

BOARD OF ZONING APPEALS MEETING
THURSDAY, FEBRUARY 22, 2024, 5:30 P.M.
COUNCIL CHAMBERS
40 W MAIN ST, NEWARK, OH 43055

AGENDA PUBLIC HEARING

1. CALL TO ORDER
2. APPROVAL OF MINUTES
3. OLD BUSINESS
4. NEW BUSINESS

APPLICATION BZA-24-03

Applicant: Rita Jackson
Owner: Rita Jackson
Location: 120 S 32nd St
Project: Single Family Dwelling
Reference: 7.2.3

APPLICATION BZA-24-04

Applicant: Phil Cobientz
Owner: Epic Housing LLC
Location: 830 Jones Ave
Project: Single Family Dwelling
Reference: 16.8

APPLICATION BZA-24-05

Applicant: Greg Shultz/Linden Ave LLC
Owner: James G Van Winkle Trustee
Location: 0 N 21st St
Project: Retail Store
Reference: 125.2

APPLICATION BZA-24-06

Applicant: Andrew Guanciale
Owner: PAG Properties IV LTD
Location: 100/900 Londondale Pkwy
Project: Multi-Family Complex
Reference: 26.8

APPLICATION BZA-24-07

Applicant: Andy Wesley
Owner: Kalen & Courtney Dees
Location: 141 Day Ave
Project: Room Addition
Reference: 7.2.3

THE NEXT SCHEDULED BOARD OF ZONING APPEALS MEETING WILL BE HELD ON
THURSDAY, MARCH 28, 2024, 5:30 P.M. THE DEADLINE FOR AGENDA ITEM
SUBMITTAL IS MARCH 1, 2024, 4:30PM.

5. ADJOURNMENT

AHach*

Board of Zoning Appeals
C/o Engineering Dept.
40 West Main St, 2nd Flr.
Newark, Ohio 43055
(740) 670-7727
(740)349-5911 Fax

City of Newark Board of Zoning Appeals Application

Zoning File #
BZA Application # 152A-24-03
Date Received: 1-9-24
Received by: P. Kemp
Amount Due: \$ 75.00
Receipt # _____

CITY OF NEWARK, OHIO | BOARD OF ZONING APPEALS

Rev 8/13

Owner

Name: Rita Jackson Telephone: 740 877 5578

Address: 116 N. 39th Street E-mail: msrita.jackson@gmail.com

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

Applicant

Name: Rita Jackson Telephone: 740 877 5578

Address: 116 N. 39th Street E-mail: _____

I would prefer to have agendas mailed rather than emailed

Parcel

Address of Parcel: 120 South 32nd Street Newark, Oh Auditor's Parcel Number: 054-226062-00.000

On the North South East West side of the street, between the following intersections:
and

Subdivision Name: Moses H Neil's Glenwood Addition Lot Number: 87

Zoning Classification: RH Proposed Use: _____
If filling out electronically, click box to display dropdown

Appeal

This Application is a request to permit the following:
Erection Alteration Maintenance Conversion Conditional Use

In accordance with the plans filed herewith, describe the building or use:

This project is not permitted by the Zoning Code for the following reason(s):

Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code:
Replacing a structure that has been torn down.

Has there been any previous application or appeal on these premises? No Yes When?

This application is a request for modification of the requirements of the following Article(s)/Section(s) of the Zoning Code: (List)
Flood: X

BZA CASE NO. 24-03

Date of Review: 2/7/24

Address of Project: 120 S 32nd St

Current Zoning: RH

Project Description: Single Family Dwelling

B.Z.A. Approval Required?----- Yes
Planning Commission Approval Required?----- No
Engineer’s Approval Required?----- No
Law Director’s Approval Required?----- No
City Council Approval Required?----- No

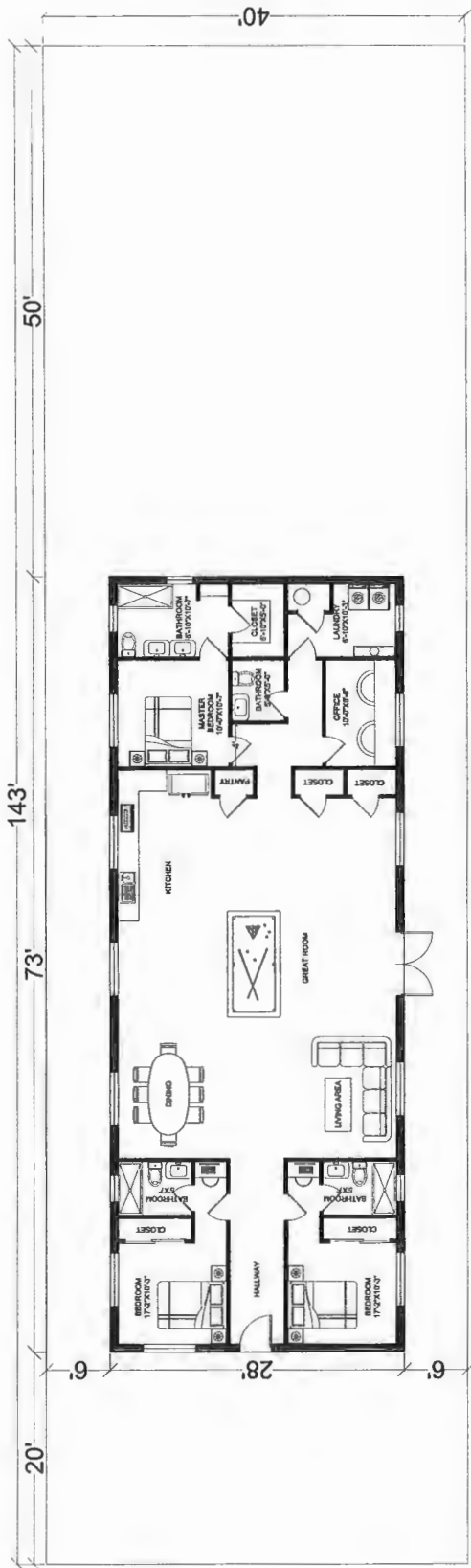
Ordinance / Article / Section Requirement / Proposal / Conclusion

08-16 7 7.2.3

Requirement: When a structure is non-conforming for a reason other than size, height, setback, lot coverage, lot area or lot frontage, an alteration or enlargement shall be approved by the Board.

Proposal: The applicant proposes to build a new single-family dwelling, and keep the existing dwelling as a guest house.

Conclusion: The proposal requires board approval



PROPOSED SITE PLAN
AREA=5720 SF
 SCALE 1/16"=1'-0"

**City of Newark
 Board of Zoning Appeals
 Application**

Zoning File # _____
 BZA Application # 574-34-04
 Date Received: 1-11-09
 Received by: P. Kemp
 Amount Due: \$ 75.00
 Receipt # 162361

CITY OF NEWARK, OHIO | BOARD OF ZONING APPEALS

Rev 8/13

Owner	
Name: <u>Epic Housing LLC</u>	Telephone: <u>740 501 1460</u>
Address: <u>14053 Willey Rd St. Louisville, OH 43071</u>	E-mail: <u>ppcoblenz63@gmail.com</u>
I would prefer to have agendas mailed rather than e-mailed <input type="checkbox"/>	

Applicant	
Name: <u>Phil Coblenz</u>	Telephone: _____
Address: <u>same as owner</u>	E-mail: _____
I would prefer to have agendas mailed rather than emailed <input type="checkbox"/>	

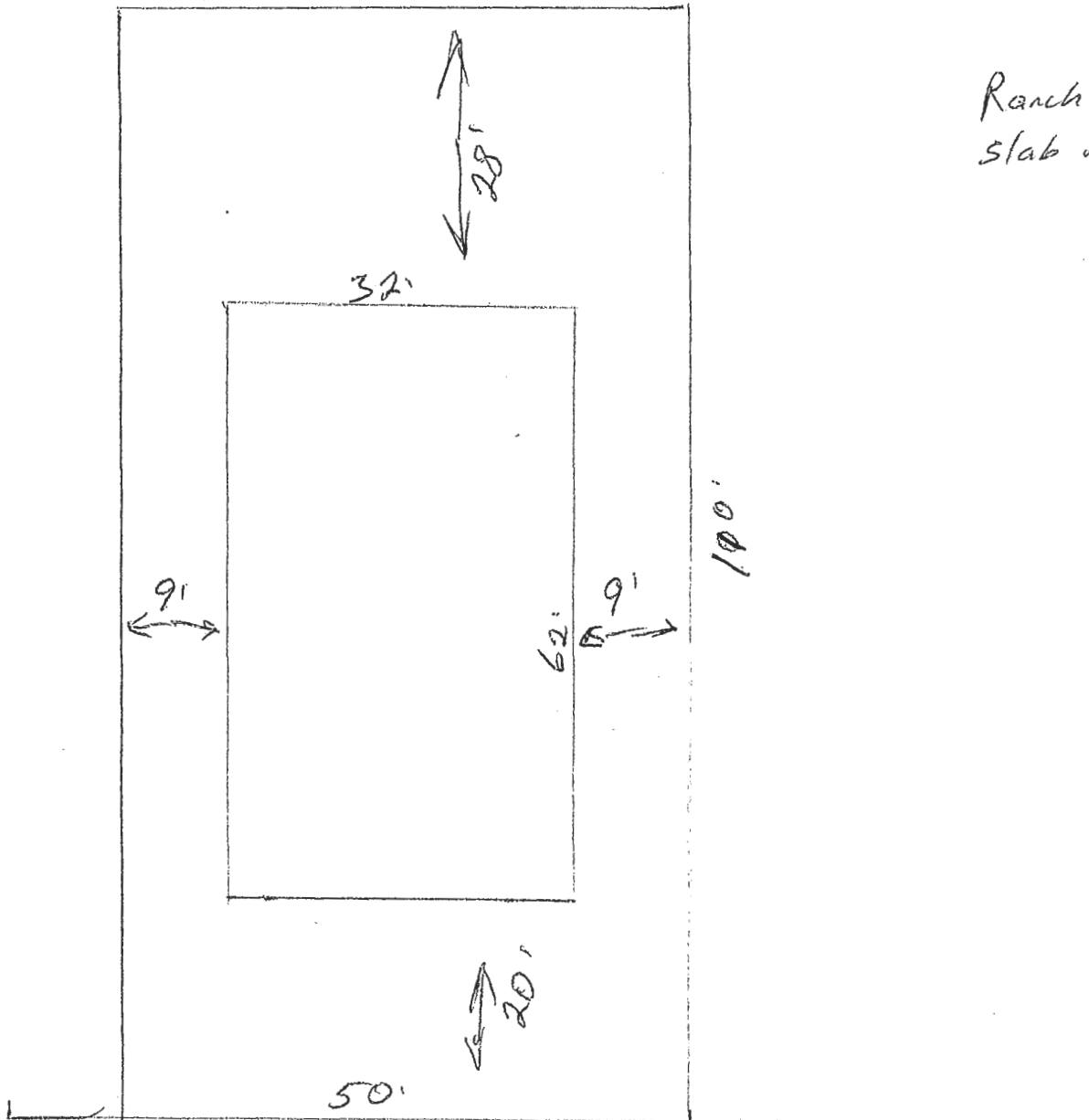
Parcel	
Address of Parcel: <u>830 Jones Ave</u>	Auditor's Parcel Number: <u>054-197514-00.000</u>
On the <input checked="" type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West side of the street, between the following intersections: <u>O'Bannon</u> and <u>Belle Vista Ave</u>	
Subdivision Name: _____	Lot Number: <u>9</u>
Zoning Classification: If filling out electronically, click box to display dropdown <u>RH</u> <u>Single Family</u>	Proposed Use: If filling out electronically, click box to display dropdown (Specify Use): _____

Appeal	
This Application is a request to permit the following: Erection <input type="checkbox"/> Alteration <input type="checkbox"/> Maintenance <input type="checkbox"/> Conversion <input type="checkbox"/> Conditional Use <input type="checkbox"/>	
In accordance with the plans filed herewith, describe the building or use: <u>New Single Family home (single story) no basement</u>	
This project is not permitted by the Zoning Code for the following reason(s): <u>Rear setback need 2 ft variance. 28' instead of 30'</u>	
Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code: <u>Previously drawn house plans</u>	
Has there been any previous application or appeal on these premises? <input type="checkbox"/> No <input type="checkbox"/> Yes When? _____	
This application is a request for modification of the requirements of the following Article(s)/Section(s) of the Zoning Code: (List) <u>Article 16 section 16.8</u>	

Epic Housing LLC

Phil Coblenz

740 501 1460



Ranch Home
Slab Foundation

830. Jones Ave



Z-2024-0006

24-05

Zoning Application #

BZA Appeal #

**CITY OF NEWARK
ENGINEERING & ZONING**

c/o Engineering Department

40 West Main Street | Newark, Ohio 43055 | Tel 740.670.7727 | Fax 740.349.5911 | www.newarkohio.net

BOARD OF ZONING APPEALS APPLICATION

Rev 2/10

Owner

Name: James G. Van Winkle Trustee	Telephone: 740-366-1110
Address: 263 Deo Drive, Newark, OH 43055	E-mail: bvanwinkle1@gmail.com

Applicant

Name: Linden Avenue LLC / Greg Schultz	Telephone: 614-800-4849
Address: 1630 Columbus Road, Unit A, Granville, OH 43023	E-mail: greg.schultzgroup@gmail.com

Lessee

Name: N/A	Telephone: N/A
Address: N/A	E-mail: N/A1

Parcel

Address of Parcel: (Number & Street, City, State, Zip) TBD N. 21 st Street, Newark, OH 43055	Auditor's Parcel #: 054-286452-00.000
On the <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input checked="" type="checkbox"/> West side of the street, between the following intersections: Northtowne Court and Derby Downs Road	
Subdivision Name: N/A	Lot Number: N/A
GB General Business If filling out electronically, click box to display dropdown	Commercial If filling out electronically, click box to display dropdown (Specify Use):Retail Store
Notes: (Optional) New Constructin Dollar General -	

Appeal

The Application is a request to permit the following:				
Erection <input type="checkbox"/>	Alteration <input type="checkbox"/>	Maintenance <input type="checkbox"/>	Conversion <input type="checkbox"/>	Conditional Use <input type="checkbox"/>
In accordance with the plans filed herewith, describe the building or use: 10,640 SF Retail Store (Dollar General)				

Appeal Continued

This project is not permitted by the Zoning Code for the following reason(s):

Zoning Code requires 59 spaces for a 10,640 SF Retail Store

Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code: 59 spaces exceeds the recommended parking per my client(30 recommended). 35 Spaces are provided in the design to maintain a good flow and provide adequate parking. There is adequate space to meet this requirement; however, in doing so would lead to more impervious area and less green space. Variance requested to reduce parking requirement from 59 required to 35 provided a 24 space variance.

Has there been any previous application or appeal on these premises? Yes No When?

This application is a request for modification of the requirements of the following Article(s)/Section(s) of the Zoning Code: (List)

Article 125 Section 2 Retail Store 6,001-15,000 requires : 40 spaces + 1 space for each additional 250SF
 $40 \text{ Spaces} + (10,640 - 6,000 = 4,640 \text{ so } 4,640 / 250 = 19)$
 Required Spaces = $40 + 19 = 59$ Spaces

Required Documents

(Must be signed and returned to the Engineering Department.)

- A. Original Application
- B. List of owner names, street addresses and tax mailing addresses for all properties lying within 200 feet radius of the entire property in question. **Number the parcel list. This will correspond with the Tax Map in C below.**
- C. Tax Map from the County Engineer indicating boundaries of this property in question and properties described in B above. **Number each parcel on the map to match its corresponding name, location and mailing address in list B above.**
- D. Site Plan showing location of existing and proposed structures, property lines, setbacks and dimensions.
- E. Elevation drawings of the front, side and rear of the proposed building or structure. Identify all major exterior finish materials on the elevation drawing.
- F. Application Fee of \$50.00 Cash or Check made payable to the City of Newark
- G. Application Fee of \$25.00 for Off-Premise Variable Message Sign
- H. Additional documentation at the discretion of the applicant for support of the Appeal

Upon receipt of this application and the required documents listed above, you will be notified of the date and time of the hearing at which time you or a representative must appear.

BZA CASE NO. 24-05

Date of Review: 2/7/24

Address of Project: 0 N 21st St

Current Zoning: GB

Project Description: New Retail Store (Dollar General)

- B.Z.A. Approval Required?----- Yes
- Planning Commission Approval Required?----- Yes
- Engineer’s Approval Required?----- No
- Law Director’s Approval Required?----- No
- City Council Approval Required?----- No

Ordinance / Article / Section

Requirement / Proposal / Conclusion

08-16 125 125.2

Requirement: In the GB district, a 10,640 square foot retail building requires 59 parking spaces

Proposal: The applicant proposes to 35 parking spaces

Conclusion: The proposal requires board approval

Board of Zoning Appeals
C/o Engineering Dept.
40 West Main St, 2nd Flr.
Newark, Ohio 43055
(740) 670-7727
(740)349-5911 Fax

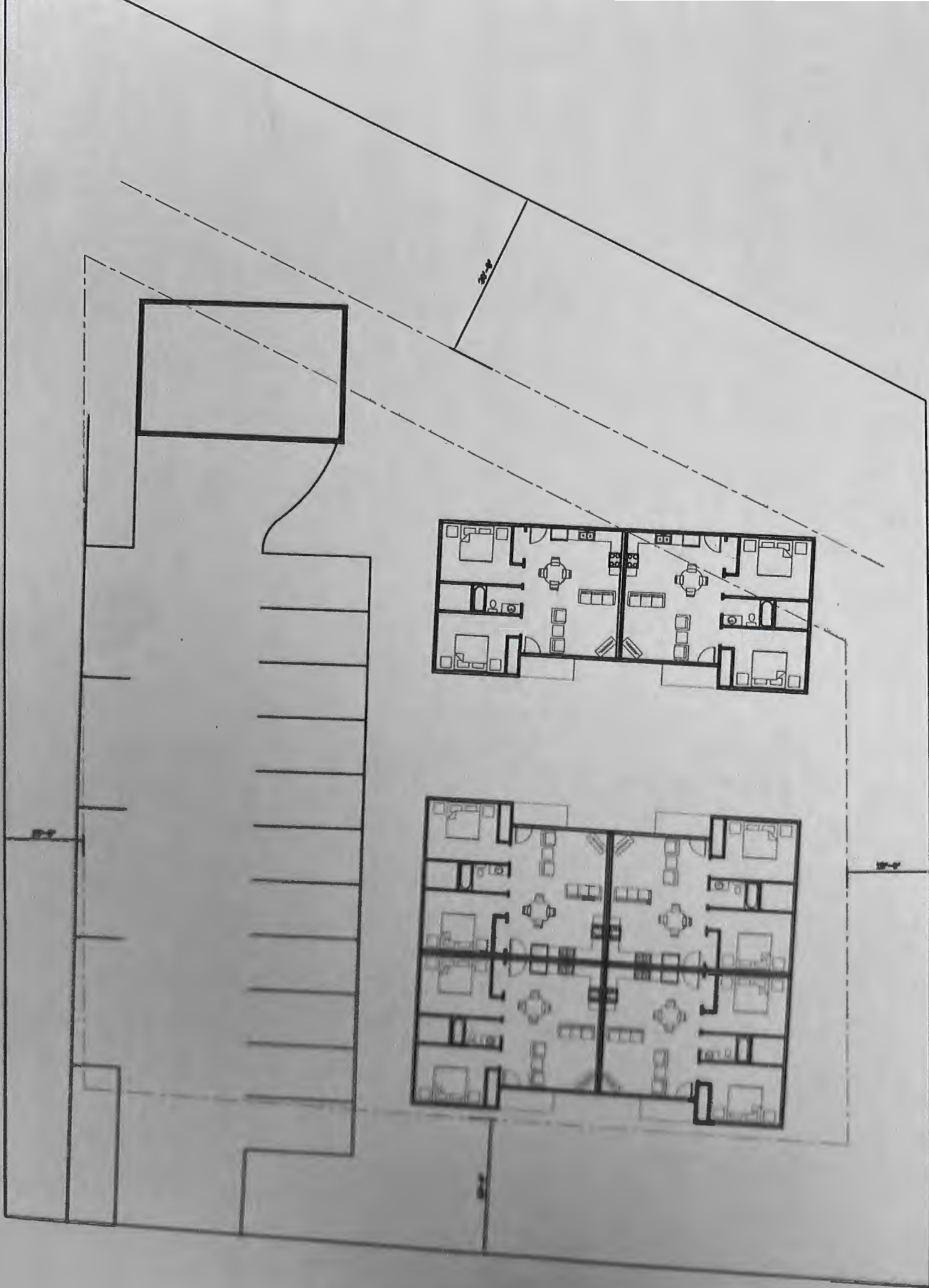
City of Newark
Board of Zoning Appeals
Application

Zoning File #
BZA Application # 62A-24-06
Date Received: 2/1/24
Received by: S.CC
Amount Due: \$ 200
Receipt # 162872

CITY OF NEWARK, OHIO | BOARD OF ZONING APPEALS

Rev 8/13

Owner	
Name: <u>ANDREW GUANCIALE</u>	Telephone: <u>740 403 6444</u>
Address: <u>1126 W MAIN ST.</u>	E-mail: <u>Andrew.GUANCIALE@CBFACTORY.COM</u>
I would prefer to have agendas mailed rather than e-mailed <input type="checkbox"/>	
Applicant	
Name: <u>ANDREW GUANCIALE</u>	Telephone: <u>740 403-6444</u>
Address: <u>1126 W. MAIN ST</u>	E-mail: <u>Andrew.GUANCIALE@CBFACTORY.COM</u>
I would prefer to have agendas mailed rather than emailed <input type="checkbox"/>	
Parcel	
Address of Parcel: <u>100/900' Londondale 054-247050-00.001</u>	Auditor's Parcel Number:
On the <input checked="" type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West side of the street, between the following intersections: and <u>Londondale & Byrnes</u>	
Subdivision Name:	Lot Number:
Zoning Classification: If filling out electronically, click box to display dropdown <u>MFR</u>	Proposed Use: If filling out electronically, click box to display dropdown (Specify Use):
Appeal	
This Application is a request to permit the following: Erection <input type="checkbox"/> Alteration <input type="checkbox"/> Maintenance <input type="checkbox"/> Conversion <input type="checkbox"/> Conditional Use <input type="checkbox"/> In accordance with the plans filed herewith, describe the building or use:	
This project is not permitted by the Zoning Code for the following reason(s): <u>rear setback is 45', proposal is 30'</u>	
Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code:	
Has there been any previous application or appeal on these premises? <input type="checkbox"/> No <input type="checkbox"/> Yes When?	
This application is a request for modification of the requirements of the following Article(s)/Section(s) of the Zoning Code: (List) <u>26.8</u>	



Board of Zoning Appeals
C/o Engineering Dept.
40 West Main St, 2nd Flr.
Newark, Ohio 43055
(740) 670-7727
(740)349-5911 Fax

City of Newark
Board of Zoning Appeals
Application

Zoning File # _____
BZA Application # 24-07
Date Received: 2/11/24
Received by: 2-CC
Amount Due: \$ 75
Receipt # _____

CITY OF NEWARK, OHIO | BOARD OF ZONING APPEALS

Rev 8/13

Owner	
Name: <u>Kalen & Courtney Dees</u>	Telephone: <u>740-670-2332</u>
Address: <u>141 Day Ave</u>	E-mail: <u>Courtneysdees@gmail.com</u>
I would prefer to have agendas mailed rather than e-mailed <input type="checkbox"/>	
Applicant	
Name: <u>Kalen & Courtney Dees</u> <i>Andy Nesim</i>	Telephone: <u>740-670-2332</u>
Address: <u>141 Day Ave</u>	E-mail: <u>Courtneysdees@gmail.com</u>
I would prefer to have agendas mailed rather than emailed <input type="checkbox"/>	
Parcel	
Address of Parcel: <u>141 Day Ave</u>	Auditor's Parcel Number: _____
On the <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input checked="" type="checkbox"/> West side of the street, between the following intersections: <u>W. main st</u> and <u>W. church street</u>	
Subdivision Name: _____	Lot Number: <u>5230</u>
Zoning Classification: If filling out electronically, click box to display dropdown <u>RH</u>	Proposed Use: If filling out electronically, click box to display dropdown (Specify Use): <u>residential</u>
Appeal	
This Application is a request to permit the following: Erection <input type="checkbox"/> Alteration <input checked="" type="checkbox"/> Maintenance <input type="checkbox"/> Conversion <input type="checkbox"/> Conditional Use <input type="checkbox"/>	
In accordance with the plans filed herewith, describe the building or use: <u>Addition to residential home.</u>	
This project is not permitted by the Zoning Code for the following reason(s): <u>structural alterations to a legal-non conforming structure requires board approval</u>	
Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code: <u>Location of house preventing us from improving it.</u>	
Has there been any previous application or appeal on these premises? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes When?	
This application is a request for modification of the requirements of the following Article(s)/Section(s) of the Zoning Code: (List) <u>7.2.3</u>	

*1st Business Day App Due
4th Thursday is hearing.*

BZA CASE NO. 24-07

Date of Review: 2/7/24

Address of Project: 141 Day Ave

Current Zoning: RH

Project Description: Room Addition

B.Z.A. Approval Required?----- Yes

Planning Commission Approval Required?----- Yes

Engineer's Approval Required?----- No

Law Director's Approval Required?----- No

City Council Approval Required?----- No

Ordinance / Article / Section

Requirement / Proposal / Conclusion

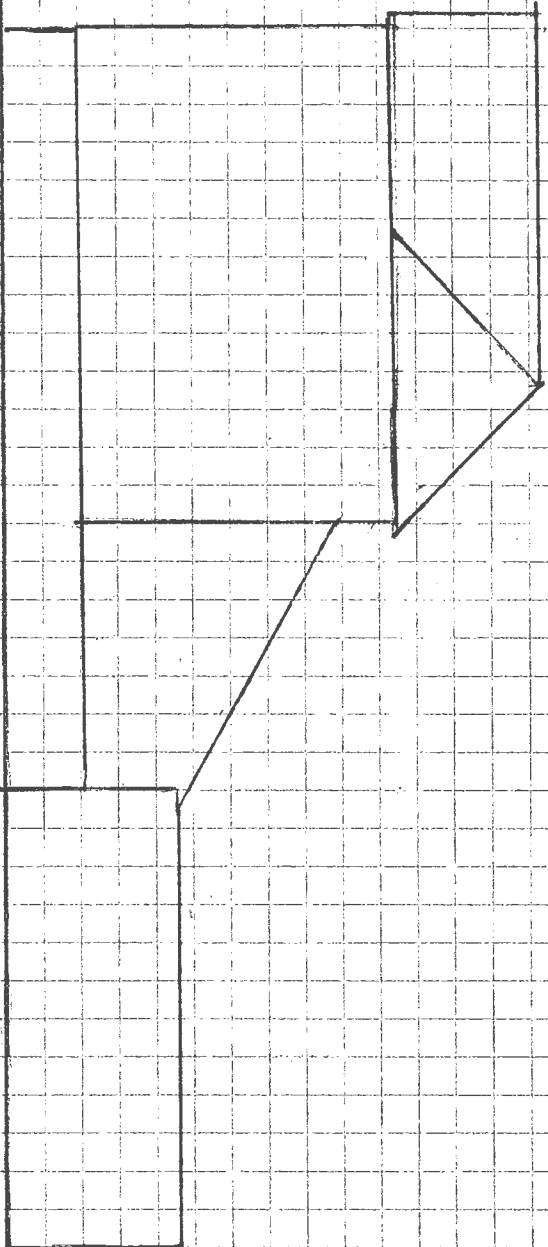
08-16 7 7.2.3

Requirement: When a structure is non-conforming for a reason other than size, height, setback, lot coverage, lot area or lot frontage, an alteration or enlargement shall be approved by the Board.

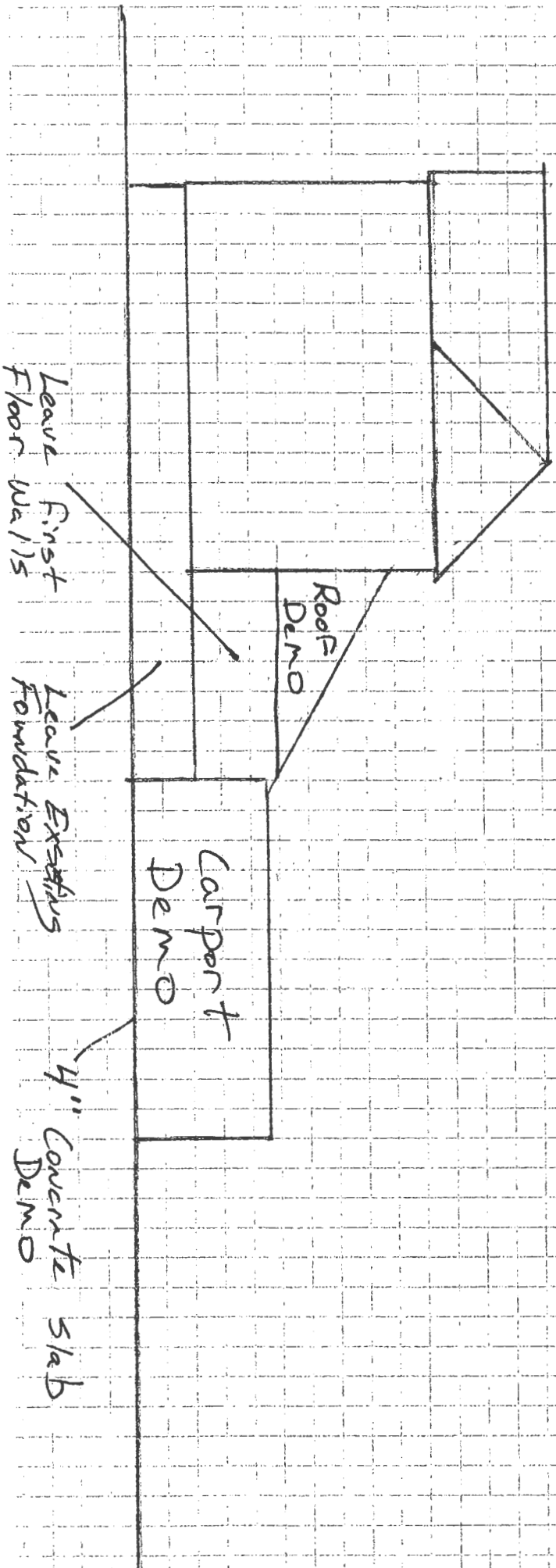
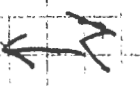
Proposal: The applicant proposes to add an addition to an existing legal non-conforming structure

Conclusion: The proposal requires board approval

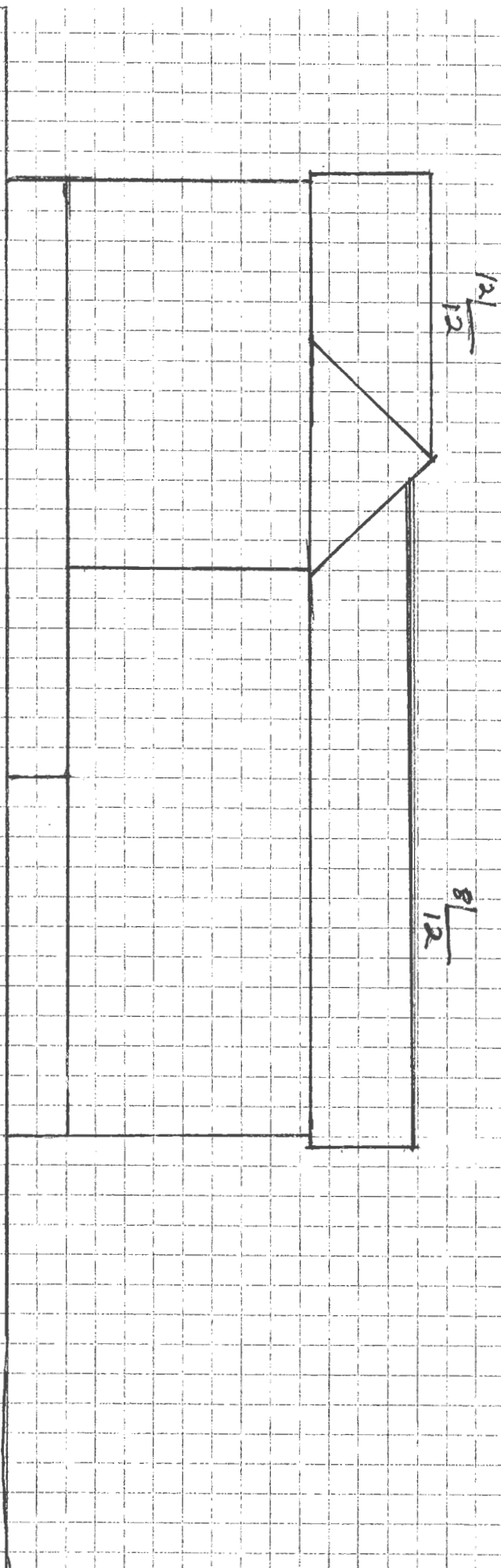
141 Day Ave
Newark, OH 43055



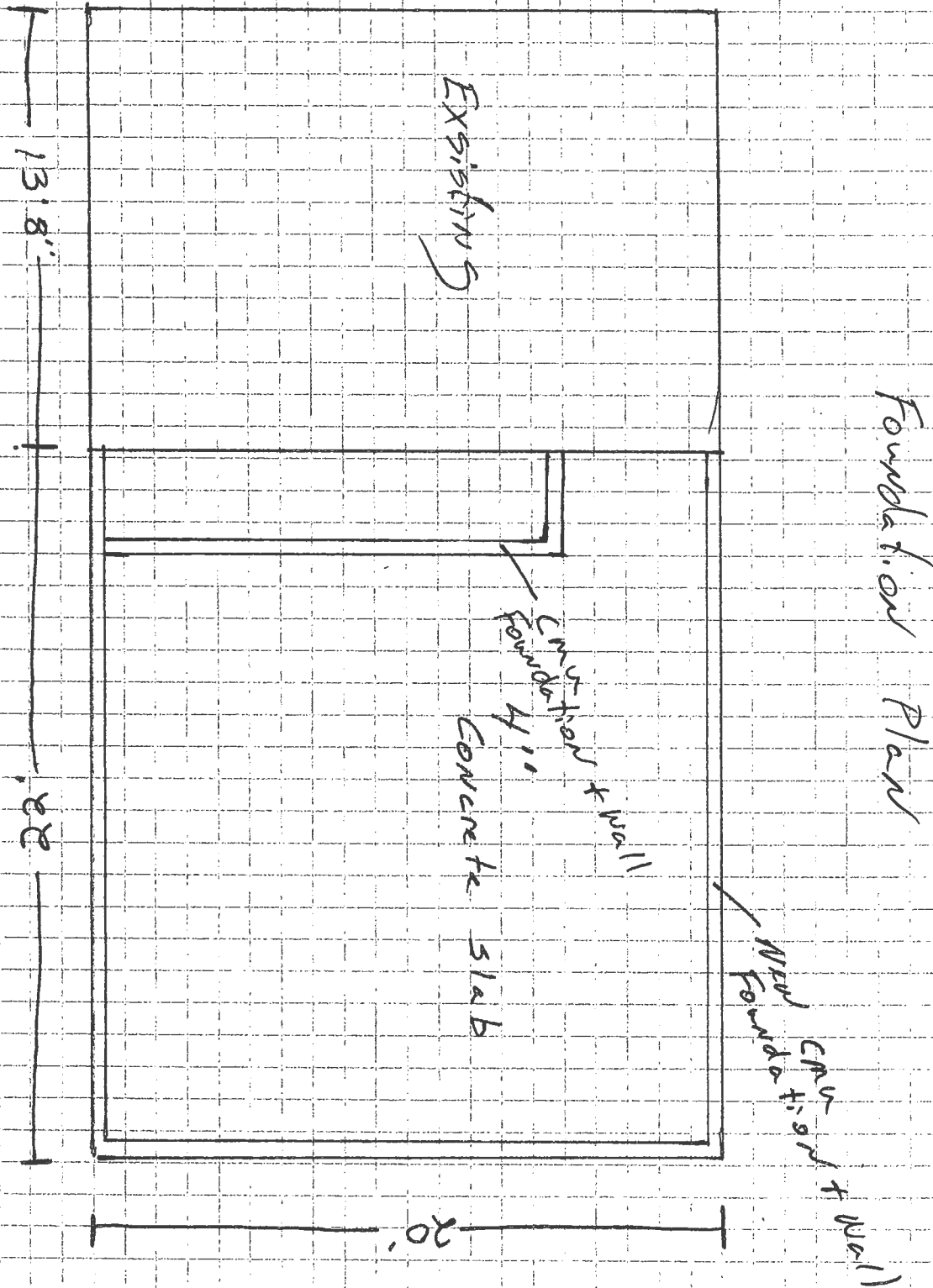
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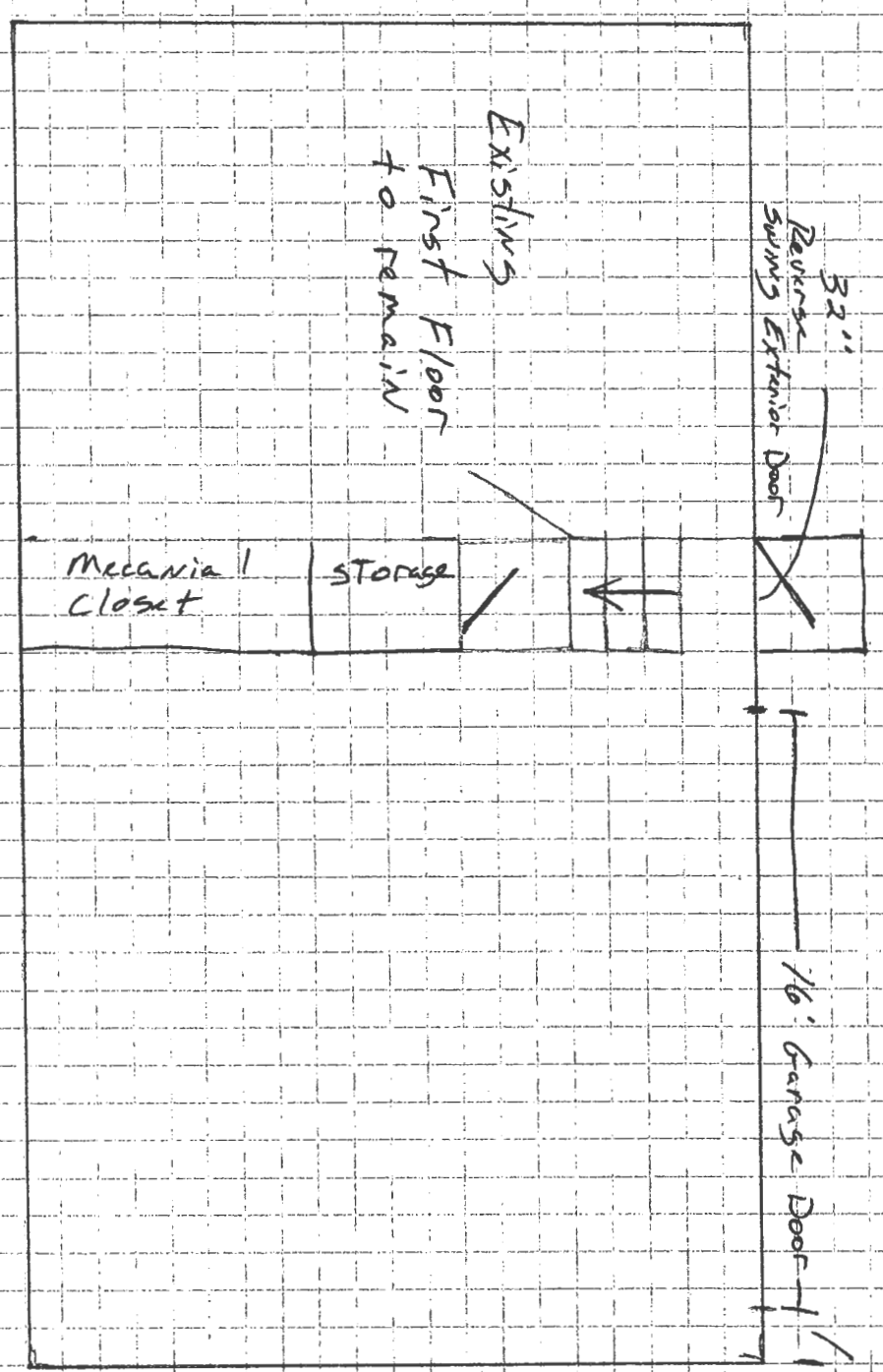
Elevation Plan



Foundation Plan



First Floor Plan



EXISTING
FIRST FLOOR
TO REMAIN

Mechanical
Closet

Storage

16' Garage Door

10''

N