

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.:	11-17
Associated permits:			

Applicant Data

Name: James D. Egleston

Company Name: _____

Address: 3902 Everett Road

Telephone No.: (330) 659-6616 (330) 603-1471

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: 3902 Everett Road Parcel No.: 0401674

Allotment Name: _____ Lot No.: _____

Owner(s): James D. and Michele R. Egleston

Owner Address: 3902 Everett Road

Telephone No.: (330) 659-6616 (330) 603-1471

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: 402-4F Description: Minimum Side Yard Depth - See Attachment

Practical Difficulty: See Attachment

2. Section: _____ Description: _____

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. Robert J. and Teri M. Jones 3894 Everett Rd Richfield 44286
2. Phyllis J. Nye^{Trustee} 3906 Everett Rd. Richfield 44286
3. Deborah L. Sitz Trustee PO Box 293 Bath 44210
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:  Date: 5-27-2011

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 - -

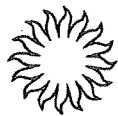
Hearing Date: _____ Public Notice Date: _____

Published In: _____ Abutting Property Owners Notification Date: _____

- Approved Approved with Conditions Denied

Comments: _____

Zoning Inspector Signature: _____ Date: _____



BATH TOWNSHIP

Summit County, Ohio

June 6, 2011

**Bath Township
Board of Zoning Appeals
Case No. BZA-11-17**

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 June 21, 2011 at 7:00 PM for the appeal of **Case No. BZA-11-17**, James Egleston, 3902 Everett Road requesting variance from Article IV, Section 402-4-F for reduction in the side yard setback to construct an addition. Property is located at 3902 Everett Road in the R-2 Residential 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
Phyllis Nye, 3906 Everett Road, Richfield 44286
Robert and Teri Jones, 3894 Everett Road, Richfield 44286
Deborah Sitz, P. O. Box 293, Bath 44210

Parcels

Rec	Alt ID	Parid	Address	Owner 1	Owner 2
<u>1</u>	<u>BA0000301008000</u>	0401674	3902 EVERETT RD	EGLSTON MICHELE R	EGLSTON JAMES D
<u>2</u>	<u>BA0000301009000</u>	0402119	3906 EVERETT RD	NYE PHYLLIS J TRUSTEE	
<u>3</u>	<u>BA0000301007000</u>	0401844	3894 EVERETT RD	JONES TERI M	JONES ROBERT J
<u>4</u>	<u>BA00003A3015000</u>	0407162	3922 EVERETT RD	SITZ DEBORAH L TRUSTEE	

[Zoom to these records](#)



BATH TOWNSHIP

Summit County, Ohio

Bath Township
Board of Zoning Appeals
June 21, 2011 7:00 p.m.

Bath Township Administrative Offices
3864 West Bath Road

I. Call To Order

II. New Business

BZA-11-12

Deborah Watkins/Charles Watkins

Lifesource Yoga

300 N. Cleveland-Massillon Road

Requesting Conditional Use approval per Article IV, Section 408-3-A for human medical care yoga studio – B-3.

BZA-11-13

John Grabenstetter

1188 Meadow Spur

Requesting Conditional Use approval per Article IV, Section 412 for steep slopes and variance approvals from Article IV, Section 411 for encroachment in the Riparian Setback and from Article III, Section 301-4-P-1-b for reduction in the front yard setback to construct an accessory structure. – R-2.

BZA-11-14

Robert P. Deveney for Discover Life Church

1007 Ghent Road

Requesting Conditional Use approval per Article IV, Section 406-3-B for a church building used for the purpose of religious worship. – B-1.

BZA-11-15

Paul Meyer 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 on Thursdays through Sundays only until end of October 2011. – B-1.

BZA-11-16

Hallie Bowie, New Leaf Home Design

531 Lois Drive

Requesting variance from Article IV, Section 402-4-D for reduction in the front yard setback for an addition. – R-2.

BZA-11-17

James Egleston

3902 Everett Road

Requesting variance from Article IV, Section 402-4-F for reduction in side yard setback for an addition- R-2.

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

June 1, 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, June 9, 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, June 21, 2011 at 7:00 p.m. for the appeals of: **(1) Case No. BZA-11-12**, Deborah and Charles Watkins, Lifesource Yoga, 300 N. Cleveland-Massillon Road, requesting Conditional Use approval per Article IV, Section 408-3-A for a human medical care yoga studio. Property is located at 300 N. Cleveland-Massillon Road in the B-3 Business District. **(2) Case No. BZA-11-13**, John Grabenstetter, 1188 Meadow Spur, requesting Conditional Use approval per Article IV, Section 412 for steep slopes and variance approvals from Article IV, Section 411 for encroachment in the Riparian Setback and from Article III, Section 301-4-P-1-b for reduction in the front yard setback to construct an accessory structure. Property is located at 1188 Meadow Spur in the R-2 Residential District. **(3) Case No. BZA-11-14**, Robert P. Deveney, Discover Life Church, 1007 Ghent Road, requesting Conditional Use approval per Article IV, Section 406-3-B for a church building used for the purpose of religious worship and variance approval from Article VIII, Section 802-A for a reduction from the 100’ distance from all property lines and right-of-ways. Property is located at 1007 Ghent Road in the B-1 Business District. **(4) Case No. BZA-11-15**, Paul Meyer 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 daytime hours on Thursdays through Sundays only until end of October 2011. Property is located at 1911 N. Cleveland-Massillon Road in the B-1 Business District. **(5) Case No. BZA-11-16**, Hallie Bowie, New Leaf Home Design, 1792 Brookshire Road for Firouz & Kristen Daneshgari, 531 Lois Drive, requesting variance from Article IV, Section 402-4-D for reduction in the front yard setback to construct an addition. Property is located at 531 Lois Drive in the R-2 Residential District. **(6) Case No. BZA-11-17**, James Egleston, 3902 Everett Road requesting variance from Article IV, Section 402-4-F for reduction in the side yard setback to construct an addition. Property is located at 3902 Everett Road in the R-2 Residential 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
3864 West Bath Road P.O. Box 1188 Bath, Ohio 44210-1188 330.666.4007 Fax:330.666.0305 www.bathtownship.org

SPECIAL NOTICES

Notice of Public Hearing

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William J. Funk Jr.
Zoning Inspector/ Administrator