

## Service Committee Minutes

Honorable Council  
City of Newark, Ohio  
June 9, 2015

There was a meeting of the Service Committee in Council Chambers on Monday June 8, 2015 after Finance Committee with these members present:

Bill Cost Jr.  
Jeff Rath  
Jeremy Blake

Ryan Bubb  
Alex Rolletta

We wish to Report:

1. **Ordinance No. 15-15** annexing certain territory, generally described as being 47.211 acres, more or less, located in Newton Township, to the City of Newark, Ohio was considered.

**Director Sassen-** this is the last step for a regular annexation for 47 acres on Licking Springs Rd. It has been before Council before as a resolution then it went back to the County Commissioners where they conducted a series of public hearings and heard input from the applicant, Township Trustees, Newton Township Fire Department and residents in the area. It was approved by the County and is back for City Council's consideration as the last step in that process. We have entered into a highway maintenance agreement with the county regarding care of the roadway that will be segmented in this process. It is just down to Council accepting this property into the political boundaries of the City of Newark.

**Motion Mr. Bubb to send to full Council, second by Mr. Rath**  
**Motion passed by a vote of 5-0.**

2. **Ordinance No. 15-16** changing the zoning classification of certain real property, generally described as 847 West Locust Street, City of Newark, Licking County, Ohio, from that of Single-Family Residence RL – Low Density district, to GO – General Office District was considered.

**Director Rhodes-** there has been a request made to change the zoning classification of this property. It has went through this process once before. It went to the Board of Zoning Appeals where it was declined. This particular property has been operating a daycare out of there. It has come to our attention that we believe the number of children in that home exceeds the amount of children allowed per City Ordinance. We have written letters to that extent and the homeowner has again decided to apply for a zoning change. It is something that I have worked with Mr. Rolletta on and the Zoning Inspector and at this time is not something that the administration is in favor of but the homeowner has every right to again ask this committee to send it to the Board of Zoning Appeals and have it heard by that board. You have the right to send it to the Board of Zoning Appeals or deny it. Mr. Rolletta would you like to speak to it in any way please feel free.

**Mr. Rath-** I have talked to a lot of the residents in this neighborhood. It is a residential zoning and they want to change the zoning in a spot in this neighborhood which would be spot zoning. All the neighbors are opposed to this and were the last time they went through this process. It is spot zoning and not something that we should be doing anyways so I would be in favor of making a motion to adopt so that we can vote this down rather than letting it die.

**Motion by Mr. Rath to send to full Council, second by Mr. Bubb**

**Director Sassen-** just for a point of clarification, our office has received complaints about this because the current zoning allows up to 6 children. We have made movement in the direction of prosecution pending this zoning application. I think this application is a result of the Zoning Inspector making contact and explaining what the current zoning allows. We have held off on filing any charges pending what City Council expresses an opinion on the changing of this zoning. If you look at your Zoning Code there are a variety of things allowed in a General Office District that aren't allowed in a residential district. Zoning would allow an unlimited amount of children. Children Services has a limited number allowable.

**Mr. Cost-** you said that we have been down this road before, has it been an extended time ago or recently?

**Director Rhodes-** within the last couple of years.

**Mr. Cost-** has anything changed about the application, anything they are asking for?

**Director Rhodes-** no there's really not. The wheels of government move slowly in terms of enforcement of things out of line. Enforcement sometimes doesn't come quick enough according to constituents. There are always avenues available such as a zoning change for people to reapply such as this one. Mr. Rath is correct it would be a spot zoning in a residential neighborhood. It is allowable for that person to bring children into the home but the limit is 6. It is our opinion that the limit could be

being exceeded so that is why the Zoning Inspector got involved.

**Mr. Cost-** if we were to approve this it would go to the Planning Commission?

**Director Rhodes-** yes it would come into our committee and I would render an opinion on it.

**Motion failed by a 5-0 vote.**

Bill Cost, Jr- Chair