

PLANNING COMMISSION MEETING
TUESDAY, March 14, 2023 6:00 P.M.
Council Chambers
40 W MAIN ST, NEWARK, OH 43055

AGENDA

1. CALL TO ORDER
2. APPROVAL OF MINUTES FOR THE February 14, 2023 PLANNING COMMISSION MEETING

OLD BUSINESS

There is none this meeting

NEW BUSINESS

LOT SPLIT/COMBINATION FOR 1041 HILLSIDE ROAD

Application Number : PC-23-11

Owner: Donna Buchanon and Dianna Green

Applicant: Dianna Green

Lot Split / Combination for 1041 Hillside Road, Newark

The 1.458 acre parcel at 1041 Hillside Road includes a residence and is in Newark Township. The same owner also owns the adjacent parcel to the west, which is in the City of Newark corporate limits. The request is to split 2.00 acres from the west parcel and combine it with the 1.458 acre parcel in order to sell to a new homeowner owner. The current owner is requesting approval of this split and combination from both City of Newark and also Newark Township / Licking Co. Planning Commission.

MISCELLANEOUS – ADMINISTRATIVE APPROVALS

There are none this meeting

THE NEXT SCHEDULED PLANNING COMMISSION MEETING WILL BE HELD ON TUESDAY, APRIL 11, 2023, 6:00 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS TMONDAY MARCH 20, 2023 4:30 P.M.



Planning Commission
40 West Main St
Newark, Ohio 43055
(740) 670-7516

City of Newark
Planning Commission
Lot Split/Combination/Replat
Application

Office Use Only
Zoning File #
PC Application# PC-23-11
Date Received 3/8/23
Received By DEC
Amount Due: \$20.00
Paid By: (Circle One) Cash
Check #

Rev 2/13

www.newarkohio.net/government/boards/commissions/planning-commission

Application Type																																																					
<input checked="" type="checkbox"/> Lot Split	<input checked="" type="checkbox"/> Lot Comblnation	<input type="checkbox"/> Replat																																																			
Owner																																																					
Property Owner: <u>Donna Buchanan, DiAnna Green;</u>			Telephone: <u>740 403-1042</u>																																																		
Address: <u>1041 Hillside Rd</u>		E-mail: <u>digreene@windstream.net</u>																																																			
City: <u>Newark</u>	State: <u>OH</u>	Zip: <u>43095</u>	Fax:																																																		
I would prefer to have Agendas mailed rather than e-mailed <input type="checkbox"/>																																																					
Applicant/Representative																																																					
Representative: <u>DiAnna Green</u>		Same as above <input checked="" type="checkbox"/>	Telephone:																																																		
Address: <u>5125 Franks Rd</u>		E-mail: <u>kellyparker@howardhanna.com</u>																																																			
City: <u>Newark</u>	State: <u>OH</u>	Zip: <u>43054</u>	Fax:																																																		
I would prefer to have Agendas mailed rather than e-mailed <input type="checkbox"/>																																																					
Property Location (P1 is Parcel #1, etc.)																																																					
Street Address: <u>1041 Hillside Rd</u>		Current Zone: (P1) <u>MFC</u> (P2) <u>N/A</u> (P3) <small>(abbreviated Zoning Classification from Zoning Code 08-33)</small>																																																			
Parcel Tax ID(s) #: (P1) <u>200</u> from <u>05428412</u> <u>487.000</u> <u>058286692</u> (P3) <u>0116</u>																																																					
Lot Number(s): (if applicable) (P1) <u>4</u>		(P2) <u>10872</u> (P3)	# of acres: <u>2</u>	Property Platted? Yes <input type="checkbox"/> No <input type="checkbox"/>																																																	
Property Use (P1 is Parcel #1, etc.)																																																					
Present Use: (Please indicate which property).		Proposed Use: (Please indicate which property).																																																			
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Property Type</th> <th>P1</th> <th>P2</th> <th>P3</th> <th>Structure?</th> </tr> </thead> <tbody> <tr> <td>Vacant Land</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Yes</td> </tr> <tr> <td>Commercial</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Yes</td> </tr> <tr> <td>Residential</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/> Yes</td> </tr> <tr> <td>Industrial</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Yes</td> </tr> </tbody> </table>	Property Type	P1	P2	P3	Structure?	Vacant Land	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	Commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	Residential	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes	Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Property Type</th> <th>P1</th> <th>P2</th> <th>P3</th> <th>Structure?</th> </tr> </thead> <tbody> <tr> <td>Vacant Land</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Yes</td> </tr> <tr> <td>Commercial</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Yes</td> </tr> <tr> <td>Residential</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/> Yes</td> </tr> <tr> <td>Industrial</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Yes</td> </tr> </tbody> </table>			Property Type	P1	P2	P3	Structure?	Vacant Land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	Commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	Residential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes	Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes
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Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes																																																	
Additional Comments																																																					
Reason for Request: <u>To include garage and land with lot # 10872.</u>																																																					

Required Documentation and Process Overview

- Obtain a Tax Map and Auditor's Parcel Numbers. Contact the Licking County Engineer's Office or visit <http://www.lcounty.com/Treasurer> to printout Real Estate Tax parcel information and a parcel map. The Licking County Engineer's Office is located at 20 South 2nd St (3rd Floor) Newark, OH 43055 (740) 670-5280.
- Contact a Registered Surveyor to obtain a Survey Drawing with Legal Description for the proposed new parcels. *Note: the survey should show the property as if the proposed split/combo were approved.*
- Call the Newark City Engineering/Zoning Department to schedule a Zoning Review. (740) 670-7727. The Newark City Engineering/Zoning Department is located at 40 W. Main Street (2nd Floor) Newark, OH 43055 *Note: an Engineering/ Zoning Authorization Signature is required on this applicallon. See below:*
- Submit all application materials and fee to the Newark City Engineering/Zoning Department for inclusion on a Planning Commission Agenda. *Note: a \$20.00 fee must accompany this application. Make checks payable to "City of Newark."*
- Attend the Planning Commission Meeting held in Newark City Council Chambers, 40 W. Main Street (1st Floor) to request approval of the split/combination/replat. (If approved, a signed copy of this application will be e-mailed to you unless you indicated you prefer mailed correspondence.) *Note: be prepared to answer Planning Commission Member's questions regarding your application*

Owner Acknowledgement

I hereby certify that the informallon provided in this application is true and factual to the best of my knowledge.

Property Owner Signature: DeAnne Aron Date: 3/8/23
 Representative Signature: _____ Date: _____

Engineering/Zoning Authorization – Office Use Only

Approved Denied Approved with Conditions

Engineering Signature: _____ Date: _____
 Comments/Conditions: _____

Planning Commission Authorization – Office Use Only

Approved Denied Approved with Conditions

Planning Director Signature: _____ Date: _____
 Comments/Conditions: _____

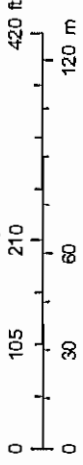
After Planning Commission Approval:

- Contact a Title Company or Attorney to draw up new deed(s) for the new or changed parcels.
- Visit the Licking County Engineer's Office to begin the instrument recording process. The Licking County Engineer's Office is located at 20 South 2nd St (3rd Floor) Newark, OH 43055 (740) 670-5280.



March 9, 2023

1:2,256



1 in = 188 ft



Michael L. Smith, Auditor
Roy Van Atta, Treasurer

- Map
- BOR
- Card
- CAUV
- Documents
- Land
- Parcel
- Pictometry
- Sketch
- Street View
- Structures
- Taxes
- Transfers
- Values
- Help
- Login

- 3D CAUV
- Drag
- Layers
- Download
- Form
- GIS
- Home
- Other
- Total

FIND YOUR PARCEL

Parcel ID:

058-286692-01.016
BUCHANAN DONNA J & GREEN DIANNA L & KENDALL DAWN R TRUSTEES
 1041 HILLSIDE RD
 NEWARK, OH 43085

Acres: 1.69
 LOT 10872 BRIARHILL
 ADD AMENDED

Land: \$50,400
 Improv: \$403,400
 Total: \$453,800

Transfer Date: 03/08/2023
 Amount: \$0
 County: 22222
 Valid ESRI: No
 Homestead: No
 Dying Child: No
 Foreclosure: No
 Certified Deed: No
 On Contract: No
 Bankruptcy: No
 Tax Lien: No

Mobile Version



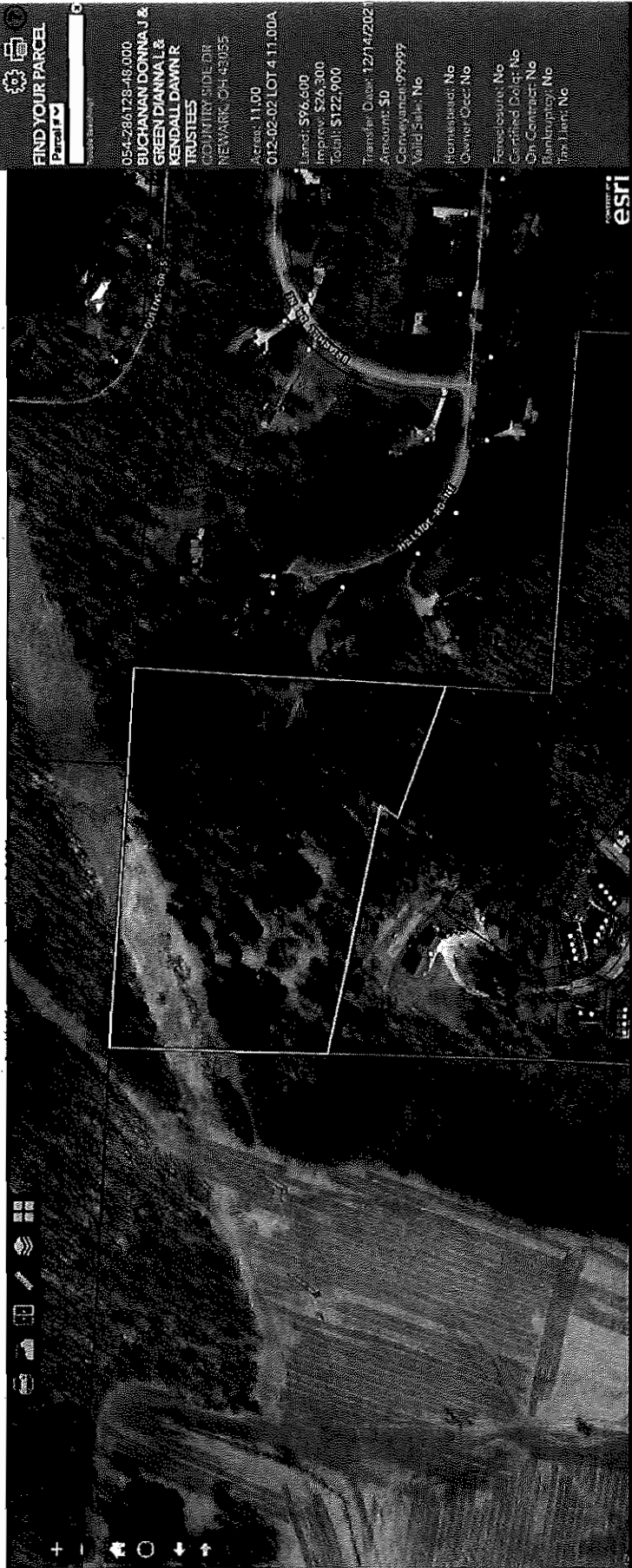
Michael L. Smith, Auditor
Roy Van Atta, Treasurer



BOR CAUV Dog License Deednotes Farms GIS Homepages Taxes Chtr

Find Your Parcel

- Map
- BOR
- CAUV
- Documents
- Land
- Map
- Parcel
- Pictometry
- Sketch
- Street View
- Structures
- Taxes
- Transfers
- Values
- Help
- Login



FIND YOUR PARCEL

Parcel ID

054-286128-48.000
**BUCHANAN DONNA J &
GREEN DIANNA L &
KENDALL DAWN R**
TRUSTEES

COUNTRY SIDE DR
NEWARK, OH 43055

Acres: 11.00
012-02-02 LOT 4 11.00A

Land: \$96,600
Impro: \$26,300
Total: \$122,900

Transfer Date: 12/19/2023
Amount: \$0
Conveyance: 999997
Valid Sale: No

Homebased: No
Overl: Occ: No

Fenced: No
Gasified: No
On Contract: No
Bankruptcy: No
Tax Lien: No

Mobile Water

Full Screen

Show All

From: Henderson, Javon <JHenderson@LickingCounty.gov>
Sent: Wednesday, March 1, 2023 8:56 AM
To: ENG-Brian Morehead
Cc: Paul Boeshart; ENG-George Carter
Subject: RE: 1041 Hillside Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Brian,

We are waiting for approval from you and the Township Zoning Inspector before we can proceed any further. Paul will also need to submit the replat application to my office once things are good to go on that end.

Best,

Javon T. Henderson | Assistant Planner
Licking County Planning Commission
jhenderson@lcounty.com | 740-670-5205

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From: ENG-Brian Morehead <BMorehead@newarkohio.net>
Sent: Tuesday, February 28, 2023 3:04 PM
To: Henderson, Javon <JHenderson@LickingCounty.gov>
Cc: Paul Boeshart <piboeshart@hotmail.com>; ENG-George Carter <gcarter@newarkohio.net>
Subject: RE: 1041 Hillside Drive

Javon,

Just checking on this lot split / combination to see if you have moved it forward, or are waiting on us?

I plan to have our PC discuss it next meeting on 3/14 for a formal approval.

Although an odd situation and not what we would prefer, I don't think I can recommend against it.

Brian

From: Henderson, Javon <JHenderson@LickingCounty.gov>
Sent: Wednesday, February 8, 2023 9:28 AM
To: ENG-Brian Morehead <BMorehead@newarkohio.net>
Cc: Paul Boeshart <piboeshart@hotmail.com>; ENG-George Carter <gcarter@newarkohio.net>
Subject: RE: 1041 Hillside Drive

Brian,

Below in blue is the text that may answer your questions, if you have any other questions or concerns please let me or my office know.

How do we deal with zoning issues, who's rules apply? Is there some sort of an agreement that you've seen used in past situations? Is annexation of original lot 10872 the solution, to make it all in the City?

- I cannot speak to the City of Newark Zoning Code, but the township zoning codes, including Newark Twp., have the following clause or something similar.

Section 2.0 Provisions Declared Minimum Requirements

In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Wherever the requirements of this resolution conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standards shall govern.

Basically, the property owner has to comply with both entities. Therefore, the greater/more restrictive standard applies when dual entities have differing standards for the same element. For example, front yard setbacks. If the City of Newark has a 20 foot front yard setback from the road right-of-way and Newark Township has a 35 foot front yard setback from the road right-of-way, then the property owner would have to have a minimum front yard setback of 35 feet.

Generally don't have an issue with Parcel 3 providing access to Parcel 2. Parcel 3, as access to the remaining Parcel 2, also has the same split jurisdiction issue. Are the rules for curb cuts, etc in the township different enough that could cause an issue?

- Because the frontage is in Newark, Township, the property owner would get a driveway permit from the Licking County Engineer's Office and a permit to work in the Road Right-of-Way from Newark Township to install any approved driveway and culvert.

We're sensitive to this because we have a few split jurisdiction issues now between Newark and Heath, and the property owner plays one against the other, property maintenance and zoning rules for instance.

- Generally, if the portion of the property in the City of Newark Jurisdiction would be subject to the City of Newark's rules, and the property in Newark Twp. Jurisdiction would be subject to Newark twp. Rules. When both have regulations for the same element such as setbacks, the greater/more restrictive standard applies.

Best,

Javon T. Henderson | Assistant Planner
Licking County Planning Commission
jhenderson@lcounty.com | 740-670-5205

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From: ENG-Brian Morehead <BMorehead@newarkohio.net>
Sent: Tuesday, February 7, 2023 4:34 PM
To: Henderson, Javon <JHenderson@LickingCounty.gov>
Cc: Paul Boeshart <pjboeshart@hotmail.com>; ENG-George Carter <gcarter@newarkohio.net>
Subject: RE: 1041 Hillside Drive

Javon,

I totally get the idea behind this, and would want to do the same if I lived there and owned the land behind me. The corporate boundary is the sticking point.

So this will end up with lot 10872-A being half in the township, half in the City, which raises some questions for us going forward:

How do we deal with zoning issues, who's rules apply? Is there some sort of an agreement that you've seen used in past situations? Is annexation of original lot 10872 the solution, to make it all in the City?

Generally don't have an issue with Parcel 3 providing access to Parcel 2. Parcel 3, as access to the remaining Parcel 2, also has the same split jurisdiction issue. Are the rules for curb cuts, etc in the township different enough that could cause an issue?

We're sensitive to this because we have a few split jurisdiction issues now between Newark and Heath, and the property owner plays one against the other, property maintenance and zoning rules for instance.

If you guys have any examples (other places in the county) of how to make this work, we'd be interested.

Brian

From: Henderson, Javon <JHenderson@LickingCounty.gov>
Sent: Monday, February 6, 2023 8:39 AM
To: ENG-Brian Morehead <BMorehead@newarkohio.net>
Cc: Paul Boeshart <pjboeshart@hotmail.com>
Subject: 1041 Hillside Drive

Brian,

Please see the attached replat for review. I have also cc'd Paul in case you have any questions for him.

Best,

Javon T. Henderson | Assistant Planner
Licking County Planning Commission
jhenderson@lcounty.com | 740-670-5205

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