

Newbury Township Board of Zoning Appeals

Minutes 2/19/2019

William Prots (Ramble Inn) Conditional Use Renewal Hearing CU 19-004

The Newbury Township Board of Zoning Appeals public hearing was called order by Mr. Lou Tomsic, Chairman, at 7:30 p.m. On February 19, 2019 with board members, Mary Lee Brezina, Karen Endres, Chris Yaecker and Mike Fenstermaker. All in attendance who wished to speak at this hearing were duly sworn and asked when testifying to the state their name and confirm being sworn in. Mr. Tomsic said the BZA procedures would be followed and that the hearing was being recorded He verified that notices were advertised and mailed. He read the applicants Conditional Use request.

Mr. Tomsic stated that this is a Renewal for a Conditional Use for William Prots who requests a renewal of his Conditional Use for a restaurant/ Tavern with an outdoor patio at 10311 Kinsman Rd. Newbury, Ohio. All interested parties have be notified and advertised as required. The property is leased from John and Stephanie Sutter.

William Prots stated that everything is the same. They have not changed the way they operate. There is absolutely no drugs sold on the patio. We are the good bar. The design has not changed, nor has the square footage. The fence may be a little higher than what was original for aesthetics. Fence is 6' 3". Ms. Endres asked if there had been any complaints.

Mr. Prots stated that there have been no complaints to his business to his knowledge. No DUI's as a result directly coming out of his place. We take the keys, do not let people drive home drunk, again, we are the good bar in town.

Mrs. Endres inquired about his business plan and how close they have come. In the first hearing you were hoping to go 70% food, 30 % alcohol.

Mr. Prots stated that right now it is 55% food, 45% alcohol.

Mrs. Endres stated that in years past you were hoping to purchase the property.

Mr. Prots stated that the Sutter's wanted 20% more than the property was appraised. So at this time that they are not interested.

Mrs. Endres inquired if they would still like to purchase.

Mr. Prots stated that the purchase price had to be right.

Mr. Yaecker asked if the property needed any immediate repairs.

Mr. Prots has asked the property owners to split the cost of paving. However they declined. He is planning on putting down fresh limestone in the summer. Septic is working, up to code. Just re-did the well, the EPA was out to inspect one month ago. Water sample passed. One renter upstairs. The upstairs apartments are not include in his lease. They are separate and handled by the Sutters. They only rent the ground floor.

Mrs. Endres stated that they are 1 of 3 potential tenants. Inquired about people cutting through on his property.

Mr. Prots said it is not a problem, they cannot get through because of patio and trailer in the back and customers parking in front.

Mr. Tomsic inquired about any expansion.

Mr. Prots stated they want to do the drive, but they will not expand the building or change the plumbing

because they do not own the building.

Mrs. Endres inquired about the liquor license.

Mr. Prots stated that it is renewed every year, and that every 5 years they do a full inspection.

Mr. Tomsic stated that there were on conditions on the original permit, it has been status quo for 18 years with no complaints.

Karen Endres moves to approve the Renewal of the conditional use permit for William Prots to operate the Restaurant and Tavern with an outdoor patio at 10311 Kinsman Road in the manor it has been running for the past several years. The conditional use would be good for a period of 5 years starting at the time the minutes are approved, with the condition that all conditions are observed that govern a conditional use to be maintained.

Chris Yaeger seconds. Voting as follows:

Roll Call:

Karen Endres	Yes
Chris Yaecker	Yes
Mary Lee Brezina	Yes
Mike Fenstermaker	Yes
Lewis Tomsic	Yes

Mr. Tomsic read to the Appellant and Audience, "Within 30 days after service for the minutes granting your request, if someone wishes to challenge this decision through the court, he or she may. The required permit can be issued once all requirement regarding this application are satisfied, although if you plan construction it is recommended you wait 30 days before proceeding. The challenge could reverse or negate our decision. At the time you receive your permit you must also comply with all other requirement of Newbury Township zoning"

Mr. Tomsic told the applicant the board will meet in March 5 at 7:30 to approve minutes.

Lou Tomsic adjourned the BZA hearing at 8:00 p.m.

Signatures of the Newbury Board of Zoning Appeals:

Lewis Tomsic, Jr. Chairman

Chris Yaecker

Karen Endres

Mary Lee Brezina

Mike Fenstermaker

Sue Wagner, Secretary BZA

