

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

Tuesday, July 9, 2024

The City of Pataskala Board of Zoning Appeals convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, Pataskala, Ohio, on Tuesday, July 9, 2024.

Present were:

Lon Coleman

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

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: Lon Coleman, Richard Cooper, Douglas Dandurand, Alan Howe and Robert Jimison.

Variance Application VA-23-028 – Remain Tabled

Conditional Use Application CU-24-002 – Remain Tabled

First on the Agenda, Variance Application VA-24-009 - 356 Wyncroft Court

Mr. Fulton gave an overview of the Staff Report, noting the Applicant's request for approval of a Variance from Section 1297.02(B)(2) of the Pataskala Code to reduce the minimum required setback for a swimming pool, including any appurtenances thereto, to an easement from 10-feet to 2.33-feet, and from a property line from 10-feet to 7.33-feet. It was noted there are no utilities in the easement. Area map, property summary, proposal and Applicant's narrative were reviewed. Staff comments were also noted. There were no comments from applicable Departments or Agencies.

Kristi Kasiara, 356 Wyncroft Court, Pataskala, was placed under oath.

There were no comments from Ms. Kasiara.

Mr. Coleman noted if there is a swell in the easement not to obstruct the flow of water.

Mr. Jimison made a motion to approve a Variance from Section 1297.02(B)(2) for Variance Application VA-24-009 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.

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

Next on the Agenda, Findings of Fact

VA-24-009

<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-24-009. Seconded by Mr. Jimison. Mr. Coleman, Mr. Cooper, Mr. Dandurand, Mr. Jimison and Mr. Howe voted yes. The motion was approved.

Next on the Agenda, Excuse of Absence of Lon Coleman from the June 11, 2024 Regular Meeting.

Mr. Howe made a motion to excuse the absence of Lon Coleman from the June 11, 2024 regular meeting. Seconded by Mr. Jimison. Mr. Howe, Mr. Cooper and Mr. Jimison voted yes. Mr. Dandurand and Mr. Coleman abstained. The motion was approved.

Next on the Agenda, Excuse of Absence of Douglas Dandurand from the June 11, 2024 Regular Meeting.

Mr. Howe made a motion to excuse the absence of Douglas Dandurand from the June 11, 2024 regular meeting. Seconded by Mr. Jimison. Mr. Cooper, Mr. Howe, Mr. Coleman and Mr. Jimison voted yes. Mr. Dandurand abstained. The motion was approved.

Approval of Minutes from the June 11, 2024 Regular Meeting

Mr. Howe made a motion to approve the Minutes of the June 11, 2024 Regular Meeting. Seconded by Mr. Coleman. Mr. Howe, Mr. Cooper, Mr. Coleman and Mr. Jimison voted yes. Mr. Dandurand abstained. The motion was approved.

Next on the Agenda, Other Business

A discussion was had regarding Variance Application VA-23-028, TrueCore Credit Union. It was noted the application may be brought back before the Board at the September hearing.

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

The meeting was adjourned at 6:47 p.m. on Tuesday, July 9, 2024.

Chairperson

Date