

Date: October 19, 2022

To: Mayor and Members of City Council

202201902

From: Sheryl M. M. Long, City Manager

Subject: **Liquor License – Transfer of Ownership**

FINAL RECOMMENDATION REPORT

OBJECTIONS: Cincinnati Police Department, Department of Buildings & Inspections

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 6589523
PERMIT TYPE: TRFO
CLASS: D5 D6
NAME: OTI LLC
DBA: OLD TIMBER INN
4330 SPRING GROVE AV
CINCINNATI, OH 45223

On August 31, 2022, Spring Grove Community Council was notified of this application and do not object.



Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: October 21, 2022

Date: September 15, 2022
To: Lieutenant Colonel Teresa A. Theetge, Interim Police Chief
From: Sergeant Craig R. Copenhaver, District 5 Violent Crimes Squad
Copies to:
Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 22-418

DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Five

PERMIT #: 2686074

TYPE OF PERMIT APPLIED FOR: Transfer of Ownership

PERMIT NAME & ADDRESS:

Name:	OTI LLC
Address:	4330 Spring Grove Av

APPLICANTS NAME(S): Daniel Mouch

INSPECTION / INVESTIGATION INFORMATION:

Officer:	P. O. Jennifer Hoff
Date:	09/15/2022
Findings:	<p>Officers conducted an inspection at the Old Timber Inn at 4330 Spring Grove Av for the application of a D5 and D6 liquor permit. The equipment and fixtures on the premises were not structurally sound or clean. The electrical system was not safe, there were open electronic boxes behind the bar. There was clutter and trash in the back area. The coolers and freezers were not sanitary or running throughout the bar. The two bathrooms were not sanitary. The women's sink had a link which prohibited the flow of water out of the faucet. The liquor license had an incorrect date printed on it and stated that they applied for the license on 6/01/2021 however this owner did not purchase this bar until February of 2022. The owner believes it was a misprint and has agreed to call for a corrected license. There is no food license because the health department has not been out to this location yet. The owner stated the health department will be out sometime within the next few weeks. They have yet to create a menu and therefore had no prices listed. This bar is not operating yet and still needs some more work. The owner was very compliant and has agreed to fix all of these issues by 10/14/22.</p>

COMMUNITY COUNCIL NOTIFIED:

Name 1: Sarah Thomas	Date: 9/15/2022	Notified by: phone
Phone: 5132533480	E-mail:	

Name 2:

Date:

Notified by: (select from menu)

Phone:

E-mail:

DISPOSITION OF THE COMMUNITY COUNCIL:

NO OBJECTIONS OBJECTION: Attached Letter with Community Council Letterhead

DISPOSITION OF THE DISTRICT:

NO OBJECTIONS OBJECTION: If objection checked, a narrative is required below

REASON FOR OBJECTION:

The owner is very cooperative and has agreed to fix all of the problems and I am confident that he will. Until he does fix the problems, I object to the liquor permit. I told the owner I would return 10/14/22 to see if he is compliant and if he is then he has been advised to reapply. This owner bought the property after the original owner passed away. The property had not been very well maintained so the new owner has been working very hard to get it in good working order but he needs more time before its safe and clean.

CAC
JNH/CRC



9/20
OBJECTION
MULTIPLE ISSUES NOTED
CAC/48

City of Cincinnati



September 28, 2022

To: Teresa Theetge, Interim Police Chief
From: Eugene Lackey, Division Manager, Permits & Inspections
Submit: 4330 SPRING GROVE AV - Liquor License Application

Investigations discloses that the Liquor License be **DISAPPROVED**

**OTI LLC
DBA OLD TIMBER INN
4330 SPRING GROVE
CINCINNATI OH 45223**

The above location meets building and zoning requirements, and the application is approved from those standpoints.

Application No: 6589523

Permit Type: TRFO D5 D6

Name: **OTI LLC
DBA OLD TIMBER INN
4330 SPRING GROVE
CINCINNATI OH 45223**

A handwritten signature in blue ink that reads "Eugene Lackey".

**Eugene Lackey
Division Manager
Department of Buildings & Inspections**

EL/tjl



September 30, 2022

**OTI LLC
DBA OLD TIMBER INN
4330 SPRING GROVE
CINCINNATI OH 45223**

Dear Applicant:

This Department was recently required to recommend approval or disapproval of your Liquor License Application application at 4330 SPRING GROVE AV

Investigation discloses that the application is **DISAPPROVED - Unacceptable fire separation and door hardware, IBI inspection required, Exits obstructed**

A copy of this correspondence is being sent this date to the Police Department apprising them of these requirements.

If you need additional information regarding this matter, please contact **George Duesing** Building Inspector, at **513-615-5458** , Monday thru Friday.

Sincerely

A handwritten signature in blue ink that reads "Eugene Lackey". The signature is written over a horizontal line.

**Eugene Lackey
Division Manager
Department of Buildings and Inspections**

EL/tjl



Address: 4330 SPRING GROVE AV
 No: 2167
 Date: 8/31/22
 Due Date: 8/14/22
 Inspector: GDUEBING
 License Type: LIQUOR

ZONING				
Zoning	<u>MG</u>			
Permitted	Limited	Limitations	Legal Non-Conforming	Additional Notes
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
INSPECTIONS				
PMCE Orders	Order #	Type of Construction	Accessed Property?	Called owner for entry?
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		<u>MASONRY</u> <u>3B</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Area Dimensions Length: <u>80'</u>		Width: <u>60'</u>	Area: <u>4800</u>	sq. ft.
Last Approved or Permitted Use		Other Uses in the Building:		Prior Use of Area:
<u>Restaurant/Bar</u>		<u>2nd Floor Apartment</u>		
Story of Proposed Use:				
<u>1</u>				
Building Conditions				
Type of Construction	Number of Exits		Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/>	
<u>MASONRY 3B</u>	<u>4</u>			
Electric	Hardware	Sanitary Facilities	HVAC	Exit Signs Emergency Lighting
Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input checked="" type="checkbox"/> Not Acceptable <input type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input checked="" type="checkbox"/> Not Acceptable <input type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Sprinklers	Fire Alarms	Plans Required		Orders being Written?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>
Parking # of parking spaces	<u>Cabaret</u>			
<u>25</u>	Area devoted to (exclude service, mechanical and bath areas)			
Theater # of seats	Dancing (a)	Entertainment (b)	Patron Seating (c)	
Describe all unacceptable conditions identified: <u>Fire Separation, IRI Inspection, Exits obstructed, Door Hardware</u>				

APPROVED
 DISAPPROVED

HENRY SHELTON
 Zoning Reviewed by
Water & Maeller
 Inspector
 Inspecting Supervisor

8/14/22
 Date
9/27/2022
 Date
9/27/2022
 Date

City of Cincinnati

Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

August 29, 2022

OHIO DIVISION OF LIQUOR CONTROL
LICENSING SECTION
NEW PERMIT SECTION
6606 TUSSING ROAD
P O BOX 4005
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 6589523
Permit Type: TRFO D5 D6
Name: OTI LLC
DBA OLD TIMBER INN
4330 SPRING GROVE
CINCINNATI OH 45223

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC
Clerk of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6808 TUSSING ROAD, P.O. BOX 4008
REYNOLDSBURG, OHIO 43068-9008
(614)844-2360 FAX(614)844-3188

TO

6589523		TRFO		OTI LLC DBA OLD TIMBER INN 4330 SPRING GROVE CINCINNATI OHIO 45223
PERMIT NUMBER		TYPE		
06	01	2021		
ISSUE DATE				
08	19	2022		
FILING DATE				
D5	D6	PERMIT CLASSES		
31	066	A	F28161	
TAX DISTRICT		RECEIPT NO.		

FROM **08/23/2022**

2686074				ELMER J FERGUSON ESTATE DBA OLD TIMBER INN 1ST FL & BSMT & BEER GARDEN 4330 SPRING GROVE CINCINNATI OHIO 45223
PERMIT NUMBER		TYPE		
06	01	2021		
ISSUE DATE				
08	19	2022		
FILING DATE				
D5	D6	PERMIT CLASSES		
31	066			
TAX DISTRICT		RECEIPT NO.		



MAILED **08/23/2022**

RESPONSES MUST BE POSTMARKED NO LATER THAN

09/23/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 6589523**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CINCINNATI CLERK OF COUNCIL
CITY HALL
801 PLUM ST ROOM 308
CINCINNATI OHIO 45202**

CLERK OF COUNCIL
29 AUG 22 PM 1:00

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

For City Bulletin

Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 6589523
Permit Type: TRFO D5 D6
Name: OTI LLC
DBA OLD TIMBER INN
4330 SPRING GROVE
CINCINNATI OH 45223

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

08/29/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

09/23/2022