

May 15, 2025

Via Personal Delivery

Coventry Township Board of Zoning Appeals
c/o Secretary of the Board of Zoning Appeals
68 Portage Lakes Drive
Akron, OH 44319

Coventry Township Board of Trustees
c/o Secretary of the Board of Trustees
68 Portage Lakes Drive
Akron, OH 44319

Rob Henwood
Coventry Township Zoning Inspector
68 Portage Lakes Drive
Akron, OH 44319

RE: NOTICE OF APPEAL: 3560 ½ Portage Point Blvd., Akron, OH 44319

Dear Members of the Coventry Township Board of Zoning Appeals (“BZA”), Board of Trustees (“Trustees”), and Zoning Inspector,

JK IV Enterprises LLC (“Owner”), through its managing member Johnny Knight IV, and through undersigned counsel, submits its Notice of Appeal of the letter dated May 2, 2025 (the “Revocation Letter”) by Coventry Township Zoning Inspector Rob Henwood (“Inspector”) revoking Short-Term Rental Permit Number 12340 (the “Permit”) pursuant to R.C. 519.15 and Sections 5.03 and 5.04 of the Zoning Resolution of Coventry Township (the “Zoning Resolutions”). A copy of the Revocation Letter is attached. For the reasons set forth herein, Owner requests the BZA overrule the decision of the Zoning Inspector and reinstate the Permit or, in the alternative, grant it a variance pursuant to R.C. 519.14(B) and permit the property at 3560 ½ Portage Point Blvd., Akron, OH 44319 (the “Property”) to be used as a Short-Term Rental.



American Board
of Trial Advocates



Owner submits its appeal on the following basis:

1. The Revocation Letter should be cancelled and made void and the Permit reinstated as each of the complaints cited to as the underlying basis of the Revocation Letter should not be considered violations of the Zoning Laws of Coventry Township as outlined in detail in the enclosed Statement of Owner;
2. In the alternative, a variance from Section 28.04(A) of the Zoning Resolutions would be appropriate as:
 - a. The requested variance from Section 28.04(A) is not contrary to public interest in part as the recent enactment of said section has caused an unnecessary hardship upon the Owner as a previously permitted use of the Property would not be able to be efficiently continued and permitting the variance would allow the spirit of the resolution to be observed and substantial justice be done.
 - b. The pre-existing use of the Property as a Short-Term Rental predated Section 28.04(A) when it was enacted on December 14, 2023 and thus the nonconforming use of the Property as a Short-Term Rental should be permitted and continue pursuant to Sections 24.01-24.02 of the Zoning Resolutions as well as R.C. 519.19;
 - c. Section 28.04(A) as applied to the Property would be arbitrary and unreasonable as it requires the shortest distance even if the frontage of the Property would otherwise satisfy the 300 feet requirement as set forth therein.

In support of its appeal, Owner submits the enclosed Application for Zoning Appeal including a Statement of Owner and Affidavit of Johnny Knight IV.

For the reasons set forth herein, the BZA should cancel and void the Revocation Letter and reinstate the Permit, or, in the alternative, permit the requested variance from Section 28.04(A) of the Zoning Resolutions.

Thank you. If you have any questions, please do not hesitate to contact me. Until then, I remain

Very Truly Yours,

MILLS, MILLS, FIELY & LUCAS

Laura L. Mills, Esq.

Enclosures

- Revocation Letter
- Application for Zoning Appeal (with Statement of Owner and Affidavit of Johnny Knight IV)

CC: Irving B. Sugerman, Esq., Law Director, Coventry Township
Via email: isugerman@ralaw.com

Rob Henwood, Zoning Inspector, Coventry Township
Via email: r.henwood@coventrytownship.com



COVENTRY TOWNSHIP ZONING DEPARTMENT

Rob Henwood, Zoning Inspector

68 Portage Lakes Drive, Akron, Ohio 44319 Phone: 330-644-0785 Ext. 695

Email: r.henwood@coventrytownship.com

Served by Federal Express and Certified Mail

May 2, 2025

Johnny Knight IV
JK IV Enterprises LLC
4057 St. Edmund Avenue NW
Canton OH 44718

On December 6, 2024 you were notified by letter that this office had received complaints concerning your Short-Term Rental property at 3560½ Portage Point Boulevard ("STR") (see Exhibit 1).

According to the complaints received by the Township, Short-Term Rental guests from your property were parked in such a way to block access to adjoining properties. The December 6, 2024 notice sent to you asked you to ensure that your Short-Term Rental guests do not block access to parking for adjoining properties and warns if you do not address this issue, the Township will consider revoking your Short-Term Rental Permit.



The highlighted area indicates the designated parking area for 3560½ Portage Point.

The following complaints were received by the township:

1. November 21, 2024 email to Anna Davis, Coventry Township Administrator, from Tom Hutchison, adjacent property owner, regarding STR guests parking outside of the designated parking area and blocking access to those areas (see Exhibit 2). The photograph attached thereto shows three STR guest vehicles parked outside of the designated parking location. These spaces are immediately adjacent to the designated parking area and oriented perpendicular to the designated parking area.
2. January 22, 2025 email to Anna Davis from Tom Hutchison regarding STR guests parking outside of the designated parking area (see Exhibit 3). The photographs attached thereto show a truck associated with guests of STR parked outside of the designated parking location.
3. March 28, 2025 email to Anna Davis from Tom Hutchison regarding STR guests parking outside of the designated parking area including parking on Portage Point (see Exhibit 4). The photographs attached thereto show vehicles associated with guests of STR parked in the roadway of Portage Point.
4. March 28, 2025 email to Rob Lawrence, intended for Rob Henwood, Township Zoning Inspector, from Jeff Habegger regarding STR guests parking outside of the designated parking area including parking on Portage Point (see Exhibit 5).
5. March 29, 2025 email to Anna Davis and Rob Lawrence from Tom Hutchison regarding STR guests parking outside of the designated parking area and parking on Portage Point (see Exhibit 6). The photographs attached thereto show vehicles parked on Portage Point and a blocked mailbox.

Zoning Resolution Section 28.04.A. provides that "No on-street parking shall be permitted in association with a short-term rental." These emails and contemporaneous photographs show two separate violations where STR guest vehicles were parked on the roadway of Portage Point Boulevard.

Section 28.05.C. provides that "the Township may revoke a short-term rental permit following two separate violations on the same property under the same ownership within any single calendar year." Four separate violations, as shown in the above emails, have occurred since November of 2024.

Further, the Settlement and Release Agreement you entered into with the Township on June 2, 2024 states that "Knight shall not allow there to be any parking on, in or near property in the vicinity of the property that would block access from any such properties" (see Exhibit 7). Four separate incidents of access being blocked have occurred since November of 2024.

Each of the above zoning and agreement violations are grounds for the revocation of your Short-Term Rental permit. **As such, please consider this letter notice of the revocation of your Short-Term Rental Permit Number 12340. All Short-Term Rental activity at 3560½ Portage Point shall immediately cease.**

If you feel the above determination of the Zoning Inspector was made in error, you have the right to appeal per Zoning Resolution Section 5.02.A, which states that an applicant may submit an appeal to the Board of Zoning Appeals "where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in

the enforcement of this Resolution.” A “written Notice of Appeal, specifying the grounds and reasons for such appeal” must be submitted to the Secretary of the BZA at the Zoning Office within 20 days of the receipt of this determination per Section 5.04.A. The Zoning Office is open between the business hours of 8:30 am to 4:30 pm on Monday, Wednesday, and Friday (and other times by appointment), and, if the Zoning Office is not open, then the Administration Building is open during those business hours.

If you have any questions please contact the Coventry Township Zoning Office at 330-644-0785 ext. 695 or r.henwood@coventrytownship.com.

Sincerely,

A handwritten signature in blue ink that reads "R. Henwood". The signature is written in a cursive, flowing style.

Rob Henwood, AICP
Zoning Inspector
Coventry Township

Exhibit 1



COVENTRY TOWNSHIP ZONING DEPARTMENT

Rob Henwood, Zoning Inspector

68 Portage Lakes Drive, Akron, Ohio 44319 Phone: 330-644-0785 Ext. 695

Email: r.henwood@coventrytownship.com

December 6, 2024

Johnny Knight IV
JK IV Enterprises LLC
4057 St. Edmund Avenue NW
Canton OH 44718

This office has received a complaint concerning your property at 3560 ½ Portage Point.

It has come to the Township's attention that Short Term Rental guests from your property were parked in such a way to block access to an adjoining property. The Settlement and Release Agreement you entered into with the Township states "Knight shall not allow there to be any parking on, in or near property in the vicinity of the property that would block access from any such properties."

Please ensure that your Short Term Rental guests do not block access to parking for adjoining properties per your agreement. If you do not address this issue, the Township will consider revoking your Short Term Rental Permit.

If you have any questions please contact the Coventry Township Zoning Office at 330-644-0785 ext. 695 or r.henwood@coventrytownship.com.

Sincerely,

Rob Henwood, AICP
Zoning Inspector
Coventry Township

Exhibit 2

Rob Henwood

From: Anna Davis
Sent: Thursday, November 21, 2024 7:43 AM
To: Tom Hutchison; Anna Davis; Rob Henwood
Subject: Re: 3560.5 Air BnB

Mr. Hutchison - thank you for continuing to make us aware of these situations. I will bring our new zoning inspector, Rob Henwood up to speed on the prior issues. Please also continue to report it to the Sheriff's Office as you feel it's necessary.

Anna M. Sawhill-Davis
Coventry Township Administrator

a.davis@coventrytownship.com

Office: 330-644-0785, Ext. 692

From: Tom Hutchison <tjh07@icloud.com>
Sent: Thursday, November 21, 2024 7:33:32 AM
To: Anna Davis <bryant@coventrytownship.com>
Subject: 3560.5 Air BnB

Ms. Davis,

Unfortunately once again the parking concerns of the air BnB at 3560.5 continue. Parking is well marked with signage for our properties.

Last evening my tenants who are to park here had to park else where.

The picture clearly shows the guests staying at the AirBnB incorrectly parked.

If there should be any further questions please reach back to me.

Thank You,

Tom Hutchison

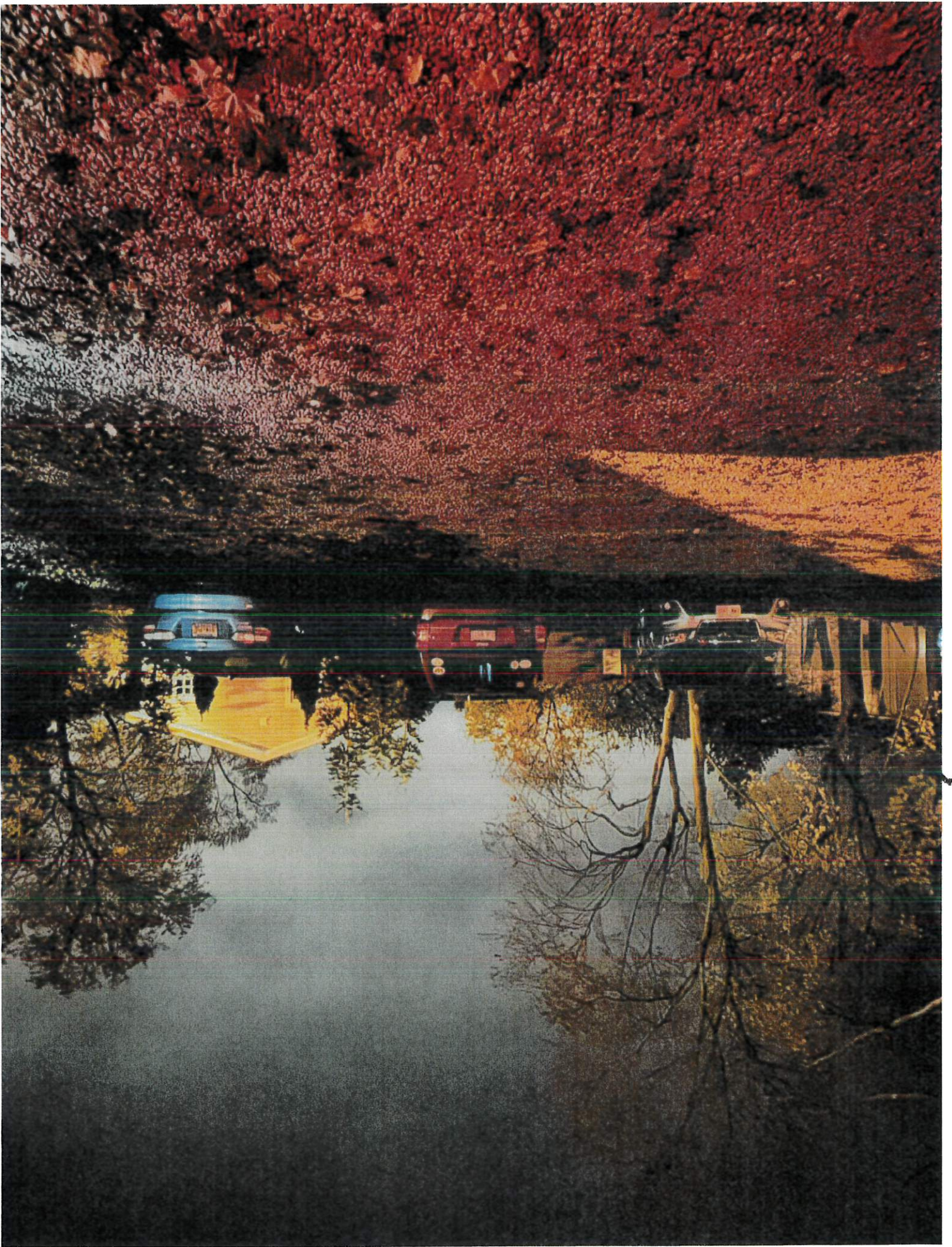


Exhibit 3

Rob Henwood

From: Anna Davis
Sent: Thursday, January 23, 2025 9:49 AM
To: Rob Henwood; Sugerman, Irving
Subject: FW: 3560 1/2 Portage Point Blvd Airbnb

FYI – additional complaints regarding the Johnny Knight Airbnb property.

Anna

From: Tom Hutchison <tjh07@icloud.com>
Sent: Wednesday, January 22, 2025 6:21 PM
To: Anna Davis <a.davis@coventrytownship.com>
Subject: 3560 1/2 Portage Point Blvd Airbnb

Mrs. Davis,

Sorry to be bothering you on this issue again of inconsideration of guest parking at the above address. Residents that live adjacent to the address have been blocked several times this past week due to Airbnb guests not complying with the parking rules.

Saturday night two residents were blocked from parking their vehicles due to the truck parked in the center of our parking lot. I personally had to ask them to relocate the truck, as this is private parking. The following morning, Sunday morning, was a repeat of Saturday evening.

Tonight, you can see again where they've parked in our parking lot blocking a tenant's vehicle. This is January and I cringe at what the residents will be putting up with come spring because the owner advertises a house that sleeps 10 and is spacious with plenty of parking available.

I am reaching out because I've been informed to notify the sheriff's department on this challenge; personally, I feel guilty in having to notify them on this matter because they are busy protecting and serving our beloved Portage Lakes community.

Thank you for the time in reading this message as I hope we can resolve this challenge soon.

Best regards,

Tom Hutchison

Tom Hutchison 1/22/2025 email





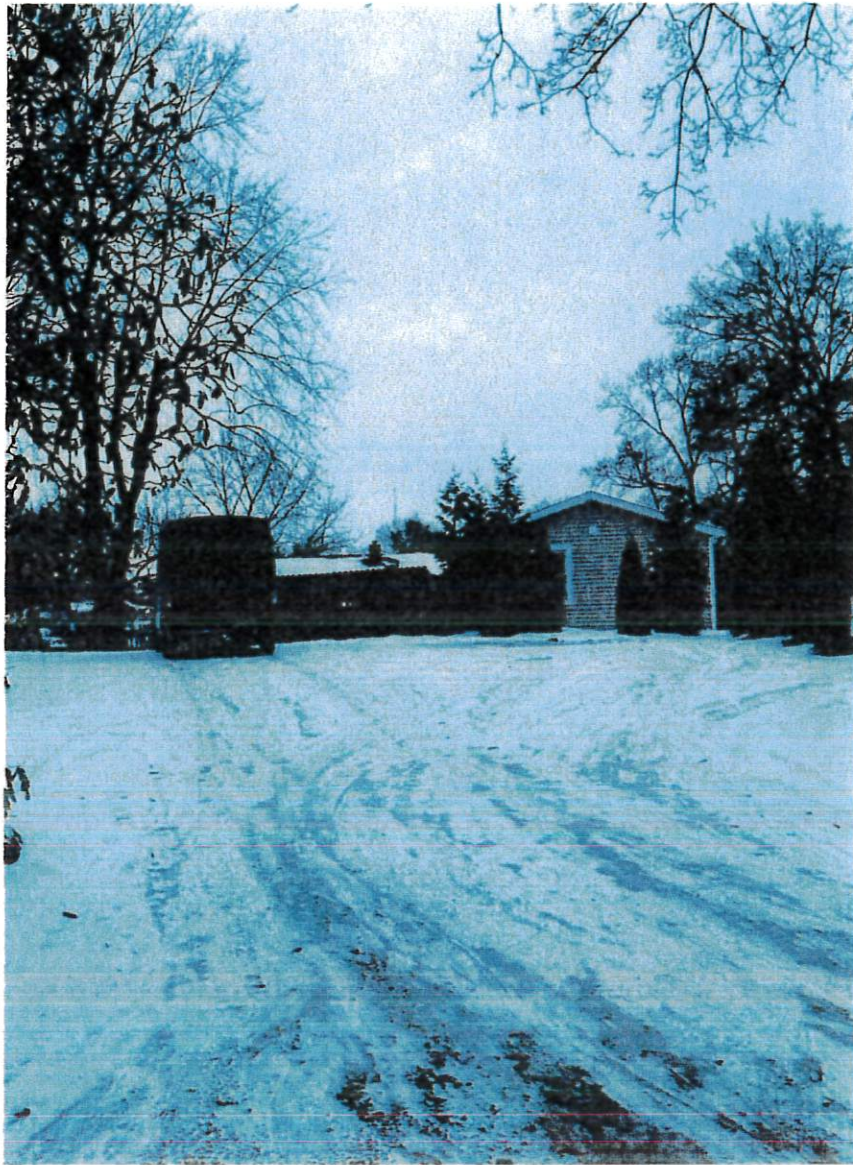


Exhibit 4

Rob Henwood

From: Anna Davis
Sent: Friday, March 28, 2025 5:37 PM
To: Tom Hutchison
Cc: Rob Henwood
Subject: Re: Air BnB 35601/2 PP Blvd

Received...thank you for continuing to make us aware of these ongoing issues.

Anna M. Sawhill-Davis
Coventry Township Administrator

a.davis@coventrytownship.com

Office: 330-644-0785, Ext. 692

From: Tom Hutchison <tjh07@icloud.com>
Sent: Friday, March 28, 2025 1:57:13 PM
To: Anna Davis <a.davis@coventrytownship.com>
Cc: Rob Lawrence <lawrence@coventrytownship.com>
Subject: Air BnB 35601/2 PP Blvd

Ms. Davis,

Once again I'm sharing with the TWP the parking challenges which exist with 35601/2 (air bnb) .

Not only are guest ignoring the signs on the street prohibiting parking. The Prescriptive easement continues to not be followed by the guest / owner.

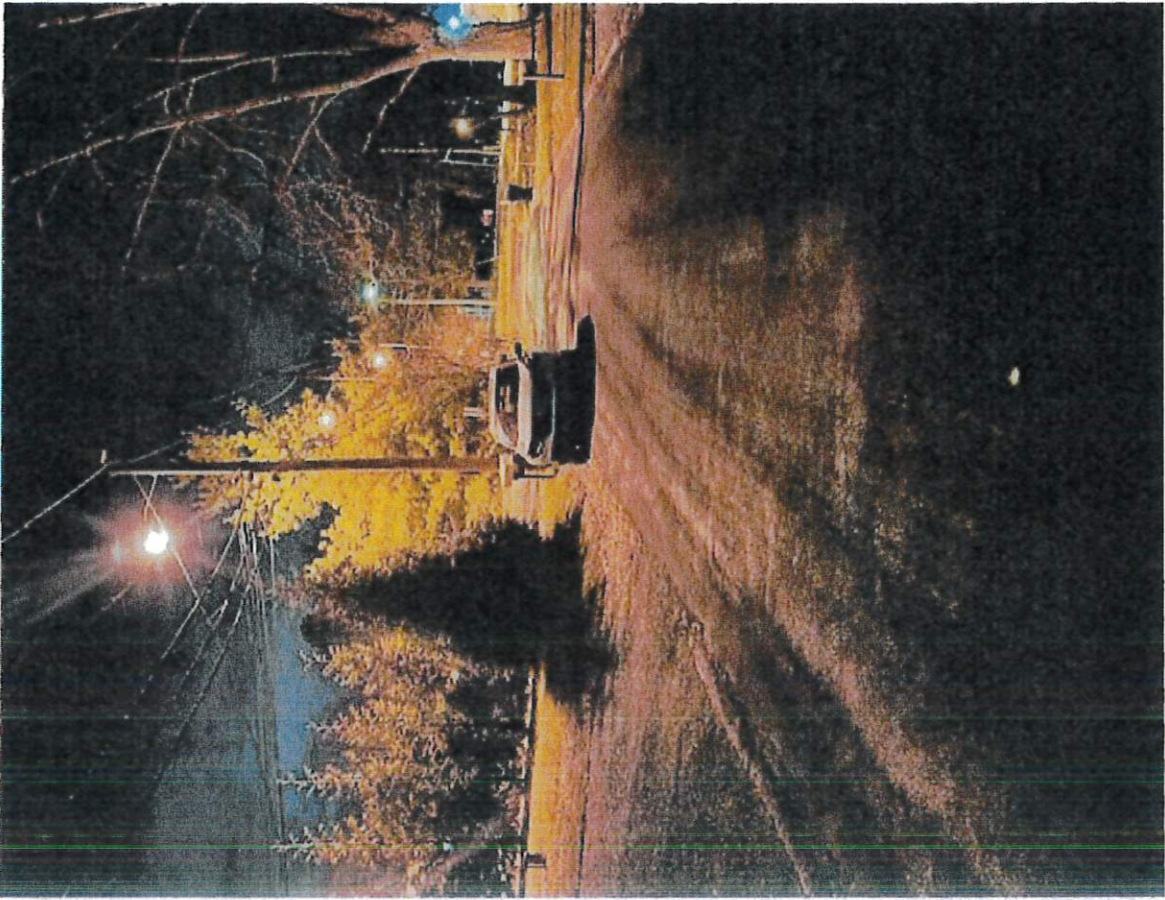
Plus parking in this manner has prohibited USPS delivery today.

Having sent this earlier today I apologize if it duplicated . Upon returning home I went to print off for my files. Discovering it had vanished so I sent it again.

Thank You.

Tom Hutchison









Sent from my iPhone

Exhibit 5

Rob Henwood

From: Anna Davis
Sent: Friday, March 28, 2025 5:38 PM
To: Jeff Habegger; Rob Henwood
Cc: Anna Davis
Subject: Re: Portage Point Airbnb

Received - thank you for making us aware of this issue.

Anna M. Sawhill-Davis
Coventry Township Administrator

a.davis@coventrytownship.com

Office: 330-644-0785, Ext. 692

From: Jeff Habegger <jeffhabegger@yahoo.com>
Sent: Friday, March 28, 2025 1:51:40 PM
To: lawrence@coventrytownship.com <lawrence@coventrytownship.com>
Cc: bryant@coventrytownship.com <bryant@coventrytownship.com>
Subject: Portage Point Airbnb

Mr Lawrence,

Good afternoon! I have noticed that folks are parking their vehicles on both sides of the street up and down Portage Point. I'm pretty confident that the vehicles are from the Airbnb located at 3560 1/2 Portage Point. My issue is that not only are the cars parking under the Fire Lane/No parking sign, but there is a safety concern at the bend. This morning there were 4 vehicles, two on the West side of the street, closer to the Picks parking lot, and two on the east side, directly across from Fan Drive.

I realize that you cannot click your feet and this will never happen again, but I think you could have a discussion with the Airbnb owner along with asking the Sheriff to look out for the infractions. BTW, residents in the area brought up the parking issue during the zoning meeting, prior to the Airbnb being approved for short term rentals. We were told this was the avenue to take if there were any issues.

Best Regards,

Jeff Habegger
453 Fan Drive
330-714-9627

Exhibit 6

From: Anna Davis
To: Rob Hanwood; Sugerman, Irving
Subject: Fw: 35601/2 SATURDAY AM
Date: Saturday, March 29, 2025 12:15:27 PM

Hey guys...What can we do here? At this point Mr. Knight is blatantly disrespecting the use permit he was granted... he continues to allow large numbers of people to stay at his house even though the parking doesn't allow it...

His permit is up for renewal on 5/31... do Mr. Hutchison and his tenants just have to continue to deal with this ongoing nuisance until then? Is there anything we can do in the meantime? (.. contact Knight's attorney again?)

It's frustrating feeling like we've created this permit process and then can't do anything to enforce it when the rules aren't being followed

Anna M. Sawhill-Davis
Coventry Township Administrator

a.davis@coventrytownship.com

Office: 330-644-0785, Ext. 692

From: Tom Hutchison <tjh07@icloud.com>
Sent: Saturday, March 29, 2025 9:42:39 AM
To: Anna Davis <a.davis@coventrytownship.com>; Rob Lawrence <lawrence@coventrytownship.com>
Subject: 35601/2 SATURDAY AM

Anna & Rob,

Unfortunately here we are Saturday AM with the same parking challenges. One can see again,
. guest are ignoring the no parking signs,
. Blocking the mailboxes preventing delivery (yesterday)
. Creating safety concerns for auto's (residents) reaching the curve
. Again restricting the prescriptive easement upon my resident's parking.

Honestly, we all work at setting the example for community and those visiting the area.

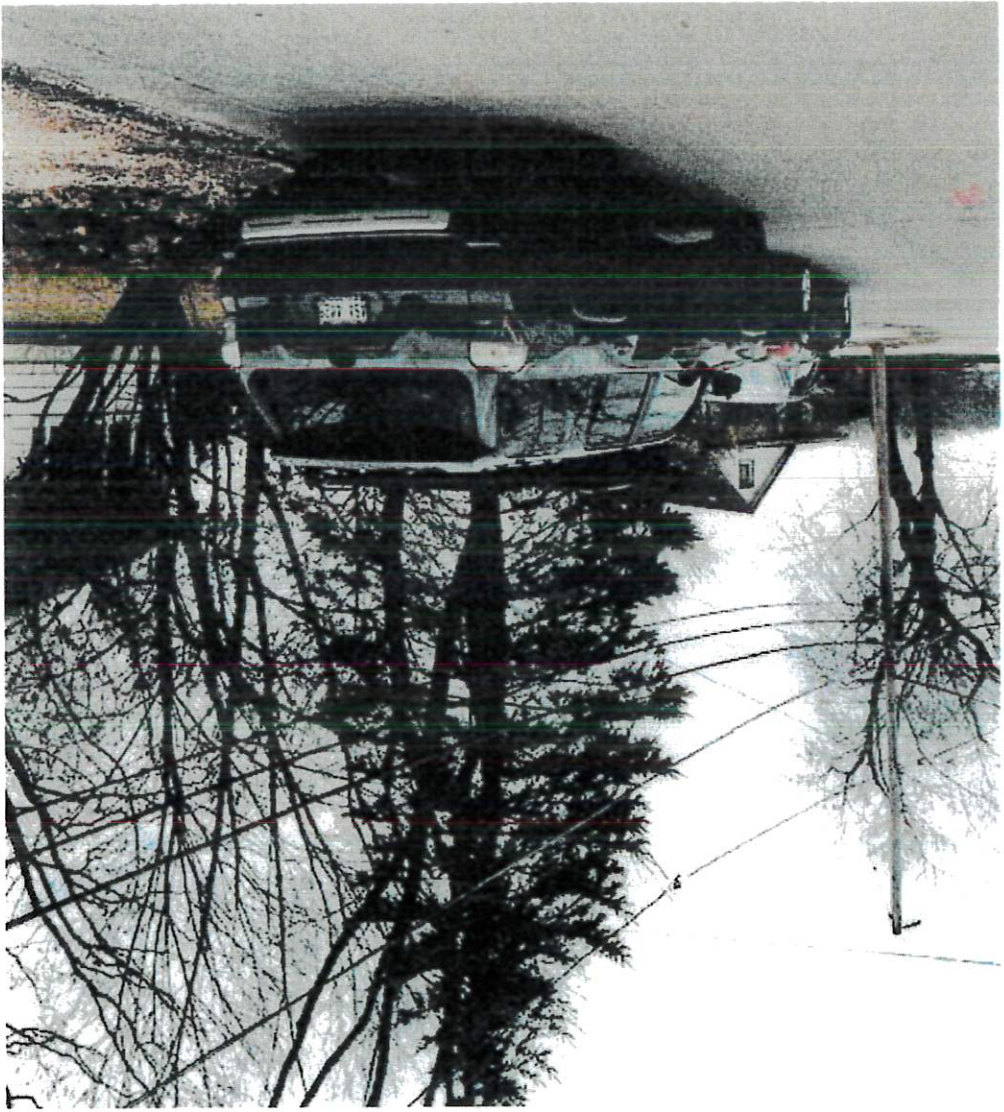
When you place 14 guest in an Airbnb that states 10 guest availability which only provides two parking spaces. It's really not hard to understand the frustration felt by the neighbors.

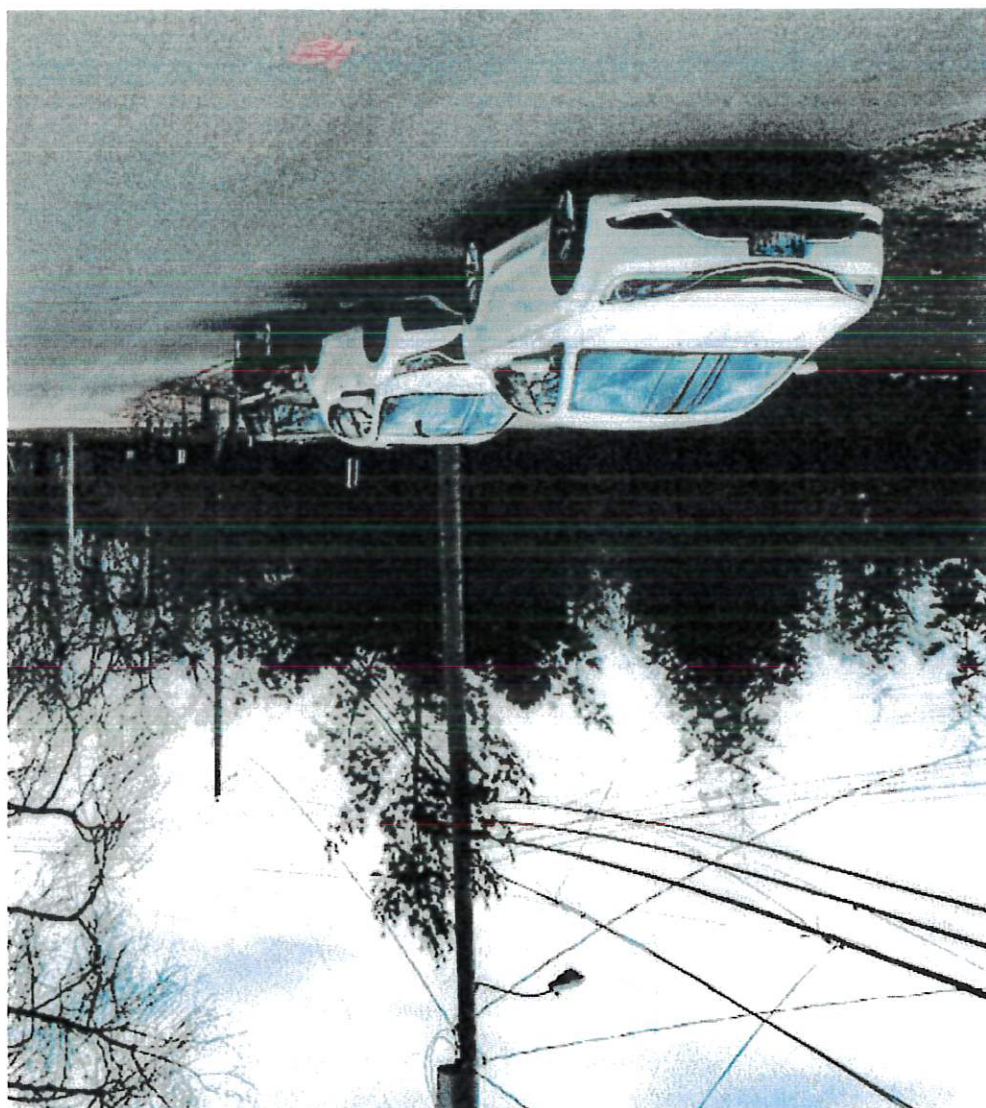
Again, sorry in having to relay this challenge, for you both have a lot of other more important matters to attend.

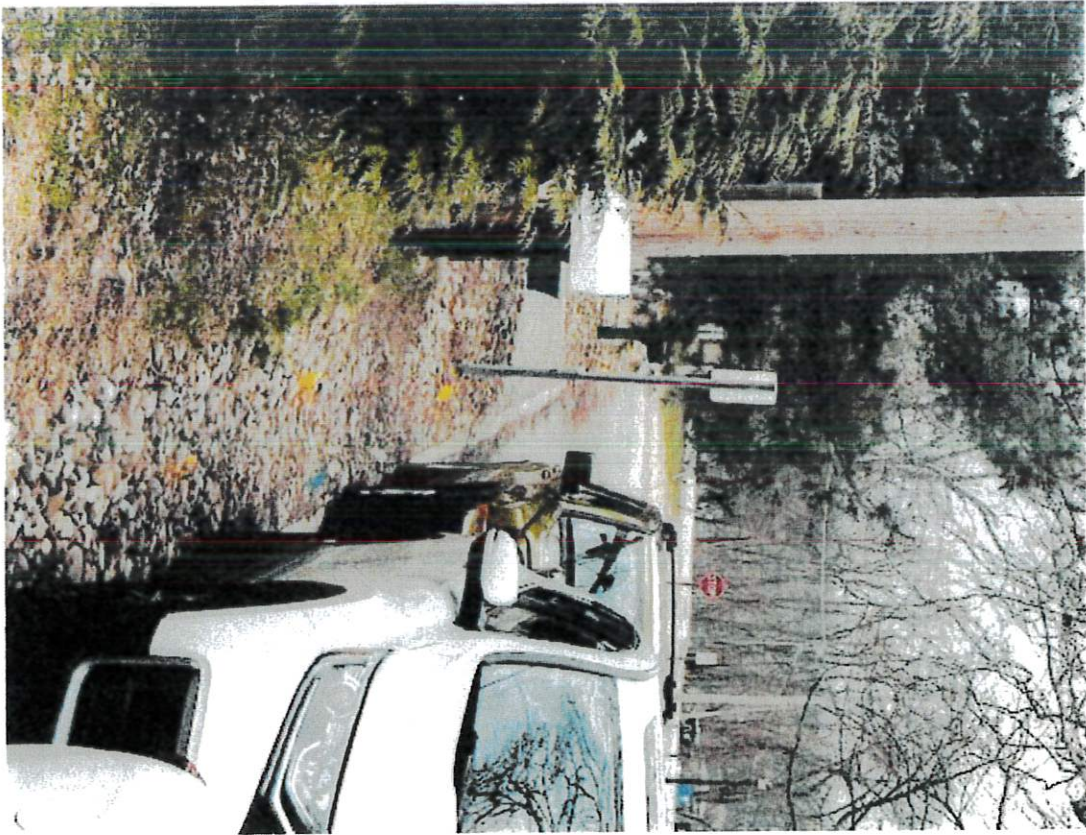
Sincerely,

Tom Hutchison











Sent from my iPhone

Exhibit 7

SETTLEMENT AND RELEASE AGREEMENT

This Settlement and Release Agreement ("Agreement") is made and entered into between Johnny Knight IV ("Knight") and Coventry Township, (each individually, a "Party" and collectively, the "Parties").

WHEREAS, Knight is the owner of real property located at 3560 ½ Portage Point, Akron, Ohio 44319, which is located in Coventry Township; and

WHEREAS, Knight purchased the property with the intention of utilizing it for a Short Term Vacation Rental ("STVR"); and

WHEREAS, Coventry Township regulates STVR's pursuant to Article 9 of the Coventry Township Zoning Resolution (the "Zoning Resolution"); and

WHEREAS, Knight filed an application for a STVR permit with Coventry Township; and

WHEREAS, the application was denied by the Coventry Township Zoning Inspector; and

WHEREAS, Knight filed an application for a variance and an appeal from the adverse determination of the Zoning Inspector; and

WHEREAS, the variance application and the appeal came before the Coventry Township Board of Zoning Appeals (the "BZA") on May 7, 2024, at which time the BZA tabled the matter; and

WHEREAS, the BZA expressed a desire that the parties attempt to resolve this matter without the necessity of litigation; and

WHEREAS, the Parties are desirous of resolving this matter upon the following terms and conditions.

NOW, THEREFORE, in consideration of their mutual promises contained herein, and for and in return for valuable consideration, the receipt of which is hereby acknowledged by the Parties hereto, it is hereby agreed as follows:

1. The Zoning Inspector shall issue a STVR permit to Knight pursuant to Article 9 of the Zoning Resolution.
2. Knight agrees to be bound by the provisions set forth in the Zoning Resolution with respect to the operation of the STVR.
3. Knight shall not allow there to be any parking on, in or near property in the vicinity of the property that would block access to and from any such properties.

4. Knight shall otherwise fully comply with all of the terms and conditions set forth in the Zoning Resolution.

Date: 6-2-2024

COVENTRY TOWNSHIP

By: George Beckham

George Beckham
Title: Chairman, Board of Trustees

Date: 5-31-2024

Johnny Knight IV
Johnny Knight IV

1851213




APPLICATION FOR ZONING APPEAL

Must be completed and submitted at least 15 days prior to the date of the hearing.

Name: JK IV Enterprises LLC	
Address: 4057 St. Edmund Ave. NW, Canton, OH 44718	
Phone No. (A.M.) (440) 344-6864	(P.M.) (440) 344-6864
Address of Property where Variance is requested:	
3560 1/2 Portage Point Blvd., Akron, OH 44319	
Name, address and telephone number of property owner (include zip code):	
JK IV Enterprises LLC	
Address: 4057 St. Edmund Ave. NW, Canton, OH 44718, Phone: (440) 344-6864	
Zoning District: Residential	
Variance Requested:	
Reconsideration of revocation of Short-Term Rental Permit Number 12340 and, in the alternative, a variance to continue to use property as a Short-Term Rental.	
Proposed construction will be:	
Not applicable	
Your Reasoning for Requesting a Variance (applicant may attach a statement on separate paper):	
See attached statement.	

Adjacent Owners: Names	Mailing Address and Zip Code:
Smith Walker PLX LLC	3558 1/2 Portage Point Blvd., Akron, OH 44718
Smith Walker PLX LLC	3564 Portage Point Blvd., Akron, OH 44718
Smith Walker PLX LLC	3558 Portage Point Blvd., Akron, OH 44718

Signature of Applicant:*	Date:
	5-15-2025

By: Johnny Knight IV, as Managing Member
of JK IV Enterprises LLC

Date of Hearing:

**By signing this application, the applicant acknowledges they have read the attached "Procedure for Zoning Variance," "Guidelines for Decisions on Variances," "Conduction of Zoning Appeals Meeting," and "Coventry Township Board of Zoning Appeals" before the hearing.*

Please attach the required site plan and any additional drawings to this application.

FOR OFFICE USE ONLY

TYPE	FEE AMOUNT	DATE	PAYMENT TYPE	RECEIPT NUMBER
VARIANCE APPLICATION FEE	\$250.00			
CONDITIONAL USE APPLICATION FEE	\$300.00			

STATEMENT OF JK IV ENTERPRISES LLC

JK IV Enterprises LLC (“Owner”), through its managing member Johnny Knight IV, makes this appeal of the Zoning Inspector’s revocation of Short-Term Rental Permit Number 12340 (the “Permit”) and request either the revocation to be deemed void or a variance be allowed so that Owner may to continue to use the property located at 3560 ½ Portage Point Blvd., Akron, OH 44319 (the “Property”) as a Short-Term Rental.

By letter dated May 2, 2025, Coventry Township Zoning Inspector Rob Henwood (“Inspector”) issued a letter revoking the Permit (the “Revocation Letter”). The Revocation Letter asserts that revocation of the Permit was justified for the following complaints, all related to parking:

1. 11/21/2024: Complaint by Tom Hutchinson, President of Smith Walker PLX LLC (the “First Complaint”).
2. 01/22/2025: Complaint by Tom Hutchinson, President of Smith Walker PLX LLC (the “Second Complaint”).
3. 03/28/2025: Complaint by Tom Hutchinson, President of Smith Walker PLX LLC, and Jeff Habegger of 453 Fan Dr., Akron, OH 44319 (the “Third Complaint”).
4. 03/29/2025: Complaint by Tom Hutchinson, President of Smith Walker PLX LLC (the “Fourth Complaint”).

Background Regarding the Property

To understand how these parking complaints came to be its important to have some background regarding the Property itself. The Property was purchased by Owner in 2023 and is located on and has access to the Portage Lakes. To gain access to parking on the Property, renters will need to use the shared access driveway on property owned by Smith Walker PLX LLC which owns **all** of the lots surrounding the Property including a spite fence near the entryway of the



Owner has always required that renters of the Property follow special parking instructions to avoid misunderstandings with its surrounding neighbor. On its rental webpages, Owner explicitly provides that the Property has special parking instructions and it is important to follow said instructions at all times. When a renter is approved by Owner, the renter is provided with detailed instructions referencing the spite fence, car limits, lack of street parking, and the two images above:

Our driveway is behind brown fence as you pull into driveway.

Please follow parking instructions and keep path open to neighboring driveways at all times. Our Driveway can only fit 3 cars. Please see pictures attached.

Portage Lakes Escape
Guest Parking Guidelines

Welcome and thank you for choosing to stay with us!

Please carefully review the parking rules below to ensure a smooth and enjoyable visit:

✓ Parking Capacity:

- Up to 3 vehicles may park in our driveway.
- Additional parking is available in nearby public areas (please contact us if you need directions).
- Parking instructions are strict. Subject to being towed if parked outside of our driveway or blocking driveway.

✗ No Street Parking:

- Coventry Township does not allow Airbnb/VRBO guests to park on public streets.
- Vehicles parked on the street are subject to towing without notice.

If you have any parking questions or need assistance, please contact us directly.

Enjoy your stay and the beauty of Portage Lakes!

Owner has taken further steps to ensure compliance as of February, 2025. Owner has installed parking signs for the relevant parking spots to help avoid confusion. Additionally, Owner has installed a camera to allow him to see if a guest inadvertently made a parking error.



Background Regarding the Complaints

All four of these complaints assert parking issues in relation to the Property. Each of the complaints will be discussed in turn.

1. The First Complaint.

The First Complaint is a November 21, 2024 email from Tom Hutchinson (“Mr. Hutchinson”), President of Smith Walker PLX LLC to Coventry Township (the “Township”). Mr. Hutchinson explains one of his renting tenants—as he does not reside at the surrounding properties—informed him that someone incorrectly parked on one of his company’s properties. Mr. Hutchinson provided the image below and connected the cars to the Property.

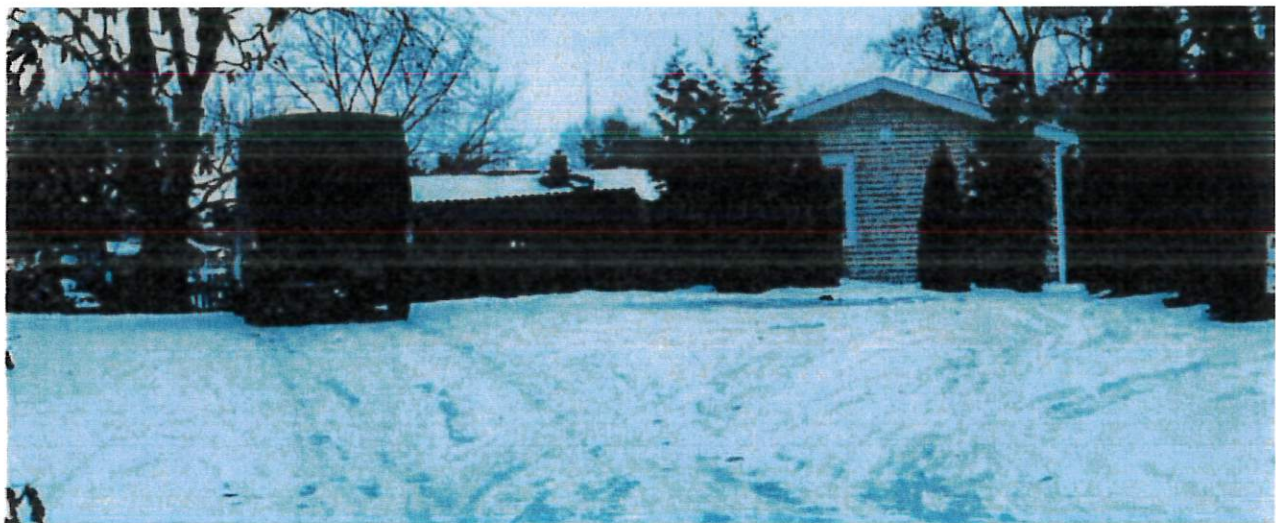
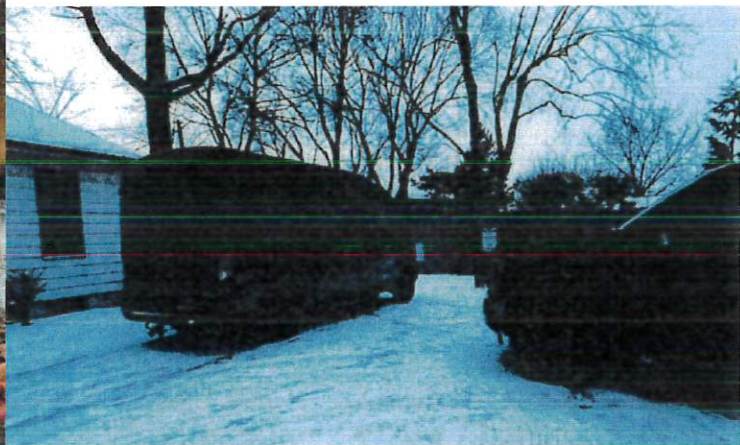


Mr. Hutchinson did call Owner on the evening in question and Owner immediately contacted the renters who resolved the incident instantly. Renters had been confused by the spite fence partially blocking access to parking on the Property. Owner was later informed of the complaint to the Township’s Inspector by letter dated December 6, 2024 requesting that steps be taken to avoid parking issues in the future (the “Notice”). In part due to the Notice, Owner began the process of

installing the parking signs and camera outlined above. Due to the immediate remediation of the complaint when it arose, the First Complaint should not be considered a violation.

2. The Second Complaint.

The Second Complaint is a January 23, 2025 email from Mr. Hutchinson, President of Smith Walker PLX LLC to the Township. Mr. Hutchinson explains one of his renting tenants informed him that a truck was incorrectly parked on one of his company's properties, that he personally asked the individual to move the truck and the individual later came back and blocked a tenant's car. Mr. Hutchinson provided images below and alleged the owners of the car were renters of the Property.



Mr. Hutchinson and the Township did not attempt to contact Owner regarding the alleged incident. Owner was instead informed by Revocation Letter revoking the Permit approximately four months after the incident. While Owner recognizes that the truck shown in the picture was a renter, it is understood that the renter temporarily stopped the vehicle as shown for a minute period of time for purposes of loading and unloading personal items into the house before moving the vehicle to a public parking location. Evidence can be shown by the lights showing the engine was still running in the first photo as well as the daylight photos which show another truck parked nearby and then moved indicating that the truck at issue was not sitting on the property for an extended period of time. Due to the temporary nature of the vehicle's stops, the Second Complaint should not be considered a violation.

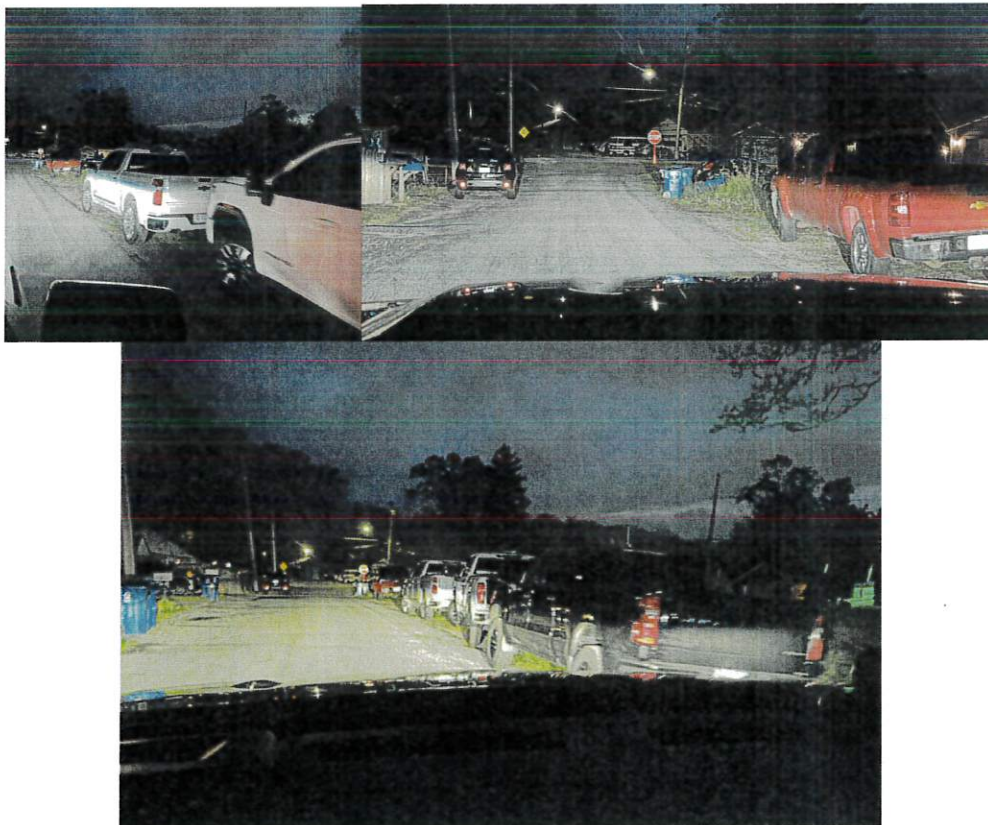
3. The Third Complaint.

The Third Complaint involves March 28, 2025 emails sent at 1:51 PM and 1:57 PM from Mr. Hutchinson, President of Smith Walker PLX LLC as well as Jeff Habegger ("Mr. Habegger") of 453 Fan Dr., Akron, OH 44319 to the Township. Mr. Hutchinson and Mr. Habegger allege that renters of the Property are parking in the public street. Mr. Hutchinson includes four photographs with his message shown below.





Once again, Mr. Hutchinson and the Township did not attempt to contact Owner regarding the alleged incident. Owner was instead informed by Revocation Letter revoking the Permit approximately two months after the alleged incident. As the Township is well aware, parking in the public street is not prohibited—except by renters of a Short-Term Rental property such as the Property. From what Owner can determine, it is not terribly uncommon for residents of the area to park on the street as shown in the below images.



Additionally, Owner has been informed that there are multiple operating Short-Term Rental properties in the area and it is possible that those rental tenants could be partially to blame for the street parking. As far as Owner can determine, the cars at issue in the Third Complaint were not his renters. As a result, the Third Complaint should not be considered a violation.

4. The Fourth Complaint.

The Fourth Complaint involves a email from Mr. Hutchinson, President of Smith Walker PLX LLC to the Township the next day on March 29, 2025 at 9:42 AM. Mr. Hutchinson alleges that renters of the Property are parking in the public street. Mr. Hutchinson includes five photographs with his message shown below.





Once again, Mr. Hutchinson and the Township did not attempt to contact Owner regarding the alleged incident. As previously stated and the Township is well aware, parking in the public street is not prohibited—except by renters of a Short-Term Rental property such as the Property. As previously explained in response to the Third Complaint, from what Owner can determine, it is not terribly uncommon for residents of the area to park on the street and there are multiple operating Short-Term Rental properties in the area who may be partially to blame for the street parking. As far as Owner can determine, the cars at issue in the Fourth Complaint were not his renters. As a result, the Fourth Complaint should not be considered a violation.

Having eliminated all complaints outlined in the Revocation Letter, Owner requests the Permit be reinstated.

In the Alternative, Variance Requested

In the alternative, if the Board of Zoning Appeals declines to cancel and void the Revocation Letter, Owner requests a variance from Section 28.04(A) of the Township Zoning Resolutions and allow the Property to be used as a Short-Term Rental.

The requested variance from Section 28.04(A) is not contrary to public interest. The recent enactment of the section and its enforcement has caused an unnecessary hardship as all permitted uses of the Property are no not economically feasible and cannot be efficiently continued. The

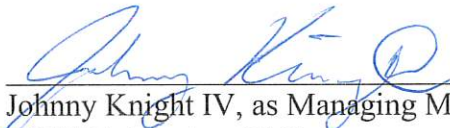
spirit of the section will still be observed and substantial justice done by permitting the requested variance pursuant to R.C. 519.14(B).

The pre-existing use of the Property as a Short-Term Rental predates Section 28.04(A) when it was enacted on December 14, 2023. The nonconforming use of the Property as a Short-Term Rental should be permitted and continue pursuant to Sections 24.01-24.02 of the Township's Zoning Resolutions as well as R.C. 519.19.

As applied to the Property, Section 28.04(A) would be arbitrary and unreasonable as it requires the shortest distance even if the frontage of the Property would otherwise satisfy the 300 feet requirement as set forth therein.

In support of Owner's position, an Affidavit of Johnny Knight IV is attached.

Therefore, as an alternative remedy cancellation of the Revocation Letter, Owner requests a variance from Section 28.04(A) of the Township Zoning Resolutions.



Johnny Knight IV, as Managing Member of
JK IV Enterprises LLC

**AFFIDAVIT
OF
JOHNNY KNIGHT IV**

Now comes JOHNNY KNIGHT IV, and upon being duly sworn in accordance to law, and with his own personal knowledge, states as follows:

1. My legal name is Johnny Knight IV.
2. I am over eighteen (18) years of age and I am competent to give testimony on all matters contained herein.
3. I am the managing member of JK IV Enterprises LLC ("Owner").
4. Owner is the owner of real property located at 3560 ½ Portage Point Blvd., Akron, OH 44319 (the "Property") which is associated with Summit County Parcel Number 1900508.

Purchase of the Property

5. In December of 2023, Owner hired Kate Ryan ("Ms. Ryan"), licensed realtor at Tarter Realty, to represent it as the Buyer's Agent in purchasing a Short-Term Rental property.
6. During that time, Owner was working with Matt Witzberger ("Mr. Witzberger") at Ohio Catholic federal Credit Union to obtain a business loan for the purchase of a Short-Term Rental property.
7. On December 14, 2023, I was told by Laura Cowles ("Ms. Cowles"), then Zoning Inspector for Coventry Township, that the Property was eligible as a Short-Term Rental. Ms. Cowles told me that I would need to submit an application and that the application was only available on the Coventry Township website or by emailing her.
8. On information and belief, Ms. Ryan and Mr. Witzberger each contacted Ms. Cowles before the Property closing date of December 29, 2023, and received confirmation from Ms. Cowles that the Property was eligible as a Short-Term Rental property.

Initial Denial of Short-Term Rental Authorization

9. I called Ms. Cowles to request an application as no application was available on the Coventry Township website, however, Ms. Cowles did not answer.

10. I sent two follow-up emails to Ms. Cowles again requesting an application and received an application on January 8, 2024.

11. After submitting the Short-Term Rental application, Ms. Cowles emailed me that the Property could not be considered for a Short-Term Rental.

12. On March 12, 2024, I received an email from the Coventry Township Law Director that the Property could not be approved for a Short-Term Rental.

13. Upon information and belief, the Property had previously been used as a Short-Term Rental by its previous owners.

14. Upon information and belief, the previous owners registered the Property with the Summit County Residential Rental Registry on or about May 6, 2021.

Appeal and Grant of Short-Term Rental Authorization

15. On March 28, 2024, Owner submitted a Notice of Appeal requesting a variance from Section 28.04(A) of Coventry Township's Zoning Resolution.

16. On May 7, 2024, Coventry Township's Board of Zoning Appeals heard the appeal and tabled the matter while expressing a desire that the Zoning Inspector and Owner resolve the matter without litigation.

17. On June 2, 2024, Owner and the Coventry Township Board of Trustees executed a Settlement and Release Agreement where the Zoning Inspector would issue a Short-Term Rental Permit to Owner provided Owner agreed to follow the Coventry Township Zoning Resolution.

The Surrounding Neighbor

18. The Property is surrounded on each of its sides and the public street by property owned by Smith Walker PLX LLC.

19. On information and belief, Smith Walker PLX LLC is owned by Tom Hutchinson ("Mr. Hutchinson") who is President of the company.

20. On information and belief, Smith Walker PLX LLC provides long-term rental units for its customers.

21. A fence was erected on property owned by Smith Walker PLX LLC that partially blocks clear access from the public street to the designated parking area of the Property.

22. Mr. Hutchinson submitted four complaints regarding parking purportedly related to the Property (the "Complaints") to Coventry Township Administrator Anna Sawhill-Davis ("Ms. Sawhill-Davis") and/or the current Zoning Inspector Rob Henwood ("Mr. Henwood").

23. Mr. Hutchinson only contacted me once regarding the Complaints.

24. Mr. Hutchinson only contacted me regarding the November 21, 2024 complaint which was resolved immediately upon notice.

25. Mr. Hutchinson never contacted me regarding any of the Complaints that occurred in 2025.

26. If Mr. Hutchinson contacted me regarding any of the Complaints in 2025, and if the parties at issue were renters of the Property, I would have resolved the Complaints immediately when informed.

The First Complaint

27. I was called by Mr. Hutchinson regarding an issue on or around November 21, 2024 that unknown vehicles were parking on Smith Walker PLX LLC's property.

28. I immediately contacted the renters of the Property who resolved the complaint instantly.

29. Property renters explained that they had been confused by the fence on Smith Walker PLX LLC's property that partially blocks access to the parking on the Property.

30. I was informed by Mr. Henwood by letter dated December 6, 2024 of Mr. Hutchinson's first filed complaint issued to Ms. Sawhill-Davis dated November 21, 2024 that unknown vehicles were parking on Smith Walker PLX LLC's property.

31. Based on the communication with Mr. Henwood, I installed parking signs and a camera facing the Property parking area as of February 11, 2025 to ensure that those causing issues would not be renters of the Property.

The Second Complaint

32. Mr. Hutchinson emailed Ms. Sawhill-Davis on January 22, 2025 a second complaint that an unknown truck was parking on the Smith Walker PLX LLC's property.

33. On information and belief, the unknown truck was a renter of the Property, however, it was temporarily stopped to drop off and pick up persons, luggage, and equipment prior to parking in an authorized public location.

The Third and Fourth Complaints

34. Mr. Hutchinson and his friend Jeff Habegger emailed Ms. Sawhill-Davis and Mr. Henwood respectively on March 28, 2025 within ten minutes of each other a third complaint that unknown cars were parking in the nearby street.

35. Mr. Hutchinson again emailed Ms. Sawhill-Davis the next day on March 29, 2025 a fourth complaint that unknown cars were parking in the nearby street.

36. On information and belief, cars other than those associated with Short-Term Rental properties are authorized to park in the street.

37. At the time of the incident, Owner's parking instructions clearly stated that renters were not to park in the street but instead were to park in the designated area.

38. On information and belief, the parties causing the third and fourth complaints were not renters of the Property.

Revocation of Permit

39. By letter dated May 2, 2025, Mr. Henwood revoked the Short-Term Rental permit of the Property based solely on the Complaints.

40. Mr. Hutchinson did not discuss any of the Complaints that arose in 2025 with me prior to the issuance of the letter revoking the Short-Term Rental permit of the Property.

41. Mr. Henwood did not discuss any of the Complaints that arose in 2025 with me prior to the issuance of the letter revoking the Short-Term Rental permit of the Property.

42. Ms. Sawhill-Davis did not discuss any of the Complaints with me prior to the issuance of the letter revoking the Short-Term Rental permit of the Property.

43. Jeff Habegger did not discuss any of the Complaints with me prior to the issuance of the letter revoking the Short-Term Rental permit of the Property.

44. If Mr. Hutchinson, Mr. Henwood, Ms. Sawhill-Davis, or Jeff Habegger contacted me regarding any of the Complaints that arose in 2025, and if the parties at issue were renters of the Property, I would have resolved the Complaints immediately when informed as I did for the first complaint in November 21, 2024.

FURTHER AFFIANT SAYETH NAUGHT



Johnny Knight IV

STATE OF OHIO

COUNTY OF STARK

Sworn to and subscribed before me by Johnny Knight IV this 15 day of May, 2025.



Notary Public

My commission Expires: _____



LAURA L. MILLS
Attorney At law
Notary Public, State of Ohio
My commission has no expiration date
Section 147.03 O.R.C.