

BOARD OF ZONING APPEALS MEETING
THURSDAY, SEPTEMBER 26, 2024 5:30 P.M.
COUNCIL CHAMBERS
40 W MAIN ST, NEWARK, OH 43055

MINUTES
PUBLIC HEARING

1. CALL TO ORDER

CALL TO ORDER- George Carter, Zoning Inspector, called the Thursday, September 26, 2024 Board of Zoning Appeals Meeting to order.

Present:

George Carter	Zoning Inspector
Phil Claggett	Member
John Paul	Member
Eddie Hunt	Member

Absent:

Steve Layman	Board Chair
Jack Gienger	Member

2. APPROVAL OF MINUTES

Minutes of the August 22, 2024 meeting

Motion and second to approve minutes of August 22, 2024, motion passed by acclamation

3. OLD BUSINESS

APPLICATION BZA-23-16

Applicant: Amy Jordan
Owner: Amy Jordan
Location: 1429 Granville Rd
Project: Conditional Use
Reference: 16.4

Amy Jordan - I want to thank the Board for giving me my start. Things are going well. Tomorrow is the anniversary of the Chocolate Walk, my first event in Newark. Some of my students are coming to dance if you want to see them and get some free dance lessons. I'm going to be in the Canal Market District because that's where there's going to be live music. So, we're kind of having a little party and doing lessons and giving away free lessons and cupcakes. So, I just want to say yes and thank you and thanks for getting me into the meeting and thank you.

Mr. Carter - Amy, if I understand right, you are going to be moving your business into the Arcade, correct?

Ms. Jordan - Yes, I intend to lease.

Mr. Carter - You're a year away from that?

Ms. Jordan - No, I don't...I would like to... Well, here's the thing. I was supposed to move in October. They're talking January, but it could be a year. I don't know.

Unknown speaker - I'm her neighbor. Amy, do you even have dance lessons over there? I never hear her. I, I don't. My wife and I, we don't even see you guys enough. So, in terms of impacting me who lives right next door to her, I don't even know that she's there half the time or most of the time or so because they're so quiet. So, I, of course, as a neighbor, don't have an issue.

Mr. Carter - I think the Board look at either extending this until she moves in or extending it permanently that way if she changes her mind and wants to continue at her house, that's at the Board's pleasure. But it does sound like she's going to be, this is still going to be temporary. Even if it's for a year or 18 months.

Mr. Paul - Phil, my thoughts are the Arcade. If it's anything like the courthouse is going to take forever to get through all the... I think we should just let it, she can stay there until she moves to the permanent spot. We don't have to revisit this. Does anyone have an issue with that? Because that way we're done with it because I don't see any reason. It's, it's work. It's going to work. It's going to work until she moves. And it's not like it's permanent. Now the permanent aspect, I think we need to, I think we need to think about a little bit further possibly. But I think that's further down the road.

Mr. Carter - I think it's easy enough to put a year on and if something happens in two years.

Ms. Jordan - A year would be great. A year would be really helpful. It would just, you know, it'd give me a lot to, you know, I mean, the lease is for three years.

Mr. Paul - Let's do two. It would be like a good even Stephen. Let's do a two-year extension.

Motion by Mr. Paul to grant conditional use for a two-year period, Second by Mr. Claggett, Motion passed 3-0

4. NEW BUSINESS

APPLICATION BZA-24-36

Applicant: Ray & Jenny Miller
Owner: Ray & Jenny Miller
Location: 859 Linwood
Project: Three Season Room
Reference: 16.8

Jenny Miller - We just want to build a three-season room on the existing deck that we already have. They told us that we needed a variance from the distance from the street. I mean, the deck's already there, and our neighbor's house extends past what we already have another nine feet. So...

Ray Miller - We're 26 feet off the edge of the road from my deck.

Mr. Carter - The zoning stance on this is why you're here. Decks are allowed to encroach into that setback. Once you put a roof on there, the next logical steps are now I put some walls in, and then you kind of have an addition, and additions are required to be

so many feet from the back of the property line. And that's the reason why we're in this, you know, at this board meeting tonight. Anyone here to speak for or against the property that's not the property owners?

Motion by Mr. Paul to approve as submitted, Second by Mr. Claggett, Motion passes 3-0

APPLICATION BZA-24-37

Applicant: Ed Corbette
Owner: Ed Corbette
Location: 0 Iron Ave (054-223482-00.000)
Project: Sales Building
Reference: 54/125

Mr. Carter - In lieu of Ed Corbett not being here tonight, even though I told him, and there might have been some miscommunications with Bill Hitchens and Willis Engineering, I'm not positive, but I have requested the Board reviews the application. No one else has showed up here to speak against it or for it. Pretty much, I'll give a quick synopsis of the property. Down here on Iron Avenue, there are several bunches of lots. Ed Corbett likes to sell vehicles. Majority of these properties are all in the floodway. He managed to find the one parcel that's not. He wants to put a small little office building in there because the requirement from the state of Ohio for him to have his license to sell vehicles is he has to have an office. It's going to be a very small office with several parking spots. He has hired Willis Engineering to do the drawings and flood compliance with my office. The zoning inspector's kind of concern is what's left that someone can do with these properties. He's running out of what can't he do as a property owner. We went a couple years of exploring what could be done out there, and we finally found a use. At the end of the day, the Board does need to take property rights into consideration.

Motion by Mr. Paul to approve as submitted, Second by Mr. Claggett, Motion passes 3-0

THE NEXT SCHEDULED BOARD OF ZONING APPEALS MEETING WILL BE HELD ON THURSDAY, OCTOBER 17, 2024 AT 5:30 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS OCTOBER 1, 2024, 4:30PM.

5. ADJOURNMENT - Motion to adjourn, second, passed by acclamation

Chairman, Board of Zoning Appeals

Secretary, Board of Zoning Appeals