



MORGANTOWN BOARD OF ZONING APPEALS

September 21, 2016
6:30 PM
City Council Chambers

Board Members:

Bill Burton, Chair
George Papandreas,
Vice-Chair
Linda Herbst
Jim Shaffer
Colin Wattleworth

STAFF REPORT

CASE NO: CU16-05 / Mario's Fishbowl / 704 Richwood Avenue

REQUEST and LOCATION:

Request by Mark Furfari, on behalf of Mario's Fishbowl, for conditional use approval of a "Restaurant, Private Club" at 704 Richwood Avenue.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 30, Parcels 30 and 31; B-1, Neighborhood Business District

SURROUNDING ZONING:

B-1, Neighborhood Business District
R-1A, Single-Family Residential

BACKGROUND and ANALYSIS:

According to the petitioner, the Furfaris have operated *Mario's Fishbowl* since 1997 serving beer and wine along with food but not liquor. This establishment has been operating continuously since 1950 under *Mario's Fishbowl* or *Richwood Avenue Confectionary*. Addendum A of this report illustrates the location of the local landmark.

In January 2000 under Case No. CU00-01, the Board granted conditional use approval to Landmark Ventures, LLC for a "Restaurant, Private Club" use for *Crosley's Restaurant* at 616 Richwood Avenue (Tax Map 30, Parcel 32). In 2005, the sit-down type restaurant was changed to a banquet type facility and the establishment was renamed to *Crosley's Banquet Center*.

According to the petitioner, an outdoor patio area was developed in 2014 between the *Mario's Fishbowl* and *Crosley's Banquet Center* establishments. The floor plan associated with the West Virginia Alcohol Beverage Control Administration (WVABCA) issued license for *Crosley's Banquet Center* was extended to include the outdoor patio area. *Mario's Fishbowl* food has been served on the outdoor patio along with beer, wine, and liquor. However, a license to serve liquor inside *Mario's Fishbowl* has not been pursued because the petitioner did not want to change the character of *Mario's Fishbowl* by introducing liquor.

According to the petitioner, *Mario's Fishbowl* recently learned from a WVABCA Enforcement Officer that it is unlawful for a customer to purchase a beer in *Mario's Fishbowl* and carry it to the subject patio, because the patio area falls under the alcohol licensed floor plan for *Crosley's Banquet Center*. After consultation with WVABCA concerning alcohol licensing alternatives, the petitioner has decided to seek to modify the alcohol license for *Mario's Fishbowl* to include liquor.

The sale of liquor in the B-1 District requires conditional "Restaurant, Private Club" use approval by the Board. Addendum B of this report contains excerpts from Article

Development Services

Christopher Fletcher, AICP
Director

John Whitmore, AICP
Planner III

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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1331.06(27) of the Planning and Zoning Code pertaining to “Restaurant, Private Club” uses in the B-1 District.

Section 1331.06(27)(f) requires “Restaurant, Private Club” uses in the B-1 District to provide seating capacity for at least 50 persons and that seats at a bar may not be counted as meeting the minimum seating capacity. On 14 SEP, Staff observed five (5) barstool seats; two (2) five-top tables; two (2) four-top tables; one (1) two-top table; five (5) four-top tables; and, one (1) elongated countertop with six (6) stationary stools and two (2) two-person benches. Excluding the five (5) barstools and considering the ten (10) countertop seats as having a principal purpose of serving meals, *Mario’s Fishbowl* appears to have a seating capacity for 50 persons, which meets the minimum seating capacity. Should the Board grant approvals as requested by the petitioner, Staff recommends that it include a minimum table seating condition to ensure that the spirit and intent of the zoning ordinance is observed and substantial justice done.

STAFF RECOMMENDATION:

The Board of Zoning Appeals must first determine whether or not *Mario’s Fishbowl* is a bona fide restaurant as intended under Section 1331.06(27)(c) of the Planning and Zoning Code. Addendum C of this report provides Staff recommended revisions to the petitioner’s Findings of Fact.

Should the Board determine the *Mario’s Fishbowl* establishment to be a bona fide restaurant and decide to grant the subject conditional use to *Mario’s Fishbowl* as requested, Staff recommends the following customary conditions be included as has been set forth by the Board in conditional “Restaurant, Private Club” uses within the B-1 and B-4 Districts.

1. That the petitioner must maintain compliance with all supplemental regulations set forth in Section 1331.06(27) of the Planning and Zoning Code.
2. That the petitioner must maintain permitting from the Monongalia County Health Department as a “restaurant” under the *Monongalia County Clean Indoor Air Regulations*.
3. That, to sustain the establishment’s obligation to remain a bona fide restaurant, *Mario’s Fishbowl* must be open no later than 11:00 AM Monday through Friday for the purpose of serving lunch.
4. That *Mario’s Fishbowl* maintain a seating capacity for at least 50 persons and that, with the exception of the existing elongated countertop seating, seats at a bar may not be counted as meeting the minimum seating capacity.
5. That the petitioner shall voluntarily submit all necessary financial information to the City for the subject establishment following its first twelve (12) months of operation as a “Restaurant, Private Club” use to ensure compliance with Article 1331.06 (27) (e) provisions, which requires the sale of food and non-alcoholic beverages to comprise a minimum of 60 percent of total gross sales of all food and drink items in each calendar month.

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6. That the beneficiary of this conditional use approval is specific to the business organization (e.g., Landmark Ventures, LLC) that owns the *Mario's Fishbowl* restaurant establishment at the time of this conditional use approval. Said beneficiary may not be transferred without prior approval of the Board of Zoning Appeals.

Attachments: Application and exhibits

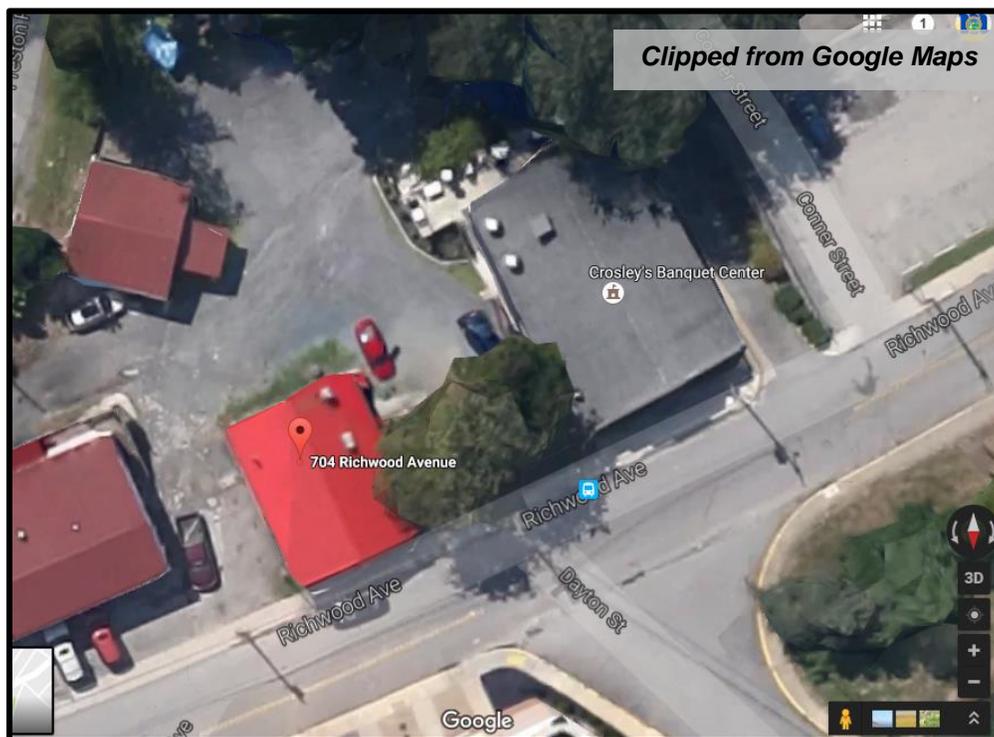
Development Services

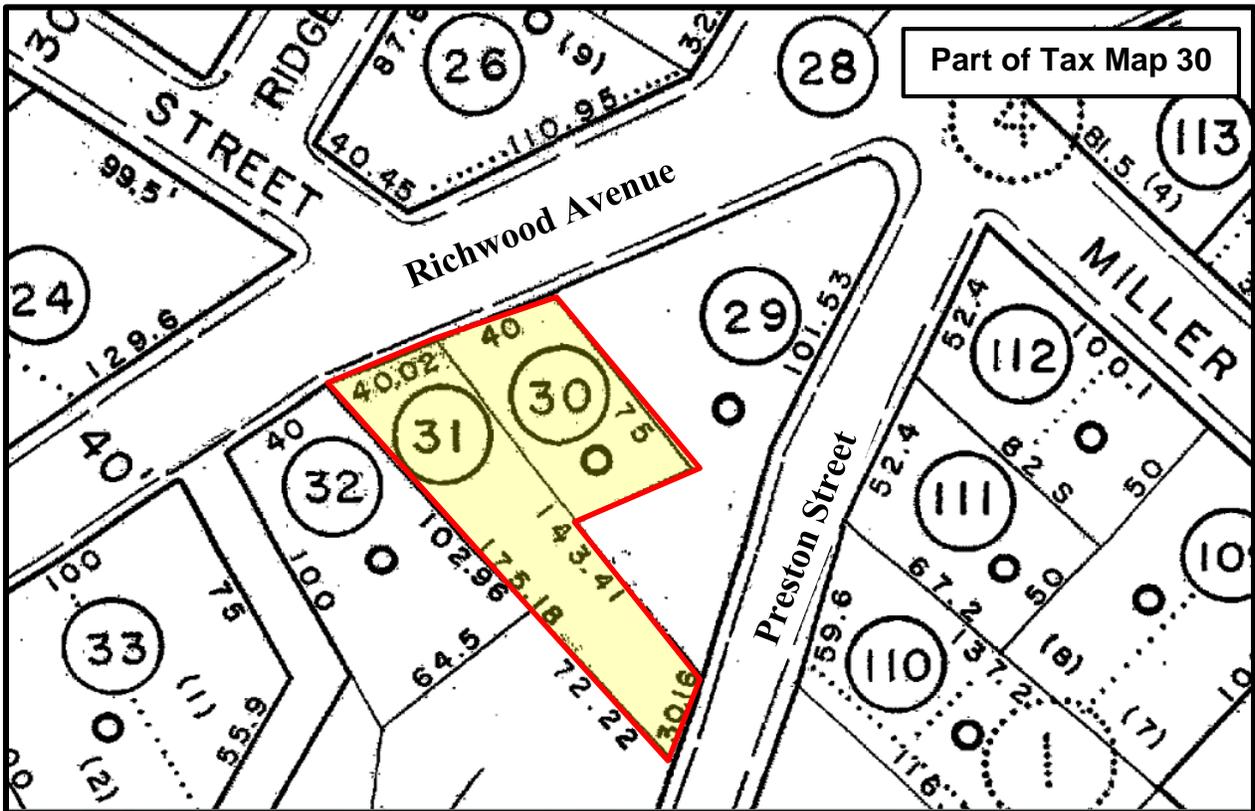
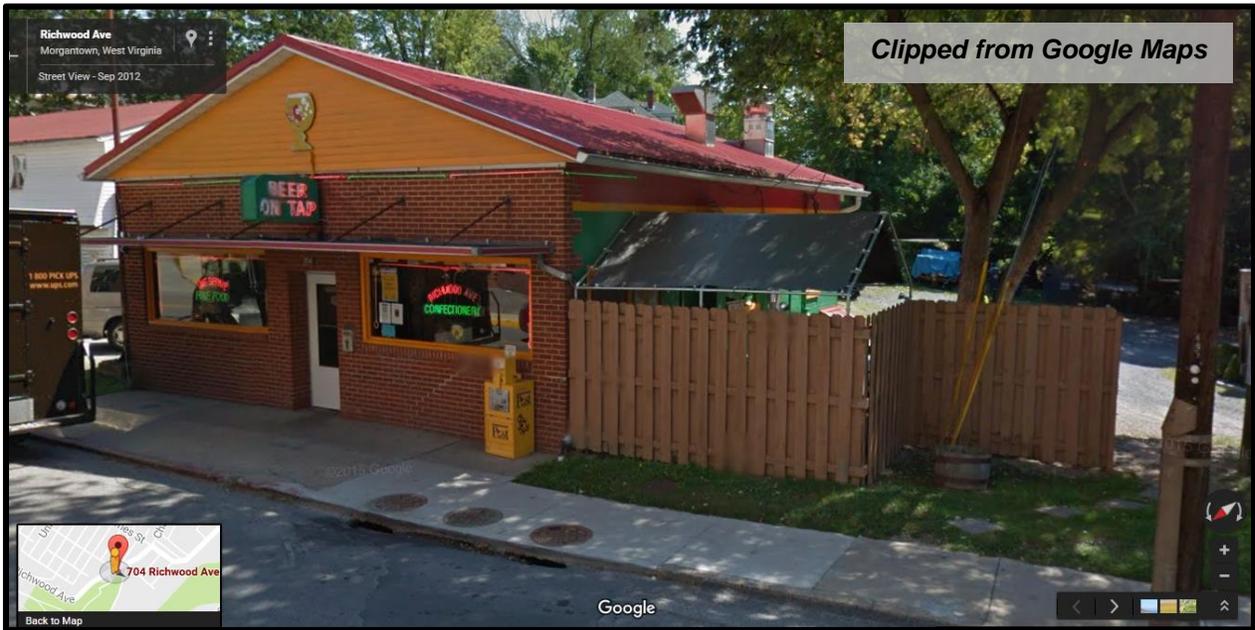
Christopher Fletcher, AICP
Director

John Whitmore, AICP
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389 Spruce Street
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STAFF REPORT ADDENDUM A
CU16-05 / Mario's Fishbowl / 704 Richwood Avenue





STAFF REPORT ADDENDUM B
CU16-05 / Mario's Fishbowl / 704 Richwood Avenue

Article 1331.06 (27) of the Planning and Zoning Code, Supplemental Regulation Pertaining to Permitted Land Use Table provides the following applicable performance standards:

- (a) Such private club shall have as its principal purpose the business of serving meals on its premises to its patrons and to members of such club and their quests. For the purposes of this section, the term "meal" shall be consistent with that of the State of West Virginia as defined in its Legislative Rules and Regulations pertaining to Private Club License and shall not include packaged potato chips and similar products; packaged crackers; packaged nuts; packages desserts (fruit pies, cakes, cookies, etc.); and bar sausages and similar products.
- (b) Such private club with a bar shall post a sign not smaller than three (3) square feet in a prominent location near the bar that states the following: "It is a violation of City Ordinance to serve wine or liquor beverages after 1:00 a.m." (Amended by Ord. 06-14, Passed 06-06-2006.)
- (c) No such applicant may be licensed as a private club under this conditional use that has not been in operation for at least one year as a bona fide restaurant before making application for a license under this conditional use. However, when an applicant owns another bona fide restaurant the same as the one being proposed, the Board of Zoning Appeals may consider the proposed restaurant application on the basis of the existing restaurant which has been in operation for at least one year. In the B-4 district the Board of Zoning Appeals may waive the requirement, to be in business for one year as a bona fide restaurant, when the applicant's written description of the business operations, plus floor plans, demonstrate clearly that the establishment will meet the criteria in this subsection of the ordinance.
- (d) NOT APPLICABLE
- (e) Food and non-alcoholic beverages shall comprise a minimum of 60 percent of total gross sales of all food and drink items in each calendar month.
- (f) Such private club shall provide a seating capacity for at least fifty (50) persons, at a table or counter maintained for the principal purpose of serving meals. Seats at a bar, which is primarily for the serving of alcoholic beverages, shall not be counted as meeting the minimum seating capacity of the establishment. Liquor or wine may be served either at seats intended primarily for dining, or at any bar area within the restaurant, with or without an accompanying meal.
- (g) Liquor or wine shall not be served later than 1:00 a.m., except on New Year's Eve.
- (h) The private club shall, at the time of each sale or at the time of payment, record the amount of revenue derived from the sale of liquor and wine beverages separately from the amount of revenue derived from the sale of food and non-alcoholic beverages.
- (i) During each calendar month, the private club shall maintain and preserve accurate and adequate records including those required by paragraphs (e) and (h) above, to prove compliance to the City's Finance Director, and shall make all such records available for review and audit promptly upon request by the Finance Director. The records for each month shall be preserved for not less than twenty-four (24) months next following.
- (j) Quarterly, the private club shall send to the City Finance Director summaries showing the amount of revenue derived from liquor and wine beverages versus the amount derived from the sale of food and non-alcoholic beverages.
- (k) NOT APPLICABLE

STAFF REPORT ADDENDUM C
CU16-05 / Mario's Fishbowl / 704 Richwood Avenue

Staff recommends the following revisions to the petitioner's Findings of Fact responses (deleted matter struck through; new matter underlined).

Finding of Fact No. 1 – Congestion in the streets is not increased, in that:

The proposed sale of liquor in addition to beer and wine is not anticipated to alter existing on- or off-street parking demand or vehicular trips generated by the *Mario's Fishbowl* restaurant establishment. ~~Large parking lot and street serves business. Parking lot built in 2000.~~

Finding of Fact No. 2 – Safety from fire, panic, and other danger is not jeopardized, in that:

The proposed sale of liquor in addition to beer and wine is not anticipated to alter the character of the landmark establishment described by the petitioner. ~~Adequate exits. Patio outside.~~

Finding of Fact No. 3 – Provision of adequate light and air is not disturbed, in that:

No physical changes to the *Mario's Fishbowl* building are proposed for the sale of liquor that would alter existing sunlight distribution or air flow patterns. ~~No changes.~~

Finding of Fact No. 4 – Overcrowding of land does not result, in that:

No physical changes to the *Mario's Fishbowl* building is proposed for the sale of liquor that would increase the gross floor area of the restaurant establishment or lot coverage or height of the building. ~~No changes.~~

Finding of Fact No. 5 – Undue congestion of population is not created, in that:

No residential component is included in the proposed conditional "Restaurant, Private Club" use. ~~No changes.~~

Finding of Fact No. 6 – Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

The proposed sale of liquor in addition to beer and wine is not anticipated to increase the demand for public goods, services, or utilities above that already serving the existing *Mario's Fishbowl* restaurant establishment and surrounding area. ~~Business operating since 1950. Patio since 2014.~~

Finding of Fact No. 7 – Value of buildings will be conserved, in that:

The proposed sale of liquor in addition to beer and wine is not anticipated to alter the value of the subject building or surrounding B-1 District buildings. ~~Successful business will remain.~~

Finding of Fact No. 8 – The most appropriate use of land is encouraged, in that:

The proposed sale of liquor in addition to beer and wine is not anticipated to alter the existing neighborhood bar and grill landmark of *Mario's Fishbowl*.



City of Morgantown, West Virginia

APPLICATION FOR TYPE IV SITE PLAN - CONDITIONAL USE

OFFICE USE
CASE NO. <i>CU16-05</i>
RECEIVED: <i>7/20/16</i>
COMPLETE: _____

(PLEASE TYPE OR PRINT IN BLACK INK)

75.00 CASH

I. APPLICANT

Name:	<i>MARK V. FORFARI</i>	Phone:	<i>304-292-2511</i>
Mailing Address:	<i>704 RICHWOOD AVE.</i>	Mobile:	<i>304-826-0816</i>
	<i>MORGANTOWN WV. 26505</i>	Email:	<i>FISHBOWL@MOUNTAIN.NET</i>

II. AGENT / CONTACT INFORMATION

Name:		Phone:	
Mailing Address:	<i>Same as above</i>	Mobile:	
		Email:	

Mailings - Send all correspondence to (check one): Applicant OR Agent/Contact

III. PROPERTY

Owner:	<i>LANDMARK VENTURES</i>	Phone:	
Mailing Address:	<i>704 RICHWOOD AVE.</i>	Mobile:	<i>Same</i>
	<i>MORGANTOWN, WV. 26505</i>	Email:	

IV. SITE

Street Address (if assigned): *704 RICHWOOD AVE* Tax Map #: *30* Parcel #: *30.31*

Zoning: *B-1*

Lot Dimensions: *30* Width: *40* Ft. Depth: *75* Ft. Square Footage: _____ ft.²

Shape of Lot: Corner Interior Through Flag Irregular Non-conforming

Existing Use of Structure or Land: *BEER & WINE RESTAURANT*

Proposed Use of Structure of Land: *RESTAURANT*
PRIVATE CLUB

PAID
BY: *[Signature]*
JUL 20 2016



APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	CUNE-05
RECEIVED:	7/21/16
COMPLETE:	

V. STRUCTURE

Proposed Setbacks: Front: _____ ft. Rear: _____ ft. Side A: _____ ft. Side B: _____ ft.

Proposed Height of Structure: _____ No. of Proposed Off-Street Parking Spaces: _____

No. of Dwelling Units (if applicable): _____ No. of Bedrooms: X No. of Employees: _____

Square Footage of all Proposed Structures (please explain):

EXISTING BUILDING 30'x40'

VI. SITE PLAN

A Site Plan (8 copies), drawn to scale, that includes the following elements must accompany the application if not provided above in Sections IV and V:

- (a) The actual dimensions, size, square footage, and shape of the lot to be built upon as shown on an actual survey by a registered design professional licensed by the State of West Virginia.
- (b) The exact sizes and locations on the lot of existing structures, if any;
- (c) The location, square footage, and dimensions of the proposed structure or alteration;
- (d) The location of the lot with respect to adjacent rights-of-way;
- (e) The existing and proposed uses of the structure and land;
- (f) The number of employees, families, housekeeping units, bedrooms, or rental units the structure is designed to accommodate;
- (g) The location and dimensions of off-street parking and means of ingress and egress for such space;
- (h) Height of structure;
- (i) Setbacks;
- (j) Buffer yard and screening, if applicable;
- (k) Location of garbage collection area and screening;
- (l) Location of existing and/or proposed signs, if applicable;
- (m) Roadway typical detail for internal roadways, if applicable;
- (n) Location and size of stormwater management facilities; and,
- (o) Utility lines and easements, if applicable.



City of Morgantown, West Virginia

APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	C116-95
RECEIVED:	7/20/16
COMPLETE:	

VII. SUPPLEMENTAL PLANS AND EXHIBITS

Applicants **MUST** also submit the following plans and exhibits, unless waived by the Planning Director:

- (a) Drainage plan and drainage calculations that bear the name, address, signature and seal of a registered professional engineer licensed by the State of West Virginia, with floodplain zones clearly denoted, a typical of all swales, and a design of the drop inlets.
- (b) If applicable, design of stormwater management facilities and drainage calculations that bear the name, address, and seal of a registered professional engineer licensed by the State of West Virginia that meet the requirements of the City Zoning Ordinance, the City Stormwater Management Ordinance, and all other applicable local, state and federal regulations.
- (c) Parking and Landscaping Plan
- (d) Sign Plan
- (e) Approved WV Division of Highways Access Permit, if applicable
- (f) Sediment and erosion control plan as approved by the West Virginia Department of Environment Protection and the City of Morgantown
- (g) Approved State of West Virginia NPDES General Permit for Storm Water Associated with Industrial (Construction) Activity, if applicable
- (h) A traffic impact study, if required by the City Engineer
- (i) The Planning Director may require the applicant to submit additional information concerning the lot or neighboring lots to determine conformance with, and provide for the enforcement of, the City Zoning Ordinance.
- (j) The Planning Director may require the applicant to submit, in the case of accessory structures or minor additions, dimensions shown on plans relating to the size of the lot and the location of the structure(s) thereon be based on an actual survey prepared a registered design professional licensed by the State of West Virginia.

Applicants submitting a conditional use application in accordance with Article 313.05 "Building Height and Use" within the B-4 General Business District **MUST** also submit the following analyses:

- (a) An air flow analysis conducted by a licensed architect or profession engineer, describing the estimated impact of the proposed building on existing patterns of air flow in the general vicinity; and how those impacts may affect existing properties with a 300 foot radius of the site.
- (b) An analysis of the impacts of the proposed building on sunlight distribution in the general vicinity, with special emphasis on predicting light blockage and shadow casting onto all properties with a 300 foot radius of the site. Such analysis shall be conducted by a licensed architect or professional engineer.
- (c) An analysis of the potential of "stepping back" upper floors as a technique to avoid negative impacts with respect to light and airflow, and to minimize the canyon effect of non-recess tall buildings. Such analysis shall be conducted by a licensed architect or professional engineer.
- (d) An infrastructure and traffic analysis predicting the impacts of the building on water, sewer, drainage, electrical and gas infrastructure, on transportation levels of service (including transit) for impacted streets, and on fire suppression capabilities of the city. Such analysis shall be conducted by a licensed architect or professional engineer.



APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE
CASE NO. <i>CU16-05</i>
RECEIVED: _____
COMPLETE: _____

VIII. FINDINGS OF FACT

The Board of Zoning Appeals may grant the request only if each of the Conditional Use Findings of Fact Criteria is determined to be in the positive. Applicants must give their own responses to the criteria statements provided below.

This Conditional Use is within the fitting character of the surrounding area and is consistent with the spirit, purpose, and intent of the Zoning Ordinance, *because,*

1. Congestion in the streets is not increased, in that:

LARGE PARKING LOT & STREET SERVES BUSINESS. PARKING LOT BUILT IN 2000

2. Safety from fire, panic, and other danger is not jeopardized, in that:

ADEQUAT EXITS. PATIO OUTSIDE.

3. Provision of adequate light and air is not disturbed, in that:

NO CHANGES

4. Overcrowding of land does not result, in that:

NO CHANGES

5. Undue congestion of population is not created, in that:

NO CHANGES



APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE:	
CASE NO.:	CU16-05
RECEIVED:	7/20/16
COMPLETE:	

VIII. FINDINGS OF FACT (cont.)

6. Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

BUSINESS OPERATING SINCE 1950.
PATIO SINCE 2014

7. Value of buildings will be conserved, in that:

SUCCESSFUL BUSINESS WILL REMAIN

8. The most appropriate use of land is encouraged, in that:

EXISTING NEIGHBORHOOD BAR & GRILL

IX. ATTEST

I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent and I agree to conform to all applicable laws of this jurisdiction. I certify that the information submitted herein and attached hereto is true and accurate and understand that if found otherwise may result in the denial of this request or subsequent revocation of any and all related approvals. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions.

MARK V. FURFARI

Mark V. Furfari

7/19/16

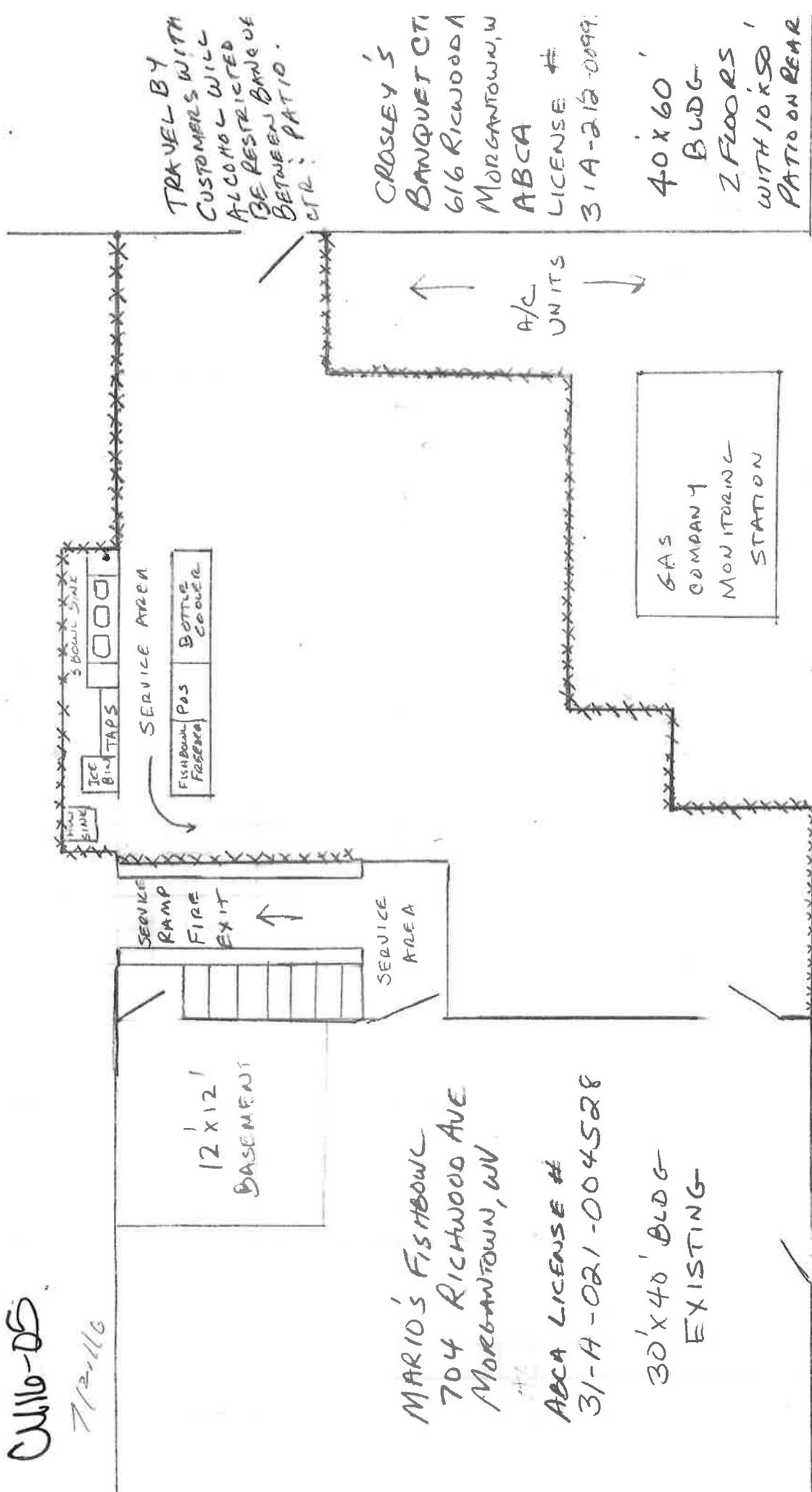
Type/Print Name of Applicant/Agent

Signature of Applicant/Agent

Date

- Conditional Use Petition Fee of \$75 must accompany application

C116-05
7/2/16



TRAVEL BY CUSTOMERS WITH ALCOHOL WILL BE RESTRICTED BETWEEN BAR/CLUB & PATIO.

CROSLY'S
BANQUET CT
616 RICHWOOD A
MORGANTOWN, W
ABCA
LICENSE #
31A-212-0999

40' x 60'
BLDG
2 FLOORS
WITH 10' x 50'
PATIO ON REAR

***** 6' FENCE

SCALE 1/4" = 2'

LANDMARK VENTURES
MARIO'S FISHBOWL
704 RICHWOOD AVE
PATIO EXPANSION
JULY 2016

Mark V. Furfani

← RICHWOOD AVE →

MARIO'S FISHBOWL
704 RICHWOOD AVE
MORGANTOWN, WV
ABCA LICENSE #
31-A-021-004528

30' x 40' BLDG
EXISTING

FRONT
DOOR

Chris Fletcher

From: Mark V. Furfari <fishbowl@mountain.net>
Sent: Monday, July 18, 2016 6:31 PM
To: Chris Fletcher
Subject: Re: Zoning Form for Mario's Fishbowl

Chris, thanks for sending this along. We will have everything to you by the August 5th deadline for the September 21st hearing.

I ask that you wave sections V,VI and VII as Mario's Fishbowl has been operating since 1950 and the patio since the fall of 2014. This is conditional use to sell alcohol on the patio which we have been doing since the patio opened on Crosley's condition use license.

Please let me know your thoughts

Mark Furfari

From: [Chris Fletcher](#)
Sent: Tuesday, July 12, 2016 10:57 AM
To: fishbowl@mountain.net
Cc: [Stacy Hollar](#) ; [Linda Tucker](#)
Subject: RE: Zoning Form for Mario's Fishbowl

Mr. Furfari:

Good morning. My apologies for not reaching out to you yesterday as I was out of the office.

Based on your description below, it appears necessary for you to pursue conditional use approval for a "Restaurant, Private Club" for the Mario's Fishbowl and outdoor seating location at 704 Richwood Avenue in order to sell liquor from any area of operation (inside and/or outside) of Mario's Fishbowl. Conditional "Restaurant, Private Club" use approval will be required because "Private Club" uses are not permitted in the B-1 District.

Appended is the Conditional Use application as well as the Supplemental Regulations for "Restaurant, Private Club" uses in the B-1 District [Article 1331.06(27)]. Please review the documents thoroughly to understand the conditional use application and the restrictions for "Restaurant, Private Club" uses in the B-1 District.

The soonest your conditional use application can be include on a Board of Zoning Appeals agenda is during their 21 SEP 2016 hearing, provided a complete conditional use application and fee is submitted by 05 AUG 2016. Please know I am not authorized to sign the ABCA's "Zoning Form" you left with City Clerk Linda Little to sell liquor at any portion of the Mario's Fishbowl establishment at 704 Richwood Avenue until the BZA grants conditional "Restaurant, Private Club" use approval.

Please contact me should you have questions or require further clarification. We look forward to serving your planning review and zoning approval needs.

Respectfully,

Christopher M. Fletcher, AICP

Director of Development Services

City of Morgantown

389 Spruce Street

Morgantown, WV 26505

T: 304-284-7431



From: Stacy Hollar

Sent: Monday, July 11, 2016 10:00 AM

To: Chris Fletcher <cflletcher@morgantownwv.gov>

Subject: FW: Zoning Form for Mario's Fishbowl

This is an explanation for Marios Fishbowl. I will print a hard copy as well and leave with the zoning form.

From: Linda Tucker

Sent: Monday, July 11, 2016 8:10 AM

To: Mark V. Furfari <fishbowl@mountain.net>

Cc: Karen Furfari <fishbowl942@gmail.com>; Stacy Hollar <shollar@morgantownwv.gov>

Subject: RE: Zoning Form for Mario's Fishbowl

Mark, I am forwarding this to Planning and zoning for their record☺

From: Mark V. Furfari [<mailto:fishbowl@mountain.net>]

Sent: Friday, July 08, 2016 5:49 PM

To: Linda Tucker <ltucker@morgantownwv.gov>

Cc: Karen Furfari <fishbowl942@gmail.com>

Subject: Zoning Form for Mario's Fishbowl

Linda, good to see you today. I am sorry I got there so late in the day and week to drop off the Zoning Form for the ABCA.

I thought I should put in writing the reason for the ABCA Zoning Form so that all parties are well informed.

We have operated Mario's Fishbowl at 704 Richwood Avenue since 1997 with a "Beer and Wine restaurant" license serving beer, wine, food and NO liquor. This business has been operating continuously since 1950 under this name or Richwood Avenue Confectionary.

In 2001 we received a conditional use approval for a Private club and opened Crosley's Restaurant in our building at 616 Richwood Avenue and in 2005 it became Crosley's Banquet Center.

In 2014 we built a patio between the two business's and extended the floor plan of Crosley's Banquet Center to include this patio area between the two buildings. The patio served visitors to Mario's Fishbowl who wanted to sit in the outdoors. We served fishbowl food, beer, wine AND liquor on the patio and this plan was

approved by the ABCA. Our choice has been that No alcoholic beverages are permitted inside of Mario's Fishbowl. It was a difference license and we didn't want to change the character of this Morgantown Landmark by introducing liquor.

We learned in April 2016 from an Enforcement inspector that it was unlawful for a customer to purchase a beer in Mario's Fishbowl and carry it to the Patio (which is operated under a different license)

At license renewal in May of this year, my original proposal to the ABCA was to put all business's under one license...Mario's Fishbowl, Crosley's Banquet Center and the Patio. This proposal was denied because of different addresses and separate utilities.

As a solution to the problem the ABCA has asked that we make Mario's Fishbowl a private club and include the patio under the Mario's Fishbowl's license.

This recommendation will allow us to continue offering all products on our patio as well as in our banquet center, but will limit movement by customers with alcohol between the banquet center and the patio. This restriction is acceptable to us.

Again, it is our intention to not serve liquor in Mario's Fishbowl but only on the patio during the patio season.

Mario's Fishbowl has a loyal customer base that enjoys both food and beverage in our establishment. We are a family oriented business with strong food sales.

Thanks in advance for your efforts in expediting this request and if someone would let me know when the approval is sent to Charleston I would appreciate it. I

I also ask that paperwork be sent to the attention of Shawn Smith Licensing directory.

Sincerely,

Mark Furfari
304-826-0816

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7640 / Virus Database: 4627/12599 - Release Date: 07/11/16