidi Jenkins, 412 Alonzo Palmer Street, Pataskala, Ohio was placed under oath.

Ms. Jenkins noted traffic concerns, needing a left turn lane on Liden and concerns with an increase of traffic through the Settlement subdivision.

Sean Hoffman, 213 Fairground Street, was placed under oath.

Mr. Hoffman indicated a traffic light would be needed at John Reese Parkway and Broad Street. Traffic concerns were also noted.

Mr. Howe noted the importance of a traffic study.

Tim Powell, 249 John Reese Parkway, Pataskala, Ohio was placed under oath.

Mr. Powell noted traffic concerns, school buses from both districts accessing this intersection multiple times a day and the need for a traffic light.

Mr. Royce again reiterated a traffic impact study would be prepared and will work with the City.

Abigail Spear, 257 John Reese Parkway, Pataskala, Ohio was placed under oath.

Ms. Spear indicted the area is family oriented and believes there are other items that could be useful for this property. Traffic concerns were also noted.

Mr. Howe noted the property is zoned general business and the reason this application is before the Board is because of the drive through, and other businesses are permitted without the need for a Conditional Use. Mr. Howe further stated a traffic study will give a better idea of what is needed for traffic improvements.

Tracey Powell, 249 John Reese Parkway, Pataskala, Ohio was placed under oath.

Ms. Powell noted traffic concerns, including using BP as a cut-through. Ms. Powell also had concerns with having multiple Starbuck locations in the area.

Mr. Hoffman asked if the fencing and trees at John Reese Parkway and Broad Street would remain.

Mr. Fulton stated the fencing and trees would remain, since that is part of the Settlement's original development, even though they were not officially declared part of the Settlement HOA; however, if the Conditional Use Application is approved, something will need to be placed on the plans to work out a maintenance agreement regarding the fencing and trees.

A discussion was had regarding tabling the application.

Mr. Howe made a motion to table Conditional Use Application CU-24-002. Seconded by Mr. Cooper. Mr. Howe, Mr. Dandurand, Mr. Cooper and Mr. Jimison voted yes. The motion was approved.

Next on the Agenda, Findings of Fact.

Conditional Use Application CU-24-001

Yes No

- ✓ 1. Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on the application.
- ✓ 2. Will be harmonious with and in accordance with the general objectives or with any specific objective of the City comprehensive plan and/or this Code.
- ✓ 3. Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the
- ✓ 4. Will not be hazardous or disturbing to existing or future neighboring uses.
- ✓ 5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies
- ✓ 6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of
- ✓ 7. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare. including but limited to excessive production of traffic. noise. smoke.
- ✓ 8. Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.
- ✓ 9. Will not result in destruction, loss or damage of a natural, scenic, or historic feature of major importance.

Mr. Howe made a motion to approve Findings of Fact for Conditional Use Application CU-24-001. Seconded by Mr. Jimison. Mr. Dandurand, Mr. Howe, Mr. Jimison and Mr. Cooper voted yes. The motion was approved.

Next on the Agenda, Approval of Minutes from the February 13, 2024 Regular Meeting

Mr. Howe made a motion to approve the Minutes of the February 13, 2024 Regular Meeting. Seconded by Mr. Jimison. Mr. Dandurand, Mr. Howe, Mr. Jimison and Mr. Cooper voted yes. The motion was approved.

No other business was presented.

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

The meeting was adjourned at 7:51 p.m. on Tuesday, March 12, 2024.

Chairperson

Date