

BOARD OF ZONING APPEALS MEETING  
THURSDAY, JANUARY 23, 2025 5:30 P.M.  
COUNCIL CHAMBERS  
40 W MAIN ST, NEWARK, OH 43055

## MINUTES

### 1. CALL TO ORDER

**CALL TO ORDER- Steve Layman, Board Chair, called the Thursday, January 23, 2025 Board of Zoning Appeals Meeting to order.**

**Present:**

Steve Layman	Board Chair
George Carter	Zoning Inspector
John Paul	Member
Brian Wood	Member
Eddie Hunt	Member

**Absent:** Phil Claggett Member

### 2. APPROVAL OF MINUTES

Minutes of the December 19, 2024 meeting

**Motion and second to approve minutes of December 19, 2024, motion passed by acclamation**

### 3. OLD BUSINESS

#### **APPLICATION BZA-24-44**

Applicant: The Main Place  
Owner: The Main Place  
Location: 105 S. 3<sup>rd</sup> St.  
Project: Office Building  
Reference: 40.8

**Mr. Layman** - We are here for one case which has been tabled twice.

We promised we would not table it again. So, we will make a decision. The way our bylaws work, it will take three affirmative votes for the variance to be granted. Anyone here is free to speak for or against the application.

**Peggy Dunlap, 418 S. 2<sup>nd</sup> St.** - We had a meeting and looked at the prints, we looked at everything we talked, they had people there, they told us what they do. We looked at what they are, what they want to do, and if I'm wrong, talked to several people that night, administrative offices in the building that they want the variance on. And that's all

from my understanding. The building we were in has a lot of free space in it. A lot of free space. We talked to them about it and what they do. They said they want more administrative because if they have someone come, a lot of times it takes more than one person to talk to them. So, they'd rather have a private area because we pointed out many areas there that we thought were suitable, shared that with them. Then at the end when I went over and him and I talked, I took pictures of it. They want to put more restrooms. They want to put washers and dryers in there. In this space, it's there and shower facilities. This is a mental health facility. This is not a social place. So, if they have room to do that, which I'm sure you'll take a couple of the administrative offices and do that with. I just can't see making this 287 feet bigger. You know, you're talking about another 10 by 30 room, you're close 300 square feet. I know from what you told me that we can't stop the building. I'd love to do anything to stop building. We can't do that. They own the building, they own the lot, they bought it there. I grew up down there, it used to be Montgomery Carry-Out, set on the corner, you know, went to that store all the time as a kid. I know where it's set. The sidewalks were bigger, had a parking lot. So, I'm assuming this variance is not going to be that you have to do something. If they're adding, you know, more than the 1500 square feet, something's going, either the sidewalks not to be longer. I don't know what the variance, you know, I saw maybe I need a little bit of help on that by making it that much bigger. What's it taking away from the aesthetic part of it? You know, what is not fitting here, I guess, is my concern.

**Tony Cunningham, Housing Director for The Main Place** - Sidewalks will stay the same because those are zoning. We make our square footage to green space outside. So, you're gaining a yard, which would be a lot nicer to look at than the gravel lot. All new sidewalks. It's going to be a much nicer corner.

**Ms. Dunlap** - So then why do you need another 287 square?

**Mr. Cunningham** - It's for the other two offices.

**Ms. Dunlap** - I know, but you know what, you have so much room in that other building. I just I don't get it. I mean, I'm fine with the 1500 square foot. I don't think we need a bigger building.

**Mr. Layman** - Tony, correct me if I'm wrong. You're trying to build 1700 feet?

**Mr. Cunningham** - Rounded up it's 1780.

**Mr. Layman** - Okay, why they're here is the building they want to build cited on that lot is too close to Harrison. That's why we're here. To see if we would relax that guideline on that setback, that's what this is all about.

**Ms. Dunlap** - And that's my problem, right there. The Druids is right there, and the Druids sidewalk, I mean, is from here to here. So, he's going to be closer to Harrison Street, it has to be. You know, if you allow another 300 square feet.

**Mr. Carter** - We're talking 10 feet. If they build the 1700 some square foot building, they would be 10 foot closer to Harrison than they would be with the 1500 square foot. If they shrunk it down.

**Ms. Dunlap** - Where it sits, it's not going to look right. With the rest, you know, get down there and look at it on Harrison. There's nothing on there but Druids, and Druids has sidewalk from me to here, from the front door. They don't use the front door, they use the side door. So, their building is going to be closer to the sidewalk. You can say

what you want, but it is. You know, and I guess I'm saying, they have a lot of room. I mean, the 1500 square feet I buy.

**Mr. Layman** - I don't want to be rude, but let me interrupt for a minute. First of all, your name and address, please.

**Ms. Dunlap** - Oh, Peggy Dunlap. 418 South 2nd Street.

**Mr. Layman** - And I take it you're against the variants.

**Ms. Dunlap** - I'm definitely against the variants.

**Tim Waldren, 167 S. 2<sup>nd</sup> St.** - My concern is, if they build that bigger and get more people down there, I'm here for the safety side. They got some of the biggest drug cases in the area. These people down there, I call the wrong type of people down in the south end. We call right now the lower south end between the railroad tracks and the river. For several years, we called it the lower south end. I lived down there for almost... Well, I've lived down there for 66 years now. My grandfather lived down there. My mom and dad were born down there. The crime rate in that area, they've been there for 25 years. I went through the history of that area on crime, on the police department, crime rate. I got all my thoughts from the computer. The crime rates as they've been down there have went up a bunch, and if you put a new building down there, bigger, it will probably draw a lot more people. The drug people, the druggies, the... What do you call them? Mentally handicapped now? Challenged. Okay. Challenged. And we had some living across the street and down the street from us on South 2nd Street. We had trouble with these people brought in. Down on Holliday and South 2nd Street. We had... I'm going to tell you his first name. His first name was Jason. And we had one behind us on Holliday. And they just... They steal everything. They... You can't leave nothing on your front porch. I know. I live in a house down in that area. My concern, and I want to tell you, my neighbors, I talk to a lot of neighbors down there, say they're concerned that the crime rate will go sky high because of these people down there. (Inaudible) we used to have back in my day, if you build it, they'll come. They will come. Not me, but the druggies and all that stuff.

**Robert Cassidy, interim pastor at Second Baptist Church** - Obviously, I care about people, and I care about the folks that are being serviced at The Main Place. My concern is, I guess, two or threefold. Number one, we're already dealing with problems with drug paraphernalia and that kind of stuff around the church. We're dealing with people going back and forth, leaving stuff on our property. That's not my biggest concern. You can say we can address that, but I'm down there trying to impact the community, and for example we're meeting with a group of folks right now with the ministry down there trying to expand their ministry in conjunction with our ministry. I know it's not you guys' fault, but our biggest problem right now is we can't get to our church. We're on National Drive, and we've waited since, you know, since April when they started working on the place. We still don't have sidewalks. We still don't have a driveway complete, but that's neither here nor there. When they do get that finished, I hope to begin to do some things ministry-wise with the community. One of my major concerns here is if they move some of the offices over to this new building, and they open up the other building and do some of the things they say they're going to do, I'm concerned number one about the volume increase that probably will take place as a result of that. I'm also

concerned that it might exceed the scope of what they say their charter or their mission statement, whatever you want to call it. I'm concerned that it might exceed what they say they're actually there for, and so if we increase the volume and we don't do anything about what's going on now, are we expecting things to get better or are we expecting things to get worse? I know in government, I used to work in government, I know in government a lot of times we pass rules and we allow things to be done, and then after they're done, we figure out how we're going to deal with the problems that go along with it. So, I'm just concerned that if we expand this and they move across the street and do the things in their building with the plans that they say they're going to do, I think the problems that we've got now could potentially get worse. Thank you for your time.

**Dennis Dunlap, 418 S. 2<sup>nd</sup> St.** - My big concern, I went down to the meeting with them. All they told us is they kept saying all we want is office space. We need more office space to treat people. I understand that. Why are we putting restrooms, why are we putting shower rooms, why are we putting washer and dryers in? They guaranteed me that they were not going to bring more people and housing. What stops them from taking this building, putting offices in this building, and housing people over here then?

**Mr. Carter** – The zoning code.

**Mr. Dunlap**- That's my question. No one has given me an answer. I asked them how many qualified people do they have to handle mental health? Not one certified person stepped forward. I'm not here to fight against the building. Why are we giving them a variance? They can build a thing under what the rules are for the committee instead of changing our rules so they can do their thing. I should see some things happening and when we talked down there they wouldn't give me answers to it, so.

**Beth Bline, 33 Summit** - I'm here on behalf of some who were afraid to come because they fear retaliation. They said, Beth, you know, I live here. If I come, people see me. They're having problems with consumers from The Main Place sleeping on their property, then going over for services, and then cutting through their yard and doing whatever. At the meeting, The Main Place stated their services. Many, many people gave testimonies. Employees gave testimonies, and you know, that's beautiful. It's great to see change. It was stated that there are lights. They're putting lights on their buildings, and that's great, and it's a great benefit to them, but it doesn't benefit the people around them. So, again, one of the things that many have already spoke on is the business model. And you say, ah, it's a non-profit, but it is a business, because when you have almost two million dollars in assets, and the director making a hundred thousand dollars a year, I mean, it's a business. It's a business, and a business model operates on drawing customers. Otherwise, people don't get paid. So, to that point, they may be moving offices across the street, but as some who, like I said, who weren't able to attend, they said the folks will get the social services, will be doing things inside the larger building and they may well be able to funnel them into mental health services but maybe not. Regardless, the population will grow because it's business. At that meeting I had spoken to several that said I would like us to come to a point agreement on one thing where we can collaborate and work together on the betterment of the community so we can show unity. The main point that the residents are concerned about is the

overflow that is happening in front of the building, that is going through their yards. People are cursing at them, threatening them with objects. Trespassing. So, we thought we might be able to mediate some point where we could alleviate that. To bring those behaviors into some accountability and I was told no. I was told that we will take care of it later. Well, I understand you have a lot on your plate. Later sounds okay, but if you live there, later doesn't work. Doing duplicity services there, I mean there are other places that have showers. There are other places that are serving meals. There are other places that are doing the same social services. Doing mental health, you should be building for mental health. That's what we the taxpayers are paying your bills to do. So, I'm all great about getting mental health services and so are the people who brought these concerns, but again, when you're duplicating services that are already available because you're expanding and creating room to do so, it's not the best use of taxpayer funds. Is that the best use of collaboration within the community? Maybe you can collaborate with those people who are doing showers and meals in other places and work with them there to draw people to your mental health services. In short, I believe those are all the comments that I was to relate. I would like to see the variance be declined just until we get a point of collaboration where we can have a point that says okay, this is what is safe for us and safe for their consumers, because remember, when the resident is at risk, their consumers are at risk too. So, I would like to see the variance declined for now until we can come to that point of trust and mediation to bring peace and a mutual trust back to that neighborhood. Thank you, sir.

**Mr. Wood** – Does creating the additional space, it's obviously to help service the folks better, does that alleviate the people loitering? Does that get the people off the streets and into the building?

**Mr. Cunningham** - As long as they're under services. I get what you're saying. I can't control what people do once they leave our building. It's just like if you go to Walmart. They're not responsible for what you do after you leave. Is there a problem? There's a problem all over the place. I do outreach to the entire Licking County area. Pataskala, Utica. It's not just Newark. It's all over the place. So, it's not just our south end that's suffering. I have people stopping to sit in my driveway. I go out and talk to them, get the understanding what's wrong, ask them to move along when they rest, and they go. I don't have a problem, but I work with them every day. Half of the last 22 years. The space is designed to service the people better. That's what we get paid to do from our community mental health recovery board. Help the people, and that's what we're doing. The showers, you got people that are homeless, you may not get to take a shower. So, we are expanding those, but that's not part of this. It's not even going to be a variance request, but we are doing that. We are only taking out one office to create this. We just need more counseling space so that our counselors and case managers can service the people in a better area.

**Mr. Wood** - I have a question for you, Ms. Dunlap. You mentioned the Druids building that faces Harrison. If this building was to not extend past that face to be consistent as you look down through Harrison, does that alleviate any of your on-lot concerns of the building, the sidewalk, the grasses? Taking the square footage out.

**Ms. Dunlap** - I don't think he could build it if he didn't. I know that lot. I know everything on that lot. Druids just sold the back lot to LCAP for parking because they don't have enough parking. So, I don't think he could get enough space in there. No, I don't think he could adjust his building to do that. It's a lot bigger. Do you know the area? Have you been down by there? It's huge right there. Druids don't use that front door. They use the side. They've got their fences up. There are some things there (inaudible). They've been there forever. 70 years.

**Mr. Layman** - Is there a motion to approve the variance? There's been no motion to approve the variance. We don't have three affirmative votes to grant the variance. The variance request has been denied. I appreciate very much your time and your efforts to try and make this work. They can still build on that lot. They can't build the building that they asked to build, but they can still build on the lot. But for now, for them, it's back to the drawing board because the board will not grant a variance. Ok?

**Ms. Dunlap** - We really haven't given up hope. I've been to Second Baptist Church all my life. I was baptized there, and we are working together. We have an excellent interim pastor for year two, and we would like to work more with them. I told you before, I was a teacher and a principal in Newark City schools, and I've worked with a lot of them. I have questions, I'll say, of what The Main Place to make it more productive.

**Mr. Waldren** - We're not against what they do. We just don't want them to bring people in.

**No motion was made. The variance has been denied.**

#### **4. NEW BUSINESS**

**THE NEXT SCHEDULED BOARD OF ZONING APPEALS MEETING WILL BE HELD ON THURSDAY, FEBRUARY 27, 2025 AT 5:30 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS FEBRUARY 3, 2025, 4:30PM.**

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

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Chairman, Board of Zoning Appeals

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Secretary, Board of Zoning Appeals