

BOARD OF ZONING APPEALS MEETING  
THURSDAY, NOVEMBER 17, 2022, 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

### APPLICATION BZA-21-22

Applicant: Natalie Cost  
Owner: Natalie Cost  
Location: 345 Kelley LN  
Project: Single Family Dwelling  
Reference: 10.4

### APPLICATION BZA-22-11

Applicant: Melisa Bay  
Owner: Cottage Barbershop LLC  
Location: 401 Franklin Ave  
Project: Storage Pods  
Reference: 86.3.1

4. NEW BUSINESS

### APPLICATION BZA-22-38

Applicant: Ryan Lehberger  
Owner: Bishop of the Diocese  
Location: 1 Green Wave Dr  
Project: Building Addition  
Reference: 34.8

THE NEXT SCHEDULED BOARD OF ZONING APPEALS MEETING WILL BE HELD ON  
THURSDAY, DECEMBER 22, 2022, 5:30 P.M. THE DEADLINE FOR AGENDA ITEM  
SUBMITTAL IS DECEMBER 1, 2022, 4:30PM.

5. ADJOURNMENT

**BZA CASE NO. 21-022**

Date of Review: 10/4/21

**Address of Project:** 345 Kelley Ln

**Current Zoning:** CD

**Project Description:** Propose to build a 5,625 Sq. ft. single family dwelling in a Conservation District

- 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

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**Ordinance / Article / Section                      Requirement / Proposal / Conclusion**

08-33                      10                      10.4

**Requirement:** New single-family dwellings must be approved by the board

**Proposal:**            Propose to build a 5,625 Sq. ft. single family dwelling in a Conservation District

**Conclusion:**        The proposal requires board approval.

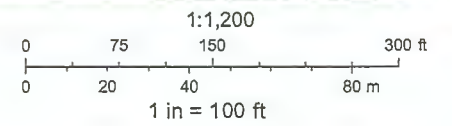


October 7, 2021

Shelter House 28x160

House 75x75

Pole Building 50x100/m height





**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

**Notice of Board of Zoning Appeals Decision**

December 16, 2021

Natalie Cost  
345 Kelley Lane  
Newark, OH 43055

**Application Number: BZA-21-022**

Dear Mrs. Cost

At a Public Hearing held on Thursday, December 16, 2021, the Board of Zoning Appeals of the City of Newark considered your Application of Appeal proposing for the following project:

**Address of Project:** 345 Kelley Ln

**Current Zoning:** Conservation District (CD)

**Project Description:** Propose to build a 5,625 Sq. ft. single family dwelling in a Conservation District

**Ordinance/Article/Section:**

08-33 10 10.4

**Requirement:** New single-family dwellings must be approved by the board

**Proposal:** Propose to build a 5,625 Sq. ft. single family dwelling in a Conservation District

**Conclusion:** The proposal requires board approval.

On the basis of evidence presented at the Public Hearing, and pursuant to Article 150 of Ordinance 08-33, otherwise known as the Zoning Code, the Board of Zoning Appeals **granted**, **denied**, **tabled** your Appeal Application **as submitted, subject to the following conditions:**

Ordinance/Article/Section:

Action Taken:

applicant shall engage civil engineers to complete a H & H study for the improvement of drive access so that it is above the Kelly Grove storm outlet and providing protection for both banks of drainage course running parallel with driveway. Emergency work shall be approved by Army Corp of Engineers & City of Newark engineer

The Zoning Inspector ~~will~~, will not issue a permit to you subject to the above conditions

You are hereby advised that if you are aggrieved by the decision of the Board, you may present to the Court of Common Pleas of Licking County a petition duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality.

\* Law Director to approve applicants legal right to improve easement area

STATEMENT OF CERTIFICATION

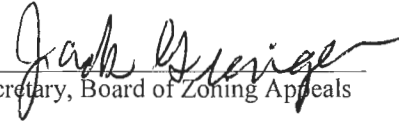
STATE OF OHIO, LICKING COUNTY, SS:

I, Steve Layman, Chairman of the Board of Zoning Appeals of the City of Newark, Ohio, within and for said City, and in whose custody the files, Journals and Records of said Board are required by the Ordinances and Resolutions of the City of Newark, Ohio, to be kept, do hereby certify that the foregoing is a true copy of the original entry evidencing the Board's decision in the premises and remaining on file and of record in this office. Said decision of the Board of Zoning Appeals is currently in full force and effect.

WITNESS my signature, this 16<sup>th</sup> day of  
December 2021.



Chairman, Board of Zoning Appeals

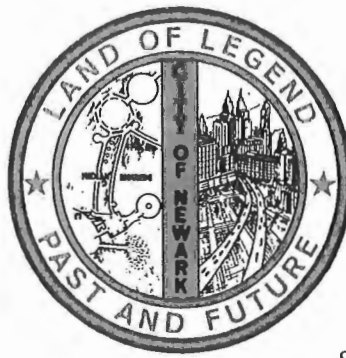


Secretary, Board of Zoning Appeals

Cc:

TRICIA M. MOORE, LAW DIRECTOR  
TELEPHONE (740) 670-7880

40 WEST MAIN STREET  
NEWARK, OHIO 43055



September 27, 2022

**OFFICE OF THE NEWARK LAW DIRECTOR**

Mr. Steve Layman, Chairman  
Board of Zoning Appeals  
9 North 3<sup>rd</sup> Street  
Newark Ohio 43055

Re: Application No. BZA-21-022

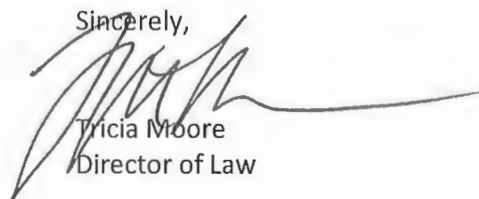
To Whom It May Concern:

I am in receipt of a document titled "Notice of Board of Zoning Appeals Decision" dated December 16, 2021 in reference to application number BZA-21-022. I obtained this document on or about September 19, 2022. At the bottom of the document a notation is made stating "Law Director to approve applicant's legal right to improve easement area." After meeting with City Engineer Brian Morehead and Zoning Inspector George Carter, as well as reviewing the language contained in the recorded easement, I conclude the following:

The deed in this matter gives to the grantor, its successors, heirs, and assigns an easement 30 feet in width for ingress and egress, to extend from Kelley Lane westward along the northwest boundary of the land conveyed to the western boundary line of said land. The easement follows the rear lot lines of lot numbers 11963 and 11962 in the Kelley Grove Subdivision. The specific intent of the easement is to provide access for foot or vehicular travel to the land owned by the grantor, its successors, heirs, and assigns, located to the west and south of the land conveyed. It is my understanding that the Cost household, at 345 Kelley Lane, wishes to improve the easement area by putting a driveway on the easement for purposes of vehicular travel. Due to the intended improvement being related to the purpose of the easement, the applicant may legally improve that area as long as any improvement made does not interfere with or damage the storm water pipe owned by the City that drains into the creek in question. Myself, in conjunction with the City Engineer, would request that the design and construction plans for any improvement to said easement be approved by the City Engineer prior to construction.

If you have any further questions or require any further opinion in this matter, please reach out to my office.

Sincerely,



Tricia Moore  
Director of Law

cc: Brian Morehead



**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

**Notice of Board of Zoning Appeals Decision**

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November 17, 2022

Natalie Cost  
345 Kelley Lane  
Newark, OH 43055

**Application Number: BZA-21-022**

Dear Mrs. Cost

At a Public Hearing held on Thursday, November 17, 2022, the Board of Zoning Appeals of the City of Newark considered your Application of Appeal proposing for the following project:

**Address of Project:** 345 Kelley Ln

**Current Zoning:** Conservation District (CD)

**Project Description:** Propose to build a 5,625 Sq. ft. single family dwelling in a Conservation District

**Ordinance/Article/Section:**

08-33 10 10.4

**Requirement:** New single-family dwellings must be approved by the board

**Proposal:** Propose to build a 5,625 Sq. ft. single family dwelling in a Conservation District

**Conclusion:** The proposal requires board approval.

On the basis of evidence presented at the Public Hearing, and pursuant to Article 150 of Ordinance 08-33, otherwise known as the Zoning Code, the Board of Zoning Appeals **granted, denied, tabled** your Appeal Application **as submitted, subject to the following conditions:**

Ordinance/Article/Section:

Action Taken:

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The Zoning Inspector **will, will not** issue a permit to you subject to the above conditions

You are hereby advised that if you are aggrieved by the decision of the Board, you may present to the Court of Common Pleas of Licking County a petition duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality.

**STATEMENT OF CERTIFICATION**

STATE OF OHIO, LICKING COUNTY, SS:

I, Steve Layman, Chairman of the Board of Zoning Appeals of the City of Newark, Ohio, within and for said City, and in whose custody the files, Journals and Records of said Board are required by the Ordinances and Resolutions of the City of Newark, Ohio, to be kept, do hereby certify that the foregoing is a true copy of the original entry evidencing the Board's decision in the premises and remaining on file and of record in this office. Said decision of the Board of Zoning Appeals is currently in full force and effect.

WITNESS my signature, this 17<sup>th</sup> day of  
November 2022.

\_\_\_\_\_  
Chairman, Board of Zoning Appeals

\_\_\_\_\_  
Secretary, Board of Zoning Appeals

Cc:



DESCRIPTION APPROVED  
WILLIAM C LOZIER  
LICKING COUNTY ENGINEER  
APPROVED BY  
*W.C. Lozier* 7-29-15

201507290015873  
Pgs: 3 \$48.00 120150017767  
07/29/2015 2:13PM BX806 NEEDHAM  
Bryan A Long  
Licking County Recorder

TRANSFERRED  
Date *July 29, 2015*  
*Michael L. Smith*  
Licking County Auditor  
SEC. 319.202 COMPLIED WITH  
MICHAEL L. SMITH, AUDITOR  
BY: *ML Smith*

**GENERAL WARRANTY DEED**  
(SURVIVORSHIP) *CHICAGO TRACT*  
*19150205*

KNOW ALL MEN BY THESE PRESENTS, that Donald Gessner and Shirley Gessner, Husband and Wife ("Grantors") of Licking County, Ohio, for valuable consideration paid, grants, with general warranty covenants, to John Mahaney and Deborah Mahaney, Husband and Wife, ("Grantees"), for their joint lives remainder to the survivor of them, whose tax mailing address is American Financial Network, Inc 770 The City Drive Suite 1500, Orange, CA 92868 the following real property:

Situated in the County of Licking, in the State of Ohio and in the City of Newark:

Being Lot Number 11974 in KELLEY GROVE ADDITION, according to the recorded plat thereof as shown in Plat Book 16, Page 221, of the Licking County Plat Records.

Prior Instrument Reference: 200911170024933 Licking County Recorder's Office

Parcel Number: 054-283446-00.025

Property Address: 1919 Patrick Dr W, Newark, Oh 43055

This conveyance is:

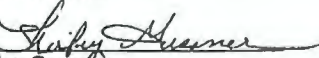
- 1) Subject to easements, conditions, covenants, restrictions and reservations of record, zoning ordinances, building, use and occupancy restrictions, and all existing public streets and legal highways, if any,

03121374216221974000

- 2) The lien of real estate taxes and assessments not yet due and payable.

IN WITNESS WHEREOF, the said Grantors have caused this instrument to be executed this 23<sup>rd</sup> day of July, 2015.

  
Donald Gessner

  
Shirley Gessner

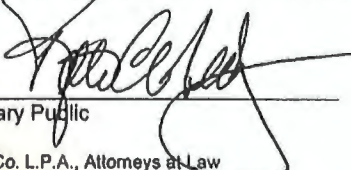
STATE OF OHIO

: ss.

COUNTY OF LICKING

On this 23<sup>rd</sup> day of July, 2015, the foregoing instrument was acknowledged before me, a Notary Public in and for said State, by Donald Gessner and Shirley Gessner of whom acknowledged the signing thereof to be their voluntary act and deed. In testimony thereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



Robert E. Needham, Jr.  
Notary Public-State of Ohio  
My Commission Expires August 22, 2016  
  
Notary Public

This instrument prepared by: Forsythe, Mills & Neff, Co. L.P.A., Attorneys at Law

**EXHIBIT "A"**

Situated in the County of Licking, in the State of Ohio and in the City of Newark:

Being Lot Number 11974 in KELLEY GROVE ADDITION, according to the recorded plat thereof as shown in Plat Book 16, Page 221, of the Licking County Plat Records.

Property Address: 1919 Patrick Dr W, Newark, OH 43055  
Tax ID No.: 054-283446-00.025



COST, NATALIE  
202101260002660  
TD = 58.502

CLAPPER, ROBERT G  
CLAPPER, LONI L  
201308290022272  
TD = 0

WINEGARDNER, JUDY A  
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TD = 0

PERKOWSKI, GAIL V  
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TD = 0

MARTINCIC, THOMAS  
MARTINCIC, SHARON  
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TD = 0

MAHANAY, JOHN  
MAHANAY, DEBORAH  
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TD = 0

SPINAZZOLA, ROBERT J  
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TD = 0

MCNIEMAR, CHESTER T  
MCNIEMAR, ELLEN M  
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TD = 0

GROMACKI, DONALD J  
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TD = 0

KUSKOWSKI, MARTHA J  
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TD = 0

KELLY JR, JAMES F  
KELLY, MINDY L  
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OBERHOLTZER, MARK A  
OBERHOLTZER, JODY A  
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STACEY, STEVEN A  
STACEY, DARLENE B  
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SMITH, ROBERT D  
SMITH, TRISHA N  
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READ, KRISTOPHER G  
READ, BREA A  
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TD = 0

LEVINGSTON, BRENDA L  
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TD = 0

BORMANN, TRUDIE J  
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TD = 0

SHOOK, CONNOR A  
SHOOK, CAITLYN E  
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TD = 0

PATRICK DR W

ERIN LN

PATRICK DRS

N



Ref #  
SP-2022-00089  
Zoning Application #

BZA-22-11  
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**

<b>Name:</b> <i>Melisa Bay</i>	<b>Telephone:</b> <i>740 877-7899</i>
<b>Address:</b> <i>401 Franklin Ave Heath</i>	<b>E-mail:</b> <i>Baymelisa@yahoo.com</i>

**Applicant**

<b>Name:</b> <i>Melisa Bay</i>	<b>Telephone:</b>
<b>Address:</b>	<b>E-mail:</b>

**Lessee**

<b>Name:</b>	<b>Telephone:</b>
<b>Address:</b>	<b>E-mail:</b>

**Parcel**

<b>Address of Parcel:</b> (Number & Street, City, State, Zip) <i>401 Franklin Ave Heath, Ohio</i>	<b>Auditor's Parcel #:</b> <i>054-210108-00-001</i>
On the <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West side of the street, between the following intersections: and	
<b>Subdivision Name:</b>	<b>Lot Number:</b> <i>N/A</i>
<b>Zoning Classification:</b> If filling out electronically, click box to display dropdown <i>RL</i>	<b>Proposed Use:</b> If filling out electronically, click box to display dropdown (Specify Use):

**Notes:** (Optional)

*Pod storage*

**Appeal**

**The 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:**

*Storage Portable Pods x 2. They are moveable and only structures on Newark zoning property*

### Appeal Continued

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

Newark Zoning is stating that property has two accessory structures that are in the (zoned in Health) (Not Newark). These are portable pods. These pods are the only

Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code:

these are portable pods (not a shed). Opx Chuker Structure has containers by Olies and no structures. There is no other structures on our property.

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)

Code 86.3

### 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.**

2022  
105170022-00000  
Zoning Application #

BZA-22-11  
BZA Appeal #

Melisa Bay  
(Owner/Applicant Signature)

Before me, a Notary Public in and for Licking County in the State of Ohio, personally

appeared Melisa M. Bay who, by me being duly sworn, says that he is the  
(Applicant's name)

owner of the parcel of land with reference to which the within appeal is made; and  
(Applicant, owner, lessee)

that the statement of facts contained herein above is true.

Subscribed and sworn to before me this 3rd day of May 2022



POLLY A. KEMP  
NOTARY PUBLIC  
STATE OF OHIO  
MY COMMISSION EXPIRES 5/11/2024  
(Notary Public signature)

DO NOT WRITE BELOW THIS LINE - FOR OFFICE USE ONLY

Status:	Date:	Zoning Reviewer:	Date Notified:	Date:
<input type="checkbox"/> Incomplete				Rcvd. Date: <u>5/9/22</u>
<input checked="" type="checkbox"/> Forward to BZA	<u>5/9/2022</u>	<u>BAM</u>		Paid Date: <u>5/3/22</u>
<input type="checkbox"/> Hold		Reason:		Check <u>Cash</u> (circle one)
				Check # <u>        </u>
				Amount \$ <u>50.00</u>

401 Franklin Ave



ALAN L BIONDI  
5421010800000

COTTAGE BARBERSHOP LLC  
5421010800001

BRAD SEABECK  
3008791800000

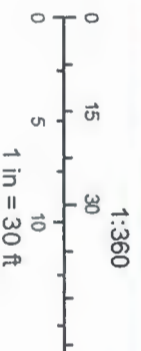
MARCY HO  
542161500

MARCY HO  
542161500

MARCY HOP  
542161500000

THOMAS I PST  
3009966600000

THOMAS I PST  
3009966600000







# City of Newark Engineering and Zoning

40 W Main St Newark, OH 43055  
740-670-7729 www.newarkohio.net

## Notice of Board of Zoning Appeals Decision

May 26, 2022

Cottage Barbershop LLC  
Raymond & Melisa Bay  
401 Franklin Ave  
Newark, OH 43055

**Application Number: BZA-22-011**

Dear Mr. & Mrs. Bay,

At a Public Hearing held on Thursday, May 26, 2022 the Board of Zoning Appeals of the City of Newark considered your Application of Appeal proposing for the following project:

- Address of Project:** 401 Franklin Ave
- Current Zoning:** RL (Residential Low Density)
- Project Description:** Installing 2 New Storage Pods
- Ordinance/Article/Section:**

08-33            86            86.3.1

**Requirement:** In the RL District, you are permitted two accessory structures

**Proposal:** The applicant proposes to install 2 Storage Pods, bring the total number of accessory structures to 4.

**Conclusion:** The proposal does not meet the requirements of the code.

On the basis of evidence presented at the Public Hearing, and pursuant to Article 150 of Ordinance 08-33, otherwise known as the Zoning Code, the Board of Zoning Appeals **granted, denied, tabled** your Appeal Application as **submitted, subject to the following conditions:**

Ordinance/Article/Section:	Action Taken:
	<u>Six months only</u>

The Zoning Inspector **will** **will not** issue a permit to you subject to the above conditions

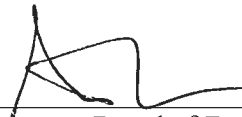
You are hereby advised that if you are aggrieved by the decision of the Board, you may present to the Court of Common Pleas of Licking County a petition duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality.

**STATEMENT OF CERTIFICATION**

STATE OF OHIO, LICKING COUNTY, SS:

I, Steve Layman, Chairman of the Board of Zoning Appeals of the City of Newark, Ohio, within and for said City, and in whose custody the files, Journals and Records of said Board are required by the Ordinances and Resolutions of the City of Newark, Ohio, to be kept, do hereby certify that the foregoing is a true copy of the original entry evidencing the Board's decision in the premises and remaining on file and of record in this office. Said decision of the Board of Zoning Appeals is currently in full force and effect.

WITNESS my signature, this 26<sup>th</sup> day of  
May 2022.



Chairman, Board of Zoning Appeals



Secretary, Board of Zoning Appeals

Cc:



21-320  
Zoning Application #
BZA-21-22  
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**

<b>Name:</b> <u>Natalie Cost</u>	<b>Telephone:</b> <u>740 868-6001</u>
<b>Address:</b> <u>345 Kelley Lane Newark Oh 43055</u>	<b>E-mail:</b> <u>Codical101@yphos.com</u>

**Applicant**

<b>Name:</b> <u>Same as above</u>	<b>Telephone:</b> <u>740-404-8526</u>
<b>Address:</b>	<b>E-mail:</b>

**Lessee**

<b>Name:</b>	<b>Telephone:</b>
<b>Address:</b>	<b>E-mail:</b>

**Parcel**

<b>Address of Parcel:</b> (Number & Street, City, State, Zip) <u>345 Kelley Lane Newark, Oh 43055</u>	<b>Auditor's Parcel #:</b> <u>051-283416-00.002</u>
--	--

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

<b>Subdivision Name:</b>	<b>Lot Number:</b> <u>N/A</u>
--------------------------	-------------------------------

<b>Zoning Classification:</b> If filling out electronically, click box to display dropdown <u>CD</u>	<b>Proposed Use:</b> If filling out electronically, click box to display dropdown (Specify Use): <u>Primary Resident</u>
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**Notes:** (Optional)

Flood: A/AE

**Appeal**

**The 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:**

Article 10.4 - 4  
 House will be built on the 5 acres of the 500 yr. Flood zone.  
 House is well over 1000 ft from property lines of neighbors.  
 Pole Barn & Shelter House will also be built on 5 acres in the 500 yr. Flood zone.

**Appeal Continued**

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:

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)

**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.**

21-320  
Zoning Application #

BZA 21-22  
BZA Appeal #

\_\_\_\_\_  
(Owner/Applicant Signature)

Before me, a Notary Public in and for \_\_\_\_\_ County in the State of \_\_\_\_\_, personally

appeared \_\_\_\_\_ who, by me being duly sworn, says that he is the

(Applicant's name)

\_\_\_\_\_ of the parcel of land with reference to which the within appeal is made; and

(Applicant, owner, lessee)

that the statement of facts contained herein above is true.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public signature)

**DO NOT WRITE BELOW THIS LINE – FOR OFFICE USE ONLY**

Status:	Date:	Zoning Reviewer:	Date Notified:	Date: Rcvd. Date: <u>9/24/21</u> Paid Date: <u>9-24-21</u> Check <input checked="" type="checkbox"/> Cash (circle one) Check # <u>1207</u> Amount \$ <u>56.00</u>
<input type="checkbox"/> Incomplete				
<input type="checkbox"/> Forward to BZA				
<input type="checkbox"/> Hold		Reason:		



**CITY OF NEWARK  
ENGINEERING & ZONING**

Zoning Application #

BZA-22-38

BZA Appeal #

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: Bishop of the Diocese	Telephone:
Address: 1 Greenwave Drive	E-mail:

**Applicant**

Name: Ryan Lehberger	Telephone: 740-928-1105
Address: 149 E. Main Street	E-mail: ryan@projectconstructionco.com

**Lessee**

Name:	Telephone:
Address:	E-mail:

**Parcel**

Address of Parcel: (Number & Street, City, State, Zip) 1 Greenwave Drive, Newark OH 43055	Auditor's Parcel #: 054-186968-00-000
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: W Church St and Camp Alley	
Subdivision Name:	Lot Number: N/A
Zoning Classification: If filling out electronically, click box to display dropdown CSI	Proposed Use: If filling out electronically, click box to display dropdown (Specify Use): CSI

Notes: (Optional)  
Additional classroom addition to the north side of building.  
Proposed Structure would cross building set back by approx. 4'  
We are asking for a 10' Variance to the North setback.

**Appeal**

The 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:  
 New Classrooms + Workshop space for advancing STEM classes + programs @ Newark Catholic High School.

**Appeal Continued**

This project is not permitted by the Zoning Code for the following reason(s): Building would reside over the northern lot Building Set back line

Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code: Current building set back is 50' "Front yard" set back due to this property being a corner lot. A 40' set back appears the required side yard setback and maintains clear distances required for Fire Emergency Access

Has there been any previous application or appeal on these premises?  Yes  No When? <sup>To best knowledge</sup>

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

**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.

\_\_\_\_\_  
Zoning Application #

BZA-22-38  
BZA Appeal #

\_\_\_\_\_  
(Owner/Applicant Signature)

Before me, a Notary Public in and for \_\_\_\_\_ County in the State of \_\_\_\_\_, personally

appeared \_\_\_\_\_ who, by me being duly sworn, says that he is the

(Applicant's name)

\_\_\_\_\_ of the parcel of land with reference to which the within appeal is made; and

(Applicant, owner, lessee)

that the statement of facts contained herein above is true.

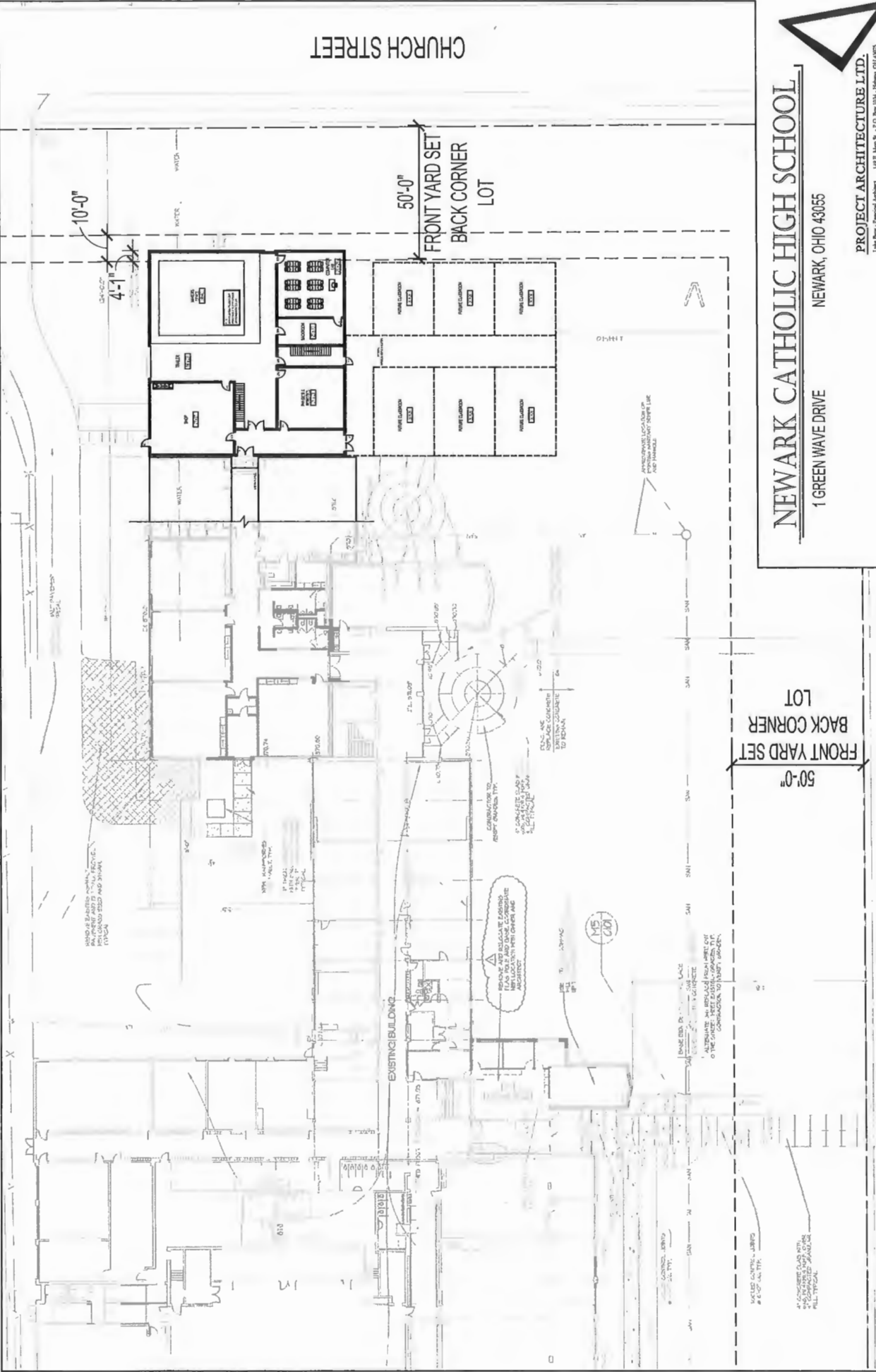
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public signature)

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Status:	Date:	Zoning Reviewer:	Date Notified:	Date: Rcvd. Date: <u>10/20/22</u> Paid Date: _____ Check Cash (circle one) Check # _____ Amount \$ _____
<input type="checkbox"/> Incomplete				
<input checked="" type="checkbox"/> Forward to BZA	<u>11/4/2022</u>	<u>BOM</u>		
<input type="checkbox"/> Hold		Reason:		





CHURCH STREET

10'-0"

50'-0"  
FRONT YARD SET  
BACK CORNER  
LOT

# NEWARK CATHOLIC HIGH SCHOOL

NEWARK, OHIO 43055

1 GREEN WAVE DRIVE

50'-0"  
FRONT YARD SET  
BACK CORNER  
LOT

**PROJECT ARCHITECTURE LTD.**  
149 E. Main St., Ste. 1000, Columbus, OH 43215  
Tel: 614-291-1111 Fax: 614-291-1112



**BZA CASE NO. 22-38**

Date of Review: 11/3/22

**Address of Project:** 1 Greenwave Dr

**Current Zoning:** CSI

**Project Description:** Building 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

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**Ordinance / Article / Section                      Requirement / Proposal / Conclusion**

08-33                      34                      34.8

**Requirement:** In the CSI District, the required front yard setback is 50 ft.

**Proposal:**                      The applicant proposes to build an addition on the North side of the building that will encroach into the required front yard setback by 10 ft.

**Conclusion:**                      The proposal does not meet the requirements of the code.