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: Fred Privett

Company Name:

Address: 2159 Alliance Road, Deerfield, OH 44411

Telephone No.: 330-414-7745 Email: FGPrivett@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: V/L Granger Rd. Parcel No.: 04-05505

Allotment Name: Bath Lot No.: 65

Owner(s): Barbara J. Hanna

Owner Address: 3700 Embassy Pkwy, Ste 750

Telephone No.: Akron, OH 44333

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: 602 Description: Riparian Corridor Setbacks

2. Section: Description:

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: 12/19/2024

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:

Applicant under contract to purchase lot for the purposes of building a 1,719sf detached, single family ranch style residence with a 3-car side entry garage and an 18'x16' porch at the rear of the home.

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):

On the contrary, there exist special circumstances that support the proposed use. The property immediately to the west (3680 Granger Rd.) has installed extensive BMP's along both sides of the Yellow Creek bank running along the western boundary of the vacant lot.

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.

This lot was platted prior to the adoption of the above referenced code. Absent a variance, the permitted use under the R-3 zoning cannot be accomplished. The lot is rendered valueless.

C. Explain whether the variance is substantial or not:

The placement of the home as shown on the site plan minimizes encroachment into the75' riparian setback. As such, the variance is not substantial. Particulary in light of the considerations in item B above.

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.

The intended use of the property is consistent with the current R-3 zoning and conforms to the intended use as originally platted.

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

No adverse affect.

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

Applicant has not purchased the lot. Purchase is contingent upon obtaining the variance to permit use of the platted lot consistent with the R-3 zoning under which the lot was created.

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.

N/A

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).

The requested variance is the most effective way to resolve this issue.

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

The proposed single family residence on a platted lot is located on the site in a manner that observes the spirit and intent of Sec. 602, minimizes encroachment into the riparian corridor and permits the property to realize its intended use. Prior to adoption of 602 the riparian corridor was not an obstacle. Hence, substantial justice is done by balancing these two critical factors.

**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.*

CONCEPT PLAN

FOR

PARCEL 04-05505

SITUATED IN THE STATE OF OHIO
COUNTY OF SUMMIT, TOWNSHIP OF BATH
DECEMBER, 2024

Environmental Design Group
AKRON / CLEVELAND / COLUMBUS
HQ 450 GRANT ST., AKRON, OH 44311
P 330.375.1390 / TF 800.835.1390
W ENVDESIGNGROUP.COM

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0 40 80
GRAPHIC SCALE IN FEET

SCALE: 1" = 40'

NOTES:

1. CONTOURS AND PROPERTY LINES ARE FROM SUMMIT COUNTY GIS INFORMATION.

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