

# 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.:	BZA File No.:	11-10
Associated permits:			

### Applicant Data

Name: Paul McGhee

Company Name: AKRON General Health & Wellness Center

Address: 4125 Medina Rd.

Telephone No.: 330-665-8000 or 330-665-8012 (office)

### 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: 4125 Medina Rd Parcel No.: \_\_\_\_\_

Allotment Name: \_\_\_\_\_ Lot No.: \_\_\_\_\_

Owner(s): AKRON General Medical Center

Owner Address: 400 Wabash Ave

Telephone No.: 330-344-6053

### 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: 409-5B Description: Farmers Market beginning June 7th thru August 30th, Tuesdays Only 3:00 PM - 6:00 PM.

Practical Difficulty: \_\_\_\_\_

2. Section: 5012-B-2 Description: Temporary ~~Banner~~ Sign 3'x6' to be used only on days of Market

Practical Difficulty: \_\_\_\_\_

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. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

## Parcels

Rec	Alt ID	Parid	Address	Owner 1	Owner 2
1	BA0003801011000	0403780	4276 IDLEBROOK DR	FINK REBECCA L	FINK KEVIN D
2	BA0003801004000	0400145	90 CRYSTAL LAKE RD	HASSAN SAMIA	ABDALLA ABDALLA
3	BA0003801005000	0401611	4122 IDLEBROOK DR	KYLE JACQUELYN M TRUSTEE	KYLE RONALD L TRUSTEE
4	BA0003801006000	0400921	IDLEBROOK DR	AKRON GENERAL MEDICAL CENTER	
5	BA0003801007000	0400896	4188 IDLEBROOK DR	BECKER HERMAN J AND VIRGINIA E RUDIS	
6	BA0003801008000	0400078	4218 IDLEBROOK DR	ANDREOLI RENNICK A	ANDREOLI DORTHELYNN
7	BA0003801009000	0400334	4234 IDLEBROOK DR	BONSKY CAROL A	BONSKY JACK A
8	BA0003801010000	0401029	4258 IDLEBROOK DR	TAYLOR RICHARD W	TAYLOR BECKY D
9	BA0003803001000	0404752	4272 FRYMAN DR	MENDELSON DENISE C	MENDELSON GARY J
10	BA0003801003000	0400922	4125 MEDINA RD	AKRON GENERAL MEDICAL CENTER	
11	BA0003899001000	0406745	4125 MEDINA RD	AKRON GENERAL MEDICAL CENTER	
12	BA0003803002000	0404753	4284 FRYMAN DR	REILLY MAUREEN E TRUSTEE	
13	BA0003801002000	0400103	4507 MEDINA RD	AKRON GENERAL MEDICAL CENTER	
14	BA00038A6002000	0407314	MEDINA RD	PRESTIGE & PREMIER INVESTMENT COMPANY	
15	BA0003802001009	7800101	EMBASSY PKWY	DELLAGNESE JOHN D III	4000 Embassy Pkwy #400
16	BA00038A0001000	0406812	4100 EMBASSY PKWY	CITY OF AKRON <i>166 S. High St</i>	<i>Akron, OH 44308</i>

[Zoom to these records](#)

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: Paul & M. She Date: 4/22/11

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: \_\_\_\_\_

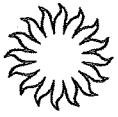
- Approved       Approved with Conditions       Denied

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Zoning Inspector Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# BATH TOWNSHIP

*Summit County, Ohio*

May 10, 2011

**Bath Township  
Board of Zoning Appeals  
Case No. BZA-11-10**

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 May 17, 2011 at 7:00 PM for the appeal of **Case No. BZA-11-11**, Paul McGhee for Akron General Medical Center, 400 Wabash Avenue, Akron, Ohio requesting a variance from Article IV, Section 409-5-B for an outdoor Farmer's Market from June to August. Property is located at 4125 Medina Road in the B-4 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.

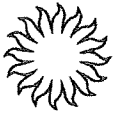
Applicant or agent for said application must be present for this meeting.

Sincerely,

  
Martha M. Ferch

Deputy Zoning Inspector

CC: Board of Trustees  
Board of Zoning Appeals (6)  
Sharon Troike, Clerk  
File  
Applicant  
See attached list



# BATH TOWNSHIP

*Summit County, Ohio*

Bath Township  
Board of Zoning Appeals  
**May 17, 2011 7:00 p.m.**  
Bath Township Administrative Offices  
3864 West Bath Road

**I. Call To Order**

**II. New Business**

**BZA-11-07**

Bath Business Association  
BBA-Consumer Supported  
Agriculture Farmer's Market  
800 Wye Road

Requesting variance approval from Article IV, Section 406-5-A for an outdoor Farmer's Market from May-October and variance from Section 501-2-B-2-a to display three temporary signs displayed on Tuesdays and Wednesdays from May-October. – B-1.

**BZA-11-08**

Carl and Opal Duncan  
2346 N. Cleveland-Massillon Road

Requesting variance approval from Article IV, Section 402-4-C for minimum lot width at street right-of-way. – R-2.

**BZA-11-09**

Randall Matejka for  
Five Guys Burgers and Fries  
3863 Medina Road

Requesting Conditional Use approval per Article IV, Section 407-3-J for an outdoor eating area and variance requests from Article IV, Section 407-4-B & C for front and side yard setback reductions for an outdoor eating area. – B-2.

**BZA-11-10**

Paul McGhee for  
Akron General Medical Center  
4125 Medina Road

Requesting variance approval from Article IV, Section 409-5-B for an outdoor Farmer's Market from June-August. – B-4.

**BZA-11-11**

Ken Stewart for Ken Stewart's Lodge  
1911 N. Cleveland-Massillon Road

Requesting variance from Article V, Section 501-4-B-1 for temporary advertising sign for use during daylight hours only. – B-1.

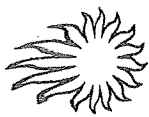
**III. Old Business**

**BZA-11-01- Tabled January 18, 2011 to May 17, 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.

**IV. Adjourn**



# BATH TOWNSHIP

Summit County, Ohio

May 3, 2011

Leader Publication

Classified Department

[www.classads@akron.com](mailto: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, May 5, 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, May 17, 2011 at 7:00 p.m. for the appeals of: **(1) Case No. BZA-11-07**, Bath Business Association, BBA Consumer Supported Agriculture Farmer's Market, 800 Wye Road, requesting variance approval from Article IV, Section 406-5-A for an outdoor Farmer's Market from May to October and variance from Article V, 501-2-B-2-a for three temporary signs displayed on Tuesdays and Wednesdays. Property is located at 800 Wye Road in the B-1 Business District. **(2) Case No. BZA-11-08**, Carl and Opal Duncan, 2349 N. Cleveland-Massillon Road, requesting variance approval from Article IV, Section 402-4-C for reduction in minimum lot width at street right-of-way. Property is located at 2346 N. Cleveland-Massillon Road and in the R-2 Residential District. **(3) Case No. BZA-11-09**, Five Guys Burger and Fries, 3863 Medina Road requesting Conditional Use Approval per Article IV, Section 407-3-J for an outdoor eating area and variance requests from Article IV, Section 407-4-B & C for a front and side yard setback reduction for an outdoor eating area. Property is located at 3863 Medina Road in the B-2 Business District. **(4) Case No. BZA-11-10**, Paul McGhee for Akron General Medical Center, 400 Wabash Avenue, Akron, Ohio requesting a variance from Article IV, Section 409-5-B for an outdoor Farmer's Market from June to August. Property is located at 4125 Medina Road in the B-4 Business District. **Case No. BZA-11-11**, Ken Stewart for Ken Stewart's Lodge, 1911 N. Cleveland-Massillon Road requesting variance from Article V, Section 501-4-B-1 for temporary advertising sign for use during daylight hours only. Property is located at 1911 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-11-07, 08, 09, 10 and 11.**

3864 West Bath Road P.O. Box 1188 Bath, Ohio 44210-1188 330.666.4007 Fax:330.666.0305 [www.bathtownship.org](http://www.bathtownship.org)

## Martha Ferch

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**From:** classads@akron.com  
**Sent:** Tuesday, April 26, 2011 2:22 PM  
**To:** Martha Ferch  
**Subject:** RE: BZA Legal Ads for May, 2011  
**Attachments:** top.letterhead

Thank you, I have you scheduled for May 5th.

Jessica

***The West Side Leader covers Bath, Boston, Copley, Cuy. Falls, Fairlawn, Norton, Peninsula, Richfield, Sharon & West Akron. Reaches 43,000 households***

***The South Side Leader covers, Green, Coventry, Springfield, Lakemore, New Franklin. Reaches 22,000 households.***

**Classified Ads are also posted on-line at our [www.akron.com](http://www.akron.com) website at no additional charge.**

Jessica

**DEADLINE FOR CLASSIFIEDS** (submissions, changes, cancellations, and payments by: Tuesday by 12:00 Noon for that week's issue)

Classified Department

Leader Publications

3075 Smith Road

Suite 204

Akron, OH 44333

Ph: 330-665-9595

Fax: 330-665-9590

e-mail: [classads@akron.com](mailto:classads@akron.com)

website: [www.akron.com](http://www.akron.com)

----- Original Message -----

Subject: BZA Legal Ads for May, 2011

From: "Martha Ferch" <[mferch@BathTownship.org](mailto:mferch@BathTownship.org)>

Date: Tue, April 26, 2011 10:36 am

To: <[classads@akron.com](mailto:classads@akron.com)>

Please put this legal ad in for Thursday, May 5, 2011 in the West Side Leader.  
Thanks. Marty

**LEGAL NOTICES**

**Notice of Public Hearing**

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William J. Funk Jr.  
Zoning Inspector/Administrator

23510

POSTED  
4/25/11

Date 4/25 20 11

**OFFICE OF THE TOWNSHIP FISCAL OFFICER**

Bath Township, Summit County, Ohio

Received of Acron General Health System  
Three hundred dollars & 00/100 Dollars

For BZA 11-10  
213-03-113-4-5-2510

J. A. Kreike Fiscal Officer

Signature of party making payment

Dayton Legal Blank, Inc., Form No. 10066

NOTES

# RECEIPT

DATE 4/23/11 NO. 220816

RECEIVED FROM Acron General Health System

ADDRESS 4125 Malvern Rd.  
Three hundred dollars \$ 300.00

FOR BZA-11-10

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID		CHECK	<u>036119</u>
BALANCE DUE		MONEY ORDER	

BY Markus Feuch

©2001 REDIFORM ® 81808

### BATH TOWNSHIP ZONING DEPARTMENT

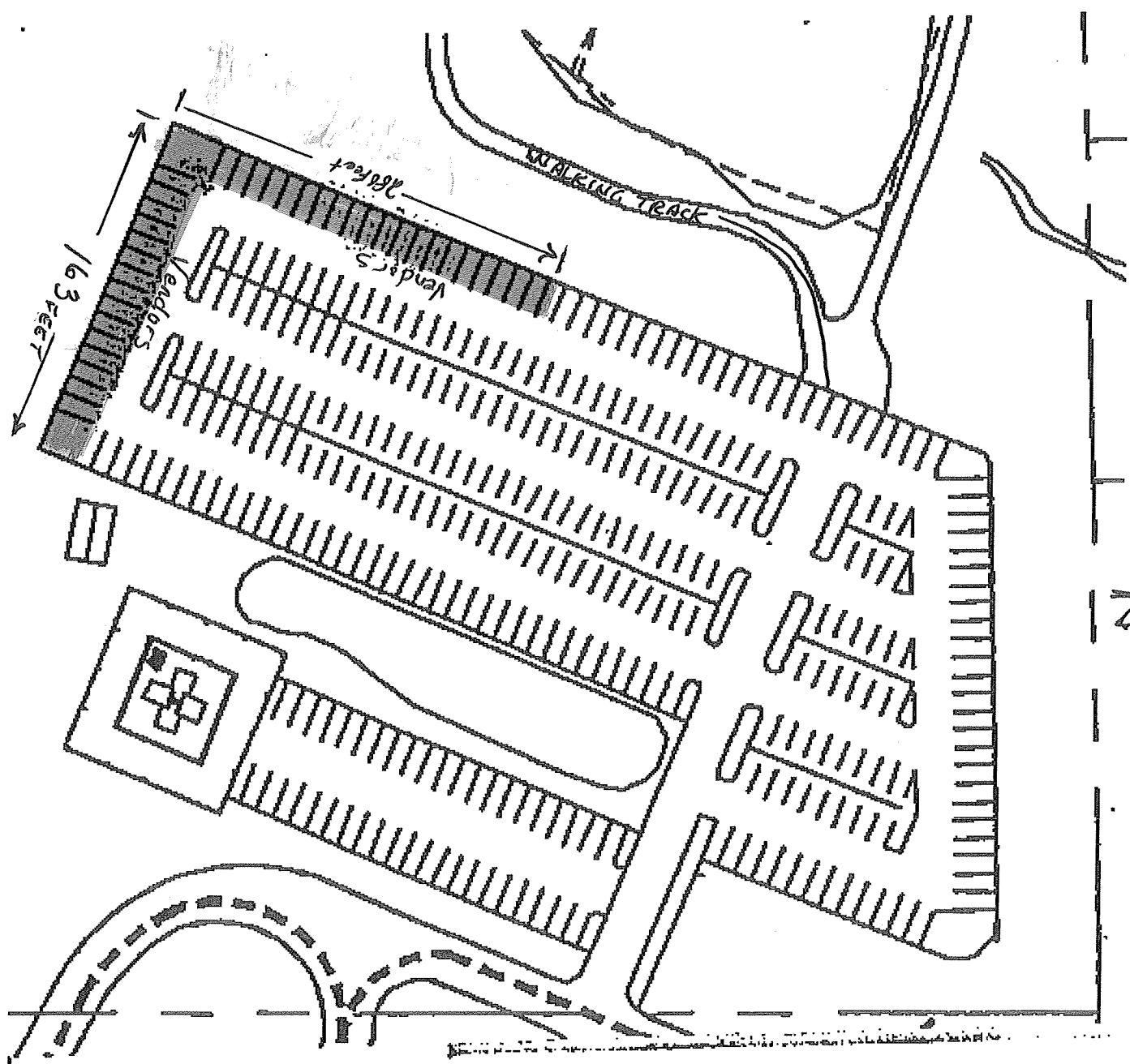
Date 4/22/11 Receipt # 220816  
 Name ADMC  
 Amount 300.00  Check No. 036119  Cash

Please credit the Zoning and other funds with the following:

- Zoning Permit Fee (213.03.113.4.5.2500) \$ \_\_\_\_\_ ZC Permit No. \_\_\_\_\_
- Zoning Appeals Fee (213.03.113.4.5.2510) BZA Case No. 11-10
- Zoning Commission Case Fee (213.03.113.4.5.2520) ZC Case No. \_\_\_\_\_
- Miscellaneous Zoning Fees (213.03.113.4.5.2530) Circle: Copies; Resolution; Comp Plan; Map S-L  
SP No. \_\_\_\_\_
- Subdivision Fee (213.03.113.4.5.2540) No. of Directories \_\_\_\_\_
- Bath Directories (101.09.111.4.5.6690) Date of Rental \_\_\_\_\_
- Non-resident Park Fee (212.04.510.4.6.6210) Resident \_\_\_\_\_ Non-Resident \_\_\_\_\_
- Parking Fee-Nature Preserve (212.04.510.4.6.6220)
- Other

Use ONE form for each account credit issued.  
 Attach appropriate documentation with each credits.

31



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