



BATH TOWNSHIP ZONING

Summit County, Ohio

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

ZONING VARIANCE APPLICATION

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

Applicant Data

Name: Samuel Suglio

Company Name: _____

Address: 5079 W Bath Rd, Akron, OH 44333

Telephone No.: 330-703-4431 Email: samsuglio@gmail.com

Property Data

Zoning District: (circle one) R-1 R-2 R-3 R-4 B-1 B-2 B-3 B-4 B-5

Corner Lot: Yes No Note: Corner lots are required to meet the front setback on both streets.

Property Address: 5079 W Bath Rd, Akron, OH 44333 Parcel No.: 0407647

Allotment Name: Bath Township Lot No.: 41

Owner(s): Michelle M. Suglio and Samuel J. Suglio, Co-Trustees of the Michelle M Suglio Revocable Trust

Owner Address: 5079 W Bath Rd, Akron, OH 44333

Telephone No.: 330-703-4431

Variance(s) Requested

Below list the specific section from the Zoning Resolution from which the variance is being sought along with a description of each variance. The Zoning Resolution is available online at www.bathtownship.org through the zoning link.

1. Section: 701-B Description: The total building footprint area of all accessory buildings and structures on a lot in the R-1 and R-2 districts shall not exceed 1,500 square feet.

2. Section: 701-1 Description: Yards permitted S or R

3. Section: _____ Description: _____

4. Section: _____ Description: _____

Contiguous Property Owners

The Township will notify all property owners within a 300' buffer of the parcel in question.

Required Site Plan Data and Architectural/Construction Drawings

1. Six (6) copies of site plan and plans along with a digital copy (ex: .pdf) of site plan and plans (11 x 17 preferred). 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 18% 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, Six (6) copies of the building/construction plans along with a digital copy (ex: .pdf) showing major details including height data must be submitted with the application (11 x 17 preferred).
3. The "Bath Township Area Variance Supplemental Form" shall be filled out completely for each variance requested.
4. Digital copy of all required documents (i.e. emailed .pdf file)

Applicant Certification

Applicant Signature: _____ Date: _____

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

- for residential applications – two hundred and fifty dollars (\$250.00)
- for commercial/business applications – three hundred and fifty dollars (\$350.00)
- 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 AREA VARIANCE SUPPLEMENTAL FORM

PROJECT OVERVIEW

Provide an overview of the project:

The property, purchased in 2021, includes two inherited garage structures in poor condition. The larger garage measures 40' x 53', and the smaller one is 30' x 42'. One of the garages is problematic, with its doors opening just 5 feet from the neighbor's property line, making access difficult without encroaching on their land.

I plan to demolish both garages and replace them with a single pole barn structure. This new building will address three key issues:

Improved Placement: The pole barn will be set much farther from the neighbor's property, ensuring better accessibility and compliance.

Expanded Storage: The new structure will retain and enhance the existing storage capacity.

Durability and Aesthetic Appeal: Constructed with metal materials, the pole barn will be far more durable and visually appealing, providing a long-term solution while improving curb appeal compared to the current deteriorated structures.

PRACTICAL DIFFICULTIES

The following factors shall be considered and weighed by the BZA to determine practical difficulty. If a factor is not applicable, please note that factor as "Not Applicable":

- A. Explain special conditions or circumstances that exist which are peculiar to your land or structure involved and which are not applicable generally to other lands or structures in the same Zoning District. (Examples of this are: exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures or conditions):

My parcel was split from a larger parcel. Property line issue was created by the lot split.

- B. Explain how the property in question would not yield a reasonable return on investment or there could not be any beneficial use of the property without the variance.

There are already existing structures on the property. I am simply looking to consolidate them into one structure. Currently, one of the garages is inaccessible without encroaching on the neighbors property

- C. Explain whether the variance is substantial or not:

It does not appear the variance is substantial given the existing structures on the property that already exist in front of the principal dwelling structure. As further precedent, my next door neighbor has 102 x 60ft structure in his front yard.

- D. Explain whether the essential character of the neighborhood would be substantially altered or if adjoining properties would suffer a substantial detriment as a result of the variance.

It would be a boon to the local neighborhood including direct neighbors because it would allow me access to storage without encroaching on neighbors property, look far nicer than existing structures and ensure all storage items are able to be kept out of site.

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- E. Explain whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage, fire, street services,).

No government services would be encumbered.

- F. Did the applicant purchase the property with or without knowledge of the applicable zoning restriction?

Not applicable as the property came with two structures which already violate the current size and yard placement standards.

- G. Explain whether the special conditions or circumstances (listed in response to question A above) were a result of actions of the applicant or prior owners.

Both structures were inherited from prior owners

- H. Demonstrate whether the applicant's predicament feasibly can be resolved through a method other than a variance (e.g., a zone-conforming but unworkable example, or by minimizing the variance).

Repairing or renovating the current garages could avoid the need for a new build and a variance. However, this solution would not address the issue of proximity to the neighbor's property line, nor would it improve accessibility, long-term durability, or aesthetic appeal. Given the poor condition of the existing structures, repairs might not be cost-effective or feasible.

Relocating the existing structures to comply with property line setbacks might avoid the need for a variance. However, this would be a significant logistical and financial challenge, as moving a structure often costs more than building new. Additionally, the existing structures' poor condition makes relocation impractical.

A smaller structure could potentially comply with setback requirements and negate the need for a variance. However, this would compromise the storage capacity that the applicant requires, defeating one of the project's objectives.

The applicant could rent off-site storage facilities to meet their storage needs. While feasible, this solution would not address the current structures' dilapidation or improve the property's aesthetics and usability.

- I. Explain whether the spirit and intent behind the zoning requirement would be observed and/or substantial justice done by granting the variance.

Yes, substantial justice would be done in granting the variance as it would improve the look, function, and location of the current structures to the benefit of myself and the neighbors.

**No single factor listed above may control, and not all factors may be applicable in each case. Each case shall be determined on its own facts.*