



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.: 11-13	BZA File No.: 11-19
Associated permits:		

Applicant Data

Name: Angel Robinson

Company Name: GHA Architects

Address: 14110 Dallas Pkwy #300, Dallas, TX 75254

Telephone No.: 214-461-9627

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: 3901 Medina Rd, Akron (Bath) Parcel No.: 0500486

Allotment Name: Munroe Development Lot No.: _____

Owner(s): Burkhardt Dev. Corp

Owner Address: 484 S. Miller Rd, Fair Lawn, OH 44333

Telephone No.: 330-836-9331

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: 501-5-1 Description: Display of flags - corporate, U.S. and state flags

Practical Difficulty: No provision in Article for 0-2 sign to fly flags

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. Burkhardt 3901 Medina Rd
2. Dice LLC 3926 Medina Rd
3. West Market Plaza East 3889 Medina Rd
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____



BATH TOWNSHIP

Summit County, Ohio

July 5, 2011

Bath Township Board of Zoning Appeals Case No. BZA-11-19

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 July 19, 2011 at 7:00 PM for the appeal of **Case No. BZA-11-19**, Angel Robinson for Red Lobster, 3901 Medina Road, Akron, OH, requesting variance approval from Article V, Section 505-5-I to allow for a logo flag to be flown in conjunction with the United States flag. Property is located at 3901 Medina Road in the B-2 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

Burkhardt Development Group, Inc., 484 S. Miller Rd, Fairlawn, OH 44333

OICE LLC, 600 LaTerraza Blvd., Escondido, CA 92025

West Market Plaza Land LLC, 1350 W. Third St., Cleveland, OH 44113

Parcels

Rec	Alt ID	Parid	Address	Owner 1	Owner 2
1	BA0003902019000	0500486	3901 MEDINA RD	BURKHARDT DEVELOPMENT GROUP INC	
2	BA0003902018000	0500471	3921 MEDINA RD	OICE LLC	
3	BA0003902020001	0500524	3879 MEDINA RD	WEST MARKET PLAZA LAND LLC	

[Zoom to these records](#)



BATH TOWNSHIP

Summit County, Ohio

Bath Township
Board of Zoning Appeals
July 19, 2011 7:00 p.m.
Bath Township Administrative Offices
3864 West Bath Road

I. Call To Order

II. New Business

BZA-11-18

Mike Grabarek for
Red Lobster
3901 Medina Road

Requesting variance approvals from Article V, Section 501-4-A-1 for a second building sign and from Section 501-4-A-2-a for a larger monument sign – B-2.

BZA-11-19

Angel Robinson for
Red Lobster
3901 Medina Road

Requesting variance approval from Article V, Section 501-5-1 to allow a logo flag to be flown in conjunction with the United States flag. – B-2.

BZA-11-20

Hiram Coffey
1302 Hillandale Drive

Requesting variance approval 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-11-21

David Szuch
2524 Banning Road

Requesting variance approval from Article IV, Section 402-4-F for a side yard reduction to construct 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



BATH TOWNSHIP

Summit County, Ohio

July 6, 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, July 7, 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, July 19, 2011 at 7:00 p.m. for the appeals of: **(1) Case No. BZA-11-18**, Mike Grabarek for Red Lobster, 6001 Nimtz Parkway, South Bend, Indiana, requesting variances from Article V, Section 501-4-A-1 for a second building sign and from Section 501-4-A-2-a for a larger monument sign. Property is located at 3901 Medina Road in the B-2 Business District. **(2) Case No. BZA-11-19**, Angel Robinson, GH& A Architecture, 14110 Dallas Parkway, Dallas, Texas, requesting variance approval from Article V, Section 501-5-I to allow for a logo flag to be flown in conjunction with the United States flag. Property is located at 3901 Medina Road in the B-2 Business District. **(3) Case No. BZA-11-20**, Hiram Coffey, 1302 Hillandale Drive, requesting variance approval from Article III, Section 301-4-P-1-c for a reduction in the side yard setback to construct an accessory structure. Property is located at 1302 Hillandale Drive in the R-2 Residential District. **(4) Case No. BZA-11-21**, David Szucs, 2524 Banning Road, Akron, Ohio, requesting variance from Article IV, Section 402-4-F for a side yard reduction to construct an addition. Property is located at 2524 Banning 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



Architecture/Development

TO: Bath Township
3864 W Bath Rd
Bath, OH 44210
Contact: Marty Ferch

FROM: Angel Robinson

DATE: June 16, 2011

PROJECT: Red Lobster #324 – 3901 Medina Rd, Bath Township, OH 44310
C110016

Dear Marty,

Please find enclosed the following documents for your review and approval:

- Variance Application
- Variance Fee - \$300.00
- Eight (8) Site Plans
- Eight (8) Flag Detail

Per our prior conversation, please accept this packet as formal request for a variance to display flags at the above-referenced location. Should you have further questions or need additional information, feel free to contact me directly. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink that reads 'Angel Robinson'.

Angel Robinson
Property Development Manager
Direct: 214-461-9627

Real Estate
Development Services
Site Development
Architecture
Construction Mgmt.

Gerdes • Henrichson & Associates
14110 Dallas Parkway • Suite 300 • Dallas, TX • 75254
Phone: (972)239-8884 • Fax: (972)239-5054

Township Form No. 6 Presented by Bureau of Inspection and Supervision of Public Offices 23681

\$ 300.00 Date 6/27 20 11

OFFICE OF THE TOWNSHIP FISCAL OFFICER

Bath Township, Summit County, Ohio

Received of GMR1 Inc.
Three hundred dollars & 00/100 Dollars

For BZA 11-19
213-03-113-4-5-2510

S. A. [Signature] Fiscal Officer

Signature of party making payment _____

Dayton Legal Blank, Inc., Form No. 10066

NOTES

RECEIPT

DATE 6-27-11 NO. 220884

RECEIVED FROM GMR1 - Angel Robinson

ADDRESS 3501 Medina Rd

Three hundred dollars \$ 300.00

FOR BZA-11-19

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID		CHECK	<u>8592012</u>
BALANCE DUE		MONEY ORDER	

BY [Signature]

©2001 REDIFORM © 81808

BATH TOWNSHIP ZONING DEPARTMENT

Date 6/27/11 Receipt # 220884

Name Angel Robinson - GMR1

Amount 300.00 Check # 8592012 Cash

Please credit the Zoning and other funds with the following:

- Zoning Permit Fee (213.03.113.4.5.2500) \$ _____ ZC Permit # _____
- Zoning Appeals Fee (213.03.113.4.5.2510) BZA Case No. # 11-19
- 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
- Subdivision Fee (213.03.113.4.5.2540) SP # _____
- Bath Directories (101.09.111.4.5.6690) # of Directories _____
- Non-resident Park Fee (212.04.510.4.6.6210) Date of Rental _____
- Parking Fee-Nature Preserve (212.04.510.4.6.6220) Resident _____ Non-Resident _____
- Other

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