



BATH TOWNSHIP

Summit County, Ohio

ZONING

3864 West Bath Road P.O. Box 1188 Bath, Ohio 44210-1188 330.666.4007 Fax:330.666.0305 www.bathtownship.org

- Zoning Variance Application -

For office use only:	ARC File No.: 11-01	BZA File No.: 11-01
Associated permits:		

Applicant Data

Name: Susan Moore, Project Architect
 Company Name: Arkinetix Inc.
 Address: 3723 Pearl Road, Cleveland OH 44109
 Telephone No.: 216.749.7800

Property Data

Zoning District: (circle one) R-1 R-2 R-3 R-4 B-1 B-2 B-3 B-4
 Corner Lot: Yes No Note: Corner lots are required to meet the front setback on both streets.
 Property Address: 791 N. Cleveland - Massillon Road Parcel No.: _____
 Allotment Name: _____ Lot No.: _____
 Owner(s): Circle K Great Lakes Division Attn. George Yang
 Owner Address: 939 E. Tallmadge Ave. Akron OH 44310
 Telephone No.: 330.430.4300

Variance(s) Requested

Below list the specific section from the Zoning Resolution from which the variance is being sought, a description of each variance being sought, and explain the practical difficulty justifying the application for each variance being sought.

1. Section: 406 Description: Setbacks Front, side - rear setbacks in regards to the existing building.

Practical Difficulty: The bldg. addition is within the required setbacks but the existing bldg. is not in compliance.

2. Section: 411 Description: Riparian Corridor Overlay District

Practical Difficulty: Existing bldg. is within the Riparian setback, therefore the bldg. addition is within the setback limits.

Parcels

Rec	Alt ID	Parid	Address	Owner 1	Owner 2
1	BA0002703019000	0403292	3615 YELLOW CREEK RD	WILLIAMS DEWARD L AND F SAM	
2	BA0041004008000	0400490	N CLEVELAND MASSILLON RD	CECIL FAMILY LIMITED PARTNERSHIP	10633 Stater Rd Wadsworth 44281
3	BA0041004009000	0402257	791 N CLEVELAND MASSILLON RD	MACS CONVENIENCE STORES LLC	
4	BA0041004010000	0402256	N CLEVELAND MASSILLON RD	MACS CONVENIENCE STORES LLC	
5	BA0002704003000	0406056	3548 YELLOW CREEK RD	DAMITZ KATHLEEN ANN	
6	BA0002704003W01	0405515	2116 MINERAL RIGHTS	ST CROIX LTD	
7	BA0002704003W02	0406134	2732 MINERAL RIGHTS	ST CROIX LTD	
8	BA00027B0002000	0407423	N CLEVELAND MASSILLON RD	COUNTY OF SUMMIT & STATE OF OHIO	175 S. Main St Akron 44308
9	BA0041005002000	0401037	GRANGER RD	GHENT INC	826 N. G Rd 44333
10	BA0041005001000	0401880	3653 YELLOW CREEK RD	RIEDEL CYNTHIA A	2901 YellowCreek 44333

[Zoom to these records](#)

3. Section: _____ Description: _____

Practical Difficulty: _____

4. Section: _____ Description: _____

Practical Difficulty: _____

Regarding Practical Difficulty

The factors to be considered and weighed to determine whether a property owner has encountered practical difficulties to justify an area variance are (but are not limited to) the following:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
2. Whether the variance is substantial;
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;
4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
5. Whether the property owner purchased the property with knowledge of the zoning restrictions;
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.

Contiguous Property Owners List (name & tax mailing address)

1. Cynthia A. Riedel 3053 YellowCreek Rd.
2. Deward L. Sam F. Williams 3015 YellowCreek Rd.
3. County of Summit, State of Ohio N. Cleveland-Masillon Rd.
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Required Site Plan Data and Architectural/Construction Drawings

1. (Need 8 copies of site plan and plans along with a digital copy of site plan and plans) The site plan must show the following:
- A North arrow and scale
 - Existing structures and dimensions
 - Driveway and road access locations (existing and/or proposed)
 - Proposed structure(s) and dimensions
 - All setbacks
 - Roads
 - Lot dimensions
 - Easements and details
 - Septic system and well location (if applicable)
 - Indicate the location of lakes, ponds, wetlands, ravines, or other unusual topography
 - Riparian Corridor(s) must be clearly indicated on all lots containing applicable watercourses
 - All slopes greater than 12% must be indicated on a two (2) foot contour interval map with the contours extending at least 100 feet beyond the lot lines
2. If applicable, eight (8) copies of the building/construction plans showing major details including height data must be submitted with the application.

Applicant Certification

Applicant Signature: Susan Moore Date: 12/7/10

Fee – due at time of application (make check payable to Bath Township Trustees)

- for residential applications – two hundred dollars (\$200.00)
- for commercial/business applications – three hundred dollars (\$300.00) ←
- for major subdivisions or use variances – five hundred dollars (\$500.00)

For Office Use Only

Appearance Review Commission File No.: ARC - -

Board of Zoning Appeals File No.: BZA - -

Hearing Date: _____ Public Notice Date: _____

Published In: _____ Abutting Property Owners Notification Date: _____

- Approved Approved with Conditions Denied

Comments: _____

Zoning Inspector Signature: _____ Date: _____



BATH TOWNSHIP

Summit County, Ohio

ZONING

3864 West Bath Road P.O. Box 1188 Bath, Ohio 44210-1188 330.666.4007 Fax:330.666.0305 www.bathtownship.org

- Conditional Use Application -

For office use only:	ARC File No.: 11-01	BZA File No.: 11-01
Associated permits:		

Applicant Data

Name: Susan Moore, Project Architect
 Company Name: Arkinetics Inc.
 Address: 3723 Pearl Road, Cleveland OH 44109
 Telephone No.: 216-749-7800

Property Data

Zoning District: (circle one) R-1 R-2 R-3 R-4 B-1 B-2 B-3 B-4
 Corner Lot: Yes No Note: Corner lots are required to meet the front setback on both streets.
 Property Address: 791 N. Cleveland-Massillon Road Parcel No.: _____
 Allotment Name: _____ Lot No.: _____
 Owner(s): Circle K Great Lakes Div. Attn. George Young
 Owner Address: 935 E. Tallmadge Ave. Akron OH 44310
 Telephone No.: 330-430-0300

Conditional Use(s) Requested

Below list the specific section of the Zoning Resolution referencing the conditional use being sought as well as a description of each use.

- Section: 406-3.C Description: Circle K Convenience Store! gas station is currently in operation and would like to continue as such w/ the Beer-Kave addition.
- Section: _____ Description: _____

3. Section: _____ Description: _____

4. Section: _____ Description: _____

Contiguous Property Owners List (name & tax mailing address)

1. Cynthia A. Riedel 3053 Yellow Creek Rd.
2. Deborah L. & Sam F. Williams 3015 Yellow Creek Rd.
3. County of Summit, State of Ohio N. Cleveland-Massillon Rd.
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Data Required With Conditional Use Application (8 copies of each along with a digital copy of site plan and plans)

1. Site plan as specified in **Article III, Section 301-5.**
2. Complete plans and specifications for all proposed development and construction, and where appropriate, reclamation.
3. A statement supported by substantiating evidence regarding the requirements enumerated in **Article VIII, Section 801-2.**
4. Applicant shall state a reasonable time to complete development plans or proposed structure.
5. The recommendations of the Appearance Review Commission as specified in **Article XI.**

Applicant Certification

Applicant Signature: Susan Moore Date: 12/7/10

Fee – due at time of application (make check payable to Bath Township Trustees)

- for residential applications – two hundred dollars (\$200.00)
- for commercial/business applications – three hundred dollars (\$300.00)
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For Office Use Only

Appearance Review Commission File No.: ARC - -

Board of Zoning Appeals File No.: BZA - -

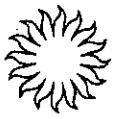
Hearing Date: _____ Public Notice Date: _____

Published In: _____ Abutting Property Owners Notification Date: _____

- Approved Approved with Conditions Denied

Comments: _____

Zoning Inspector Signature: _____ Date: _____



BATH TOWNSHIP

Summit County, Ohio

Bath Township
Board of Zoning Appeals
October 18, 2011 7:00 p.m.
Bath Township Administrative Offices
3864 West Bath Road

I. Call To Order

II. New Business

BZA-11-27

Truc T. Nguyen

Star Nails @ Spa Inc.

81 Springside Drive

Requesting Conditional Use Approval per Article IV, Section 408-3-F for a personal service business as determined by the Board of Zoning Appeals to be similar to the uses permitted in this district. – B-3.

BZA-11-28

Julie Weiss

693 N. Medina Line Road

Requesting variance from Article III, Section 302-4-P-1-b for reduction in the front yard setback and Article III, Section 302-4-P-1-e for total building footprint exceeds the maximum square foot allowed for an accessory structure. –R-2.

BZA-11-29

Patrick Weyrick

3995 Woodthrush Road

Requesting variance from Article III, Section 301-4-P-1-c for a reduction in the side yard setback to construct an accessory structure. – R-2.

BZA-11-30

James Parnell, Variety Contractors for

Karen Taylor

4568 Granger Road

Requesting variance from Article III, Section 301-4-P-1-e for total building footprint exceeds the maximum square foot allowed for an accessory structure. – R-2.

III. Old Business

BZA-11-01- Tabled January 18, 2011, working with applicant.

Susan Moore-Arkinetics, Inc. for

Circle K Gas Station

791 N. Cleveland-Massillon Road

Requesting variance(s) from Article IV, Section 406-4-B, C and D for reduction of the minimum front, side and rear yard setback and from Article IV, Section 411 for construction within the riparian setback for an addition. – B-1.

BZA-11-26- Tabled September 20, 2011.

Nancy L. Secrist

1814 N. Revere Road

Requesting Conditional Use Approval per Article IV, Section 412 for steep slopes to construct a retaining wall. – R-2.

IV. Adjourn



BATH TOWNSHIP

Summit County, Ohio

October 3, 2011

**Bath Township
Board of Zoning Appeals
Case No. BZA-11-01- Tabled 1-18-11**

Notice is hereby given that the Bath Township Board of Zoning Appeals will hold a public hearing at the Bath Township Administrative Offices, 3864 W. Bath Road, Bath, Ohio on October 18, 2011 at 7:00 PM for the appeal of **BZA-11-01**, Susan Moore, Arkinetics Inc., for Circle K Gas Station, 3723 Pearl Road, Cleveland, Ohio, requesting variance(s) approval from Article IV, Section 406-4-B, C. & D for front, side and rear setbacks and Section 411 Riparian Corridor to construct an addition. Property is located at 791 N. Cleveland-Massillon Road in the B-1 Business District.

This message is for the purpose of giving abutting property owners and other interested parties a notice of such hearing. However, this hearing is not limited to those persons receiving a copy of this notice. If you know of any property owners or affected neighbors who are interested and have not received a copy of this notice, please have them contact the undersigned.

Applicant or agent for said application must be present for this meeting.

Sincerely,

Martha M. Ferch

Deputy Zoning Inspector

CC: Board of Trustees
Board of Zoning Appeals (6)
Sharon Troike, Fiscal Officer
File
Applicant
Cynthia Reidel, 3653 Yellow Creek Road, Akron, OH 44333
Deward and Sam Williams, 3615 Yellow Creek Road, Akron, OH 44333
Cecil Family Limited Partnership, 6633 State Road, Wadsworth, OH 44281
Kathleen Damitz, 3548 Yellow Creek Road, Akron, OH 44333
County of Summit, 175 S. Main Street, Akron, OH 44308
Ghent Inc., 826 N. Cleveland-Massillon Road, Akron, OH 44333



BATH TOWNSHIP

Summit County, Ohio

Bath Township
Board of Zoning Appeals
February 15, 2011 7:00 p.m.
Bath Township Administrative Offices
3864 West Bath Road

I. Call To Order

II. New Business

BZA-11-02

Bradley and Amy Bowers and
Donald Faulhaber Jr.
2750 Walnut Ridge

Requesting variance(s) approval from Article IV, Section 402-4-A to subdivide lots leaving lots with less than the minimum lot area required for an R-2 residential district. - R-2.

BZA-11-03

Joe Saporito
H. C. Labalzo & Sons, Inc.
61 N. Cleveland-Massillon Road

Requesting variance(s) approval from Article V, Section 501-4-A-1 for multiple company listings and logos on business building sign. – B-1.

BZA-11-04

John L. Blakey
3489 Tee Drive

Requesting variance(s) approval from Article III, Section 301-4-P-1-c for reduction from the side yard setback. – R-3.

III. Old Business

BZA-11-01- Tabled January 18, 2011 to March 21, 2011

Susan Moore-Arkinetics, Inc. for
Circle K Gas Station
791 N. Cleveland-Massillon Road

Requesting variance(s) from Article IV, Section 406-4-B, C and D for reduction of the minimum front, side and rear yard setback and from Article IV, Section 411 for construction within the riparian setback for an addition. – B-1.

BZA-09-24- Tabled October 20, 2009

Tim Merryweather – North Fork Development
Vacant Land on Rock Creek South

Requesting site plan review of seven additional lots to Open Space sub-division per Article III, Section 301-7. – R-2

IV. Adjourn



BATH TOWNSHIP

Summit County, Ohio

Bath Township
Board of Zoning Appeals
January 18, 2011 7:00 p.m.
Bath Township Administrative Offices
3864 West Bath Road

I. Call To Order

II. New Business

BZA-11-01

Susan Moore-Arckinetics, Inc. for
Circle K Gas Station
791 N. Cleveland-Massillon Road

Requesting variance(s) from Article IV, Section 406-4-B, C and D for reduction of the minimum front, side and rear yard setback and from Article IV, Section 411 for construction within the riparian setback for an addition. – B-1.

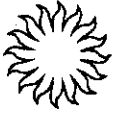
III. Old Business

BZA-09-24- Tabled October 20, 2009

Tim Merryweather – North Fork Development
Vacant Land on Rock Creek South

Requesting site plan review of seven additional lots to Open Space sub-division per Article III, Section 301-7. – R-2

IV. Adjourn



BATH TOWNSHIP

Summit County, Ohio

January 10, 2011

Bath Township Board of Zoning Appeals Case No. BZA-11-01

Notice is hereby given that the Bath Township Board of Zoning Appeals will hold a public hearing at the Bath Township Administrative Offices, 3864 W. Bath Road, Bath, Ohio on January 18, 2011 at 7:00 p.m. for the appeals of **Case No. BZA-11-01**, Susan Moore, Arkinetics Inc., for Circle K Gas Station, 3723 Pearl Road, Cleveland, Ohio, requesting variance(s) approval from Article IV, Section 406-4-B, C & D for front, side and rear setbacks and Section 411 Riparian Corridor to construct an addition. Property is located at 791 N. Cleveland-Massillon Road in the B-1 Business District.

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Applicant or agent for said application must be present for this meeting.

Sincerely,

Martha M. Ferch

Deputy Zoning Inspector

cc: Board of Trustees – Bath Township
Board of Zoning Appeals (6)
Sharon Troike, Fiscal Officer
File
Applicant
Cynthia Reidel, 3653 Yellow Creek Road, Akron, OH 44333
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Kathleen Damitz, 3548 Yellow Creek Road, Akron, OH 44333
County of Summit, 175 S. Main Street, Akron, OH 44308
Ghent Inc., 826 N. Cleve-Mass Road, Akron, OH 44333



BATH TOWNSHIP

Summit County, Ohio

January 3, 2011

Leader Publication
Classified Department
www.classads@akron.com
3075 Smith Road, Suite 204
Akron, OH 44333

Dear Jessica:

Please run the following legal advertisements for one day only on Thursday, January 6, 2011.

“Notice of Public Hearing”

Notice is hereby given that the Bath Township Board of Zoning Appeals will hold a public hearing at the Bath Township Administrative Offices, 3864 W. Bath Road, Bath, Ohio on Tuesday, January 18, 2011 at 7:00 p.m. for the appeals of: **(1) Case No. BZA-11-01**, Susan Moore, Arkinetics, 3723 Pearl Road, Cleveland, Ohio for Circle K Gas Station, requesting variance(s) from Article IV, Section 406-4-B, C & D for front side and rear setbacks and Section 411 Riparian Corridor to construct an addition. Property is located at 791 N. Cleveland-Massillon Road in the B-1 Business District.

Applications are on file at the Township Administrative Offices and available for viewing. All meetings are open to the public.

Wm J. Funk Jr.

William J. Funk Jr.
Zoning Inspector/Administrator

Send invoice and affidavit of publication to: Bath Township Trustees, c/o Sharon A. Troike, Fiscal Officer, P.O. Box 1188, Bath, OH 44210-1188

cc: Anne Motz - Accounts Payable, Case No. BZA-11-01.

Page 28 West Side Leader January 6, 2011

LEGAL NOTICES

Notice of Public Hearing

Notice is hereby given that the Bath Township Board of Zoning Appeals will hold a public hearing at the Bath Township Administrative Offices, 3864 W. Bath Road, Bath, Ohio on Tuesday, January 18, 2011 at 7:00 p.m. for the appeals of: (1) **Case No. BZA-11-01**, Susan Moore, Arkinetics, 3723 Pearl Road, Cleveland, Ohio for Circle K Gas Station, requesting variance(s) from Article IV, Section 406-4-B, C & D for front side and rear setbacks and Section 411 Alpanian Corridor to construct an addition. Property is located at 791 N. Cleveland-Massillon Road in the B-1 Business District.

Applications are on file at the Township Administrative Offices and available for viewing. All meetings are open to the public.

Wm J. Funk Jr.
Zoning Inspector/Administrator