

**PLANNING COMMISSION MEETING
TUESDAY, July 11, 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 June 13, 2023 PLANNING COMMISSION MEETING**

OLD BUSINESS

- 3. RECOMMENDATION FOR ZONING CHANGE FOR 1339 WEST MAIN ST., NEWARK OHIO**

Application Number : PC-23-14
Owner: Brewers Real Estate
Applicant: Steven Brewer
Current Zoning: GO -General Office
Proposed Zoning: MB - Medium Intensity Business

- 4. RECOMMENDATION FOR ZONING CHANGE FOR MORRIS STREET., NEWARK OHIO**

Application Number : PC-23-15
Owner: Brewers Real Estate
Applicant: Steven Brewer
Current Zoning: Single-Family-Residence, RH-High Density District and MB - Medium Intensity Business
Proposed Zoning: GC - General Commercial

NEW BUSINESS

- 5. SITE PLAN REVIEW - Final Plat Review for The Overlook Subdivision, Cherry Valley Rd.**

Application Number : PC-23-24
Owner: Steve Layman, 9 North Third St., Newark, Oh 43055
Applicant: ADR & Associates, Ltd., 88 West Church St. Newark, Oh 43055

- 6. MISCELLANEOUS – ADMINISTRATIVE APPROVALS**

There are none this meeting

THE NEXT SCHEDULED PLANNING COMMISSION MEETING WILL BE HELD ON TUESDAY, AUGUST 8, 2023, 6:00 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS MONDAY JULY 17, 2023 4:30 P.M.



DAVID RHODES
NEWARK CITY
DIRECTOR OF PUBLIC

City Hall
40 West Main Street
Newark, Ohio 43055-5531
www.newarkohio.net

(740) 670-7703
drhodes@newarkohio.net

July 6, 2023

RE: APPLICATION NO. PC-23-14 for Zoning District Change

Location: 1339 West Main Street, Newark, Oh 43055
Current Zoning Classification: GO - General Office
Requested Zoning Classification: MB - Medium Intensity Business
Owner/Applicant: Brewers Real Estate/Steven Brewer

Re: **Ordinance No. 23-13** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 1339 WEST MAIN STREET, CITY OF NEWARK, LICKING COUNTY, OHIO PARCEL TAX ID #054-220188--00.000 FROM THAT OF GO- GENERAL OFFICE DISTRICT TO MB - MEDIUM INTENSITY BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

Ladies and Gentlemen:

A Public Hearing was held by the City of Newark Planning Commission on Tuesday, June 13, 2023 and the following were public comments for and against this proposal:

Gregory Brewer, 228 East Main St. - I'm here to represent Brewers Real Estate, Steven is my son. I'm here to look at West Main, what we're attempting to do there is, it was a dentist office and we have restructured it to become hopefully offices where we can have a hair salon, nail salon, cosmetology. We have a young lady that's willing to move her company from downtown, I guess she's actually going to have two. All we're asking is that we could possibly do this. Next to us is a daycare, there are several small businesses there on that side of the street. This is directly across from the hospital. So, I think it's a good area that we can kind of help out, the building was heading the wrong way, so we've tried to pick it up, clean it up and make it a nice environment, which we try to do in all the cases when we buy properties.

Mr. Ennen - Is it a single use building, will you have more room for something other than just the cosmetologist? You're not going to have more than one business in there?

Mr. Brewer - No. No other businesses. There is a small one bedroom apartment up above.

Jack Patterson, 93 Marjory Dr. - I own the property at 27 S. 35th Street, my understanding is if we change that to Medium Density there is also the possibility of having a laundromat, furniture store, quick lube, tire stores, car washes, muffler shop, funeral homes, pawn shops and the area, there's just not the parking. The building, all the parking is on 36th Street and it's a dead end road. There is a daycare there and the daycare used to have to cut through the Doctor's office to

get to 35th Street where there is a light to enable the people to get out because it is very difficult to get out with no traffic light and being a dead end street on 36th Street. I just don't see how you could have another business like that in that amount of area, then what also worries me is all these other things it could be, once you change that zoning there is no guarantee that will change what business it is now. Can they change if they get this passed, could they put a muffler shop in there? Say this place doesn't turn out like a year or two down the road, with the daycare there, the traffic, dead end street, no light, I'm just against that, my personal opinion, nothing against anybody or anything else, it just doesn't seem like a good idea to me.

Mayor Hall - There are other requirements when you put a business in. Zoning is a first step, if I might say that, because the zoning will allow alternate uses potentially in the future, doesn't necessarily say that it would pass building code or requirements or proper parking spaces. Each different type of businesses have different requirements to them. I'm just going to say there are other requirements, you can't make just anything there.

Mr. Ennen - I guess we can't say never, but it doesn't strike me as the kind of building that would be suitable for some of those other uses, so it's difficult to be speculative about it. I know it's not impossible but it's not likely.

Jennifer Csubak, 37 S. 35th Street - I'm opposed to it because our street is very busy, to turn left we have a lot of people that cut through our neighborhood to go down to wherever they work at the Doctor's offices or hospital, so the traffic is very busy on our street and I could just see it making it worse, so I oppose it for that reason. Plus the change in business, if that opened it up to another type of business in the future. No offense Mr. Brewer.

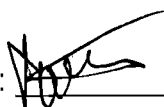
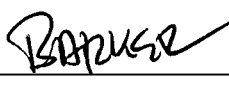

Upon consideration of the information presented, the following actions are recommended:

1. The zoning classification for the parcel at 1339 West main Street shall be changed to MB - Medium Intensity Business. Ordinance 23-13 is recommended for passage and approval by Council.

Sincerely,



David Rhodes
Newark City Planning Commission Director
Cc: Law Director
Zoning Inspector
City Engineer

BY:    ORDINANCE NO. 23-13

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 1339 WEST MAIN STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-220188-00.000 FROM THAT OF GO – GENERAL OFFICE DISTRICT TO MB – MEDIUM INTENSITY BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

Section 1: The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from GO – GENERAL OFFICE DISTRICT TO MB – MEDIUM INTENSITY BUSINESS DISTRICT, Zoning Code of the City of Newark.

SEE EXHIBIT “A” FOR LEGAL DESCRIPTION

Section 2: Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

Section 3: The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

Section 4: This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 20____.

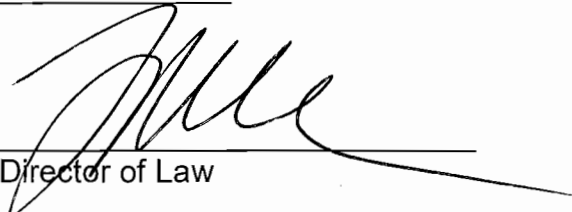
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: 

Director of Law

DESCRIPTION APPROVED: _____
Brian Morehead, Engineer

Prepared by the Office of the Director of Law

NOTICE OF HEARING

Notice is hereby given that the Newark City Council shall at a later date to be determined and announced hereafter, take action upon Ordinance No. _____. Said Ordinance accepts a proposed amendment to the Zoning Map attached to Ordinance 08-33 (A) which would allow the change of zoning classification of certain real property, generally described as 1339 West Main Street, City of Newark, Licking County, Ohio, Parcel Tax Id #054-220188-00.000. The amendment would change the zoning of the property from GO – General Office District, to MB – Medium Intensity Business District, Zoning Code of the City of Newark, Ohio.

The text or a copy of the text of such Ordinance, together with a copy of Ordinance 08-33 (A) and the Zoning Map attached thereto, and the maps, plans, and reports submitted by the Newark Planning Commission relative to said zoning are on file, for public examination, in the office of the Clerk of Newark City Council, 40 West Main Street, Newark, Ohio.

Notice is further given that a public hearing on said Ordinance shall be held before the Newark City Council during the meeting of Council which begins at 7:00 p.m. on _____, at which time and place any interested person may be heard.

BY ORDER OF THE CITY COUNCIL OF NEWARK, OHIO.

JANINE PAUL
Clerk of Council

TO THE ADVOCATE

Please publish the foregoing Notice of Hearing one day only, to wit: on _____.

JANINE PAUL
Clerk of Council



Planning Commission
 c/o Engineering Department
 40 West Main St, 2nd Floor
 Newark, Ohio 43055
 (740) 670-7727
 (740)349-5911 Fax

City of Newark Planning Commission Zoning District Change Application

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

Office Use Only
 Zoning File # _____
 PC Application # PC-23-14
 Date Received: 3-3-23
 Received by: 3-3-23
 Amount Due: \$100.00 ✓
 Paid By: (circle one)
 Check # 1636 Cash
 Receipt # 949512

Rev 2/13

<input checked="" type="checkbox"/> District Change		<input type="checkbox"/> District Establishment (Newly Annexed)	
Owner			
Property Owner: <u>BREWERS Real ESTATE</u>		Telephone: <u>740-973-9969</u>	
Address: <u>228 E. MAIN ST</u>		E-mail: <u>brewer0769@gmail.com</u>	
City: <u>NEWARK</u>	State: <u>OH</u>	Zip: <u>43055</u>	Fax: _____
I would prefer to have agendas mailed rather than e-mailed <input checked="" type="checkbox"/>			
Applicant/Representative			
Representative: <u>Steven Brewer</u>		Same as above <input type="checkbox"/>	Telephone: _____
Address: <u>9800 HERON DR</u>		E-mail: _____	
City: <u>Thorville</u>	State: <u>OH</u>	Zip: <u>48076</u>	Fax: _____
I would prefer to have agendas mailed rather than e-mailed <input checked="" type="checkbox"/>			
Property Location			
Street Address: <u>1339 W. Main St Newark, OH 43055</u>			
Parcel Tax ID #: <u>054-220188-00.000</u>		Number of Acres: <u>.5</u>	
Lot Number: (if applicable) <u>8224 PT</u>		Property Platted? Yes <input type="checkbox"/> No <input type="checkbox"/>	
District Classification (Zoning Code 08-33, see www.newarkohio.net)			
Present Zoning District: <input type="checkbox"/> AD Agricultural <input type="checkbox"/> CD Conservation <input type="checkbox"/> CSI Church School Institutional <input type="checkbox"/> DC Downtown <input type="checkbox"/> GB General Business <input type="checkbox"/> GC General Commercial <input type="checkbox"/> GI General Industrial <input checked="" type="checkbox"/> GO General Office <input type="checkbox"/> HB High Intensity Business <input type="checkbox"/> LB Limited Intensity Business <input type="checkbox"/> LC Limited Commercial <input type="checkbox"/> LI Limited Industrial <input type="checkbox"/> LO Limited Office <input type="checkbox"/> MB Medium Intensity Business <input type="checkbox"/> MFC Multi-Family Condo <input type="checkbox"/> MFH Multi-Family High Rise <input type="checkbox"/> MFR Multi-Family Residence <input type="checkbox"/> Overlay Historic <input type="checkbox"/> Planned Unit Development <input type="checkbox"/> RMH Single-Family Residence Manufactured Home <input type="checkbox"/> Single-Family Residence (Circle one) <small>RS-Suburban RL-Low Density RM-Medium Density RH-High Density</small> <input type="checkbox"/> RZL Single-Family Residence Zero Lot Line <input type="checkbox"/> SFC Single-Family Condo <input type="checkbox"/> TFR Two-Family Residence		Proposed Zoning District: <input type="checkbox"/> AD Agricultural <input type="checkbox"/> CD Conservation <input type="checkbox"/> CSI Church School Institutional <input type="checkbox"/> DC Downtown <input type="checkbox"/> GB General Business <input type="checkbox"/> GC General Commercial <input type="checkbox"/> GI General Industrial <input type="checkbox"/> GO General Office <input type="checkbox"/> HB High Intensity Business <input type="checkbox"/> LB Limited Intensity Business <input type="checkbox"/> LC Limited Commercial <input type="checkbox"/> LI Limited Industrial <input type="checkbox"/> LO Limited Office <input checked="" type="checkbox"/> MB Medium Intensity Business <input type="checkbox"/> MFC Multi-Family Condo <input type="checkbox"/> MFH Multi-Family High Rise <input type="checkbox"/> MFR Multi-Family Residence <input type="checkbox"/> Overlay Historic <input type="checkbox"/> Planned Unit Development <input type="checkbox"/> RMH Single-Family Residence Manufactured Home <input type="checkbox"/> Single-Family Residence (Circle one) <small>RS-Suburban RL-Low Density RM-Medium Density RH-High Density</small> <input type="checkbox"/> RZL Single-Family Residence Zero Lot Line <input type="checkbox"/> SFC Single-Family Condo <input type="checkbox"/> TFR Two-Family Residence	

Property Use

Present Use: Dentist Office

Proposed Use: Cosmo tology

Additional Comments

Reason For Request: Business relocation

Required Documentation and Process Overview

- Original Application Form - must contain notarized signature of the property owner
Tax Map and Auditor's Parcel Numbers for the parcels to be re-zoned. Contact the Licking County Engineer's Office
Legal Description of parcels to be re-zoned. (typically a survey description or valid deed description)
A drawing or map showing the location of all buildings on the parcels. (A current Google aerial photo is acceptable.)
Application Fee of \$100.00, cash or check. Make check payable to "City of Newark".
Call the Newark City Engineering/Zoning Department to schedule a Zoning and Legal Description Review.
Submit all application materials to the Newark City Engineering/Zoning Department for inclusion on a Planning Commission Agenda.
Attend the Planning Commission Meetings and Council Meetings held in Newark City Council Chambers, 40 W. Main Street (1st Floor) throughout the process.

Owner Acknowledgement

I hereby certify that the information provided in this application is true and factual to the best of my knowledge.

Property Owner Signature: [Signature] Date 3-13-2023

Sworn and subscribed before me this 13th day of March, 2023

My Commission Expires: 5/11/2024 [Signature] Notary Public

Engineering/Zoning Authorization - Office Use Only

Approved [checked] Denied [] Approved with Conditions []

Representative Signature [Signature] Date 4/15/2023

Comments/Conditions: Description provided for zoning purposes.

Planning Commission Recommendation to Council - Office Use Only

Approved [] Denied [] Approved with Conditions [] (See Letter of Recommendation)

Planning Director Signature: _____ Date _____

Conditions: _____

After Planning Commission Recommendation:

- Contact the Clerk of Council regarding Council Public Hearing Date and Final Vote. Clerk of Council's Office is located at 40 W Main St (2nd Floor) Newark, OH 43055 (740) 670-7516.

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER

Approved By JW Jan 27, 2023
02121002705225002000

TRANSFERRED

Jan 30, 2023
Michael L. Smith
LICKING COUNTY AUDITOR
SEC 319.902 COMPLIED WITH
MICHAEL L. SMITH
By: SLM 780.00

InstrID:202301300001687	1/30/2023
Pages:2	F: 534.00 8:54 AM
Bryan A. Long	T20230002153
Licking County Recorder	

GENERAL WARRANTY DEED
(R.C. 5302.05 and 5302.06)

KNOW ALL MEN BY THESE PRESENTS, that **Scott A. Null and Diane Null, husband and wife**, of Licking County, for valuable consideration paid, grant(s), with general warranty covenants, to **Brewer's Real Estate, LLC**, an Ohio limited liability company,

whose tax mailing address is 228 E Main St. Newark OH

the following real property situated in the City of Newark, County of Licking, State of Ohio:

Being Lot Number 8224 in the C.M. Johnson Addition to the said City of Newark, as the same is shown of record in Vol. 5, at Page 225, of the Plat Records of Licking County, Ohio.

EXCEPTING from the foregoing described real estate, a parcel of 745 square feet, more or less, described as follows:

Being a part of Lot No. 8224 of the C. M. Johnson Addition as the same is shown of record in Volume 5, Page 225 of the Licking County Plat Records, and being more particularly described as follows:

Beginning, for reference, at a concrete monument in the intersection of the Southerly R/W line of existing West Main Street and the Easterly R/W line of existing South 34th Street, said point being 30.18 feet right of Sta. 102+25.14 in the centerline of a survey made for the City of Newark in 1975 of West Main Street in Licking County;

Thence N 16°59'30" W a distance of 30.18 feet to a point in the centerline of survey of West Main Street, said point being P.O.T. Sta. 102+25.14, West Main Street;

Thence with the aforementioned centerline of survey S 73°00'30" W a distance of 1,173.50 feet to a point, said point being P.O.T. Sta. 90+51.64, West Main Street;

Thence S 16°59'30" E a distance of 27.42 feet to a point being the Grantor's Northwestern property corner and the Northwestern corner of the aforementioned Lot No. 8224 in the Southerly R/W line of existing West Main Street and the Easterly R/W line of existing 36th Street, said point being 27.42 feet right of Sta. 90+51.64, West Main Street and the true place of beginning;

Thence with the Grantor's Northerly property line and the Northerly line of the aforementioned Lot No. 8224 in the Southerly R/W line of existing West Main Street N 73°08'34" E a distance of 98.74 feet to a point being the Grantor's Northeasterly property corner in the Southerly R/W line of existing West Main Street, said point being 27.65 feet right of Sta. 91+50.38, West Main Street;

Thence with the Grantor's Easterly property line S 03°19'04" W a distance of 7.83 feet to a point, said point being 35.00 feet right of Sta. 91+47.66, West Main Street;

Thence S 73°00'30" W a distance of 98.82 feet to a point in the Grantor's Westerly property line and the Westerly line of the aforementioned Lot No. 8224 in the Easterly R/W line of existing 36th Street, said point being 35.00 feet right of Sta. 90+48.84, West Main Street;

Thence with the Grantor's Westerly property line and the Westerly line of the aforementioned Lot No. 8224 in the Easterly R/W line of existing 36th Street N 03°19'04" E a distance of 8.08 feet to the true place of beginning, containing 745 square feet, more or less, of which the present road occupies 000 square feet, more or less.

This description is based on a survey made under the direction of James T. Holden, Registered Surveyor No. 3766.

DESCRIPTION APPROVED FOR ZONING PURPOSES
By Bryan A. Long
Div. of Engineering
City of Newark, Ohio

Parcel No.: 054-220188-00.000

Property Address: 1339 W Main Street, Newark, OH 43055

Prior Instrument Reference: Recorded in Deed Record Volume 765, Page 261, Recorder's Office, Licking County, Ohio.

Except for the following and subject to all of which this conveyance is made: legal highways; zoning ordinances; real estate taxes and assessments which are now or may hereafter become a lien on said premises; covenants, conditions, restrictions and easements of record; and all coal, oil, gas, and other mineral rights and interests previously transferred or reserved of record.

Executed this 13th day of January, 2023.

Grantor(s):

[Signature]
Scott A. Null

[Signature]
Diane Null

State of Ohio Licking
County of Licking

The foregoing instrument was acknowledged before me freely this 13th day of Jan, 2023, by **Scott A. Null and Diane Null**.



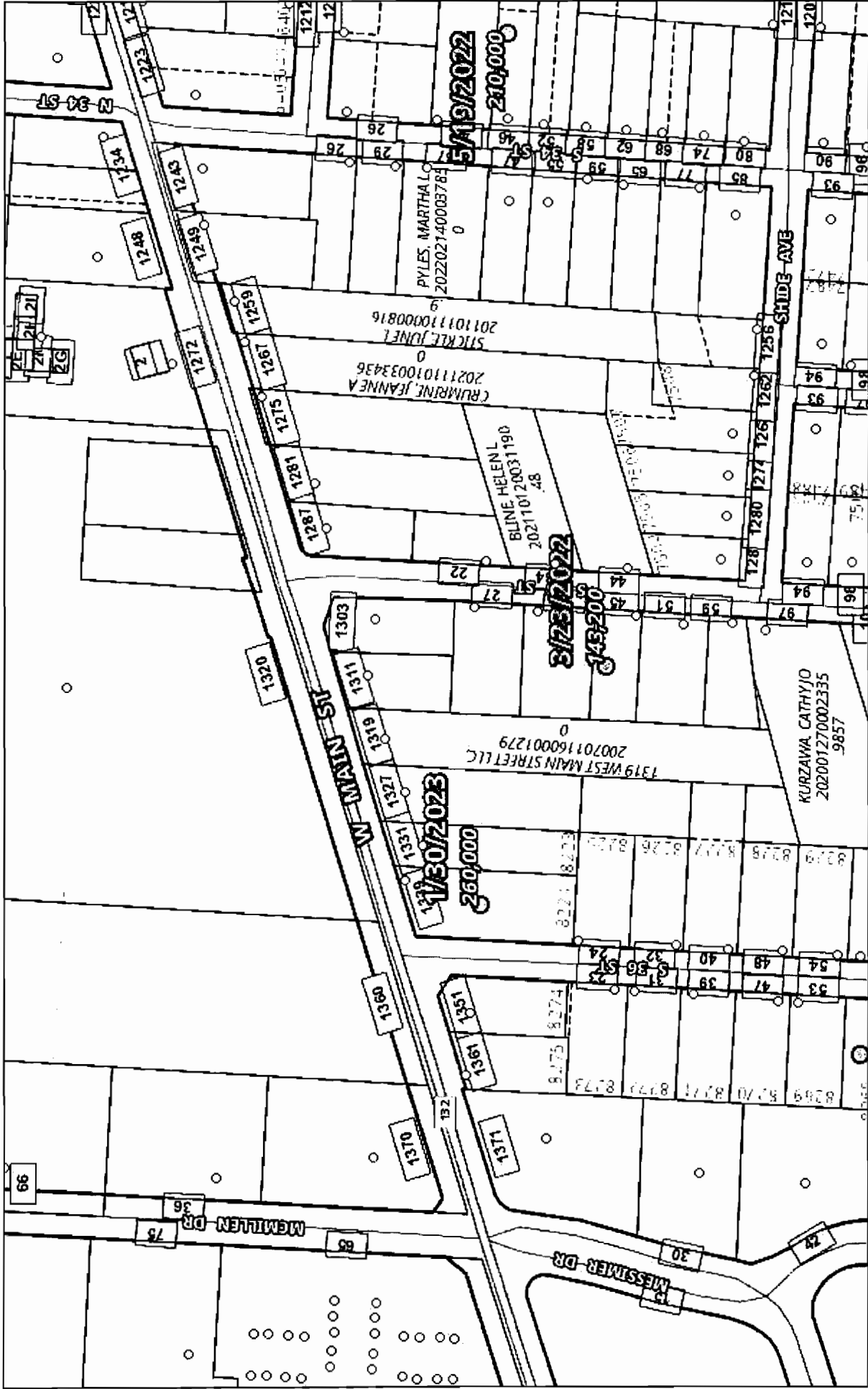
WENDY S MILLER
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 12-13-2026

[Signature]
Notary Public:
Notary County/State: /
County Acting In:
Commission Expires:

This instrument was prepared by:
Blevins & Associates LLC
920 Cherryfield Avenue
Columbus, OH 43235

File Number: 2765136NE NE

OnTrac Property Map



March 31, 2023



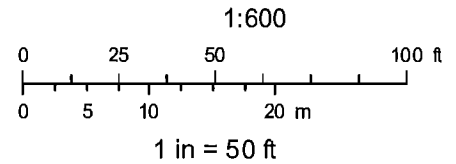
- Street Number Only
- Sales - 2023
- Sales - 2022
- Owner Name & Acres
- Interstate/US/State Route
- County Road
- Township Road
- Other Road Type
- Driveway
- Interstates
- Municipal Corporations

LICKING COUNTY TAX MAP

Licking County Auditor GIS



March 13, 2023





DAVID RHODES
NEWARK CITY
DIRECTOR OF PUBLIC

City Hall
40 West Main Street
Newark, Ohio 43055-5531
www.newarkohio.net

(740) 670-7703
drhodes@newarkohio.net

July 6, 2023

RE: APPLICATION NO. PC-23-15 for Zoning District Change

Location: Morris Street

Current Zoning Classification: Single Family Residence, RH - High Density District and MB-
Medium Intensity Business

Requested Zoning Classification: GC - General Commercial

Owner/Applicant: Brewers Real Estate/Steven Brewer

Re: **Ordinance No. 23-14** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS MORRIS STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-203118-00.000 FROM THAT OF MB - MEDIUM INTENSITY BUSINESS AND SINGLE-FAMILY RESIDENCE - RH HIGH DENSITY DISTRICT TO GC - GENERAL COMMERCIAL DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

Ladies and Gentlemen:

A Public Hearing was held by the City of Newark Planning Commission on Tuesday, June 13, 2023 and the following were public comments for and against this proposal:

Mr. Brewer - Basically what we're asking here is down on East Main. Currently my family has owned DorMar Heating on East Main Street for 50 years. One of the things I've strived to do since I've been there is clean up the area as much as I can to make it nicer for the residents of the area and to make it a more homey place and a place where people can feel comfortable there and that type of thing. What we're doing there is we're buying currently we have bought up several of the homes that the homeless has been into and this one proposed actual item is a building that we are going to go ahead and tear down and actually look to build another building there, a store front and give it a business look. Behind that property sets a couple acres of land behind it which is the area that we're concerned about and talking about because the homes do butt up against this area. We felt like, in my personal opinion, my son wanted to actually wanted to put an apartment complex in there and I kind of shot that down, years ago I was part of the Community Development which helped clean up the whole east end and tried to build nice homes and make the area really nice, we got rid of a lot of old trashy homes and I think we did a nice job in that, but it still needs to go a little farther. We've done such a wonderful job downtown making it look beautiful, I think it would be nice to continue that out east. So, what

we'd like to do is create a business district that feeds off of East Main Street, not off of Morris Street, and this building would actually face at an angle toward the County Jail in that area, there's a lot of trees and railroad tracks down through there and brush and it's basically homeless tents. When we went in here we cleaned up a tremendous amount of trash, the same thing is going on with the railroad, and I think they've probably spoke up, they're spending thousands of dollars trying to clean this up also. It's been an ongoing battle and hopefully we can make a difference with this property just as we've done with the other properties, giving it a nice facelift, giving it a nice look to make people want to come to the east end and do business. The type of businesses we're hoping to put in there, basically I have some pictures I'd like to share with you. This is the drawing of the area, all of the blue areas are the areas that DorMar or Brewers Real Estate owns, this is a page of the building which are facing the tracks, this is East Main out here, we're trying to put the buildings in a manner to face the jail, this is the type of structures we're hoping to build, something to this affect, we currently own the one across the street from DorMar, which is Owens Collision Center and we took that and renovated that and made it look nice and clean, these are just the proposed areas, the fields and up against the railroad tracks and basically what we'd like to try to do is make this a situation where we can cut out some of this homeless in there and all the trash and all the buildings and we're willing to take on some of the cost of this to take down trees and clean up brush. All of it's not owned by us, some of it's owned by the City, but we're willing to make that attempt, so we bought the house across the street, we're hoping to turn into parking to alleviate some of the parking problems out on East Main and to make that nicer for all the people that live on Morris and that area trying to get out of that area. Basically, it's just an attempt to make it nicer, get some of this area out of there that has become homeless tents, we did a tremendous amount of cleanup but it's

already coming back. Like today, I just called Salvation Army because they were putting tents behind their little small building in the back of Salvation Army and we've been fighting that and we put up fence around my company, but Brewer's Real Estate is a separate entity from DorMar, it's an LLC, but it's kind of a way I feel I can do something nice in the east end to help make it nicer and to bring it to what we all would like to see.

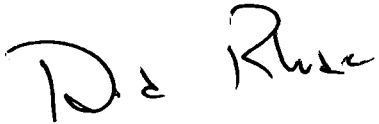
Sharon Talkington, 202 Monroe St. - This is my husband David in the wheel chair. First of all, I want to say that my husband David and I generally don't have issues with business in the area. Our concerns are possibly increased traffic, will we be land locked. In case you're not familiar South Morris comes off of East Main and Monroe comes off of South Morris and it is a dead end street. Emergency response for us, our neighbors, both residential, business and the railroad, which is the street behind us. Could South Morris be blocked off from an emergency response, therefore impacting access for others, maintenance of roads in the neighborhood due to increased traffic possibly, you've kind of cleared that up for me, I spoke with your son earlier, he was very kind, I appreciate that time. Director Rhodes has been wonderful, he met with us as well. It's been very educational for us. There are upgrades just in general that are needed for South Morris and Monroe, just generally speaking. I'm not quite sure how a parking lot would be and if water might run that direction, the drains have not been upgraded since Habitat from what I understand and it's something that I have flagged, so it's not just about this issue but it could have bearing on things that you want to look at going forward. I'm not sure about race Street which also comes off of South Morris. General Commercial is any type of business as they stated on the previous property as well. Should Mr. Brewer change his mind I think it opens it wide open as to what could be on that corner there, so that's a concern to my husband and I. The plans that you have right now I think are amazing, I told your son today that sound like a lot of light and hope, I appreciate, my husband does as well, the positive influence, you're the

primary reason we were able to purchase the home that we live in, thank you for that. Many of us have seen great potential in the east side of Newark and that includes us, our neighbors and Mr. Brewer and your son. Our prayer is that the developments whether this or others will grow and create positive things and hope for today and tomorrow for those who live, work and commute to the east side of Newark.

Upon consideration of the information presented, the following actions are recommended:

1. The zoning classification for the parcels at Morris Street shall be changed to GC- General Commercial. Ordinance 23-14 is recommended for passage and approval by Council.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Rhodes". The signature is written in a cursive, somewhat stylized font.

David Rhodes
Newark City Planning Commission Director
Cc: Law Director
Zoning Inspector
City Engineer

BY: [Signature] **BADLER** ORDINANCE NO. 23-14
[Signature] [Signature]

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS MORRIS STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-203118-00.000 FROM THAT OF MB – MEDIUM INTENSITY BUSINESS AND SINGLE-FAMILY RESIDENCE – RH HIGH DENSITY DISTRICT TO GC – GENERAL COMMERCIAL DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

Section 1: The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from MB – MEDIUM INTENSITY BUSINESS AND SINGLE-FAMILY RESIDENCE – RH HIGH DENSITY DISTRICT TO GC – GENERAL COMMERCIAL DISTRICT, Zoning Code of the City of Newark.

SEE EXHIBIT “A” FOR LEGAL DESCRIPTION

Section 2: Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

Section 3: The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

Section 4: This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 20__.


PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: 
Director of Law

DESCRIPTION APPROVED: _____
Brian Morehead, Engineer

Prepared by the Office of the Director of Law

NOTICE OF HEARING

Notice is hereby given that the Newark City Council shall at a later date to be determined and announced hereafter, take action upon Ordinance No. _____. Said Ordinance accepts a proposed amendment to the Zoning Map attached to Ordinance 08-33 (A) which would allow the change of zoning classification of certain real property, generally described as Morris Street, City of Newark, Licking County, Ohio, Parcel Tax Id #054-203118-00.000. The amendment would change the zoning of the property from MB – Medium Intensity Business District and Single-Family Residence – RH – High Density District to GC – General Commercial District , Zoning Code of the City of Newark, Ohio.

The text or a copy of the text of such Ordinance, together with a copy of Ordinance 08-33 (A) and the Zoning Map attached thereto, and the maps, plans, and reports submitted by the Newark Planning Commission relative to said zoning are on file, for public examination, in the office of the Clerk of Newark City Council, 40 West Main Street, Newark, Ohio.

Notice is further given that a public hearing on said Ordinance shall be held before the Newark City Council during the meeting of Council which begins at 7:00 p.m. on _____ , at which time and place any interested person may be heard.

BY ORDER OF THE CITY COUNCIL OF NEWARK, OHIO.

JANINE PAUL
Clerk of Council

TO THE ADVOCATE

Please publish the foregoing Notice of Hearing one day only, to wit: on _____.

JANINE PAUL
Clerk of Council



Planning Commission
 c/o Engineering Department
 40 West Main St, 2nd Floor
 Newark, Ohio 43055
 (740) 670-7727
 (740)349-5911 Fax

City of Newark Planning Commission Zoning District Change Application

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

Office Use Only
 Zoning File # _____
 PC Application # PC-23-15
 Date Received: 4-3-23
 Received by: [Signature]
 Amount Due: \$100.00
 Paid By: (circle one)
 Check # 1048 Cash
 Receipt # 949520

Rev 2/13

<input checked="" type="checkbox"/> District Change	<input type="checkbox"/> District Establishment (Newly Annexed)
---	---

Owner

Property Owner: <u>Brewers Real Estate</u>		Telephone: <u>740-973-9969</u>	
Address: <u>228 E MAIN ST</u>		E-mail: <u>brewer0769@gmail.com</u>	
City: <u>Newark</u>	State: <u>OH</u>	Zip: <u>43055</u>	Fax: _____

I would prefer to have agendas mailed rather than e-mailed

Applicant/Representative

Representative: <u>Steven Brewer</u>		Same as above <input checked="" type="checkbox"/>	Telephone: _____
Address: _____		E-mail: _____	
City: _____	State: _____	Zip: _____	Fax: _____

I would prefer to have agendas mailed rather than e-mailed

Property Location

Street Address: <u>0 Morris Street</u>	
Parcel Tax ID #: <u>054-203118-00-000</u>	Number of Acres: <u>1.31</u>
Lot Number: (if applicable) <u>223 PT. 230-232 + YACCANAL</u>	Property Platted? Yes <input type="checkbox"/> No <input type="checkbox"/>

District Classification (Zoning Code 08-33, see www.newarkohio.net)

<p>Present Zoning District:</p> <ul style="list-style-type: none"> <input type="checkbox"/> AD Agricultural <input type="checkbox"/> CD Conservation <input type="checkbox"/> CSI Church School Institutional <input type="checkbox"/> DC Downtown <input type="checkbox"/> GB General Business <input type="checkbox"/> GC General Commercial <input type="checkbox"/> GI General Industrial <input type="checkbox"/> GO General Office <input type="checkbox"/> HB High Intensity Business <input type="checkbox"/> LB Limited Intensity Business <input type="checkbox"/> LC Limited Commercial <input type="checkbox"/> LI Limited Industrial <input type="checkbox"/> LO Limited Office <input checked="" type="checkbox"/> MB Medium Intensity Business <input type="checkbox"/> MFC Multi-Family Condo <input type="checkbox"/> MFH Multi-Family High Rise <input type="checkbox"/> MFR Multi-Family Residence <input type="checkbox"/> Overlay Historic <input type="checkbox"/> Planned Unit Development <input type="checkbox"/> RMH Single-Family Residence Manufactured Home <input checked="" type="checkbox"/> Single-Family Residence (Circle one) RS-Suburban RL-Low Density RM-Medium Density <u>RH-High Density</u> <input type="checkbox"/> RZL Single-Family Residence Zero Lot Line <input type="checkbox"/> SFC Single-Family Condo <input type="checkbox"/> TFR Two-Family Residence 	<p>Proposed Zoning District:</p> <ul style="list-style-type: none"> <input type="checkbox"/> AD Agricultural <input type="checkbox"/> CD Conservation <input type="checkbox"/> CSI Church School Institutional <input type="checkbox"/> DC Downtown <input type="checkbox"/> GB General Business <input checked="" type="checkbox"/> GC General Commercial <input type="checkbox"/> GI General Industrial <input type="checkbox"/> GO General Office <input type="checkbox"/> HB High Intensity Business <input type="checkbox"/> LB Limited Intensity Business <input type="checkbox"/> LC Limited Commercial <input type="checkbox"/> LI Limited Industrial <input type="checkbox"/> LO Limited Office <input type="checkbox"/> MB Medium Intensity Business <input type="checkbox"/> MFC Multi-Family Condo <input type="checkbox"/> MFH Multi-Family High Rise <input type="checkbox"/> MFR Multi-Family Residence <input type="checkbox"/> Overlay Historic <input type="checkbox"/> Planned Unit Development <input type="checkbox"/> RMH Single-Family Residence Manufactured Home <input type="checkbox"/> Single-Family Residence (Circle one) RS-Suburban RL-Low Density RM-Medium Density RH-High Density <input type="checkbox"/> RZL Single-Family Residence Zero Lot Line <input type="checkbox"/> SFC Single-Family Condo <input type="checkbox"/> TFR Two-Family Residence
---	--

Property Use

Present Use:

Gross Field Zoned Residential

Proposed Use:

Storage units
Commercial Storage

Additional Comments

Reason For Request: 211 E. Main St is currently MB, and I want to use that for Drive way for proposed parcels to become Storage units. Instead of a Area to collect Homeless people.

Required Documentation and Process Overview

- Original Application Form – must contain notarized signature of the property owner
- Tax Map and Auditor's Parcel Numbers for the parcels to be re-zoned. Contact the Licking County Engineer's Office for a tax map or visit <http://www.lcounty.com/Treasurer> to print out Real Estate Tax parcel information and a parcel map. Licking County Engineer's Office is located at 20 South 2nd St (3rd Floor) Newark, OH 43055 (740) 670-5280.
- Legal Description of parcels to be re-zoned. (typically a survey description or valid deed description)
Note: Legal Description must be reviewed and stamped approved by the Newark City Engineering Department
- A drawing or map showing the location of all buildings on the parcels. (A current Google aerial photo is acceptable.)
- Application Fee of \$100.00, cash or check. Make check payable to "City of Newark".
- Call the Newark City Engineering/Zoning Department to schedule a Zoning and Legal Description Review. Newark City Engineering/Zoning Department is located at 40 W. Main Street (2nd Floor) Newark, OH 43055 (740) 670-7727
Note: an Engineering/ Zoning Authorization Signature is required on this application. See below.
- Submit all application materials to the Newark City Engineering/Zoning Department for inclusion on a Planning Commission Agenda.
- Attend the Planning Commission Meetings and Council Meetings held in Newark City Council Chambers, 40 W. Main Street (1st Floor) throughout the process. The process typically takes 3 -4 months to complete.
Note: be prepared to answer Planning Commission and Council 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.

Property Owner Signature: [Signature] Date 4-3-23

Sworn and subscribed before me this 3rd day of April, 2023

My Commission Expires: 5/11/2024
[Signature]
Notary Public

Engineering/Zoning Authorization – Office Use Only

Approved Denied Approved with Conditions

Representative Signature [Signature] Date 4/19/2023

Comments/Conditions: DESCRIPTION APPROVED FOR ZONING PURPOSES

Planning Commission Recommendation to Council – Office Use Only

Approved Denied Approved with Conditions
(See Letter of Recommendation)

Planning Director Signature: _____ Date _____

Conditions: _____

After Planning Commission Recommendation:

- Contact the Clerk of Council regarding Council Public Hearing Date and Final Vote.
Clerk of Council's Office is located at 40 W Main St (2nd Floor) Newark, OH 43055 (740) 670-7516.

Exhibit A

PAUL J. BOESHART, Professional Land Surveyor 94 CANYON VILLA DRIVE
Email: pjboeshart@hotmail.com Hebron, OH 43025
Ph: 740-928-4130

May 20, 2022 Job No. 22-7224

Surveyor's Description - TRACT I - All of Parcel No. 054-203112-00.000 - 0.148 Acres

The parcel herein described is known as being part of the same lands conveyed to Rita F. Jackson as described in Instrument No. 200011220037106 found in the Licking County Recorder's Office in Newark, Ohio and is situated in and part of Lot 1988 in the James H. & Henry Smith's Addition (Plat Book 2 Page 231) to the City of Newark in the Fourth Quarter of Township 2 North in Range 12 West in the U.S. Military Lands of Licking County, Ohio and is better described as follows:

Beginning for a reference at the northeast corner of Lot 1988 in the James H. & Henry Smith's Addition (Plat Book 2 Page 231) at a set 4" Magnetic Spike at the intersection of the south line of East Main Street (66' R/W) and the west line of Morris Street (66' R/W);

Thence, with the west line of Morris Street, **South 1 degree 00 minutes 55 seconds East, 96.24 feet** to an existing 3/4" iron pipe;

Thence, leaving the said road and with the north line of East Newark Homes LLC (Instr. No. 200711070028946), **South 88 degrees 54 minutes 56 seconds West, 83.29 feet** to an existing 3/4" iron pipe on the west line of said Lot 1988;

Thence, with the west line of Lot 1988, **North 1 degrees 11 minutes 26 seconds West, 26.68 feet** to an existing 1" iron pipe on the south line of the P.C.C. & St. Louis RR;

Thence, with the said RR line, **North 32 degrees 13 minutes 18 seconds East, 82.70 feet** to a set 4" Magnetic Spike on the south line of the said East Main Street;

Thence, with the said road, **North 88 degrees 15 minutes 40 seconds East, 38.05 feet** to the **Point of Beginning**.

Containing **0.148 ACRES** and being subject to all legal roads, easements and restrictions of record.

TRACT II - All of Parcel No. 054-203118-00.000 - 0.629 Acres and
All of Parcel No. 054-213732-00.000 - 0.690 Acres

1.319 Acres in all

The parcel herein described is known as being part of the same lands conveyed to Rita F. Jackson as described in Instrument No. 200011220037106 found in the Licking County Recorder's Office in Newark, Ohio and is situated in and part of Lot 223, All of Lots 230, 231, 232 and part of the vacated alleys (Ord. 158 & 209) in the Rachel Wilson's Addition (Plat Book 2 Page 129), also, all of the Abandoned Ohio Canal and the Abandoned Ohio Canal between the east line of the PCC & St. Louis RR and the west line of Morris Street in the City of Newark in the Fourth Quarter of Township 2 North in Range 12 West in the U.S. Military Lands of Licking County, Ohio and is better described as follows:

Beginning for a reference at the northeast corner of Lot 1609 in the Henry Smith's Addition (Plat Book 2 Page 216) at an existing 5/8" iron pin on the west line of Morris Street (Varing R/W);

Thence, with the north line of Henry Smith's Addition (Plat Book 2 Page 216) and the south line of the Abandoned Ohio Canal, **North 83 degrees 13 minutes 10 seconds West**, passing an existing 5/8" iron pin at 145.24 feet, 211.69 feet and 295.35 feet, a total distance of **363.94 feet** to a set 5/8" iron pin on the east line of the PCC & St. Louis RR;

Thence, with the lines of the PCC & St. Louis RR, the following (5) five courses:

- 1.) **North 41 degrees 28 minutes 39 seconds East, 72.63 feet** to a set 5/8" iron pin;

TRACT II
DESCRIPTION APPROVED FOR ZONING PURPOSES
By [Signature]
Div. of Engineering
City of Newark, Ohio

- 2.) Thence, North 26 degrees 50 minutes 11 seconds East, 45.26 feet to a set 5/8" iron pin;
- 3.) Thence, South 84 degrees 01 minutes 58 seconds East, 108.00 feet to a set 5/8" iron pin;
- 4.) Thence, North 1 degree 00 minutes 55 seconds West, 200.23 feet to a set 5/8" iron pin;
- 5.) Thence, North 32 degrees 13 minutes 18 seconds East, passing an existing 1" iron pin at 30.10 feet, a total distance of 177.03 feet to an existing 1" iron pipe on the west line of Lot 1988 in James H. & Henry Smith's Addition (Plat Book 2 Page 231);

Thence, with the west line of the said James H. & Henry Smith's Addition (Plat Book 2 Page 231), the west line of Lots 1988 thru 1996, South 1 degree 11 minutes 26 seconds East, passing an existing 3/4" iron pipe at 26.68 feet, 82.24 feet, 121.79 feet and 162.14 feet, a total distance of 402.95 feet to an existing 3/4" iron pipe;

Thence, with the south line of Lot 1996 in the said James H. & Henry Smith's Addition (Plat Book 2 Page 231) and the north line of the abandoned Ohio Canal, South 84 degrees 01 minutes 58 seconds East, 82.75 feet to an existing 3/4" iron pipe on the west line of Morris Street (Varing R/W);

Thence, with the west line of Morris Street, South 3 degrees 26 minutes 54 seconds East, 65.17 feet to the Point of Beginning.

Containing 1.319 ACRES, of which, 0.086 acres are in Lot 223, 0.154 acres are in Lot 230, 0.116 acres are in Lot 231, 0.164 acres are in Lot 232, 0.109 acres are in vacated alleys, 0.211 acres are in the Abandoned Canal Street, 0.479 acres are in the Abandoned Ohio Canal and being subject to all legal roads, easements and restrictions of record.


Bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD83 (CORS), as established using GPS Observations processed against the Ohio CORS network, with the south line of East Main Street as bearing North 88 degrees 15 minutes 40 seconds East, and are used to denote angles only.

All iron pins set are 5/8" x 30" rebar with a 2" Aluminum ID cap stamped "Paul J. Boeshart S-6512".

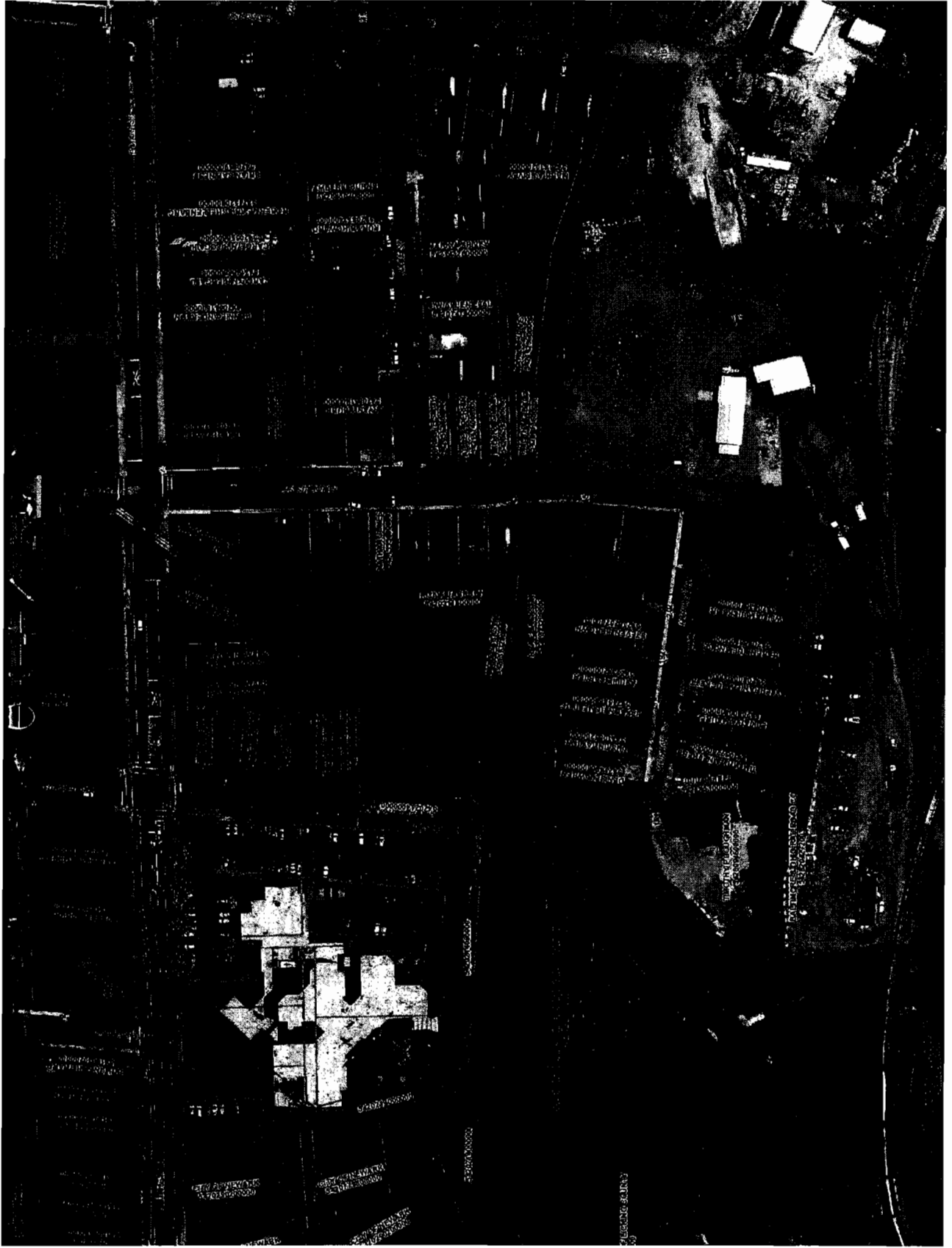
I, Paul J. Boeshart, (Reg. No. S-6512), hereby certify that the above description represents a true and correct survey and all measurements were made under my direct supervision in accordance with Chapter 4733-37 of the Ohio Administration Code in May, 2022.


 Paul J. Boeshart, P.L.S.
 Registration No. S-6512



PRE-APPROVAL LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY:	
DATE:	04/02/2022

Morris Street





Michael L. Smith

Auditor, Licking County, Ohio

BREWERS REAL ESTATE LLC S MORRIS ST

Parcel #: 054-203118-00.000
Rt #: 054-101.50-073.000

Tax District: 054 - NEWARK CITY-NEWARK CSD
School District: NEWARK CSD
Neighborhood: 00606 Newark -- East Side South Of Main St
Classification: 400 Commercial vacant land
Acreage:
Property Desc: LOT 223 PT, 230, 231, 232 RACHEL WILSON'S ADD
(UNRECORDED) + VAC ST + CANAL LANDS (1.319 AC)

1 of 1

ON

ATTRIBUTES						
Story Height: Exterior Wall: Heating: Cooling: Basement: Attic: Total Rooms: Bedrooms: Family Rooms: Dining Rooms: Full Baths: Half Baths: Other Fixtures: Year Built: Finished Living Area: Fireplace Openings: Fireplace Stacks: Basement Garage(s): Basement Finished: No						
AREA	VALUES (by tax year)	Land	Improvement	Total		
First Floor:	2021 Market	8,600	0	8,600		
Upper Floor:	2021 CAUV	0	0	0		
Attic:	2020 Market	8,800	0	8,600		
Half Story:	2020 CAUV	0	0	0		
Crawl:	2019 Market	8,600	0	8,600		
Basement:	2019 CAUV	0	0	0		
SALES HISTORY						
Pcl #	Instrument Type	Sale Price	Conv #	V	LO	Previous Owner
06/06/2022	2 WD - WARRANTY	95000.00	1994	N	Y	JACKSON RITA F
06/06/2022	2 WD - WARRANTY	0.00	11111	N	Y	JACKSON RITA F
11/22/2000	3 EX - EXEMPT CONVEYANCE	0.00	99999	N	N	Refer to deed
IMPROVEMENTS						
Description	Yr Built	SqFt	Value			
TAXES						
	Prior	1st Half	2nd Half	Total		
Taxes/Reductions	0.00	163.45	163.45	326.90		
Pen/Int/Adj	0.00	0.00	0.00	0.00		
Recoupment	0.00	0.00	0.00	0.00		
Specials	0.00	6.00	6.00	12.00		
Gross Due	0.00	169.45	169.45	338.90		
Payments	0.00	169.45	0.00	169.45		
Net Due	0.00	0.00	169.45	169.45		

Public information data is furnished by this office, and must be accepted and used by the recipient with the understanding that this office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this data. Furthermore, this office assumes no liability whatsoever associated with the use or misuse of such data.



202206060014033
 Pgs:4 \$50.00 T20220014904
 6/6/2022 3:23 PM BXSTIMSON HO
 Bryan A. Long Licking County Recorder

TRANSFERRED
 Date June 6, 2022
Manda Smit
 Licking County Auditor
 SEC. 319.202 COMPLIED WITH
 MICHAEL L. SMITH, AUDITOR
 BY MS 289.00

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER
 APPROVED BY
JN 6-6-22

GENERAL WARRANTY DEED

Rita F. Jackson, a married woman, the Grantor(s) for valuable consideration paid, grant(s), with general warranty covenants to Brewers Real Estate, LLC, an Ohio Limited Liability Company, the Grantee(s), whose tax mailing address is 228 East Main Street, Newark, OH 43055, the following **REAL PROPERTY**:

See Exhibit "A" attached hereto and made a part hereof

Prior Reference: Instrument No. 200011220037106
 Parcel Number: 054-203112-00.000 and 054-203118-00.000 and 054-213732-00.000
 Property Address: 211 East Main Street, Newark, OH 43055

SUBJECT to any and all easements, rights of way, conditions and restrictions of record; all legal highways and public roadways; zoning ordinances, rules and regulations.

EXCEPTED from the general warranty covenants are the real estate taxes and assessments which shall be prorated between the Grantor(s) and Grantee(s) to the time of closing and those taxes and assessments due and payable thereafter.

John L. Jackson, being the spouse of Grantor, releases to said Grantee(s) all rights of dower therein.



Executed this 3rd day of June, 2022

Rita F. Jackson
Rita F. Jackson

John L. Jackson
John L. Jackson

This is an acknowledgement certificate; no oath or affirmation was administered to the signer with regard to this notarial act.

STATE OF OHIO
COUNTY OF LICKING

The foregoing instrument was acknowledged before me this 3rd day of June, 2022 by Rita F. Jackson and John L. Jackson

[Handwritten Signature]

Signature of person taking acknowledgment
Title or rank _____
Serial number _____



DEREK SANNER
Notary Public
State of Ohio
My Comm. Expires
February 9, 2025

This instrument prepared by:

Reese Pyle Meyer PLL
36 N. Second St., P.O. Box 919
Newark, Ohio 43058-0919.
(740) 345-3431

City of Newark
Division of Engineering

MEMORANDUM

TO : NEWARK PLANNING COMMISSION
FROM: BRIAN R. MOREHEAD, CITY ENGINEER
DATE : 5 JULY 2023
RE: FINAL PLAT FOR THE OVERLOOK SUBDIVISION

Per your request, I have reviewed the Final Plat for the above subdivision, located in west Newark on Cherry Valley Road. The following comments are based on my review and compliance with the Subdivision Ordinance of The City of Newark.

SECTION 3.09

- 1.A.3. The Final Plat Fee of \$ 630.00 has not been paid and is still due, (63 lots). This will be billed by my office.
- 2.B.3. Provide information on the plat regarding the “Existing Easements” on the west and north sides of the development, such as purpose, recording data, etc. The rear lot easements are not shown in these areas, so need to see if they should be shown or would be redundant to the existing easements.
- 3.B.3. Provide information on the plat regarding the existing easement / agreement across The Thomas J Evan Foundation parcel. My thought is that TJEF should also be a signer on this plat to dedicate the Easement areas on Instrument 201109010016320 as street right-of-way of Overlook Way to connect to Cherry Valley Road, which is mentioned in the easement document.
- 4.B.3. Provide bearing angles to the distances on the interior lot lines on Oak Valley Court, check any other lines for missing data.
- 5.B.3. The 10’ easement shown on Lot 13758 appears to be mis-labeled. Additionally, many of the other front easement lines on lots on the curves have no survey info, typically they would be offset and parallel from the front property line for ease of description. All should be checked.
- 6.B.3. Is there survey information available to tie the centerline of Overlook Way to Cherry Valley Road, or other nearby monuments in public right-of-way?

- 7.B.6. The street address numbers for all lots should be shown on the plat. Our past practice is to show the numbers within an ellipse facing the street, and added to the legend. Engineering will provide the needed address numbers.
- 8.B.10.A note should be added on Page 2: "This plat was developed in accordance with the current RH Single Family Residential High Density Zoning guidelines."
- 9.B.21.The reference to City of Newark Health Department should be changed to Licking County Health Department.
10. After all corrections, etc., please submit 1 mylar copy of the Final Plat for signatures.

SECTION 4.07

11. Subdivision covenants or deed restrictions have not been submitted with this Final Plat; these will need to be submitted prior to the plat being released for recording.
12. The ownership and maintenance of reserve areas and open space should be detailed in the covenants or restrictions, and noted on the Final Plat. The proposed open space areas, the storm water detention areas and any water course easement will need to be maintained by a private source, such as a Home Owner's Association. The City will not take over ownership of these areas.

GENERAL

13. Since this construction is moving toward completion at this time, I ask the Developer's Engineer to review the as-built construction plans and notes to make sure all easements, etc. will coincide with what was actually built. With our current information, we don't know of any construction changes that would affect this plat. Any changes shall be made before recording the plat.
14. The Street Signage fee and inspection fees are due prior to releasing the plat for recording. Engineering will bill the Developer for these items.
15. The Developer shall provide the City with a copy of the infrastructure construction costs, in order for the City to properly account for the new public infrastructure as a result of the development.

16. The City Administration has entered into a New Community Authority with the Developer of this site, instead of the Development agreements that we have done on prior subdivision developments. The NCA will generate an estimated \$500,000 or more toward roadway and other infrastructure improvements in the Cherry Valley Road area.

RECOMMENDATION

No development surety has been recommended for these improvements, since the on-site work is planned for completion in the next 2 months. The on-site work will need to be completed before the plat is released for recording, or a development surety will be required to cover the uncompleted work.

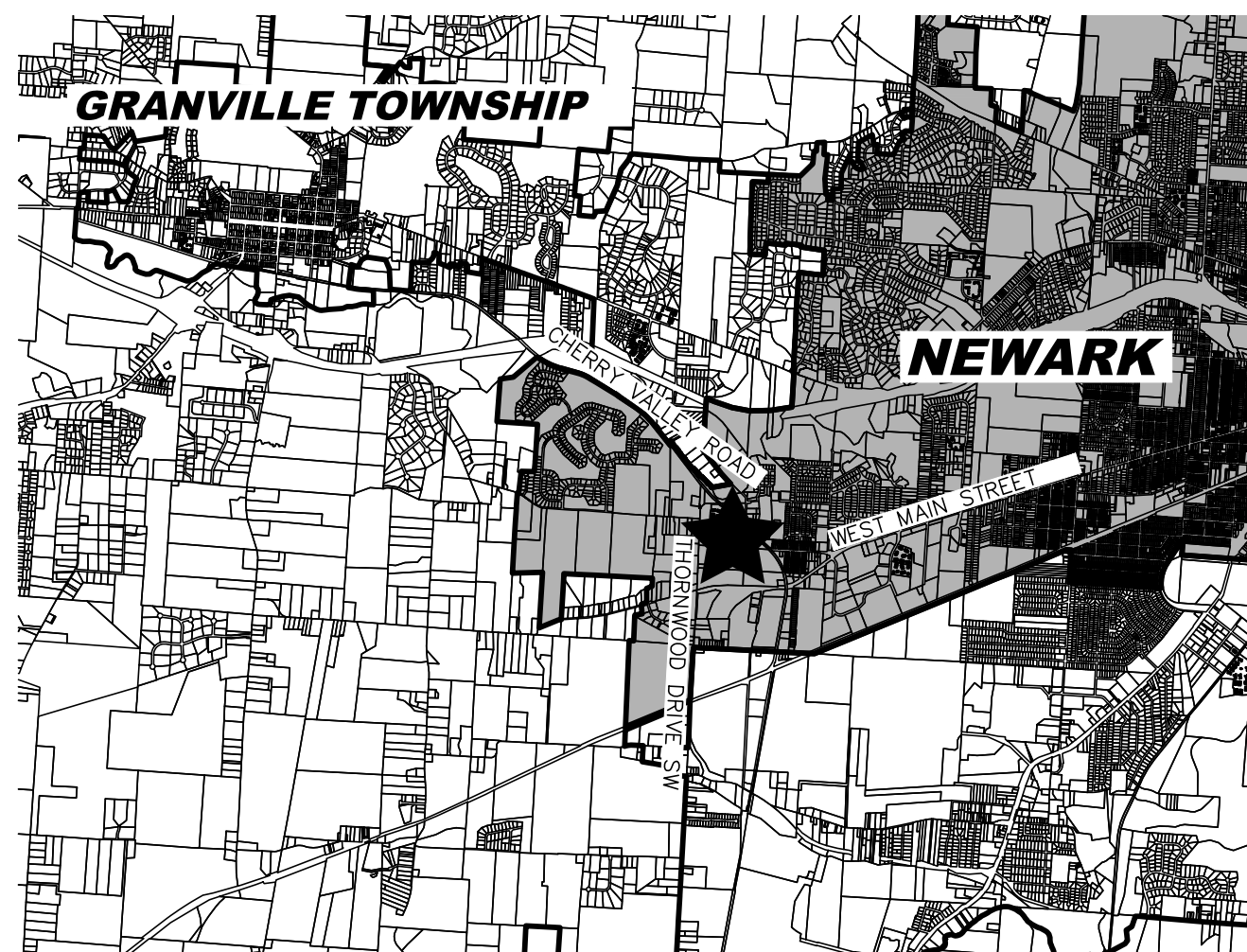
I recommend approval of this Final Plat, contingent upon the resolution of the items / corrections noted above. If approved by Planning Commission, I will prepare legislation for City Council to dedicate the streets, etc. When legislation is passed by City Council in 4-5 weeks, and construction is completed, the Plat can be released for recording.

BRM

cc: Steve Layman, 9 North 3rd Street, Newark, OH 43055
Brian Wood, ADR & Associates, Ltd., 88 West Church St., Newark, OH
43055
John Dodgion, Smart Services, 88 West Church St., Newark, OH 43055
Commission Members
Troy Warnock, LC Building Code Administrator
Chad Brown, LC Health Commissioner
George Carter, Zoning Inspector
PC File 23-24, Engineering File 202109, City Engineer

THE OVERLOOK SUBDIVISION

QUARTER TOWNSHIP 1, TOWNSHIP 2, RANGE 12, U.S.M.D
CITY OF NEWARK, LICKING COUNTY, OHIO



DEDICATION

BEING IN QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 12, UNITED STATES MILITARY DISTRICT, IN THE CITY OF NEWARK, LICKING COUNTY, OHIO. CONTAINING 27.751 ACRES AND BEING ALL OF PROPERTY CONVEYED TO CV OVERLOOK DEVELOPMENT LLC., AS RECORDED IN INSTRUMENT NUMBERS 202209260023369 AND INSTRUMENT NUMBER 202209260023368 AND BEING PART OF PROPERTY CONVEYED TO CV OVERLOOK DEVELOPMENT LLC., AS RECORDED IN INSTRUMENT NUMBER 202209260023370 AND PROPERTY CONVEYED TO 375 THORNWOOD LTD. BY INSTRUMENT NUMBER 202302210003042, (ALL PLAT, DEED, OFFICIAL RECORD, AND INSTRUMENT REFERENCES ARE FOUND IN THE RECORDER'S OFFICE, LICKING COUNTY, OHIO).

THE UNDERSIGNED STEPHEN T. LAYMAN, MEMBER OF CV OVERLOOK DEVELOPMENT LLC., AND MEMBER OF 375 THORNWOOD LTD., HEREBY CERTIFIES THAT THIS PLAT CORRECTLY REPRESENTS THEIR "THE OVERLOOK SUBDIVISION", A SUBDIVISION OF LOTS 13733 TO 13795, INCLUSIVE, AND RESERVES A, B, AND C, DOES HEREBY ACCEPT THIS PLAT OF THE SAME AND DEDICATE TO PUBLIC USE FOREVER AS SUCH, ALL OR PARTS OF THE ROADS AND EASEMENTS AS SHOWN HEREON.

EASEMENTS WITHIN AREAS DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT", ARE HEREBY GRANTED TO THE CITY OF NEWARK, OHIO, AND THE PRIVATE UTILITY COMPANIES, THEIR SUCCESSORS AND ASSIGNS, ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, OR REMOVAL OF WATER, SEWER, GAS, ELECTRIC, COMMUNICATIONS, OR OTHER UTILITY LINES OR SERVICES INCLUDING SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES, SHRUBS, BUSHES, BUILDINGS, OR OTHER OBSTRUCTIONS ALONG WITH STORM WATER DRAINAGE TO THE FREE USE OF SAID UTILITIES AND FOR PROVIDING INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER.

THE UNDERSIGNED FURTHER AGREES THAT ANY USE OR IMPROVEMENTS MADE ON THIS LAND SHALL BE IN CONFORMITY WITH ALL EXISTING VALID ZONING, PLATTING, HEALTH, OR OTHER LAWFUL RULES AND REGULATIONS OF THE CITY OF NEWARK, OHIO.

IN WITNESS THEREOF THIS ____ DAY OF _____, 2023

STEPHEN T. LAYMAN, MEMBER OF CV OVERLOOK LLC.

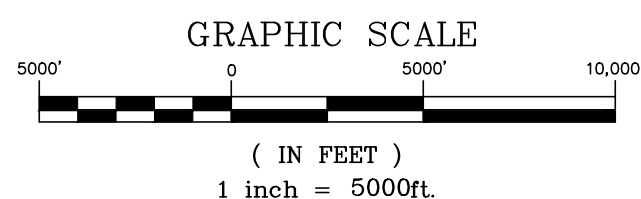
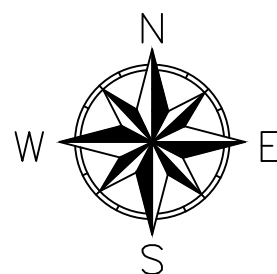
STEPHEN T. LAYMAN, MEMBER 375 THORNWOOD LTD.

STATE OF OHIO
COUNTY OF LICKING
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED STEPHEN T. LAYMAN, MEMBER OF CV OVERLOOK LLC. AND MEMBER OF 375 THORNWOOD LTD., WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED FOR USE AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET HAND AND AFFIXED BY OFFICIAL SEAL THIS ____ DAY OF _____, 2023.

ACREAGE BREAKDOWN

TOTAL SUBDIVISION AREA = 27.751 ACRES
TOTAL IN RIGHT-OF-WAY = 3.018 ACRES
TOTAL IN LOTS = 15.722 ACRES
TOTAL IN RESERVES = 9.011 ACRES



ACREAGE PER PARCEL

PARCEL	USED	REMAINING
054-216642-00.002	8.981 ACRES	0.000 ACRES
054-216720-00.000	10.012 ACRES	0.000 ACRES
054-216630-00.000	4.408 ACRES	0.000 ACRES
054-216702-00.000	3.862 ACRES	5.328 ACRES
054-216624-00.000	0.488 ACRES	9.072 ACRES

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE ON STATE PLANE COORDINATE SYSTEM NAD83(2011) OHIO SOUTH ZONE, BASED ON STATIC GPS OBSERVATIONS MADE IN JANUARY 2021, AND ARE INTENDED TO BE USED ONLY FOR DETERMINING ANGLES.

FLOOD ZONE

THE SITE LIES IN FLOOD ZONE "X" NON-SHADED (AREA OF MINIMAL FLOOD HAZARD) AS DETERMINED BY THE CURRENT FLOOD INSURANCE RATE MAP FOR LICKING COUNTY, OHIO 39089C0336H, REVISED 5/2/2007. NO SURVEYING WAS CONDUCTED TO DETERMINE THE LIMITS OF ZONES.

CERTIFICATE OF ACCURACY

ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

WE DO HEREBY STATE THAT WE HAVE SURVEYED THE PREMISES, PREPARED THE ATTACHED PLAT AND THAT SAID PLAT IS CORRECT, TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF.

APPROVALS

APPROVED THIS ____ DAY OF _____, 2023

CITY OF NEWARK ENGINEER

APPROVED THIS ____ DAY OF _____, 2023

CITY OF NEWARK PLANNING COMMISSION

APPROVED THIS ____ DAY OF _____, 2023

CITY OF NEWARK HEALTH DEPARTMENT

APPROVED AND ACCEPTED THIS ____ DAY OF _____, 2023, BY ORDINANCE NO. _____, THE STREETS AND EASEMENTS DEDICATED, HEREON, ARE HEREBY ACCEPTED AS SUCH BY THE COUNCIL OF THE CITY OF NEWARK, OHIO.

IN WITNESS, THEREOF, I HEREUNTO SET MY HAND THIS ____ DAY OF _____, 2023.

CLERK OF COUNCIL, CITY OF NEWARK, OHIO

CERTIFICATE OF TRANSFER

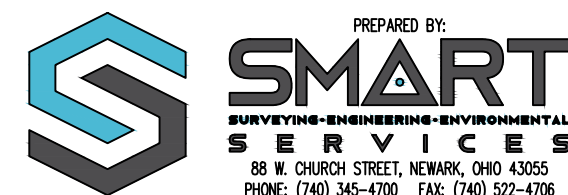
TRANSFERRED THIS ____ DAY OF _____, 2023

LICKING COUNTY AUDITOR

CERTIFICATE OF RECORD

LICKING COUNTY RECORDER

DEVELOPER
STEPHEN T. LAYMAN
9 NORTH THIRD STREET
NEWARK, OHIO 43055
740-349-7844



SHEET 1/7
JUNE 26, 2023

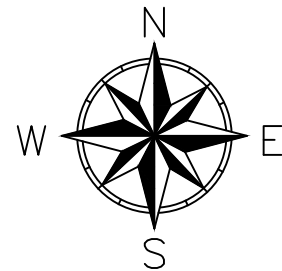
DRAFT

JOHN C. DODGION OHIO REG. SURVEYOR NO. 8069
SMART SERVICES, INC., 88 W. CHURCH ST., NEWARK, OH.



THE OVERLOOK SUBDIVISION

QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 12,
 UNITED STATES MILITARY DISTRICT
 CITY OF NEWARK, LICKING COUNTY, OHIO



GRAPHIC SCALE



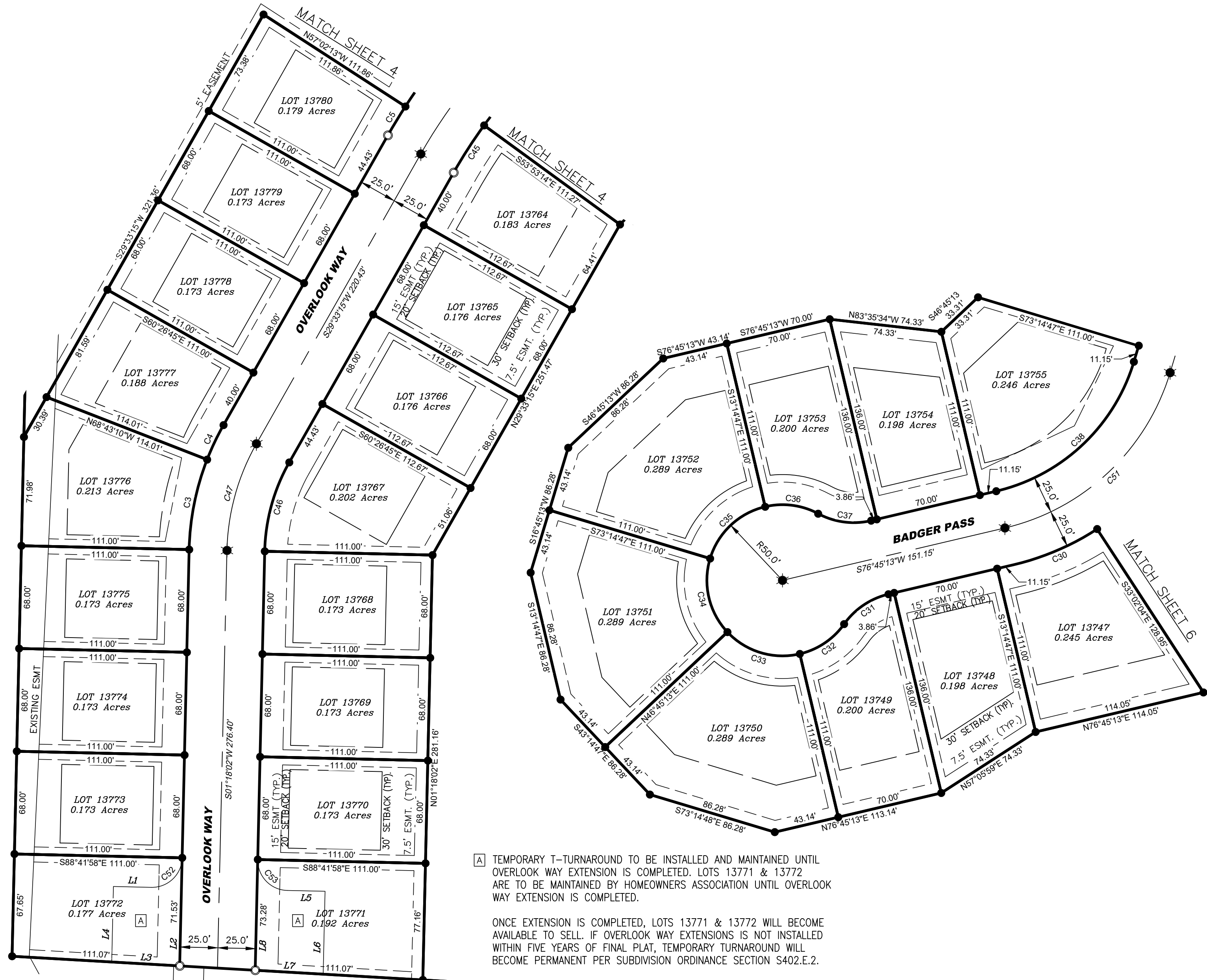
(IN FEET)
 1 inch = 50 ft.

LEGEND

- PERMANENT MONUMENT - 1" x 30" REBAR SET (PUNCHED)
- 5/8" x 30" REBAR W/CAP "SMART SERVICES" SET
- ☆ MAG NAIL FOUND
- ★ MAG NAIL SET
- ⊙ 5/8" REBAR W/CAP "J+H 8283" FOUND
- ⊙ 5/8" REBAR W/ CAP 'SMART SERVICES'
- ⓧ STREET ADDRESS NUMBER

BUILDING SETBACKS:
 20' FRONT
 6' SIDE (1 & 1.5 STORIES)
 8' SIDE (2 STORY)
 30' REAR

UTILITY EASEMENTS:
 15' FRONT**
 7.5' REAR
 5' SIDE
 **10' MIN. EACH SIDE OF WATERLINE,
 SANITARY SEWER, AND STORM SEWER



[A] TEMPORARY T-TURNAROUND TO BE INSTALLED AND MAINTAINED UNTIL OVERLOOK WAY EXTENSION IS COMPLETED. LOTS 13771 & 13772 ARE TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION UNTIL OVERLOOK WAY EXTENSION IS COMPLETED.

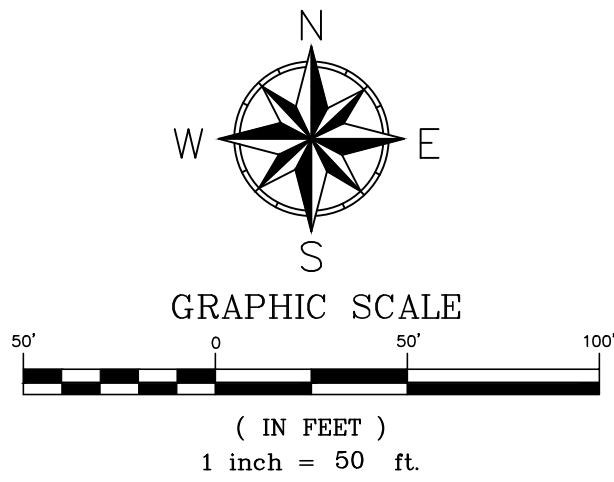
ONCE EXTENSION IS COMPLETED, LOTS 13771 & 13772 WILL BECOME AVAILABLE TO SELL. IF OVERLOOK WAY EXTENSIONS IS NOT INSTALLED WITHIN FIVE YEARS OF FINAL PLAT, TEMPORARY TURNAROUND WILL BECOME PERMANENT PER SUBDIVISION ORDINANCE SECTION S402.E.2.

SEE SHEET 7 FOR CURVE & LINE DATA

N86°41'49"W 775.67' 503.51'

THE OVERLOOK SUBDIVISION

QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 12,
 UNITED STATES MILITARY DISTRICT
 CITY OF NEWARK, LICKING COUNTY, OHIO



LEGEND

- PERMANENT MONUMENT - 1" x 30" REBAR SET (PUNCHED)
- 5/8" x 30" REBAR W/CAP "SMART SERVICES" SET
- ☆ MAG NAIL FOUND
- ★ MAG NAIL SET
- ⊙ 5/8" REBAR W/CAP "J+H 8283" FOUND
- ⊕ 5/8" REBAR W/ CAP 'SMART SERVICES'
- ⓧ STREET ADDRESS NUMBER

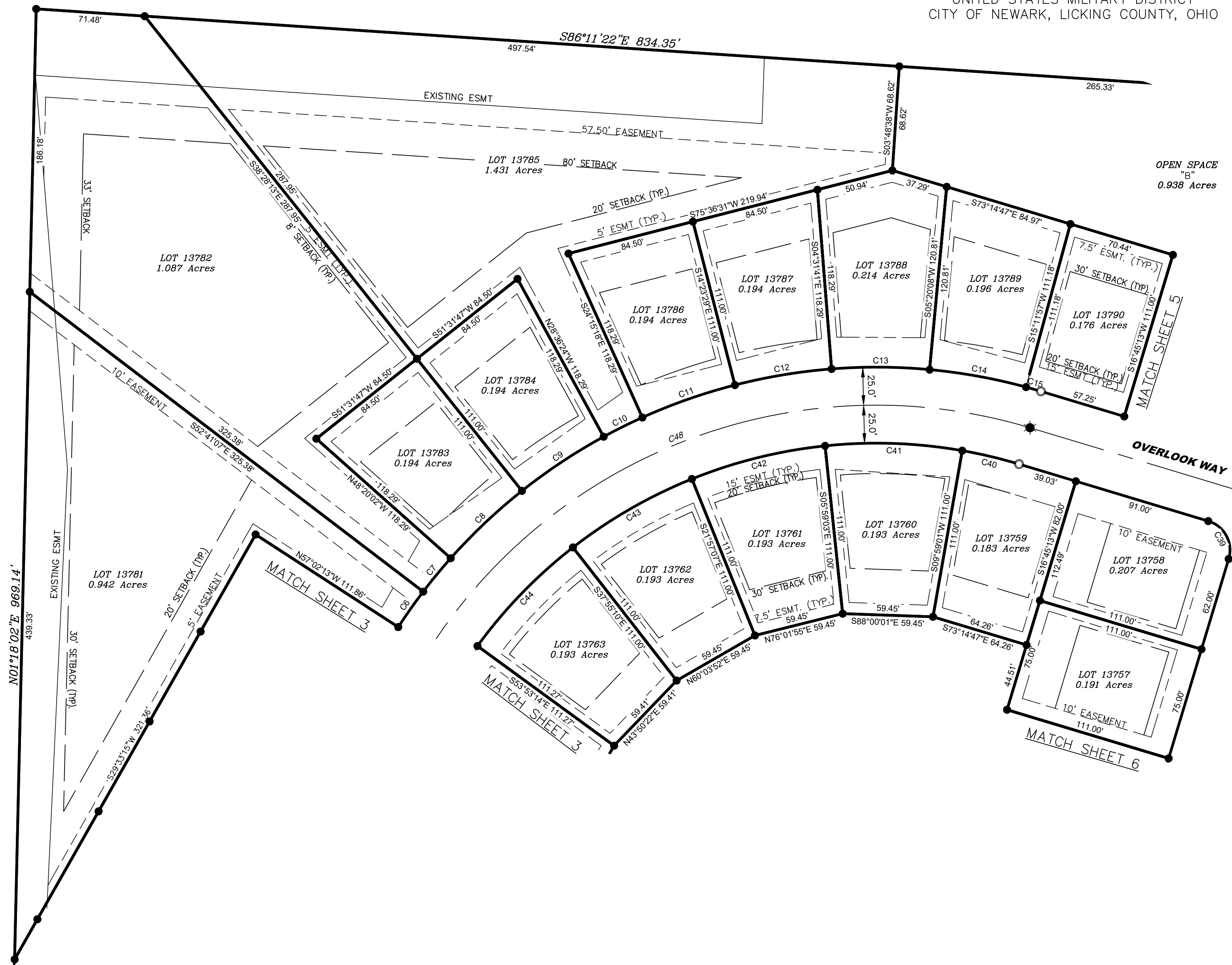
BUILDING SETBACKS:

- 20' FRONT
- 6' SIDE (1 & 1.5 STORIES)
- 8' SIDE (2 STORY)
- 30' REAR

UTILITY EASEMENTS:

- 15' FRONT**
- 7.5' REAR
- 5' SIDE

**10' MIN. EACH SIDE OF WATERLINE, SANITARY SEWER, AND STORM SEWER

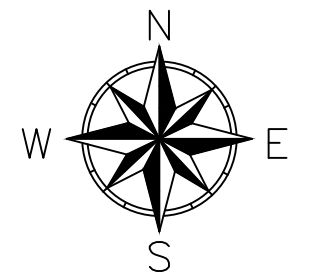


OPEN SPACE
 "B"
 0.938 Acres

SEE SHEET 7 FOR CURVE DATA

THE OVERLOOK SUBDIVISION

QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 12,
 UNITED STATES MILITARY DISTRICT
 CITY OF NEWARK, LICKING COUNTY, OHIO



GRAPHIC SCALE



(IN FEET)
 1 inch = 50 ft.

LEGEND

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- 5/8" x 30" REBAR W/CAP "SMART SERVICES" SET
- ☆ MAG NAIL FOUND
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- ⊙ 5/8" REBAR W/ CAP 'SMART SERVICES'
- ⓧ STREET ADDRESS NUMBER

BUILDING SETBACKS:
 20' FRONT
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 30' REAR

UTILITY EASEMENTS:
 15' FRONT**
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 5' SIDE

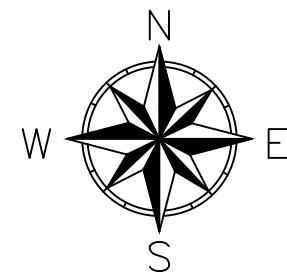
**10' MIN. EACH SIDE OF WATERLINE, SANITARY SEWER, AND STORM SEWER

SEE SHEET 7 FOR CURVE DATA



THE OVERLOOK SUBDIVISION

QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 12,
 UNITED STATES MILITARY DISTRICT
 CITY OF NEWARK, LICKING COUNTY, OHIO



GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

LEGEND

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- ☆ MAG NAIL FOUND
- ★ MAG NAIL SET
- ⊙ 5/8" REBAR W/CAP "J+H 8283" FOUND
- ⊕ 5/8" REBAR W/ CAP 'SMART SERVICES'
- XXXX STREET ADDRESS NUMBER

BUILDING SETBACKS:
 20' FRONT
 6' SIDE (1 & 1.5 STORIES)
 8' SIDE (2 STORY)
 30' REAR

UTILITY EASEMENTS:
 15' FRONT**
 7.5' REAR
 5' SIDE

**10' MIN. EACH SIDE OF WATERLINE, SANITARY SEWER, AND STORM SEWER



SEE SHEET 7 FOR CURVE DATA



THE OVERLOOK SUBDIVISION

QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 12,
UNITED STATES MILITARY DISTRICT
CITY OF NEWARK, LICKING COUNTY, OHIO

Curve Table					
Curve #	Length	Radius	Delta	CH. BRG.	CH. DIST.
C3	61.03'	175.00'	19°58'48"	S11°17'26"W	60.72'
C4	25.27'	175.00'	8°16'25"	S25°25'03"W	25.25'
C5	22.31'	375.00'	3°24'31"	S31°15'31"W	22.31'
C6	28.48'	375.00'	4°21'06"	S35°08'20"W	28.47'
C7	28.48'	375.00'	4°21'06"	S39°29'25"W	28.47'
C8	64.56'	375.00'	9°51'49"	S46°35'53"W	64.48'
C9	64.56'	375.00'	9°51'49"	S56°27'42"W	64.48'
C10	28.48'	375.00'	4°21'06"	S63°34'09"W	28.47'
C11	64.56'	375.00'	9°51'49"	S70°40'36"W	64.48'
C12	64.56'	375.00'	9°51'49"	S80°32'25"W	64.48'
C13	64.56'	375.00'	9°51'49"	N89°35'46"W	64.48'
C14	64.56'	375.00'	9°51'49"	N79°43'57"W	64.48'
C15	10.17'	375.00'	1°33'15"	N74°01'25"W	10.17'
C16	38.65'	148.18'	14°56'39"	S86°12'41"E	38.54'
C17	34.20'	180.00'	10°53'09"	N84°18'33"E	34.15'
C18	50.78'	157.31'	18°29'45"	S78°46'13"E	50.56'
C19	32.72'	20.00'	93°43'26"	N63°36'56"E	29.19'

Curve Table					
Curve #	Length	Radius	Delta	CH. BRG.	CH. DIST.
C20	11.71'	50.00'	13°25'04"	N10°02'40"E	11.68'
C21	40.65'	50.00'	46°34'56"	N19°57'20"W	39.54'
C22	52.36'	50.00'	60°00'00"	N13°14'47"W	50.00'
C23	52.36'	50.00'	60°00'00"	N46°45'13"E	50.00'
C24	52.36'	50.00'	60°00'00"	S73°14'47"E	50.00'
C25	52.36'	50.00'	60°00'00"	S13°14'47"E	50.00'
C26	31.42'	20.00'	90°00'00"	S28°14'47"E	28.28'
C27	31.42'	20.00'	90°00'00"	N61°45'13"E	28.28'
C28	60.44'	175.00'	19°47'16"	N26°38'51"E	60.14'
C29	62.38'	175.00'	20°25'28"	N46°45'13"E	62.05'
C30	60.44'	175.00'	19°47'16"	N66°51'34"E	60.14'
C31	36.14'	50.00'	41°24'35"	N56°02'55"E	35.36'
C32	36.14'	50.00'	41°24'35"	N56°02'55"E	35.36'
C33	52.36'	50.00'	60°00'00"	S73°14'47"E	50.00'
C34	52.36'	50.00'	60°00'00"	S13°14'47"E	50.00'
C35	52.36'	50.00'	60°00'00"	S46°45'13"W	50.00'
C36	36.14'	50.00'	41°24'35"	N82°32'30"W	35.36'

Curve Table					
Curve #	Length	Radius	Delta	CH. BRG.	CH. DIST.
C37	36.14'	50.00'	41°24'35"	N82°32'30"W	35.36'
C38	130.90'	125.00'	60°00'00"	S46°45'13"W	125.00'
C39	31.42'	20.00'	90°00'00"	S28°14'47"E	28.28'
C40	38.40'	325.00'	6°46'12"	S76°37'53"E	38.38'
C41	90.57'	325.00'	15°58'04"	S88°00'01"E	90.28'
C42	90.57'	325.00'	15°58'04"	N76°01'55"E	90.28'
C43	90.57'	325.00'	15°58'04"	N60°03'52"E	90.28'
C44	90.57'	325.00'	15°58'04"	N44°05'48"E	90.28'
C45	37.20'	325.00'	6°33'31"	N32°50'01"E	37.18'
C46	61.64'	125.00'	28°15'14"	N15°25'39"E	61.02'
C47	73.97'	150.00'	28°15'14"	N15°25'39"W	73.22'
C48	471.58'	350.00'	77°11'57"	S68°09'14"W	436.71'
C49	61.93'	150.00'	23°39'20"	N85°04'28"W	61.49'
C50	85.52'	162.50'	30°09'11"	S01°40'37"W	84.54'
C51	157.08'	150.00'	60°00'00"	S46°45'13"W	150.00'
C52	31.42'	20.00'	90°00'00"	N46°18'02"E	28.28'
C53	31.42'	20.00'	90°00'00"	N43°41'58"W	28.28'

Line Table		
Line #	Direction	Length
L1	S88°41'58"E	25.00'
L2	S01°18'02"W	71.53'

Line Table		
Line #	Direction	Length
L3	N86°41'49"W	45.03'
L4	N01°18'02"E	49.96'

Line Table		
Line #	Direction	Length
L5	S88°41'58"E	25.00'
L6	S01°18'02"W	54.85'

Line Table		
Line #	Direction	Length
L7	N86°41'49"W	45.03'
L8	N01°18'02"E	73.28'