PLANNING COMMISSION MEETING TUESDAY, March 14, 2023 6:00 P.M. Council Chambers 40 W MAIN ST, NEWARK, OH 43055

AGENDA

- 1. CALL TO ORDER
- 2. APPROVAL OF MINUTES FOR THE February 14, 2023 PLANNING COMMISSION MEETING

OLD BUSINESS

There is none this meeting

NEW BUSINESS

LOT SPLIT/COMBINATION FOR 1041 HILLSIDE ROAD

Application Number: PC-23-11

Owner: Donna Buchanon and Dianna Green

Applicant: Dianna Green

Lot Split / Combination for 1041 Hillside Road, Newark

The 1.458 acre parcel at 1041 Hillside Road includes a residence and is in Newark Township. The same owner also owns the adjacent parcel to the west, which is in the City of Newark corporate limits. The request is to spilt 2.00 acres from the west parcel and combine it with the 1.458 acre parcel in order to sell to a new homeowner owner. The current owner is requesting approval of this split and combination from both City of Newark and also Newark Township / Licking Co. Planning Commission.

MISCELLANEOUS - ADMINISTRATIVE APPROVALS

There are none this meeting

THE NEXT SCHEDULED PLANNING COMMISSION MEETING WILL BE HELD ON TUESDAY, APRIL 11, 2023, 6:00 P.M. THE DEADLINEFOR AGENDA ITEM SUBMITTAL IS TMONDAY MARCH 20, 2023 4:30 P.M.



Planning Commission 40 West Main St Newark, Ohio 43055 (740) 670-7516

City of Newark Planning Commission Lot Split/Combination/Replat Application

Office Use Only
Zoning File #
PC Application#
Date Received 3/8/23
Received By
Amount Due: \$20.00
Paid By: (Circle One)
Check #
Cash

Rev 2/13

www.newarkohlo.net/government/boards/commissions/planning-commission

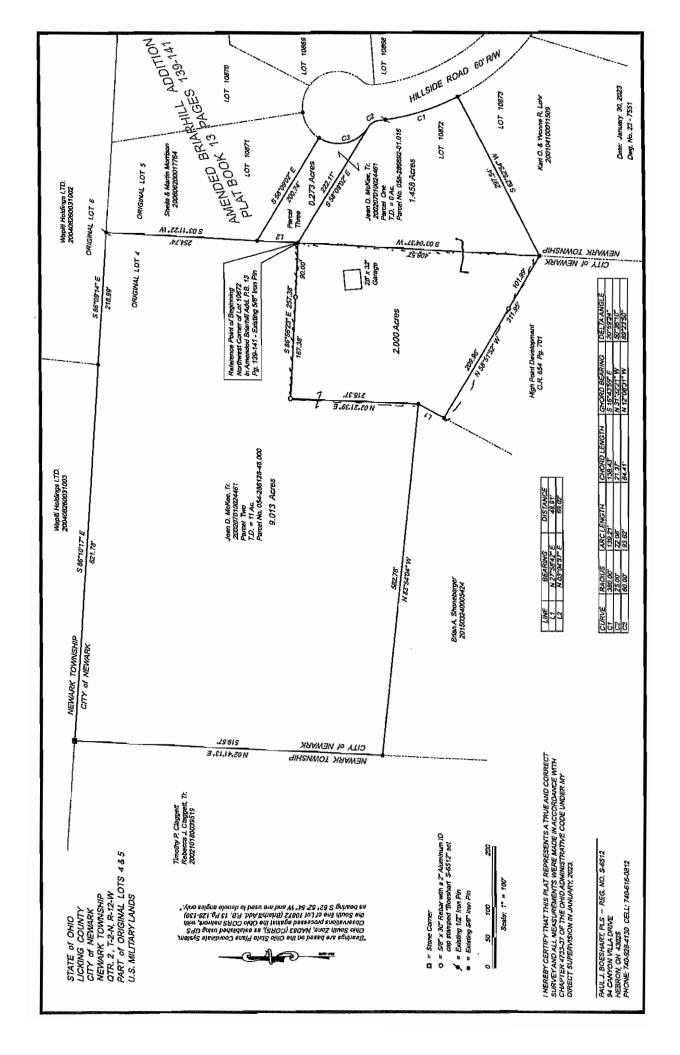
Application Type							
Lot Split X Lot Combination	Lot Combination		☐ Replat				
Owner							
Property Owner: Dana Bucheron, D. Anna Green - Telephone: 740403-1042							
Address: 1041 Hilside Rd	E-mall: digre	znewind	Streamine				
Cily: Newerk State. CI-	Zip: 4355	Fax:					
I would prefer to have Agendas mailed rather than e-mailed □							
Applicant/Representative							
Representative: DiAma Green	Same as above	Telephone:					
Address: 5125 Franks Rd	E-mail: Kellyporker@howardhanna-cor						
City: Nework State: CH	ZIp: 43056	Fax:					
I would prefer to have Agendas mailed rather than e-mailed							
Property Location (P1 is Parcel #1, etc.)							
Street Address: 1041 Hilsrde Rd Current Zone: (P1) MFC (P2) N/M (P3) (abbreviated Zoning Classification from Zoning Code 08-33)							
Parcel Tax ID(s) #: (P1) 20c - Grom 05-125/4/2	8+48.00 05828	\$(Q64 <u>2</u> < (₱3) ``	olf.				
Lot Number(s): (if applicable) (P1) 니 (P2) 10위 2	(P3)	# of acres: 2	Property Platted? Yes □ No □				
Property Use (P1 is Parcel #1, etc.)							
Present Use: (Please indicate which property).	Proposed Use: (Pi	Proposed Use: (Please indicate which property).					
Property Type P1 P2 P3 Structure? Vacant Land	Property Type Vacant Land Commercial Residential Industrial	P1 P2	P3 Structure? □ Yes □ Yes □ Yes □ Yes				
Additional Comments							
Reason for Request To include garage and land with lot # 10872.							

Zoning File #

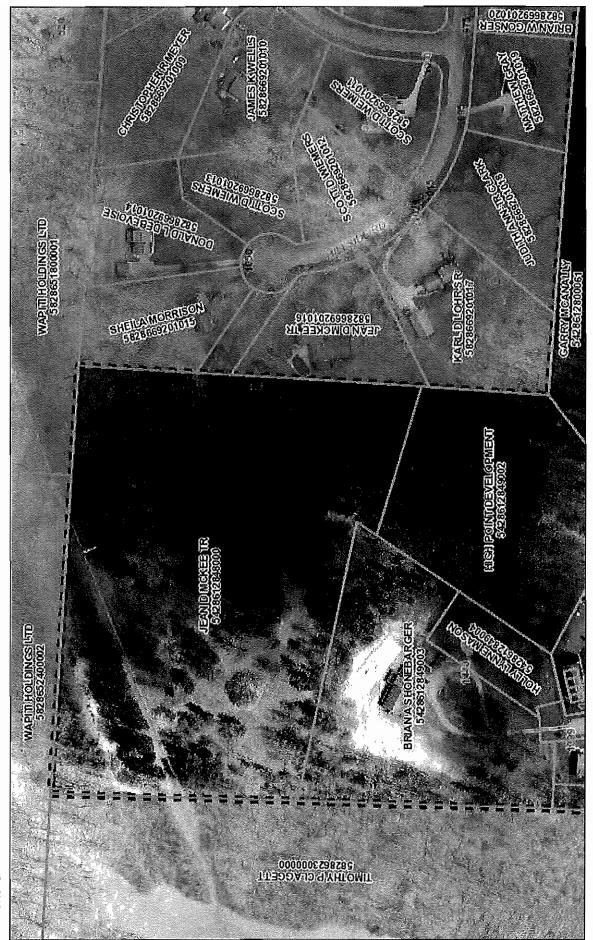
PC-23-11
PC Application #

Required Documentation and Process Overview

	http://www.lcounty.com	tain a Tax Map and Auditor's Parcel Numbers. Contact the <u>Licking County Engineer's Office</u> or visit <u>o://www.lcounty.com/Treasurer</u> to printout Real Estate Tax parcel information and a parcel map. The Licking unty Engineer's Office is located at 20 South 2 nd St (3 rd Floor) Newark, OH 43055 (740) 670-5280.						
	Contact a Registered S Note: the survey should	ontact a <u>Registered Surveyor</u> to obtain a Survey Drawing with Legal Description for the proposed new parcels. **Total Contract to the property of the proposed split/combo were approved.						
	The Newark City Engir	ne <u>Newark City Engineering/Zoning Department</u> to schedule a Zoning Review. (740) 670-7727. lewark City Engineering/Zoning Department is located at 40 W. Main Street (2nd Floor) Newark, OH 43055 an Engineering/ Zoning Authorization Signature is required on this application. See below:						
	Planning Commission	materials and fee to the <u>Newark City Engineering/Zoning Department</u> for Inclusion on a Agenda. ust accompany this application. Make checks payable to "City of Newark."						
	Attend the <u>Planning Commission Meeting</u> held in Newark City Council Chambers, 40 W. Main Street (1 st Floor) to request approval of the split/combination/replat. (If approved, a signed copy of this application will be e-mailed to you unless you indicated you prefer mailed correspondence.) Note: be prepared to answer Planning Commission Member's questions regarding your application							
Owner Acknowledgement								
I hereby certify that the information provided in this application is true and factual to the best of my knowledge.								
Proper	ty Owner Signature: _	De anne	Kneu_		Date: 3/8/23			
Repres	sentative Signature:				Date:			
		/~ .	a .c .: .:		•			
	1	gineering/Zonin	g Authorization					
	Approved 🗇		Denled □	Approve	d with Conditions □			
Engine	ering Signature;		100000000000000000000000000000000000000	AAA	Date:			
Comments/Conditions:								
_		o(· O((: a)	O. f.			
		Planning Commi	ssion Authorizati		-			
	Approved ☐		Denled	Approve	d with Conditions □			
Plannir	ng Director Signature:	.,,			Date:			
Comm	ents/Conditions:			The second secon				
After Planning Commission Approval:								
☐ Contact a <u>Title Company or Attorney</u> to draw up new deed(s) for the new or changed parcels.								
── Visit the <u>Licking County Engineer's Office</u> to begin the instrument recording process. The Licking County Engineer's Office is located at 20 South 2nd St (3rd Floor) Newark, OH 43055 (740) 670-5280.								







March 9, 2023

420 ft

1:2,256 210

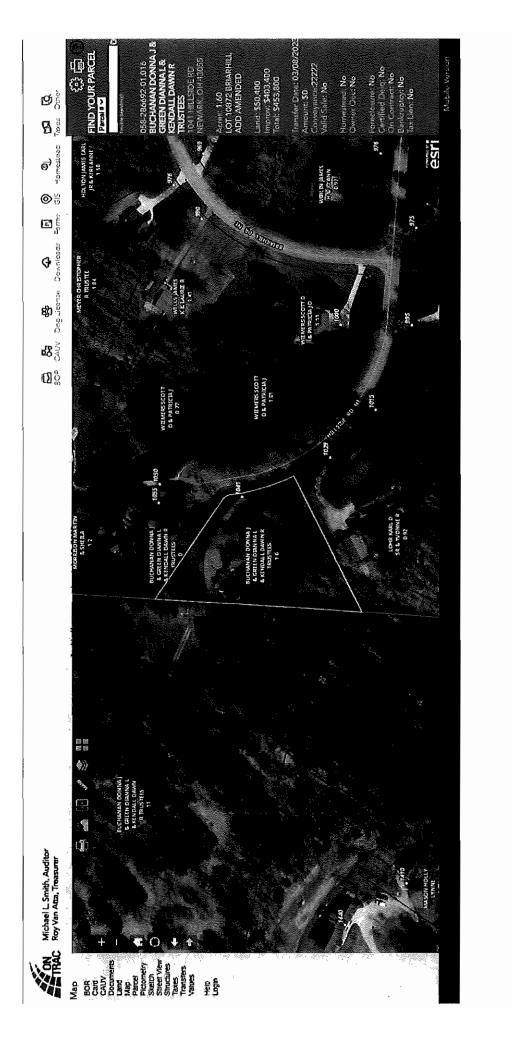
105

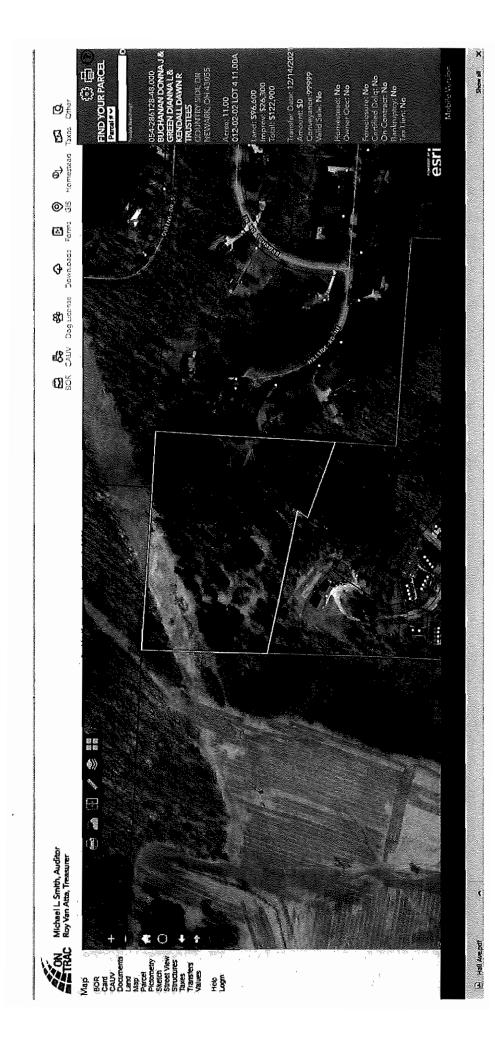
0

120 m

1 in = 188 ft

ଞ





From: Henderson, Javon < JHenderson@LickingCounty.gov>

Sent: Wednesday, March 1, 2023 8:56 AM

To: ENG-Brian Morehead

Cc: Paul Boeshart; ENG-George Carter

Subject: RE: 1041 Hillside Drive

Follow Up Flag: Follow up Flag Status: Flagged

Brian,

We are waiting for approval from you and the Township Zoning Inspector before we can proceed any further. Paul will also need to submit the replat application to my office once things are good to go on that end.

Best,

Javon T. Henderson | Assistant Planner Licking County Planning Commission

jhenderson@lcounty.com | 740-670-5205

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From: ENG-Brian Morehead < BMorehead@newarkohio.net >

Sent: Tuesday, February 28, 2023 3:04 PM

To: Henderson, Javon < JHenderson@LickingCounty.gov>

Cc: Paul Boeshart <pjboeshart@hotmail.com>; ENG-George Carter @newarkohio.net>

Subject: RE: 1041 Hillside Drive

Javon,

Just checking on this lot split / combination to see if you have moved it forward, or are waiting on us?

I plan to have our PC discuss it next meeting on 3/14 for a formal approval.

Although an odd situation and not what we would prefer, I don't think I can recommend against it.

Brian

From: Henderson, Javon < JHenderson@LickingCounty.gov >

Sent: Wednesday, February 8, 2023 9:28 AM

To: ENG-Brian Morehead <BMorehead@newarkohio.net>

Cc: Paul Boeshart <pjboeshart@hotmail.com>; ENG-George Carter @newarkohio.net>

Subject: RE: 1041 Hillside Drive

Brian.

Below in blue is the text that may answer your questions, if you have any other questions or concerns please let me or my office know.

How do we deal with zoning issues, who's rules apply? Is there some sort of an agreement that you've seen used in past situations? Is annexation of original lot 10872 the solution, to make it all in the City?

 I cannot speak to the City of Newark Zoning Code, but the township zoning codes, including Newark Twp., have the following clause or something similar.

Section 2.0 Provisions Declared Minimum Requirements

In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Wherever the requirements of this resolution conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standards shall govern.

Basically, the property owner has to comply with both entities. Therefore, the greater/more restrictive standard applies when dual entities have differing standards for the same element. For example, front yard setbacks. If the City of Newark has a 20 foot front yard setback from the road right-of-way and Newark Township has a 35 foot front yard setback from the road right-of-way, then the property owner would have to have a minimum front yard setback of 35 feet.

Generally don't have an issue with Parcel 3 providing access to Parcel 2. Parcel 3, as access to the remaining Parcel 2, also has the same split jurisdiction issue. Are the rules for curb cuts, etc in the township different enough that could cause an issue?

 Because the frontage is in Newark, Township, the property owner would get a driveway permit from the Licking County Engineer's Office and a permit to work in the Road Right-of-Way from Newark Township to install any approved driveway and culvert.

We're sensitive to this because we have a few split jurisdiction issues now between Newark and Heath, and the property owner plays one against the other, property maintenance and zoning rules for instance.

Generally, if the portion of the property in the City of Newark Jurisdiction would be subject to
the City of Newark's rules, and the property in Newark Twp. Jurisdiction would be subject to
Newark twp. Rules. When both have regulations for the same element such as setbacks, the
greater/more restrictive standard applies.

Best,

Javon T. Henderson | Assistant Planner Licking County Planning Commission <u>jhenderson@lcounty.com</u> | 740-670-5205

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From: ENG-Brian Morehead <BMorehead@newarkohio.net>

Sent: Tuesday, February 7, 2023 4:34 PM

To: Henderson, Javon < JHenderson@LickingCounty.gov>

Cc: Paul Boeshart pjboeshart@hotmail.com; ENG-George Carter gcarter@newarkohio.net

Subject: RE: 1041 Hillside Drive

Javon,

I totally get the idea behind this, and would want to do the same if I lived there and owned the land behind me. The corporate boundary is the sticking point.

So this will end up with lot 10872-A being half in the township, half in the City, which raises some questions for us going forward:

How do we deal with zoning issues, who's rules apply? Is there some sort of an agreement that you've seen used in past situations? Is annexation of original lot 10872 the solution, to make it all in the City?

Generally don't have an issue with Parcel 3 providing access to Parcel 2. Parcel 3, as access to the remaining Parcel 2, also has the same split jurisdiction issue. Are the rules for curb cuts, etc in the township different enough that could cause an issue?

We're sensitive to this because we have a few split jurisdiction issues now between Newark and Heath, and the property owner plays one against the other, property maintenance and zoning rules for instance.

If you guys have any examples (other places in the county) of how to make this work, we'd be interested.

Brian

From: Henderson, Javon < JHenderson@LickingCounty.gov>

Sent: Monday, February 6, 2023 8:39 AM

To: ENG-Brian Morehead < BMorehead@newarkohio.net>

Cc: Paul Boeshart <pjboeshart@hotmail.com>

Subject: 1041 Hillside Drive

Brian,

Please see the attached replat for review. I have also cc'd Paul in case you have any questions for him.

Best,

Javon T. Henderson | Assistant Planner Licking County Planning Commission jhenderson@Icounty.com | 740-670-5205

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DEDICATION

THE UNDERSICHED, OMMERGY DE ABOVEL USTED LOTTE, SMU ALMOS, HERESY CERETTY
THAT THE ATTACHED PLAT CORRECTIVE REPRESSIVES THE REDASION OF LOT 100% to be FOOT ACCESS.
THAT THE ATTACHED PLAY CORRECTIVE REPRESSIVES THE REDASION OF LOT 100% to be FOOT ACCESS.
THOS ACCESS IN the OWAR A 100% THE MERCHACED BRHANKHILL ADTOM TOWNERS TO THE SACH RELEASE AND ACCESS.
THOS ACCESS IN THE OWARD ACCESS AND AND THE OWARD THE SECRECITALLY.

The undersigned further agrees that any use of improvements made on this land studie to in conformly with all existing valid zening, platting, fieldh, or other lawful rules and regulations including the septicable off-sured parking and badding requirements of Licking County, Ohlo, the benefit of himselfhorsall and all other subsequent owners or assigns taking title from under or through the undersigned.

WITNESS WINESS MINESS 202 DAYOF JEAN D. MCKEE Trustee of the Jean D. Mckee Trust Dated May 27, 1997 OWNER OWNER IN WITNESS THEREOF THIS

STATE of OHIO, COUNTY OF LICKING

BEFORE ME. A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY PERPEND NAMEDIE THE SIGNING OF THE FORGONG INSTRUMENT TO SE THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED IN WITNESS WHEREOF! HAVE HEREUNTO SET HAND AND AFFIXED BY OFFICIAL SEAL THIS DAY OF

BY: MY COMMISSION EXPIRES APPROVALS APPROVED THIS DAY OF

202 NEWARK TOWNSHIP - ZONING INSPECTOR APPROVED THIS _____ DAY OF_ LICKING COUNTY ENGINEER

LICKING COUNTY HEATH DEPARTMENT DAYOF APPROVED THIS

202

DAYOF APPROVED THIS_ LICKING COUNTY PLANNING COMMISSION

202

APPROVED THIS DAY OF COUNTY COMMISSIONER

202

COUNTY COMMISSIONER COUNTY COMMISSIONER

Approval of the pial by the Utahrig County Contraissioners does not constitute an acceptance of the dedication of any public strock, road on highway decisated on such pial. Section 711,04 and 711,041 of the Othe Revised Code.

DAYOF NEWARK CITY MAYOR APPROVED THIS

202

DAYOF

APPROVED THIS

NEWARK CITY ENGINEER

CITY OF NEWARK - ZONING INSPECTOR DAYOP DAYOF APPROVED THIS APPROVED THIS

202

NEWARK CITY PLANNING COMMISSION

202

AMENDED BRIARHILL ADDITION (PLAT BOOK 13 PAGES 139-141) and 11.013 ACRES in the CITY of NEWARK, PART of ORIGINAL LOT 4 in QTR 2, T-2-N, R-12-W, U.S.M.L. RE-PLAT of LOT 10872, The 60' ACCCESS BETWEEN LOTS 10872 & 10871 in THE

- 30' Sul Bock Line ANENDED BRIARIPAGES 139-147 MODITION HILLSIDE ROAD 60' PW Karl D. & Wonne R. Loty 200104100011509 20872 107 107 1097 GINAL LOT S Parcel Parcel 0.273 Acre Hapit Haldings LTD. 200408380031002 1.458 Acre DRIGINAL LOT 6 NEWVEK LOWNSHIP CHICINAL LOT A 6 23° x 32 Garage LOT 10872 - A 3.458 Acres Relevance Point of Beginning Narthwest Cerner of Lot 19872 In Amonded Briantili Add P.B. 13 Pg. 199-141 - Edding Self from P. S 36 09 14 E S 86°5573" E 257.38"-2.000 Acres LOT 10872 - B 9.286 Acres High Point Demolopisted O.R. 654 Pg. 701 10 илиу Еолотеп Joan D. MeKoo, Tr. 200207010924461 Panel Two T.D. # 11 Ap Panel No. 054-285128-48,000 30 UNIVE 9.013 Acres inan A. Shonebaryo 2015/12-40005-24 NOTE: All existing internal easements and right of ways the replated by the establishment of the easements as stown on the Re-Pictured Loss 10872-4 & 10872-5 effective at the reporting of sold read-free confined to the Re-Picture Loss 10872-4 & 10872-5 effective at the reporting of sold Re-Picture Loss 10872-9 & 10872-9 effective at the reporting of sold Re-Picture Research Rese -45'619 9.61,17.20 CITY OF NEWAR = # Slone Corner

• # SET > 30' Report with a 2"-/Alpminium ID

• # SET > 30' Report Weekland S-6512" set

* # Establing Set" ison Pin

• # Establing Set" ison Pin Tomothy P. Claggott Rebecas J. Claggett Tr. 2012:10180039519 0 50 100 200 Scale: 1" = 100" - TEGEND -

CERTIFICATE OF ACCURACY

All dimentions are shown in feet and decimal parts thereof, I do certdy tha! I have fally complied with the equimental soft by county of Licking with the equimental soft by colority of Licking and the School of Chick, governing surveying indicating and mapping of the fard and that the plast is a correct representation of all article boundaries of the and surveyed and the statisticism of it. The Plast representation of surveying by the will be and surveyed and the statisticism of it. The Plast represents to survey matchet by the wind that all monuments indicated hereon actually exist and their location, and matching the econ actually exist and their location, and matching the econ actually exist and

PRUL J BOESHART, PLS ~ REG. NO \$6512 BLOWNDW VILLA DRIVE HEBRON, OH 43GS PHONE: 740-923-130 CHL; 740-616-0912

AT_____(AM..PM) . IN PLAT BOOK PAGE

202

DAYOF

FILED FOR RECORD THIS

202

RECORDED THIS DAY OF

INSTRUMENT NO.

LICKING COUNTY RECORDER

205

DAYOF

TRANSFERRED THIS

CERTIFICATE OF RECORD

AUDITOR, LICKING COUNTY, OHIO

Date: February 3, 2023 Dwg. No. 23 - 7551- PLAT