

**Wayne Township  
Zoning Appeal Application**

Draw what you want to do with the parking situation. Keep parking and access wholly on the parcel you are discussing. If not, we have to involve Clearcreek Twp

Date Received 8/28/15

\$500 Filing Fee

Case # 2015.2

Return check (payable to Wayne Township) & completed application to Erin Hartsock, 6050 N. Clarksville Rd., Waynesville, OH 45068 Phone: (513) 897-3010; Email: [erinhartsock@waynetownship.us](mailto:erinhartsock@waynetownship.us)

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**1. Owner/Agent**

Name: SKZ Properties

Address: 2696 E. Lytle Five Points Rd.

Telephone: (daytime): (937) 768-3244 (evening) \_\_\_\_\_

Applicant if other than owner: Chris Cadwallader

Address: same

Telephone: \_\_\_\_\_

**2).** The Undersigned hereby appeals the decision of the Code Enforcement Officer, as indicated below, and requests that a different interpretation be given to the following **Section I-1** of the Wayne Township Zoning Code.

**3).** The Undersigned requests that the Board of Appeals consider one of the following:

A).  X  Relief from the decision, or lack of decision of the Code Enforcement Officer in regard to an application for a permit. The Undersigned believes that (check one):

\_\_\_\_\_ an error was made in the denial of the permit

X  the denial of the permit was based on a misinterpretation of the Ordinance

\_\_\_\_\_ there has been a failure to approve or deny the permit within a reasonable period of time

\_\_\_\_\_ Other \_\_\_\_\_

B). \_\_\_\_\_ Please explain in more detail the facts surrounding this appeal (please attach a separate piece of paper). You should be as specific as possible so that the Board of Appeals can give full consideration to your cause. 8). Please submit six (6) copies of this application along with six (6) copies of the following:

I would like to relocate my business, Trimca Motors, currently located at 106 Westpark Rd., Centerville, OH to 2696 E. Lytle Five Points Rd., Centerville, OH 45458, Wayne Township, Warren County.

## Wayne Township Zoning Appeal Application

The property is currently zoned I-1 (light industrial). The property has an existing 10,000 sq ft. building that would be ideal to house Trimca's inventory of used cars.

The Zoning Inspector has withheld approval for the proposed relocation based on the text in the I-1 section of the current Wayne Township Zoning Code.

I believe that the language in section 12.03 stating that "other non-industrial uses" are permitted ...that "are conducted completely within the confines of one or more building(s) and pose no adverse impact on the site where located, nor any surrounding property, person or environmental quality" indicates that a car dealership housed totally indoors is in accordance with the code.

My business is not high traffic. Most customers browse online then make a physical visit. The limited volume of onsite visits would minimally impact traffic in the area and noises/odors would be minimal or non-existent. The building is large enough and well suited to conduct my business indoors.

Wayne Township and surrounding areas have few commercial buildings suitable for my business operations. Ms. Hartsock believed that B-3 would be a better suited zoning classification for my business. Within Wayne Township, I have exhausted all B-3 zoned properties. None are suitable ad/or available.

I wish to purchase the property in the future at which point, I will gladly rezone the property to a less intense business zoning to better reflect the Township's Future Land Use Plan. The current owner, SKZ Properties, cannot pursue rezoning at this time as the bank financing the property will not lessen the zoning intensity while mortgaging the property.

#### 4). Legal Description of Property (attach separate sheet if necessary):

Address or Sidwell No: 2696 E. Lytle-Five Points Rd., Centerville, OH 45458 Zone District: I-1

or Subdivision and Lot # \_\_\_\_\_

Nearest Intersection: E. Lytle-Five Points and Kenrick Rd.

#### 5). Attach 6 copies of an accurate drawing of the Site showing all the following:

- a) Property Boundaries, with property line dimensions
- b) Lot location (road names, lakeshore, easements, right-of-ways, topo)
- c) Existing and Proposed Building, with dimensions [EH1](indicate height also)
- d) The Distance from the Lot Lines of Each Existing or Proposed Building
- e) Unusual Physical Features of the Site or Building.
- f) Abutting Streets
- g) Approximate Well and Septic Tank, and Field Location.



***To maintain proper alignment when printing set Page Scaling to None.***

SANTAROMITA GREGORY & ANNE C  
2558 E LYTLE FIVE  
POINTS RD  
DAYTON, OH 45458

HACKER PHILIP H JR & PATRICIA  
2781 LYTLE 5 PTS RD  
WAYNESVILLE, OH 45068

SKZ PROPERTIES LLC  
10719 ASHEL CT  
DAYTON, OH 45458

SKZ PROPERTIES LLC  
10719 ASHEL CT  
DAYTON, OH 45458

FURNAS FRED S  
9097 KENRICK RD  
CENTERVILLE, OH 45458

MIKE FARM ENTERPRISES  
2274 LYTLE 5 PTS RD  
DAYTON, OH 45458

TRI STATE PAPER CO  
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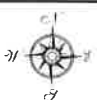
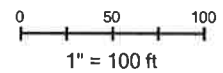
FURNAS MICHAEL S  
9071 KENDRICK RD  
DAYTON, OH 45458

SKZ PROPERTIES LLC  
10719 ASHEL CT  
DAYTON, OH 45458



### Warren County Legend

- |             |                     |                   |                      |                   |
|-------------|---------------------|-------------------|----------------------|-------------------|
| Interstate  | County Boundary     | Overpass Line     | School Line          | Township & Range  |
| US Route    | Auditors Tract Line | Parcel Line       | Section Line         | Tract Line        |
| Slate Route | Civil Township Line | ROW Unknown Width | Subdivision Limit    | VMS Line          |
| Local Road  | Corporate Line      | Road ROW          | Subdivision Lot Line | Vacated Road Line |



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