



Newbury Township

14899 Auburn Road

Newbury, OH 44065

Phone: 440 564 5997

Fax: 440 564 7512

Board of Zoning Appeals Meeting Record of Proceedings

Date

7:00pm

Zoning Hearing regarding: CASE NO. BZA -2026-01

Zoning Certificate Application No. BZA-2026-01

Property Address: 15160 Auburn Rd Newbury, Ohio 44065

Board of Zoning Appeals Members present:

Mike Fenstermaker

Lewis Tomsic Jr. , Chairman

Dave Fabig

Scott Koller

Albert Hehr

Jay Jones (alternate)

Board of Zoning Appeals Members absent:

n/a

Staff / other officials

Nick Bellas- Zoning Inspector.

Amy Lydan- secretary

Greg Tropf- trustee liaison

Applicant/Guests Present:

Cathleen Mathews

Donna Hawkins

Raymundo Soto

Ken Moses

J.L. Holden

Nick Goris

Larry Green

Jonathan Tiber

Roll was taken and attendance is reflected as stated above

Board of Zoning Appeals (BZA) Chairman Lewis Tomsic Jr. called the meeting to order at 7:00 p.m., and stated:

“Good evening. This is a meeting of the Newbury Township Board of Zoning Appeals. Before proceeding I will read a brief overview of tonight's hearing. The Board of Zoning Appeals is a quasi-judicial body, and as such, its role is similar to a Judge – in a court case. We hear evidence and make decisions based upon the facts presented, the rules set forth in the resolution and the principles of law. As a quasi-judicial body, we keep our procedures relatively informal. However, in order to conduct an orderly meeting and allow all interested parties an opportunity to present the evidence necessary to assist us in making our decision, certain procedures will be followed.

Please keep in mind that the applicant has the burden to produce evidence in support of the application, and the burden to persuade the Board that the evidence justifies the action being asked to take. The Board will not make the applicant's case for him.

This meeting will be recorded. In order to prepare appropriate meeting minutes, any person who speaks will slowly state for the record his/her name and address.

Both the Board and the applicant may request to continue a matter to a future date.”

Mr. Tomsic asked the audience member(s) present, if they wanted to speak - to raise their right hand. Mr. Tomsic swore in:

Cathleen Mathews

Donna Hawkins

Raymundo Soto

Ken Moses

J.L. Holden

Nick Goris

Larry Green

Jonathan Tiber

Mr. Tomsic asked if all of the interested parties were notified

The Board Secretary and stated that yes, all interested parties were notified.

Notable minutes as to what transpired at the hearing.

Hearing for applicant James Holden

Mr. Tomsic- Is Mr. Holden here?

Mr. Holden- yes

Mr. Tomsic- ok, your here for a home occupation application to run a gunsmithing business in a detached garage. The floor is yours. Explain to us what you have going on.

Mr. Holden- I've been a firearms dealer since 1990 and have been in gun shops since the late 60s. My specialty was working with law enforcement setting up firearms for swat teams and agencies. I still service a lot of those firearms. My shop is in Bedford but the building closed and I had to move. I would like to do service work in my barn. I wont do any sales. People will just drop off for repair.

Mr. Tomsic- will there be any test firing?

Mr. Holden- (pointed to a building on projected property map) That is a firing range building. I will test fire there.

Mr. Tomsic- any questions?

Mr. Koller- are there any neighbors?

Mr. Hehr- what is the variance for?

Mr. Bellas- its under class II home occupation

Mr. Tomsic- Its a conditional use and will be reviewed every 5 years. None of the neighbors are here.

Mr. Bellas showed additional parcels owned by the applicant on the screen.

Mr. Holden- one parcel is 3 acres and the other is 5.

Mr. Tomsic made a motion to accept the home occupation as presented

Mr. Hehr seconded the motion

Chairman Mr. Tomsic called for a roll call vote regarding the motion on the table.

The Board Secretary conducted a voice vote roll call.

Mr, Fenstermaker – yes

Mr. Koller – yes

Mr. Tomsic- yes

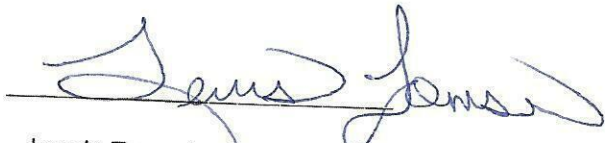
Mr. Fabig- yes

Mr. Hehr- yes

Motion Passed

All were in favor, and the Motion was approved

Meeting adjourned by Mr. Tomsic at 7:50 pm




Lewis Tomsic, Jr., Chairman



Mike Fenstermaker



Scott Koller




Albert Hehr



Dave Fabig

Jay Jones



As approved by: Amy Lydan, BZA Secretary