

BOARD OF ZONING APPEALS MEETING
THURSDAY, FEBRUARY 27, 2025, 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-25-01

Applicant: Adam Milhem
Owner: Samer Aburayyan
Location: 20 S 29th St
Project: Wall Sign
Reference: 135.8

APPLICATION BZA-25-02

Applicant: David Spivey
Owner: David Spivey
Location: 45 S Morris St
Project: Shed
Reference: 86.2

APPLICATION BZA-25-03

Applicant: Joseph Havens
Owner: Joseph Havens
Location: 71 Sandalwood Dr
Project: Storage Units
Reference: 64.8

APPLICATION BZA-25-04

Applicant: Michael Snider
Owner: Michael Snider
Location: 1005 Shaw Dr
Project: Pole Barn
Reference: 86.3.2

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

- 5. ADJOURNMENT**

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 # BZA-25-01
 Date Received: 1-28-25
 Received by: P. K.
 Amount Due: \$ 200.00
 Receipt # 832451

CITY OF NEWARK, OHIO | BOARD OF ZONING APPEALS

Rev 8/13

Owner	
Name: <u>SAMER ABURAYYAN</u>	Telephone: <u>614-822-8224</u>
Address: <u>4252 BROADWAY GROVE CITY</u>	E-mail: <u>STOPSAVE.CARRYOUT@gmail.com</u>
I would prefer to have agendas mailed rather than e-mailed <input type="checkbox"/>	
Applicant	
Name: <u>Abdulmaged milhem</u>	Telephone: <u>614-680-0446</u>
Address: <u>1995 Benbranchen PR colymbys</u>	E-mail: <u>stop save carryout@gmail.com</u>
I would prefer to have agendas mailed rather than emailed <input type="checkbox"/>	
Parcel	
Address of Parcel: <u>43055 209.29TH ST NEWARK OH</u>	Auditor's Parcel Number: <u>054-217542-00-000</u>
On the <input type="checkbox"/> North <input type="checkbox"/> South <input checked="" type="checkbox"/> East <input type="checkbox"/> West side of the street, between the following intersections: and	
Subdivision Name:	Lot Number: <u>8328-A</u>
Zoning Classification: <u>MB</u> <small>If filling out electronically, click box to display dropdown</small>	Proposed Use: <small>If filling out electronically, click box to display dropdown (Specify Use):</small>
Appeal	
This Application is a request to permit the following: Erection <input type="checkbox"/> Alteration <input type="checkbox"/> Maintenance <input checked="" 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 SIGN CONVENIENCE STORE</u>	
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: <u>Sign was purchased prior to permit request.</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)	

BZA CASE NO. 25-01

Date of Review: 2/6/25

Address of Project: 20 S 29th St

Current Zoning: MB

Project Description: Wall Sign

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

08-16 135 135.8.B.1c

Requirement: In the MB district, the allowable sign face area is 32 sq. ft.

Proposal: The applicant proposes to install a wall sign with a sign face area of 72 sq. ft.

Conclusion: The proposal requires board approval

STOP & SAVE
CARRYOUT & SMOKE SHOP

4'
18'

42'

Frontage

Sign is 72 sq ft

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 # BZA-25-02
Date Received: 11/29/25
Received by: S.E.C.
Amount Due: \$ 75-✓
Receipt # Cash

CITY OF NEWARK, OHIO | BOARD OF ZONING APPEALS

Rev 8/13

Owner	
Name: <u>David W. Gray</u>	Telephone: <u>740 349 8724</u>
Address: <u>45 S. MORRIS BL.</u>	E-mail:
I would prefer to have agendas mailed rather than e-mailed <input type="checkbox"/>	
Applicant	
Name: <u>Same as Owner</u>	Telephone:
Address:	E-mail:
I would prefer to have agendas mailed rather than emailed <input type="checkbox"/>	
Parcel	
Address of Parcel: <u>45 S Morris St. S.</u>	Auditor's Parcel Number: <u>054-208398-00-000</u>
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	
Subdivision Name:	Lot Number: <u>1609 + 1611</u>
Zoning Classification: <small>If filling out electronically, click box to display dropdown</small> <u>RH</u>	Proposed Use: <small>If filling out electronically, click box to display dropdown (Specify Use):</small>
Appeal	
This Application is a request to permit the following: Erection <input checked="" 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>Sheds are restricted to the rear yard.</u>	
Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code: <u>two front yards & rear yard is undersized.</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>86.2.</u>	
<u>Flood: X</u>	

BZA CASE NO. 25-02

Date of Review: 2/6/25

Address of Project: 45 S Morris St

Current Zoning: RH

Project Description: Shed

- 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
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08-16 86 86.3.1

Requirement: In the RH district, sheds are required to be installed in the rear yard.

Proposal: The applicant has installed a shed in the front yard

Conclusion: The proposal requires board approval

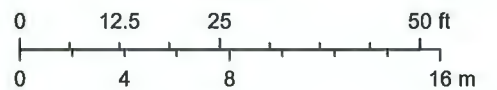
45 Morris St, S.



2/3/2025, 10:57:03 AM

 Parcels

1:375





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 # BZA-25-03
 Date Received: 1-31-25
 Received by: _____
 Amount Due: \$ _____
 Receipt # _____

CITY OF NEWARK, OHIO | BOARD OF ZONING APPEALS

Rev 8/13

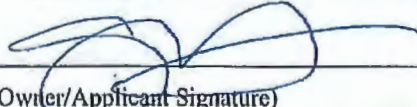
Owner	
Name: <u>JOSEPH W. HAVENS (Cleadle-Roo LLC)</u>	Telephone: <u>614-354-4389</u>
Address: <u>204 WHEPKEY DR. GRANVILLE, OH 43023</u>	E-mail: <u>JWHAVENS@CARDINALTITLE.COM</u>
I would prefer to have agendas mailed rather than e-mailed <input type="checkbox"/> <u>Cardinal title</u>	
Applicant	
Name: <u>JOSEPH W. HAVENS</u>	Telephone: <u>614-354-4389</u>
Address: <u>204 WHEPKEY DR. GRANVILLE, OH 43023</u>	E-mail: <u>JWHAVENS@CARDINALTITLE.COM</u>
I would prefer to have agendas mailed rather than emailed <input type="checkbox"/>	
Parcel	
Address of Parcel: <u>71 SANDALWOOD DRIVE, NEWARK, OH 43055</u>	Auditor's Parcel Number: <u>054-216696-00,003</u>
On the <input type="checkbox"/> North <input checked="" type="checkbox"/> South <input type="checkbox"/> East <input checked="" type="checkbox"/> West side of the street, between the following intersections: <u>JAMES RD.</u> and <u>THORNWOOD DRIVE.</u>	
Subdivision Name: <u>THORNWOOD OFFICE PARK</u>	Lot Number: <u>12647</u>
Zoning Classification: <small>If filling out electronically, click box to display dropdown</small> <u>WAREHOUSE INDUSTRIAL / STORAGE</u>	Proposed Use: <small>If filling out electronically, click box to display dropdown</small> <small>(Specify Use):</small> <u>WAREHOUSE INDUSTRIAL / STORAGE.</u>
Appeal	
This Application is a request to permit the following: Erection <input checked="" 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>THE PROPOSED ADDITIONAL BUILDING IS ONLY 10 FEET AWAY FROM EXISTING BUILDING. CODE SAYS IT MUST BE 25 FEET AWAY.</u>	
Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code: <u>THERE IS A DRAINAGE AGREEMENT THAT WOULD BE ENFORCED WHEN IF I DO NOT RECEIVE A VARIANCE. ALSO THE EXISTING BUILDINGS ARE 10 FT. APART. I WOULD LOVE TO KEEP THE CONTINUITY AND UNIFORM.</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>ARTICLE 64.8</u>	

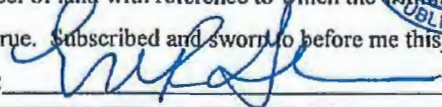
Flood: X


BZA-25-03

Required Documents and Appeal Process Overview

- Call the Newark City Engineering Department to schedule an Engineering Review.
Newark City Engineering Department, 40 West Main Street (2nd Floor) (740)670-7727
Note: A Zoning Reviewer signature is required. See Office Use Section below.
 - Obtain a Real Estate Tax Map, and Auditor's Parcel Numbers
(Obtain from: Licking County Engineers Office, 20 South 2nd Street(3rd Floor) (740)670-5280 or www.lcounty.com)
*Note: Submit 1 paper copy or 1 digital copy**
 - Obtain a Project Site Plan
*Note: Submit 1 paper copies and 1 digital copy**
Site plans must meet the following requirements:
 - Plan is drawn to scale
 - Shows the location of existing and proposed structures
 - Shows property and setback lines
 - Shows dimensions of structures and any other proposed improvements
 - Plans must show all parking, landscaping and signage requirements
 - Obtain Building Elevations
*Note: Submit 1 paper copies and 1 digital copy**
 - Elevation drawings show front, side and rear elevation measurements
 - Show the property as if the proposed project were already completed
 - All major exterior finish materials are identified
 - Obtain Other Exhibits
*Note: Submit 1 paper copies and 1 digital copy**
Include photos, information or data which the applicant deems necessary for proper consideration of the application. (See Newark Zoning Ordinance 08-33, Article 150.)
 - Submit Original Board of Zoning Appeals Application and attachments given above
Newark City Engineering Department, 40 West Main Street (2nd Floor) (740)670-7727
*Note: Submit 1 paper copy and 1 digital copy**
 - All questions are answered completely or N/A is noted
 - Notarized Owner signature is present
 - Owner authorization statement is present if using a Representative**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 a representative must attend.**
 - Pay the Appropriate Application Fee: Residential \$75 Commercial or Multi-Family \$200
Newark City Engineering Department, 40 West Main Street (2nd Floor) (740)670-7727
 - Check is made payable to the "City of Newark"
 - If the application is for an Off-Premise Variable Message Sign, the fee is \$150. See 150.4.1.(4)(5)
 - Attend the Board of Zoning Appeals Meeting
Newark City Council Chambers, 40 West Main Street (1st Floor)
Note: Meetings are held the fourth Thursday of each month at 5:30pm. Be prepared to answer Members' questions.
 - A Decision Letter will be mailed to you after the meeting
- *Digital files should be submitted in PDF, TIF, or JPG format - on disk, or email to zoninspector@newarkohio.net*


 (Owner/Applicant Signature)

Before me, a Notary Public in and for Franklin County in the State of OH, personally appeared Joseph Hevrens who, by me being duly sworn, says that he is the Applicant, Owner, or Lessee (circle one) of the parcel of land with reference to which the zoning appeal is made; and that the statement of facts contained herein above is true. Subscribed and sworn to before me this 5 day of January, 20 25. Notary Signature: 



Erica R. Goldman
NOTARY PUBLIC
STATE OF OHIO
 My Commission Expires **12/8/2027**

Do not write below this line- For Office Use Only

Status:	Date:	Zoning Reviewer:	Date Notified:
<input type="checkbox"/> Incomplete			
<input checked="" type="checkbox"/> Forward to BZA	<u>2/6/2025</u>	<u>ERM</u>	
<input type="checkbox"/> Hold		Reason:	

BZA CASE NO. 25-03

Date of Review: 2/6/25

Address of Project: 71 Sandalwood Dr

Current Zoning: LI

Project Description: Storage Units

- 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

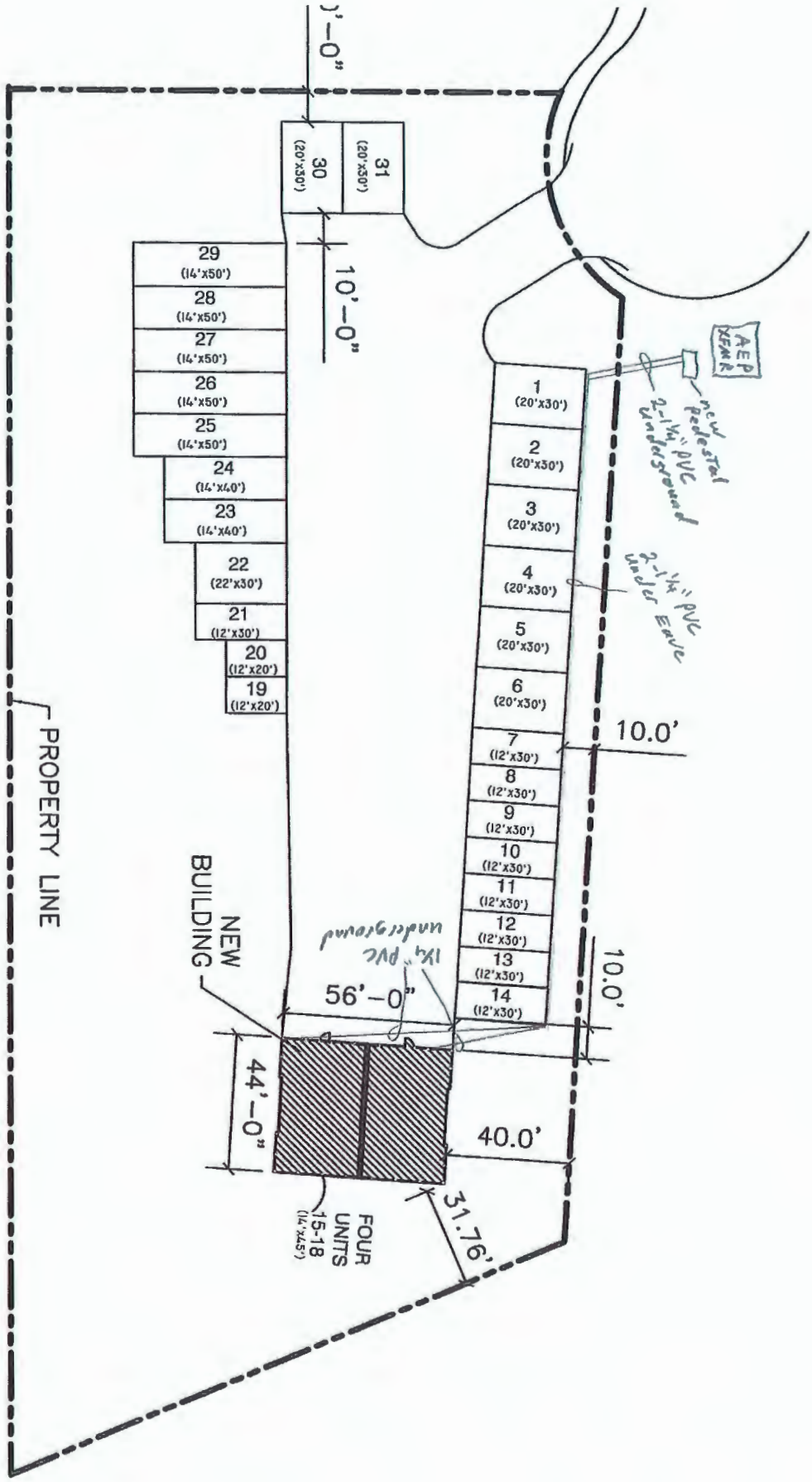
Requirement / Proposal / Conclusion

08-16 64 64.8

Requirement: In the LI district, the required distance between any two buildings is 25 ft.

Proposal: The applicant proposes to build new storage units with a distance of 10 ft between two buildings

Conclusion: The proposal requires board approval



SITE PLAN

SCALE: 1" = 60'

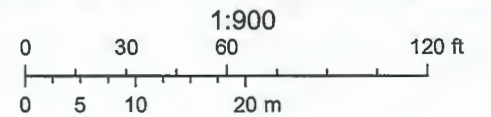


71 Sandalwood Dr



2/3/2025, 11:18:05 AM

 Parcels



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-2504
Date Received: 8-2/3/23
Received by: A.C.C.
Amount Due: \$ 75.00 ✓
Receipt # 932455
CK# 6102

CITY OF NEWARK, OHIO | BOARD OF ZONING APPEALS

Rev 8/13

Owner	
Name: <u>MICHAEL T. SNIDER</u>	Telephone: <u>614-774-4735</u>
Address: <u>1005 SHAW DR, NEWARK OH 43055</u>	E-mail: <u>MSNIDERJ@GMAIL.COM</u>
I would prefer to have agendas mailed rather than e-mailed <input type="checkbox"/>	
Applicant	
Name: <u>MICHAEL SNIDER</u>	Telephone: <u>614-774-4735</u>
Address: <u>1005 SHAW DR, NEWARK OH 43055</u>	E-mail: <u>MSNIDERJ@GMAIL.COM</u>
I would prefer to have agendas mailed rather than emailed <input type="checkbox"/>	
Parcel	
Address of Parcel: <u>1005 SHAW DR, NEWARK OHIO 43055</u>	Auditor's Parcel Number: <u>054-245400-00.000</u>
On the <input type="checkbox"/> North <input checked="" type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West side of the street, between the following intersections: <u>N. 26TH ST</u> and <u>N. 30TH ST</u>	
Subdivision Name: <u>N/A</u>	Lot Number: <u>9281-9282 PT</u>
Zoning Classification: <u>RESIDENTIAL</u> <u>RL</u> <small>If filling out electronically, click box to display dropdown</small>	Proposed Use: <u>PERSONAL USE</u> <small>If filling out electronically, click box to display dropdown (Specify Use):</small>
Appeal	
This Application is a request to permit the following: Erection <input checked="" 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>POST FRAME GARAGE FOR PERSONAL USE</u>	
This project is not permitted by the Zoning Code for the following reason(s): <u>HEIGHT</u> <u>23' 3' over</u>	
Please outline the circumstances, which you feel would warrant a variance to the requirements of the Zoning Code: <u>ALLOW FOR A TALLER GARAGE OPENING TO FIT AN RV CAMPER WHILE HAVING ROOF SLOPES</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)	

BZA CASE NO. 25-04

Date of Review: 2/6/25

Address of Project: 1005 Shaw Dr

Current Zoning: RL

Project Description: Pole Barn

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 _____ 86 _____ 86.3.2

Requirement: In the RL district, the maximum height of an accessory structure is 20 ft.

Proposal: The applicant proposes to build new pole barn with a height of 23 ft.

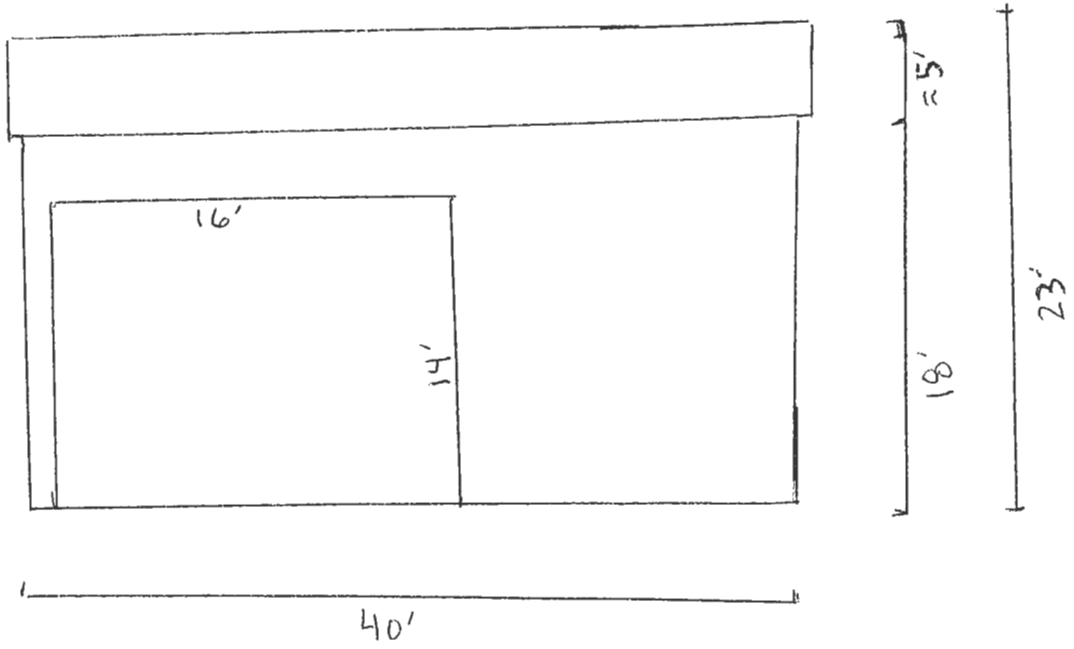
Conclusion: The proposal requires board approval

Newark Board of Zoning Appeals

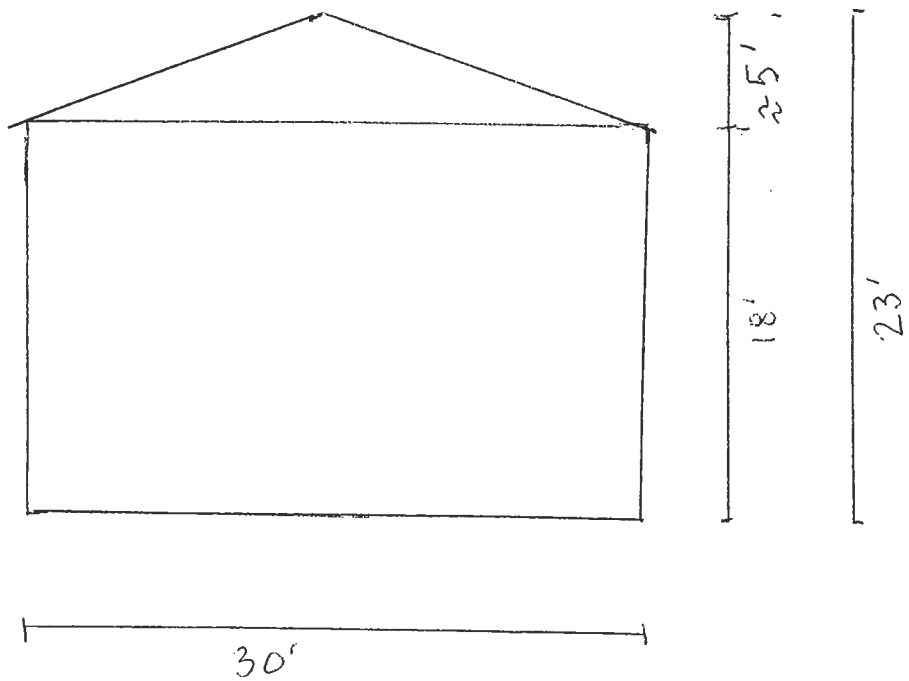
I am requesting a variance to the height restriction code, to erect the building shown in attached drawings which will be constructed at the rear of the property at 1005 Shaw Dr, Newark Ohio 43055. The building will be a personal use garage. I am requesting the height variance to have a door that would accommodate a recreational vehicle, and have the versatility to have a vehicle storage lift.

Michael T. Snider

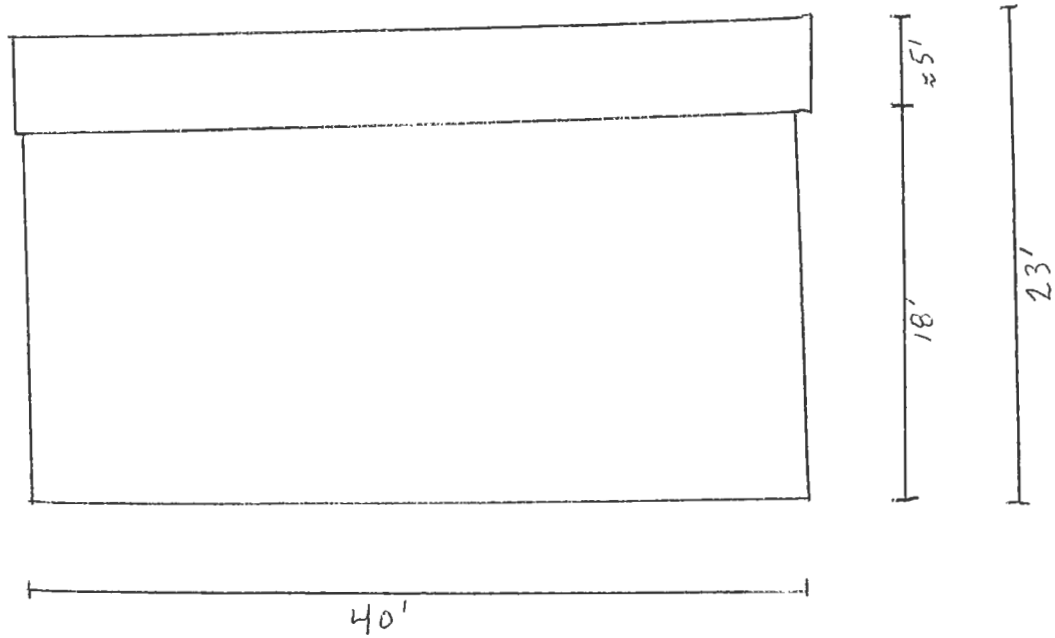
Owner: 1005 Shaw Dr, Newark Ohio 43055



FRONT ELEVATION
1005 SHAW DR. - REAR YARD
(NOT TO SCALE)



RIGHT SIDE ELEVATION
1005 SHAW DR. - REAR YARD
(NOT TO SCALE)



REAR ELEVATION
1005 SHAW DR - REAR YARD
(NOT TO SCALE)

1005 Shaw Dr – Building Description

- 1- Prebuilt 30' trusses at 4/12 pitch
- 2- Exterior painted metal
- 3- Post construction
- 4- Insulated garage door

