

BOARD OF ZONING APPEALS MEETING
THURSDAY, AUGUST 28, 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, August 28, 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
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2. APPROVAL OF MINUTES

Minutes of the July 24, 2025 meeting

Motion and second to approve minutes of July 24, 2025, passed by acclamation

3. OLD BUSINESS

4. NEW BUSINESS

APPLICATION BZA-25-26

Applicant:	Scott Hartley
Owner:	Trailhead Vista
Location:	330, 360, 430 Thornwood Dr
Project:	Apartment Complex
Reference:	125.2

Mr. Layman - The way our bylaws work, it takes three affirmative votes for any variance to be granted. It was important that John show up because on the first case, the Chair has to abstain.

Scott Hartley, Vista Residential Partners - Good afternoon, everyone. Thanks for having us this evening. Scott Hartley with Vista Residential Partners. As everyone's aware, we're currently under construction on what we consider Trailhead Vista Phase 1 on West Main Street. It's comprised of 308 multifamily units. We were here before you January 25th of 2024 for the same parking variance that we're seeking here tonight. We're pulling from our experiences as a company across the rest of the country. We've combined, been a part of 80,000 units, whether acquired or developed in the multifamily space. We're also pulling from the City of Columbus Code, which speaks to 1.5 minimum parking spaces per unit. It is also important to note that we do own the nine acres at the hard corner of

West Main Street and Thornwood Drive. Should there be an issue with a shortage of parking in the future, we do have ownership of that parcel and have ability to add additional parking there should that be an issue. Thank you.

Motion to approve, Second, Motion passed 3 – yes, 0 – no, 1 abstention (Mr. Layman)

APPLICATION BZA-25-27

Applicant: Faith Lewis
Owner: Licking County Coalition for Housing
Location: 346 N 40th St
Project: Medical Office
Reference: 7.1.5

Motion to approve, Second, Motion passed 4-0

APPLICATION BZA-25-28

Applicant: Englefield Oil Co
Owner: Cherry Valley Family Life Center
Location: 2205 Cherry Valley Rd (2249)
Project: Fuel Station w/convenience store
Reference: 135.7

Mr. Carter - I will correct the, inform the Board that originally the application stated 2249, and since the engineer's office has changed that address to 2205 Cherry Valley Road for the record.

John Gordon, Englefield Oil Company - I'd like to request a couple of sign variances at a location we'd like to build on the west side of town. First of all, it's not uncommon when we're on a corner lot to have two signs so you can have pricing visible to people in all directions. On the larger sign it does sit down when we have the fill in that area so it'll be like two feet below the street level so the actual sign won't appear as large as it is. Also, it's on a four-lane highway and it's about 50% smaller than the one we have on Church Street right across from the Texas Roadhouse.

Motion to approve, Second, Motion passed 4-0

APPLICATION BZA-25-29

Applicant: Jeremy Overbey
Owner: LDR Real Estate
Location: 843 Fairbanks Ave
Project: Lot Split
Reference: 6.12

Jeremy Overbey - I'm looking to purchase a corner lot to build. It's just a small three-bedroom, two bath house, affordable housing. We're going to make a nice granite countertops and real nice cabinets and just an inexpensive house on the corner. Three bedrooms, two baths, 1250 square feet.

Mr. Layman – Are you buying the other house?

Mr. Overbey - No, just the lot.

Tammy Richardson, 37 N. 24th St. - I've been there 19 years. That is a small lot that they're wanting to split. It's on the corner, it's a very busy intersection with a stop sign. There's a church one road over, you have four schools within walking distance, lots of traffic. If you put a house there, and it appears

there's not going to be a driveway, you're going to have problems trying to see around the corner when you stop. Like I said, it's busy.

Mr. Overbey - The driveway would go behind the house. There is enough room between the property line and since there's no structure then we could use that distance behind the house for an off-street parking.

Ms. Richardson - It does not appear that way when you look at it. There's a sewer, there's a utility pole on the west side. The current person that lives behind it (inaudible), parks half in the road, half in the street.

Mr. Overbey - But again, we're going to put off-street parking behind the house. Have you seen any of the drawings or the lot maps?

Ms. Richardson - No. There's nothing around there that size, that lot. It's a residential for families. The one that is back there is tiny.

Mr. Overbey - Yeah, and this is a brand-new house, and I'm just asking for two and a half feet on each side of the house. So, we could go back and draw a smaller house and then not have to go through the variance.

Ms. Richardson - I just, unfortunately, I see it might be a problem. It's very busy.

Mr. Overbey - But it's one of the cut roads. I mean, all of those roads are busy. That's probably the least busy of 23rd Street or...

Ms. Richardson - It's actually not. Everybody goes that way to 23rd Street.

Mr. Overbey - So yeah, we have planned for off-street parking there. It is on the corner. It is a small lot. But we're only asking for two and a half feet on each side. We do meet the requirements for the front and back. And then, as she did say, it's within walking distance to schools. There's a church right on the other corner.

Mr. Carter - Do you have any other plans with you to show the Board tonight?

Mr. Overbey - Not with me other than what I had submitted.

Mr. Layman - Is parking permitted anywhere on 24th?

Ms. Richardson - Yeah, there're no signs that you cannot, but I can tell you that it's very difficult. The roads are already narrow, and when you turn off of West Main... Yeah, it's permitted. It's very dangerous. And it is very busy.

Mr. Layman - Jeremy, I'm happy you want to build something like that. I'm all in favor of affordable housing. It's a really small lot. If the variance was to be granted, I'd be in favor of shrinking that house. Get it below 900 feet.

Mr. Overbey - We could do that.

Mr. Carter - There are no stop signs, are there?

Ms. Richardson - There is a stop sign east to west on Fairbanks.

Mr. Carter - Two-way, though. It's not four-way.

Ms. Richardson - No, two-way, correct. So that would be as difficult as coming on Fairbanks from, say, 23rd and trying to look left (inaudible) parking or people in the yard because it's very close to the road.

Mr. Wood - My biggest objection is that not only does it create one lot half of the minimum size, but the remaining lot is also half the remaining size. So, you're really asking for two extremely small lots that is not consistent with the rest of the neighborhood. I appreciate your efforts to create affordable housing, but that seems like a big ask.

Mr. Overbey - So if the house was shrank by two and a half feet, five feet total, it's still—

Mr. Wood - To me, it's not even a house size. You're creating two nonconforming lots by this split.

Motion to deny, second, Motion denied 4-0

APPLICATION BZA-25-30

Applicant: Brandon Coblentz
Owner: BVC Homes LLC
Location: 0 Bolen CT
Project: Lot Split
Reference: 6.12

Brandon Coblentz - Good evening. Yes, as you can see, it's a lot split again. So, the lot is 50 and a half feet by 210 feet, street on both ends. We're looking to break that in half, make two lots that are 50 and a half by 105 feet. It's not a huge lot. It is over 5,000 square feet, but not less than the sixth. That is your standard. That's why it's a variance meeting. I believe we can build a 32 by 46 house. That includes the porch. There's a porch taken out of part of that, so it's 1,360 square foot of house. Three-bedroom, two-bathroom.

Mr. Wood – So your plan is for a single-family residential on each lot?

Mr. Coblentz - Yes.

Mr. Wood - Are you going to build both, or are you going to sell one of the lots?

Mr. Coblentz - We're going to build both, and then sell. Build one, sell it, and then build another one, sell it.

Mr. Wood - And what size did you say the buildings were?

Mr. Coblentz - Yes, 1,360-square-foot house.

Motion to approve, Second, Motion passed 4-0

APPLICATION BZA-25-31

Applicant: Luke Baus
Owner: AO Party House Rental LLC
Location: 495 Wehrle Ave
Project: Building Addition
Reference: 46.8

Luke Baus - Good evening. So, I believe last month we were on the docket for variance. For that time, an outdoor beer garden for the Naughty Pine. We have since gone back with the owner. He would like to eliminate that and do enclosed dining space. Enclosed, heated, cooled, restrooms. So, that's the purpose of this addition. He would also like to amend what was submitted, and I can give you three updated sheets.

Mr. Carter - So, what happened that evening, I think everybody compromised. Would that be the right word, Beth? Compromised on some contingencies, but I think the overall sentiment was we would like it inside.

Mr. Baus - Correct, and that was my understanding, that was the owner's understanding. So, he went back and said essentially, he just wants to do an addition for additional dining space and restrooms in the back. Full enclosed, heated and cooled, and amend the variance to basically within 10 foot of the rear property setback. No encroachment on the side yards, obviously no encroachment on the front yard. With that, this should be a single story, approximately 24 by 44.

Unknown speaker - So, if he builds this out, are you still going to try and have parking here?

Mr. Baus - No, that would be a loading and unloading area. It would be too close to the alley to do parking.

Unknown speaker - Right, there's trucks parked there now with big old hitches that are in the alley because there isn't room to park.

Mr. Baus - Gotcha, well that will eliminate that.

Unknown speaker - Now, when he builds this on, what about the exterior lighting? Because we're still having major, I live four houses down and the lights shine right in. Roseanne lives right next door and the lights shine right into their bedroom. They shine everywhere. And then, we have more traffic. There's already been three accidents in that parking lot. There's not enough parking for as big as it is now. If he makes it bigger on the inside, there's still not enough parking. So, they're taking up all of our parking. They're parking in front of the storage units where it says no parking. I'm trying to do things with my house. I can't even have people park in my house, on my street. I can't even park in front of my house half the time. And I pay my taxes, I pay my city taxes, my school taxes, my property taxes. I should be able to park in front of my house. This parking is jacked. And the lights. I mean the food's good, I don't have a complaint with that. It's a nice restaurant, it is. But that alley, there isn't room back there now.

Mr. Baus - Well I think this would help eliminate that parking back there.

Unknown speaker - And it's going to take up more parking. So, he's getting rid of parking to add more space for people he doesn't have parking for to begin with. So, where's the parking? Where are they going to park? How is it that they can take handicapped people's parking, you know, that count on parking in front of their house to walk, or pregnant women, children, can't even park in front of their own house. That's my issue. We've got speeding going on down there. More traffic. We have more semis now because he's getting deliveries of beer and whatever, whatever. They come in and people just park wherever they want and do whatever they want.

Mr. Layman - Refresh my memory. Last time we approved the expansion of the deck with hours and lighting, and a time on the music, and no outdoor music on it.

Unknown speaker - Right. But he's extended the hours now and opened to, they were from 4 to 11. Now he's open from 11 to 11. He's open for lunch now. So now, not only can we not park in front of our house at lunchtime, but, you know, then 4 o'clock. Yeah, it's just a nightmare over there.

Mr. Carter - Luke, do you know the square footage of the building?

Mr. Baus - The existing or the addition?

Mr. Carter - Both.

Mr. Baus - I do not know the existing. The addition's 900 and some, I think, off the top of my head.

Mr. Layman - And it's just taking where the deck was. Or is it expanding the size?

Mr. Baus - It goes beyond, yeah, it goes beyond that. Because there's kind of dead space behind the building, which she's talking about. People are parking, which kind of puts them on the alley. So, it eliminates that area between the building and the alley, essentially, for any parking.

Mr. Layman - Are people parking, parking there or just using it for loading?

Unknown speaker - They're parking, parking there. He has it marked with parking spaces there. But when you go, there's a pole there. When you go around that pole in the alley, you only have so much room. The alley's only so wide. And if he brings it all the way out, and you can't see. Like tonight, I had to pull through his front because to pick her up to get to the rear of her, you can't even see past people that are, you can't see in the alley past the people parked there. So, the building's there. I can't pull out

far enough to see if somebody's coming down the alley to sideswipe me. You can't see past it with people parked there.

Beth Bline - I appreciate the compromise that we talked about last time. You know, putting the beer, you know, negating the beer garden and keeping the music inside. That's a good thing. It really is. And people really appreciate it. But part of the issue is Wehrle, they just have parking on one side of the street. And that's an issue. Looking at the map, I would be, to help negate some of the parking in front of the citizens' homes, I'm wondering if anyone has reached out to Mid-Ohio or Hope Timber, because they do have green space in front that you could possibly rent to them, or vice versa, and have some kind of a compromise there. I mean, you know, success is a great thing. But, again, the problem is it's in the middle of that old neighborhood.

Mr. Carter - What property did he acquire? Didn't Ron acquire a property?

Mr. Baus - I believe he acquired or was in maybe contract for the house directly across the alley.

Unknown speaker - Yeah, he bought the house beside of it and tore it down to make a thing. He was supposed to buy Ashley and Anthony's house, but they're not ready yet or something like that. And I'm assuming he was going to tear it down for parking. That hasn't happened yet.

Mr. Wood - So the lot to the right, to the east of the building, it's just gravel now?

Mr. Baus - Yeah.

Mr. Wood - So, the plan is to put a hard surface with actual striping in it? So right now, I don't believe that lot's being utilized to its full potential. People are kind of parking in a random manner.

Mr. Baus - Correct.

Mr. Wood - And this plan will provide better marked spaces. It'll allow more cars to be parked on that lot as intended versus how it currently is, which would hopefully alleviate some of the concerns.

Mr. Baus - Correct. Part of the goal is to organize the parking so it's an actual parking area.

Mr. Layman - How many high spaces would it be?

Mr. Baus - 24. 23.

Unknown speaker - How many people can sit in the restaurant? So, you have how many parking spaces and how many patrons can actually fill this unit? So that's what I'm saying. There's too many. He wants to expand the business. That's great, but where are your people going to park to get to the business? And then if he adds another light like he has on the other outside the building, it's not fun.

Mr. Baus - Let me ask, as of now, we have approval to do the beer garden addition, correct? Which we're trying to get away from. I don't bring that up as we're going to go back to do that, I guess we're trying to do what he can in the limited area to make both the business...

Unknown speaker - I get it. Inside would be better. I would like it kept inside, but you can't expand the inside when you don't have the room on the outside to fit the people. A lot of people can't park in the back of their house. They rely on parking on the street to get to their home.

Mr. Layman - I don't think you have the votes today. We would like to solve the neighborhood problem if we could.

Mr. Baus - So I will ask to table it.

Mr. Layman - Take 30-60 days and try to find a solution to parking. If we read the code right, that building, that business should have, after it is expanded, should have 40 parking places. You need to figure out 17 parking places.

Motion to table, Second, Motion passed 4-0

Rosetta Birtcher, 501 Wehrle Ave. - There are so many spaces a lot of time that are empty because these people you know old habits die hard, and so I'm the one that lives next door to him. So,

everybody in the evening parks clear down in front of my house at the curb clear down. There were nine vehicles parked on the other side, so that means all the neighbors, they don't have a place to park except in one spot. So, if you got company, it doesn't work.

APPLICATION BZA-25-32

Applicant: Trey Read
Owner: Trey Read
Location: 207 Buckingham St
Project: Single Family Dwelling
Reference: 16.8

Trey Read - How's it going? Trey Read, Black Cane Builders, on behalf of Nate Bryan, property owner. We're seeking a side yard setback, two feet each side. I gave George the updated plans. We flipped the house around so the deeper side's on the perpendicular property line and not on the angled side. So, this lot's kind of not a normal lot per se. It's like a trapezoid shape. So, the issue is in the front of the house we're conforming. If I could, you know, move the house over to the eight-foot setbacks on a two story. I moved it over to the right to a six-foot setback on the right-hand side. And a six-foot setback on the left-hand side because of that angled property line. So, two options here. We're trying to keep the house kind of within uniform of the neighborhood style. Two story, you know, skinnier houses. And also provide square footage that with today's houses are kind of in line with comfort living.

Mr. Wood - I appreciate you providing an actual driveway off the street. That, to me, is some of the concerns.

Mr. Read - Yeah, there's street parking on both sides of the road. It's tight through there. With all the houses we do, we do include a single car, at least a single car attached and a 28-foot driveway for the off-street parking, because even with alley access in the rear, it becomes a hassle. Yes, I think the City of Newark is going to require us to anyways. But yes, we pour all concrete driveways and sidewalks in front of the property.

Motion to approve, Second, Motion passed 4-0

APPLICATION BZA-25-33

Applicant: Jim Hollman
Owner: Newark Rental LLC
Location: 407 W Church St
Project: Apartment Conversion
Reference: 7.1.3

Chris Grielly - Gentlemen, I'm Chris Grielly. This is John Lynn. He's an intern from Fort Myers. I figured it would be good for him to stand in front of you today and learn to get told yes or no. So, we're here now. We have a property at 407 West Church. It's 1632 square feet. We want to split it. I don't know if we want to split it directly down the middle. But this is a unique building that maybe should have never been built. We want to work with the city and be quiet and discreet with the tenants that we have. So, we have a photographer in there right now. She's only in there four days a week. And we would like to make the back half possibly an apartment. Maybe an Airbnb, but then be conscious of who we're renting to because we want to work with the school. We don't want a bunch of cars in there. That's very tight space. We want to keep it very quiet, but at the same time, obviously, we want to make money. So, we just wanted to split the 1632 in the back. Like I said, you have our commitment to keep

it quiet. You'll have no daycares. Because, I mean, you have so many games there. You have so many cars there. You can't really get what you need in that space. But at the same time, we do have a right to our property and our parking lot. And we don't want to make a mess of that. And we understand how it is. We love Newark City Schools. My children go there. We just want to be able to maximize our building, but at the same time, work with the city. We keep it up, you know, it's right there by the stadium. We promise to upkeep it. If you drove past it, you'd say, hey, this looks pretty sharp. We just painted everything. We want to, you know, maximize our building, essentially.

Mr. Carter - We just want to stay conscious of, and Chris and I have talked about a significant improvement. So, any improvement that's going to increase the value of that by 50%, then he has to become compliant with the flood ordinance, which is going to be relatively impossible.

Mr. Grielly - We will make sure to stay below that.

Mr. Layman - So you're just changing the commercial space to a second apartment?

Mr. Grielly - Yeah, that's what we want to do. Like I said, we have a photographer in there right now. She's only in there four days a week. We're trying to keep the car flow out of there.

Mr. Layman - One bedroom, two bedrooms?

Mr. Grielly - If we could go for two, two would be great. Again, we're going to be conscious to who we rent to. We are not going to put a family of five in there. We're talking one car space. And if you look at the lot, we probably have room for 10 cars. But I'm thinking we want four to five cars in there maximum at any time, because it's a cluster.

Mr. Carter - So currently, you have an upstairs unit.

Mr. Grielly - Yes, sir.

Mr. Carter - And that's residential?

Mr. Grielly - Yes, sir.

Mr. Carter - All right, and then you've got a front unit, and that's your photographer station?

Mr. Grielly - Yes.

Mr. Carter - And then you've got a back unit, right? Or are they side by side?

Mr. Grielly - They're right next to one another. I apologize.

Mr. Carter - So pretty much two units, first floor, one-unit, top floor. One unit on the top is residential. One unit on the bottom is commercial. The other unit is residential?

Mr. Grielly - Yes.

Mr. Carter - And then you want to take the commercial one and split it in two and keep part of it commercial and make the other part of it residential?

Mr. Grielly - Yes.

Mr. Carter - So the board understand that. So, we're not eliminating the commercial. We're just downsizing the commercial and adding residential.

Mr. Grielly - I don't mean to interrupt, but I would like to keep the commercial status of the building. I still would like to be able to rent that middle space as a commercial unit.

Mr. Carter - You could make the argument for a substitution or make the argument for enlargement. At the end of the day, it's a non-conforming building that is changing. And therefore, the board has to grant permission to change the non-conforming building.

Mr. Layman - It's non-conforming because of the floods, right?

Mr. Carter - Non-conforming because it's a commercial building with residential on the first floor.

Motion to approve with a limit of one bedroom residential, Second, Motion passed 4-0

Mr. Harvey - Thank you, Mr. President. We were actually here to listen to what was going on at Thornwood Drive with the apartment complex, but we are more interested in what is truly going to happen with Thornwood Drive, West Main Street, the roundabout that we've heard about. Is there any word on that that this committee can talk to?

Mr. Layman - Have they started working on West Main?

Mr. Harvey - Well, they have started working on West Main down by the entrance of the apartment complex. They've shut West Main down. I'd love to know. We've been waiting for three years to understand what they're going to do with Thornwood Drive, the intersection of West Main and Thornwood Drive. We have a business there. This gentleman has a home there. We're just kind of waiting to hear what the word is.

Mr. Layman - No one is more impatient for that word than me. I signed, knowledgeable, experienced, real estate professional, signed a contract to sell them the land that they're going to build the second phase on. The contingencies don't expire until the city's study gets done which was supposed to be done 18 months ago, and I am still not done. So, their contingency to buy the land is not expired yet because the study is not done. Remind me not to write a contract like that again. Put a time limit on it.

Mr. Harvey - So we're still up in the air?

Mr. Layman - Still up in the air. They believe, and they probably know better than, I don't know. They believe that there's a roundabout on their land.

Mr. Harvey - Whose land?

Mr. Layman - The applicant's land.

Mr. Harvey - The apartment complex land?

Mr. Layman - Yeah, he talked about that nine acres, that hard corner. I think the reason it's nine acres is they're anticipating the roundabout on their land, I think. They got a lot of planning to do I think that's the assumption that they've made is that that roundabout ends up on their land.

Mr. Harvey - The talk is they have to lower or smooth out the Thornwood Drive elevation problems.

Mr. Layman - They've got to cut and fill the hill.

Mr. Wood - I don't know how much speculation we should get into, but I've heard very recently that the traffic study is nearing completion. I know we've heard that forever, right? But I've heard that ODOT's communicated with the city, that the numbers are good, it's in final review, and there could potentially be an alignment sketch within 30 days. So that's very important to the apartment people because they can't do anything until then.

Mr. Harvey - I understand. We're looking at doing some things on our property, and without knowing exactly if we're going to lose some or what. The city owns part of our entrance there.

THE NEXT SCHEDULED BOARD OF ZONING APPEALS MEETING WILL BE HELD ON THURSDAY, SEPTEMBER 25, 2025 AT 5:30 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS SEPTEMBER 2, 2025, 4:30PM.

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

Chairman, Board of Zoning Appeals

Secretary, Board of Zoning Appeals