

Wayne Township
Zoning Variance Application

DUE 1ST WEEK OF
MONTH FOR HEARING
ON 3RD THURSDAY

Date Received 5/22/19

Case # BZA 2019.03

\$500 Filing Fee

Return check (payable to Wayne Township) & completed application to Erin Hartsock, 6050 N. Clarksville Rd., Waynesville, OH 45068
Phone: (513) 897-3040; Email: erinhartsock@waynetownship.us

1. Owner

Name: Paul J. and Yvonne P. Kaszubowski
Address: 3072 E. State Rt. 73, Waynesville, OH 45068
Telephone: (daytime): 937 479-4695 (evening) 513 897 0830

Applicant if other than owner: _____

Address: _____

Telephone: _____

2. Describe Variance Request:

We own both 3050 & 3072 E. State Route 73.
These properties are right next to each other.
We want to take the .2 (two-tenths) off the
back of the acreage at 3072 E. St. Rt. 73
and add it to our home property at 3050
E. St. Rt. 73.

We are seeking a variance to sect. 2.302.1, which states the
minimum lot size in the R-1 zone is 2 ACRES. Our proposed
land transfer will leave 3072 Route 73 with .804 ac. and
3050 with 4.224 acs, amounting to a variance of 1.196 acs
from the standard for the 3072 Route 73 property.

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

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Address or Sidwell No: 0513100010 Zone District: R1- Single Family Residence Zone

or Subdivision and Lot # N/A

Nearest Intersection: State Route 73 & Township Line

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 (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.
- g) List of all adjoining and adjacent property owners (across the street) of parcel described in this appeal

*Applicant must supply six (6) copies of all maps, drawing, pictures, graphs, etc., in order to inform the board of the type of building or activity, and how it will look when accomplished. This information must be supplied at least three weeks prior to the date of hearing.

6. Effect of Request on Applicant – What specific problem(s)/hardship(s) would be created to you as petitioner if your request is not granted? What are the unique or exceptional conditions that apply to this property?

We want to sell 3072 E. St. Rt. 73. We need to have this back acreage of the lot added to ours so that the property line is not right against my barn at the back of the lot.

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7. STANDARDS for granting a variance:

a. How will the granting of the variance not adversely affect the purposes or objectives of the Zoning ordinance and how will the granting of the variance not be contrary to the public interest?

The variance granted will not adversely affect the residential purpose of either property. It will simply be a transfer of property from one residence to another. Public interest will not be impacted if 3050 E. St. Rt. 73 has .2 (two-tenths) of an acre more than 3072 E. St. Rt. 73.

b. How is the variance necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity?

The variance is necessary for the preservation and enjoyment of our substantial property right possessed by us as property owners of both properties. The properties are isolated and it will not impact surrounding properties.

c. How will the granting of variance not cause any adverse effect to property in the vicinity or in the Zoning District or in the Township? Will it create any problems or concerns to property in the area?

The variance being granted will not adversely effect surrounding properties in district or township. It is simply a shifting of property from one deed to another with the same owner.

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d. What exceptional or extraordinary circumstances or conditions exist with the property that have not resulted from any act of the applicant?

There are zero circumstances or conditions that have resulted in any act of the applicant. Owner is the same for both properties.

I understand that if the requested variance is granted, I am in no way relieved from all other applicable requirements of the Wayne Township Zoning Ordinance. It is also understood that any approval by the BZA involving site improvements, use, and/or construction does not relieve the applicant from obtaining other applicable authorizations (for example, site plan, building, health department, soil erosion, and engineering approval, etc.).

I authorize Wayne Township (staff, appointed board, Trustees, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application.

I understand that the BZA meets on the third Thursday of the month. Completed applications must be received at least 3 weeks in advance to ensure a place on the agenda for that month.

I certify that all the above information in this Zoning Variance Application is accurate to my fullest knowledge.

Owner's Signature: *Yvonne P. Kaszab* Date: 5-15-19

Petitioner's Signature _____ Date: _____
If different than owner: _____ Date: _____

[For Board of Zoning Appeals use only]



The current lot size of 3072 E. State Route 73 is 344 feet by 128 feet, which is 1.01 acre of land. This is highlighted in blue in the picture to the left. Parcel ID#0513100010.

Paul and Yvonne Kaszubowski own both properties pictured to the left (3050 E. State Route 73 and 3072 E. State Route 73, which are adjoining).

We are interested in taking .2 acres from the north or backside of the lot of the 1.01 acre lot from 3072 E. State Route 73 and deeding it to our home lot of 3050 E. State Route 73 so that we can have a little space between our barn and the property line for the property of 3072 E. State Route 73. You can see our home is located in the picture to the left of the 344.00 numbers on the map. We hope to achieve this because we want to sell 3072 E. State Route 73 and continue living at 3050 E. State Route 73. You can see the barn in the picture as it is the building located above the blue line on the picture where there are two 128.00 numbers.

- A. Property is highlighted in Blue (to the left) that would be impacted by the variance. 344 by 122 are the dimensions of the lot. 1.01 acre of land total is the lot.
- B. Lot location – Property sits on East State Route 73, near the corner of Township-Line Road.
- C. N/A - We are not asking to build anything, just reallocate the property from one deed to another of properties we already own.
- D. N/A – there is not a proposed building.
- E. N/A – there are no unusual features applicable.
- F. The only abutting street is State Route 73.
- G. The septic tank information for the existing building is attached. The only adjoining property owner is: James R. Arnett, Jr., 3200 E. State Route 73, Waynesville. He currently does not reside at the property, but lives at 5282 Split Rail, Dayton, OH 45429.

Across the street is Chateau Group's Commercial Building for their construction business. The address for this property is 3119 E. State Route 73, Waynesville. The owner for this is Mr. Dart and the tax information for this property is mailed to: Chateau RLD Group, LTD., 1664 E. State Route 73, Waynesville, OH 45068.



Enhanced Search

By Shape By Value By Buffer Results

Features selected: 1

AccountNumber: 7603258

ParcelNumber: 05131000100

Owner: KASZUBOWSKI PAUL & YVONN

Address: 3072 ROUTE 73



Address2: WAYNESVILLE 45068

LegalDescription: 5 -3-13

LotNumber:

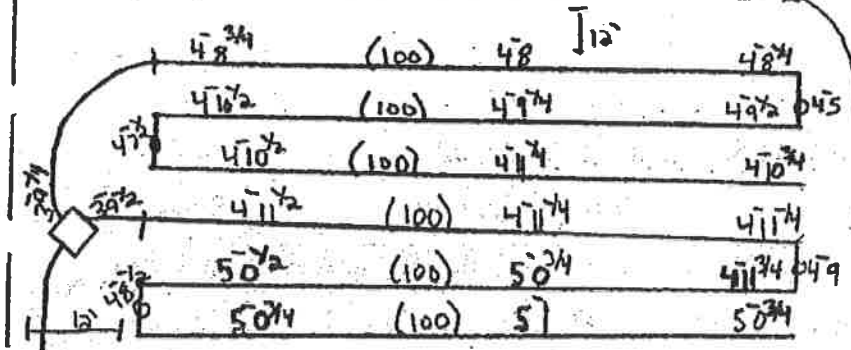
UseCode: 0511 - SGL. FAMILY DWG. 0 TO 9.99 AC.

[Property Search Summary Page](#)

Barn

shed

curtain drain



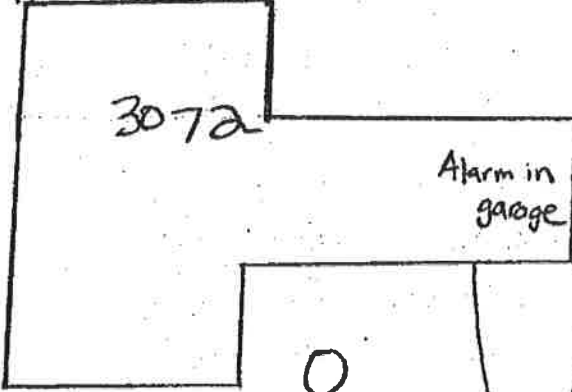
3050

NO PROBLEMS

fence / Alu

Solid

300gal dosing tank, patio, Existing tank



Driveway

wood picket fence

Parking

tree

steep

Driveway

red ditch

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

05131000120
PATTON TIMOTHY J & PATRICIA S
7562 TOWNSHIP LINE
WAYNESVILLE, OH 45068

05133000010
CHATEAU RLD GROUP LTD
1664 E SR 73
WAYNESVILLE, OH 45068

05131000060
ARNETT JAMES R JR
5282 SPLIT RAIL
DAYTON, OH 45429

05131000030
WALKER WALTER W & NANNIE
7634 TOWNSHIP LINE
WAYNESVILLE, OH 45068

05131000090
KASZUBOWSKI PAUL & YVONNE
3050 E SR 73
WAYNESVILLE, OH 45068

05131000110
PATTON TIMOTHY J & PATRICIA S
7562 TOWNSHIP LINE
WAYNESVILLE, OH 45068

05192000390
APPLE JOHN SCOTT & VICKY
2985 STATIONHOUSE WY
WAYNESVILLE, OH 45068

05192000410
LEE KRISTOPHER H & TRACEY A
7592 TRILTEN CT
WAYNESVILLE, OH 45068

05192000420
MC COY RYAN
7586 TRISTEN CT
WAYNESVILLE, OH 45068

05133000110
STURGILL LILLIE FAYE
3235 E SR 73
WAYNESVILLE, OH 45068

05131000020
ARNETT JAMES R JR
5282 SPLIT RAIL
DAYTON, OH 45429

05192000300
MUSELIN BRENDA K
2990 E ST RT 73
WAYNESVILLE, OH 45068

05194000190
SISTERS LTD
PO BOX 36
LEBANON, OH 45036

05194000270
DIJO DEVELOPMENT LTD
1180 GREEN TIMBER TR
DAYTON, OH 45458

05131000100
KASZUBOWSKI PAUL & YVONNE
3050 E SR 73
WAYNESVILLE, OH 45068

05133000130
DEUER JOSEPH F
555 W DAVID RD
KETTERING, OH 45429