

CU01-161101
Lori Bieber
10415 Sherman Rd.
Chardon, OH 44024

The Newbury Township Board of Zoning Appeals public hearing was called to order by Mr. Lou Tomsic Chairman, a 9:00 p.m. on November 1, 2016 with board members Mary Lee Brezina, Karen Endres, Ed Meyers and Chris Yaecker present. All in attendance who wished to speak at this hearing were duly sworn and asked when testifying to state their name and confirm being sworn in. Mr. Tomsic read the BZA procedures to be followed and confirmed the notice had been advertised, neighbors notified and was now being recorded. Mr. Tomsic read the applicant's variance request:

Lori Bieber requests a Conditional Use Permit to operate a veterinary hospital (per Art. VI, Sec.6.04 G,) on parcel 23-136400 at 11423Kinsman Rd. in the B-1 Commercial District.

Mr. Tomsic asked the applicant to state her case.

Ms. Bieber said she has run her veterinary hospital in So. Russell since 1999 and would now like to own her own property. She had looked at property in Bainbridge but found this Kinsman Rd. property better suited to her needs.

She would renovate the interior using a design-build firm specializing in veterinary hospitals. Dogs and cats needing surgery and subsequent care would all be housed indoors. Dogs may be walked outside but there would be no outside kennels.

At this point, Lisa Toohig from the audience, said she was there just to verify there would be no outside kennels (also worried by other neighbors) and left the hearing.

Mr. Meyers asked if the same operations would be carried out as now done in So. Russell – Ms. Bieber answered yes.

Mr. Walker said he would be involved in the site preparation and obtaining required building permits but the purchase was all contingent on obtaining zoning approval.

Ms. Endres asked if he would comply with requirements for parking, signs and others outlined on page 80 of Art. VI - he replied he would comply.

Mr. Meyers agreed the present 17 spaces met the off-street parking requirement.

Mr. Yaecker asked Ms. Bieber who confirmed the changes proposed would all be interior with no outside changes. There is a rear shed in bad shape that they intend to tear down. A new septic system will be required. Water quality tests will be made. The well access is now indoors.

Mr. Joyce confirmed the current buildings are well within the lot coverage requirement. Ms. Bieber said she would like to add some landscaping bushes in front of the building. The new sign would be mounted on the building.

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Ms. Endres summarized the Conditional Use:

- 1) A veterinary hospital was an approved use in the commercial district,
- 2) There was no opposition from any attendee,
- 3) Signs and parking are in conformance,
- 4) Lot coverage is within limits,

Mr. Tomsic called for a motion stating that a yes vote would grant the Conditional Use.

Karen Endres moved to approve the Conditional Use as requested per the plan submitted 10/3/16 & 10/18/16 with the following conditions:

- 1) There will be adequate off-street parking, and
- 2) The applicant will comply with all sign regulations.

Ed Meyers seconded the motion with the vote as follows:

Karen Endres	yes
Ed Meyers	yes
Chris Yaecker	yes
Mary Lee Brezina	yes
Lou Tomsic	yes

Mr. Tomsic informed the applicant the Conditional Use was approved.

Mr. Tomsic read to the Appellants and audience, “Based on the decision of the Board, you may proceed with obtaining your permit, once all requirements regarding this application are satisfied. You are advised if someone objects to this decision they may challenge it in court. The challenge could reverse or negate our decision. If you choose to start operating at once, as soon as you begin your business you are bound by the conditions set forth by this Board, and all other Newbury Township zoning requirements.” It was pointed out that the Board must sign the meeting minutes within 30 days and that the 30-day period during which an appeal could be filed starts on the date of such signing.”

The board wished the applicant good luck in her new venture.

The board agreed to hold hearings on the first and third Tuesday of the month. These minutes will be signed on November 15, 2016 at 7:30 p.m.

Mr. Tomsic adjourned this BZA hearing at 9:20 p.m.

Marge Hrabak, Secretary

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Signatures of the Newbury Board of Zoning Appeals:

Lou Tomsic, Jr., Chairman

Chris Yaecker,

Karen Endres,

Ed Meyers, V. Chairman

Mary Lee Brezina

Marge Hrabak, Sec'y BZA
Date: _____