

BOARD OF ZONING APPEALS MEETING
THURSDAY, DECEMBER 19, 2024 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, December 19, 2024 Board of Zoning Appeals Meeting to order.

Present:

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| Steve Layman | Board Chair |
| George Carter | Zoning Inspector |
| Phil Claggett | Member |
| John Paul | Member |
| Brian Wood | Member |

Absent: Eddie Hunt Member

2. APPROVAL OF MINUTES

Minutes of the November 21, 2024 meeting

Motion and second to approve minutes of November 21, 2024, motion passed by acclamation

3. OLD BUSINESS

APPLICATION BZA-24-44

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

Cary Loughman, Executive Director of The Main Place - I would just like to mention that, you know, the only goal of The Main Place in the expansion that we're trying to do is to serve more people. We want this variance so that we can position the building the way that we think is best for our purposes and also in accordance with the zoning, we ask for this variance.

Tony Cunningham, Housing Director for The Main Place - After our meeting down on site, I did contact my architect to find out if there was any other way to put the building so that we could dismiss the variance, but with the building size and the position the

way we want it, there's no way to turn, twist, or rebuild the building in order to get no variances on all four sides. So, this is the best design that we could come up with in requesting this variance on the Harrison Street side.

Beth Bline, 33 Summit St. - There are some folks that are coming, but they are late. I don't know, must be traffic. I'm going to go ahead and speak on behalf of them as, you know, like I said, for whatever reason they're coming. I'd like to state first that, you know, I completely understand the mission. I really do. I'm not opposed to serving folks. That's for sure. But where has proven to be the issue? It's in a neighborhood with small children and elderly people. Now LCAP has bought the site across the street. I'd like to start with The Main Place's own statement. It says, each year we serve in excess of 900 adults in Licking, Knox counties who experience serious and persistent mental illness, including schizophrenia, bipolar disorders, clinical depression, panic and anxiety disorders. Without these services and support, many of our members would reside in a state psychiatric institution or other restrictive living environment. That's where the problem has been, is that the extreme nature of those who usually travel by foot to and from services. And again, I understand the need for services. I spent a lot of years in the mental health industry with emotionally disturbed persons and I understand. However, our neighborhoods, especially where there are a lot of children, it makes it a tough place to see any expansion like that take place. Considering schizophrenia, bipolar, panic and anxiety disorders, we can talk about it here, but in real life there's a lot of behaviors that not only are threatening to the persons in that environment, but in the neighborhood. I've been threatened a number of times. I'll just be walking through or driving through and someone will approach me and say, I'm going to beat you up, I'm going to tear you, I'm going to kick you, whatever. And, you know, I've worked in the business long enough that I can walk away from it. But there are those that are very scared. The number of incidents has increased where we've had to call the police over across the street at LCAP. I have photos where the fences have been cut as the participants from The Main Place have sought to go over there and camp. Of course, using non-confrontational skills is always the best way to go. But, you know, property maintenance has had to go over there. I've ended up calling the police on behalf of LCAP on several occasions. It's a consistent mitigation during the spring, summer, and fall when the weather is good. People are calling me saying, what do I do? There's some guy in my yard. He's acting crazy. Recently, people have been, during the summer especially, like I said, when the behaviors are more present because of good weather. There are people in the underpasses. There are people on the railroad properties. Again, it's a lot of money to clean up after this, especially in safety forces. I'm just wondering, again, I understand, but to expand in a public neighborhood is not a good idea. I was going through the accreditations as opposed to our zoning, and that area is on social service agencies. The Main Place, rightly so, is accredited through the Ohio Department of Mental Health and CARF. They are mental health. It defines itself as a mental health agency, and yet the zoning is for social services. Now, the state of Ohio sees that very differently. Social services are listed under Ohio Job and Family Services, while mental health agencies, aptly, are under the Ohio Department of Mental Health. So, the state tends to split hairs there. I'm not about, you know, moving them out or anything like that, but I do want to

say we don't need to expand there any further. Businesses have spent thousands of dollars mitigating, again, the problems of prostitution, graffiti. The city has spent a lot of money cleaning up graffiti. The railroads have spent a lot of money, you know, moving folks out. And, again, The Main Place, I understand legally they have no... we can't hold them responsible as to what people are doing to and from their place, but everybody else is paying the price. People are being stolen from. The place across the street from them, the Druids, they're being trespassed on consistently. People are stealing from them on the way to The Main Place and making threats. I've had calls from the Druids saying, what do we do? What do we do? I said, well, call the police, so they do. The land bank has had similar issues on their properties nearby. Armstrong. The American Legion residents for sure nearby have had issues with persons coming through their property. One incident that sticks largely with me is when there was a fellow camping. He was a Main Place guest, but he had camped on LCAP property, and how do we know? There was a Main Place card in front of his tent, and he had knives in the ground in front of his tent. I went into LCAP and I said, you know, this is probably not a good time to come outside to your property until we call police and get this mitigated to where it's safe for everyone. So, they stayed inside. We waited an hour for the police to come, and then it was taken care of. The man was moved on. But again, this is somewhat of a codependent situation where businesses and taxpayers are mitigating the expenses of these persons coming through their properties for services. Again, I understand The Main Place is legally not responsible, but however, it remains a growing funnel for those persons. Having spoken with many of the businesses and the railroads and many residents in the area, they don't know what to do anymore. They don't let their kids out. They have to wait until they know The Main Place is closed. Even thinking about going outside. I have photos of people having a party in The Main Place parking lot. They were drunk. I have photos of cars, just who knows who they are. People nearby said they're drug dealers, but I don't know. They might be if they know that they are. There's just a lot of things that are unsecure about that property as well. That people have some very, to me, well-founded concerns. Thank you. I can bring the photos up here if you'd like. There are additional photos of people having outreaches on what will be possibly this site. We spoke to Main Place about it and they were unaware that it happened or they declined that it happened. But two weekends in a row, people were there and I saw them, but they posted it on Facebook. So, there it is. I can bring as many of these photos as you'd like to see. Again, the key is if someone is that mentally disturbed, is that something we should expand in a residential and business area? Thank you.

Unknown speaker - As a resident of the Second Ward. I purchased my house a little over 20 years ago. It was never the best neighborhood. We had some shady neighbors here and there, but I was always able to walk my kids to Dairy Isle or down to the river and enjoy living here. Over the last, I'm going to say, ten years, it started to go down. Over the last five, it's downright scary. I brought some photos with me of just some things I've found in my yard recently. I have drug needles, vials, wrappers from said items. I found a guy passed out outside my fence. Land Bank owned a property next to me that I ended up having to purchase, which I most likely would have anyway due to the loitering and basically scary people right outside my window all the time. My

neighbors told me they saw them coming over from The Main Place. Of course, The Main Place always says, no, they're not our people, but they are. It's frightening. I have new neighbors in my neighborhood who have come to Licking County, who have come to Newark and purchased their homes, honestly, probably \$100,000 over what they should have. They have small children. I feel for them because they didn't know what they were getting into. I was able to let my kids go outside to play. I show them this. I want them to be aware of what's going on around them. It's frightening. I can't walk my dogs. I have to load my dogs into my vehicle, drive them, usually downtown or somewhere else, to be able to take them for walks and enjoy being outside, and it's a shame. I have a beautiful home, a beautiful yard, and I work very hard, and I pay taxes like everyone else. I have that same increase that everyone else has. I feel like I should be able to enjoy my property, and it's scary. He gets up for work sometimes, four o'clock in the morning, and step outside, it's scary, the people that are around here. And it's dark. There is no other draw in that neighborhood for them. There is no other reason for them to be there except to be at The Main Place when they open to get their checks or whatever their business is there. They work with the mentally ill initially, and they have that apartment complex there, and the residents there are at least, you know, somewhat under control, but the constant influx of people they have now, it's frightening for a residential neighborhood. It doesn't belong there, at least especially not (inaudible). Thank you for hearing me out, that's all I have to say.

Mr. Layman – Question. You build this building, do you increase your traffic?

Mr. Cunningham - I can explain a little bit better what's going on. Over the 20 years I've been there, we have expanded. When I first started there, there was 50 people a day probably coming through there. We're almost at 100 now. That's our community. We can't help what's going on in the community. At least we're trying to find a solution and help the homeless. I do outreach. We've got three other people that goes out to the community to find outreach, to get them in for services so that they're not doing the stuff that they're saying they're doing. To speak on the parties in our parking lot, yeah, we know about those. That's our neighbor. We've actually called the police on them. We've tried to get his cars towed. He's not a member of The Main Place, but his kids come over and play in our parking lot. His members come over and park their cars. We've threatened to have them towed. We're under the same issues that everybody else is. There are other community members taking advantage of our parking areas, but as far as The Main Place, we are not expanding anything. We are separating benefits. We're separating their services out of the drop-in center into a clinical space that they could be seen for counseling and case management. We're not asking for an expansion, just more office space because we've outgrown our current building.

Ms. Bline - That's contrary to what was stated earlier. The first stage of one, they were vacating into the office spaces, and then they would be able to expand their drop-off services because there would be extra space in the main building, and therefore the traffic coming to the neighborhood would increase. So, it would be trading one for the other.

Mr. Loughman - You're not understanding what expansion versus reconfiguring is to better accommodate the current numbers that we're experiencing. So, the aim, you

know, more people come into The Main Place as a result of the need of the community. The things that are described in this conversation are the needs of the community that The Main Place is trying to meet. We are not actively going out into the community and rounding up people and bringing them to The Main Place. They come because they need help. We're providing the help and helping people get housed. We're helping people get better mental health. The mentally ill, of all the different diagnoses that were described, that's community living. That's something that happened years ago and actually gave birth to The Main Place back in the 80s. So, we're looking to become more efficient in the services that we do provide, and also to be able to better accommodate the people in our center with the existing services that we provide. We need more bathroom space in our drop-in center. We need more laundry space in our drop-in center. We need more shower space in our drop-in center to help meet the needs of the people that we serve, that come to The Main Place because they need the help that we provide.

Ms. Bline - You did say they're outreach persons are going out to get them in. So, I understand what that looks like. These folks just came, they were caught in traffic.

Unknown speaker - I've just talked to some of you not too long ago. I actually represent Second Baptist Church, been there all my life. I'm the head trustee, the treasurer. We have a lot of their people in our parking lot, in our backyard. A lot. We have started a lot of programs with little kids. We've been working with Little Texas. We're working with another church. Our neighborhood has a lot of kids. Now, I'm up on Second Street now, but I'm not that far. I grew up on Holiday. He grew up on Holiday. Ran these streets, sold the paper here. There is now becoming a large neighborhood of kids. When I come by The Main Place, there are all kinds of people everywhere. And when I read their website, and I understand helping people, but they service a lot of people that worry me being around kids when kids are out playing in their yards. They're not supervised. They are independent. They're on bicycles. They walk in the middle of the street. I mean, I'm up and down Third Street a lot, especially since Second Street is closed. I have a major concern, and it is expanding. Obviously, you're saying more people you're representing, and the people you represent, I know they need help, but I don't think it should be in a neighborhood where there's kids. You know, this is a nice neighborhood. We're all working on our houses. I don't think we need more buildings on Third Street between Harrison and Fleek Avenue. I grew up down here. I moved back to this neighborhood from Howell Drive for a reason. So, I am concerned about them expanding. I was here last week directing them because they want to put a nursing home up on South Second Street in my neighborhood. So, yeah, I have a major concern with expanding The Main Place. Big enough now. They service a lot of people. And it causes a lot of congestion.

Unknown speaker - I would also like to state, I follow them on Facebook so that I can be aware of when they have these events and things like that. As far as their social profile is, they are literally inviting people for showers. So, are they going out in the community? Does anybody? Because you don't have to anymore. I kind of take issue with that statement that you're not going out and seeking more people to come. Right behind my house, and we're two blocks, literally, from beautiful downtown Newark, which a lot of money and a lot of pride goes into. It's quite shameful. I don't even know what else to say. It's frightening and I'm borderline embarrassed. I don't even have

family events at my house anymore. I'm embarrassed. You know, when you get out of your minivan and somebody can walk up to you. They ride their bikes with machetes. It's frightening.

Mr. Layman - Let me ask you a question. If we turn this down, does your situation improve?

Unknown speaker - I would like to think that my situation would improve because there would be less buildings. They literally are looking for another building.

Mr. Layman - You already have a problem. If we turn this down, how do we help your problem?

Unknown speaker - That is one less block that I have to (inaudible). So, it would help. It's less people. It is one less building. If they open another building, that's one more block of people that have to be wondering what's going on behind that building, as opposed to me always wondering what's going on behind this one. There's more. It just grows, and there's more and more and more. She stated about how many children are in the neighborhood. How many elderly people are in the neighborhood? My mom is in her seventies, and she comes over and I have to go out to her car and walk her to my door. I don't want anyone coming to my house after dark or even in broad daylight without... He watches me walk to my car, and we do it armed. It's frightening. We shouldn't have to live like that. So, I do think that slowing it down and limiting it would help my situation.

Unknown speaker - I guess allowing it to expand is certainly not going to decrease our concerns.

Unknown speaker - May I say something? They made claims when they first came in with the mentally ill in mind, and they were monitored every day inside the building. Even when they were in the community, they were kind of monitored. All of that has changed since the original administrator died, Glenn. All of that has changed. Now it's more with the afflictions of the drug and alcohol. They're not, the whole environment has changed. The monitoring is not there. The original building has changed. It's not for the mentally ill. They're not in there. I'm saying this not knowing because I do know. My son was part of that program. I was involved in that program for years with him. After Glenn died, the program changed. That building was designed around my son and his illness. Then he was evicted because of his illness. Since then, it's all been drug-related. I don't even want to go to my daughter's house. I won't go at night. If there's an emergency at her house, I won't go. The whole atmosphere in that neighborhood has changed. You don't know who's in the alleys. You don't know where they're coming from. They walk up to you and they don't care what they say, how they say it. It's really to open up any new facility or any new housing would just ruin... it would just ruin the whole thing. The Main Place when it opened was a great institute. It was great, but it's going downhill, and the neighborhood is going down with it.

Mr. Wood - If this variance was to be denied, you can still build a building on this lot. That doesn't mean that you can't build a building. What they're asking, the variance, the size of the building, it's consistent with the neighbors to the west. It's not encroaching, it's not hindering site issues. It's strictly just the size of the building, a slight increase to the size of the building. I don't know if that makes anybody happy.

Mr. Layman - So, 1,700 is what you're asking for?

Mr. Cunningham - 1,776 square feet.

Unknown speaker - 1,700 square feet? You've got to be kidding me.

Mr. Layman - You think that's a lot?

Unknown speaker - I know a little bit about building, okay? Yeah, 1,700 square feet, yes.

Mr. Layman - That's not a very big building.

Unknown speaker - Really? It's a pretty big house, 1,700 square feet. Yeah, it is. Think about it.

Mr. Layman - Okay, if they want to make this 1,500, it probably fits. They could probably make it fit. Just saying.

Unknown speaker - So, I guess what I'm hearing him say is that you're not going to deny it because they could go ahead and get a variance anyway? Really?

Mr. Wood - You can build a building on that property with no variance.

Unknown speaker - Then why are they here?

Mr. Layman - They want to build 1,770 instead of 1,500. The reason we go through this exercise is that we have the ability to put conditions on variances. We can say you can have the variance, but you can do this. You can't do this. We could put a variance on that says you can't have more than a hundred clients, period. We can turn it down, and nothing in your life is going to change.

Unknown speaker - But it's not going to get worse, hopefully.

Mr. Layman - Well, they could build a 1,500 square foot building on it. They would suggest to you that all this is about better treatment.

Unknown speaker - Have personnel for better treatment, not a building. A building doesn't give you better treatment. People give you better treatment, and there's several people sitting here right now that believe they're not giving their people a better treatment. They're on the streets. They're down at my church. They go to the bathroom behind my air conditioner. I have to clean it up.

Mr. Layman - Don't take this wrong, okay? Don't take this wrong. You are not the only place in town that this happens. This is not about The Main Place. This is about a homeless problem. All these people you're talking about, I'm going to tell you, are not necessarily their clients. Undoubtedly, there's some of them. You'd have to agree. The Special Improvement District in downtown Newark pays \$50,000 a year for off-duty patrolmen to keep people from doing what they're doing in your neighborhood. That's downtown. They are not Main Place people. Just put that out there. So, don't put all of this on them. They may have some share of the responsibility. This is societal, okay? It's just not them, and you're not the only neighborhood that has this problem. Trust me.

Unknown speaker - No, but you want to put more of them in our neighborhood.

Mr. Layman - I don't want to do anything. We're here to answer a question of should they be granted a variance so they can put a 1,770-square-foot building on that lot on the other side of 3rd Street from where they are. That's all we're here for. We can say yes, we can say yes but, when put conditions on it, or we can say no. I mean, that's all we're here for. We didn't ask for this. You didn't ask for it. They're there. They're not going away.

Unknown speaker - But if you keep letting them expand, they're definitely not going away. I guess I'm saying say no.

Unknown speaker - Why in residential neighborhoods? Why did they not do this at the old, what is it, the factory or somewhere like that? Why does it have to be right in the middle of a residential neighborhood?

Mr. Layman - It's been there longer than I know, so I don't have an answer for you. Can you think of a restriction, a condition that would help you?

Unknown speaker - One thing may be limiting the amount of people who are at the building at a time. We will leave in the morning to go to work and there will be sometimes over 100 people on bicycles outside The Main Place waiting to go inside to get their checks that they let them use their address for. So, it's just this huge amount of people all at once. I mean, maybe if you say, hey, no more than 10 people at a time, then we don't have 300 people sitting outside waiting.

Mr. Layman - I don't know where you're going, but what do you think about this? We have the ability to try and improve the situation, okay? We got the ability to leave it exactly the way it is. We have the ability to try and improve it. I'm not saying it will improve it, but we can try to improve it. If you have reasonable conditions that you want to put on the place, if you grant this variance, this condition has to be met, we can do that. Then they have a decision to make to say, we can't live with that, we won't build a building. Or we won't use the variance. They could still build a building on that lot. So, I would encourage you to think about a reasonable condition that would make your life better.

Mr. Bline - Yeah, I agree with you. Overflow is an issue, and that is something that is a physical condition, a requirement that could be met. What's the capacity of, it's already to, the capacity is already to, apparently, they're overflowing, or they wouldn't be trying to expand. So, if you did put a capacity number for the building, and even more so within the policy, that if a person that is going to The Main Place does offend, if the police are called on them, that they are held accountable within The Main Place to say, two, three strikes, you're out, you're done here. You're done. So, some of it, I understand you can do, but the other portion would be on The Main Place to create, within a greater public policy, to say, you're camping over on LCAP, you're threatening Beth or whoever, however many other people, so therefore, you are not allowed, if the police become involved, therefore, you are not allowed to come back to this place after how many offenses. I'm not sure if you have that in place right now or not, but that would be a good opportunity, a place to begin. Like he had stated earlier, well, we're gonna do something, we were gonna have the cars towed, we were gonna, no, do it, do it. If somebody is offending on your property, if somebody is doing something that's illegal, say, draw a hard boundary and say, this is a boundary that not only is good for us, but it's good for the community. So, maybe we can come together as a community and say, hey, this is why we're here. Maybe let's work on that public policy, let's work on those public relations. How can we create a boundary that's helpful for the consumer and helpful for the taxpayers because it is taxpayer funded? So, it's logical and reasonable to have a common ground where we look after each other.

Mr. Cunningham - We've got a certificate of occupancy for all of our buildings. So, we are allowed a certain number of people in the building at a time. We've never broke that. When I say we've had 100 people, that's throughout the day, that's in and out. So, we've never broken any type of our occupancy certificates for none of our buildings. As far as having 100 people out front, other than the names, I can provide proof that maybe 30 every morning checks in by eight o'clock. I'm there at five o'clock every morning, I see who's out front. I've never had 100 people out front of my building in the 22 years I've been there. As far as calling the police, yes. I've called the police on my neighbor. My neighbor tells me to call a tow truck to have the car removed. I call a tow company, the tow company says they won't do it because it costs too much to recover the car. So, nobody will help. The cops won't have it towed because it's not inflicting anything on public space. It's on our parking lot, that's our responsibility. We've fought this for, correct me if I'm wrong, five years. So, we have our own issues that we're dealing with with our public, and as far as our clients, I can't follow them around every day and say that if you break the law, I'm gonna punish you because they have rights the same as I do. I cannot follow them around, watch them go to Kroger and act up and say, well, because you acted up in Kroger, you're not allowed to come to The Main Place tomorrow. That is unfeasible, and personally, I don't even think it's legal for me to follow someone around and put rules on them like that. We talk through them to case management, we try to get them to make right decisions. But just like we're here today because we made a decision to be here. They make their decisions. I cannot influence those other than just try to get them to make good decisions. And that's anyone. BHP can do the same thing. The Ohio Department of Mental Health receives the same kind of people as we do. We can control them to a point, but once they're in the community, I can't follow them around and punish them for what they do in the community for the next day to receive services, to help them eat, get a shower, or find a better life.

Ms. Bline - You don't have to follow them around because there's a paper trail. If someone is over at LCAP, that's a visual. If someone is over at the Druids, that's a visual. If they're in the underpass, that's a visual. And again, you don't have to follow anybody around. It's a paper trail, and there it is. And if there's enough paper, eventually there's an action that must be taken, especially if it's in the vicinity of (inaudible).

Mr. Layman - Are you willing to meet with the neighbors and just talk this out?

Mr. Cunningham - Sure. I couldn't hear.

Mr. Layman - I'm a deaf one here.

Mr. Cunningham - No, actually, I'm deaf in one ear, sorry.

Mr. Layman - Are you willing to meet with the neighbors and just talk, and talk about what you might be able to do to help resolve some of their concerns? You're part of their life. Regardless of what we do here, you're part of their life. Are you willing to sit down with the people that are here and just have a civil conversation about what your needs are, what your people's needs are, and what their needs are?

Mr. Loughman - We've actually been working on a community outreach questionnaire for our neighborhood where we want to ask them and invite them into The Main Place and learn more about The Main Place.

Mr. Layman - We're going to save you the cost of creating the questionnaires. They'll take care of that for you. Would you? I hate to do this.

Mr. Loughman - Our doors will be open. We'd be glad to meet with our community because, quite honestly, we've had those events in the past and invited our community in, and they haven't attended. So, we're trying to find better ways to do so.

Mr. Layman - I think we've found that. I would beg you, please, to pass and table again, and in the next month, organize with Beth Bline, the councilperson, a meeting with the neighbors to talk about their concerns, figure out if there's some possible way you can help alleviate some of their issues. Is it still doing what you want? And then we'll come back, and I promise you we'll vote the next time.

Unknown speaker - Can I say one more thing? I agree with that. I like the conversation, but I guess one of my main concerns is, and he said it, you might have 30 people there, and it could be 100. I don't know how many people. It doesn't matter. The problem is they come in and they give what they're there for, do what they do there, then they're in the neighborhood. That's my concern. That's why I'm here. Nobody knows where they go. They go in the neighborhood. They come and do things that you cannot believe what they do. That's what my concern is. After they leave their premises, they're on our premises. I think that's what our problem is. If they're building 1,700 square feet, 1,787, that's a big place. That's almost 1,800 square feet now, and I know buildings, so don't even go there with me. I don't think they need another big building. You know, I'll meet, I'll talk. Maybe we can come up with a better thing. We have a new pastor. He's a terrific guy. We're working at Little Texas with little kiddos, doing things once a month. But something needs done with The Main Place. Whether it's you stopping building a bigger building, but we need to communicate that. You don't need to give me a dirty look straight at me.

Mr. Cunningham - I'm not giving anyone a dirty look.

Unknown speaker - I mean, I've been here all my life. I'm a schoolteacher. I was a principal. I am upset that there's this much going on in the south end of Newark where I chose to move home to and go to my church that I've been going to. And I am 74 years old. So, you know, that's my concern to you guys. I know you've got a tough job. I know what variances are. They made me move my garage 25 feet at the engineer's office. I just am concerned about schizophrenics, people with mental health issues, walking into neighborhoods, when they leave, getting whatever they get there for an hour or so, and they're out in the neighborhoods.

Unknown speaker - Maybe they could transport them. Pick them up, bring them in, whatever, and then take them back.

Unknown speaker - How many more people are going to be in this building when they build their 1,800 feet?

Mr. Cunningham - I explained that earlier. We are not increasing anything. This is simply going to be case management and counseling. We're not going to see more people.

Unknown speaker - But if you have more case managers, you're going to have more people.

Mr. Cunningham - I didn't say we're having more case managers. We are moving our case managers over. Because we're going to put more bathrooms and stuff in our

current center, so we're going to do away with office space in there. So, we're going to take our current case manager offices, give them the peer support, so we're moving case management and counseling.

Unknown speaker - I understand that, but you are going to have more people. If you're building an 1,800 square foot, you're going to have more people. You're not building just to build it.

Mr. Cunningham - I just explained it. Yes, we are going to have more people, because the community is giving us more people.

Unknown speaker - That's what we don't want. He just said it out loud. We don't want more community in the south end of Newark in a neighborhood. He just said what he's going to do. You heard him.

Unknown speaker - My mom owned a house on Holliday for 65 years, and she used to go to bed with her doors unlocked. The last 10 years she lived there and more since The Main Place went in, she's had people on her back porch. She's had people steal her shed, and she started locking her doors and laying a gun beside her bed. And what we don't need is more people in the south end that doesn't do anything. I don't understand why the committees in this town doesn't try to help and upgrade the south end. It seems like everything they do, they degrade the south end. I'm 74 years old, and I grew up in the south end, raised in it. I know every alley in that place. All they're going to do is put more homeless people. I'm a taxpayer. All these people are taxpayers. Everybody in the south end is a taxpayer. All they want to do is put homeless people in. Have them go get a job. There're people out there hiring. It's ridiculous. Take care of us.

Mr. Layman - It's a citywide problem.

Unknown speaker - It is citywide, but it's real prevalent in the south end.

Mr. Layman - We've already covered this ground. My question is, will you table it and agree to meet with them?

Mr. Cunningham - Yes.

Motion to table, Second, Motion passed 4-0

4. NEW BUSINESS

APPLICATION BZA-24-48

Applicant: Christopher Thomas
Owner: R & T Unlimited LLC
Location: 1871 Cherry Valley Rd.
Project: Building Addition
Reference: 56.8/7.2.3.2

Unknown speaker - All right, let's talk about self-storage. So, what we're asking for is expanding off the existing building. The existing building was built prior to the setbacks put in place. We just want to pretty much build an identical building off of that one, and then the small strip of 10 by 10 units, that would be 20 feet wide. That would be within the current setback, except for the front of the property. We're asking to move a little bit closer to the front of the property line. There is about, I believe, 17 feet of an

easement from the street to our property lines. That would leave, I believe, probably 20 feet from the end of our units to the street. I mean, we're not supposed to use that space, but that would still give us five feet for cars to pull around. We don't believe that we're asking for a crazy variance since there already is an existing building there. We're only looking to get the new 50 by 40 building built attached to it, directly next to it. I don't know if you guys have the picture I submitted in front of you, the measurements, but it's just the exact same building built, attached to it, right next to it. About the same current setbacks.

Mr. Carter - If I've read your plan right, you're going to be five foot off the property line?

Unknown speaker – Yes, sir. There aren't going to be any units facing that way.

Mr. Carter – So, you're looking at a 25-foot reduction with a 30-foot requirement. One concern the engineer's office had, we don't necessarily require a set amount of parking spots for storage units. Are you going to put a drive lane on the side of your building? There is a concern that some of your clients might use the apartment drive that goes down there?

Unknown speaker - That is an easement. Yes, sir. Yes, that drive, what, six feet between that drive to our base?

Mr. Carter - Yeah, we weren't sure if that was an easement.

Unknown speaker - So that would probably be an easement. We don't plan on graveling, because people should be able to drive on the backside where we're looking to build four 5 x 10s. There should be about 15 feet of space there. So, if you come in that easement, you should have plenty of room to go around. There's another 14 feet, I believe that would be the west side of the building. Plenty of space there.

Mr. Wood - So the variance would not alleviate engineering comments as far as driveways, parking spaces, things like that? Personally, I'm not going to support any variance that puts the buildings any closer to the street than the face of your neighbor's houses. The neighbor to the west, they are within the setback. They're close to the 30 feet, but they measure like 24 feet.

Mr. Carter – I'll mention to the Board, there is a new thoroughfare plan that's getting ready to be passed, and a lot of the roads in Newark are going to expand to right of way. They're not necessarily going to require right of way. I would expect Cherry Valley to expand 10 feet on each side.

Mr. Wood - To that point, there's a house here, and then there's a building here. If they want to expand the road, they're probably not tearing that down. But there's a good possibility they need that area. So as far as the front setback, I would at the very least limit it to no closer to the street than the neighbor.

Mr. Paul - I can't even understand this drawing. It's so vague. It's so terrible. It's embarrassing, honestly. It's embarrassing. I'm a contractor. I don't know what we're doing here. I truly have no idea what's new, what's old, what's what. I see a poorly prepared drawing, folks. That's what I see. Sorry. Phil, what do you think? I can't even understand what we're doing here.

Mr. Layman - We're waiving the lot coverage requirement if there is one. If it violates it. Okay? Front yard setback remains 30 feet. Rear setback is unchanged. So, it's the existing... Okay? 15 foot on the east side reduced to 6 for 5 10 by 20 units. Okay? For

these 5, he can continue at 6. 15-foot setback on the west side reduced to 14 foot for these 5. These are gone.

Motion to approve conditionally with waiving the lot coverage requirement if it violates one, front yard setback remains 30 feet, rear setback is unchanged, 15 foot on the east side reduced to 6 for 5 10 by 20 units, for these 5, he can continue at 6. 15-foot setback on the west side reduced to 14 foot for these 5, Second, Motion passed 4-0

THE NEXT SCHEDULED BOARD OF ZONING APPEALS MEETING WILL BE HELD ON THURSDAY JANUARY 23, 2025 AT 5:30 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS JANUARY 2, 2025, 4:30PM.

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

Chairman, Board of Zoning Appeals

Secretary, Board of Zoning Appeals