

Clayton

PC Case# <u>PC 22-01</u>	Date Received: <u>12/14/2021</u>
Reviewed By: <u>SP</u>	PC Meeting Date: <u>1/24/2022</u>
Council Meeting Date: <u>2/17/2022</u>	Date of Legal Publication: <u>1/12/2022</u>
Fee: \$ <u>915</u> <input type="checkbox"/> Cash <input type="checkbox"/> Credit Card <input checked="" type="checkbox"/> Check # <u>27026</u> (pd 1/7/22)	

(59 LOTS) SP

Planning Commission Application

Applicant: Oakes Tree Development Phone Number: 937-438-3667

Mailing Address: 8534 Yankee Street, Dayton, OH 45458

Applying for:

- Subdivision (PLAT) SP Subdivision/Planned Development Modification
- Zoning District Change Minor Subdivision - Lot Split & Replat
- Commercial Bldg. Architecture & Landscaping Review

Property Address: 5520 WENGER RD

Parcel ID#: M60 03201 0007 Acreage: 16.014

Subdivision: WENGER VILLAGE, SECTION 3 SP Lot#: PRP. 58-116 SP

Current Zoning District: Agricultural PDD SP If Applicable, Proposed Zoning District: PDD N/A SP

Located in Flood Hazard: NO / ZONE X SP Sewer: Yes Water: Yes

I hereby authorize and grant to the City of Clayton Officials and employees, members of the Planning Commission and City Council the right to come onto the above described property for the purpose of inspecting and evaluating the premises regarding this application. I further release said Board members, and City employees and officials from any and all liability during said inspection and related matters.

I swear that the above information and attached exhibits, to my knowledge, are true and correct. I understand that if the information on this application is not correct or complete, the result may be the invalidation of the approval and all subsequent permits issued in conjunction with this approval.

Virginia Wetzel
Applicant's Signature

12-7-2021
Date

Clayton

DEVELOPMENT DEPARTMENT
PO Box 260
Clayton, OH 45315
P:(937) 836-3500 F:(937) 836-6773

Affidavit

State of Ohio; County of Montgomery

I (We) Albert & Virginia Wetzel after being first duly sworn, depose and say:

1. That I (We) are the owner(s) of the above described real estate;
2. That I (We) have read and examined the application and are familiar with its contents; and
3. That I (We) have no objections to, and consent to such request as set forth in the application.

Albert E. Wetzel Virginia Wetzel
 Property Owner(s) Signature(s)

5558 Wenger Rd Clayton OH 45315
 Mailing Address

937-836-3512
 Phone Number

Subscribed and sworn to be before me this 7th day of December 2021

[Signature]
 Notary Public Signature

Name (Person to be contacted for details, if other than above signatory)

893 S Main St Englewood, OH 45322
 Mailing Address

937-832-1800
 Phone Number



HELGA LEAP
 NOTARY PUBLIC
 STATE OF OHIO
 MIAMI COUNTY
 MY COMMISSION
 EXP: 7/5/2026

DEDICATION

WE THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LANDS HEREIN SHOWN, DO HEREBY ACKNOWLEDGE THE MAKING AND SIGNING OF THIS INSTRUMENT TO BE OUR VOLUNTARY ACT AND DEED, AND DO HEREBY DEDICATE THE STREET RIGHT OF WAYS SHOWN TO THE PUBLIC USE FOREVER.

EASEMENTS SHOWN ARE RESERVED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER MAINS AND SERVICES, SANITARY SEWERS, STORM SEWERS, GAS, ELECTRIC, TELEPHONE, CABLE TELEVISION, OR OTHER UTILITY LINES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY OR ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES AND FOR PROVIDING INGRESS TO AND EGRESS FROM THE PREMISES FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER.

" OWNER "

BY: _____
ITS: _____

COUNTY OF _____
STATE OF OHIO

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2022, BEFORE ME, UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME _____ ITS (ADDRESS) BY _____ ITS WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR STATE OF OHIO
MY COMMISSION EXPIRES: _____

DATE: _____, 2022
STATE OF OHIO

SAYS THAT ALL PERSONS AND CORPORATIONS, TO THE BEST OF HIS KNOWLEDGE, INTERESTED IN THIS PLAT EITHER AS OWNERS OR AS LIENHOLDERS, HAVE UNITED IN ITS EXECUTION.

NOTARY PUBLIC IN AND FOR STATE OF OHIO
MY COMMISSION EXPIRES: _____

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

CERTIFICATION/DESCRIPTION

THE WITHIN PLAT IS A SUBDIVISION CONTAINING 18.6385 AC, BEING 18.6385 AC. OUT OF LAND CONVEYED TO _____, ALL IN THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO.

I HEREBY CERTIFY THAT THIS PLAT/SUBDIVISION WAS PREPARED IN ACCORDANCE WITH O.A.C. CHAPTER 4733.37 STANDARDS FOR PLAT OF SURVEY AND ALSO CONFORMS TO THE O.R.C. CHAPTER 711 STANDARDS FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION, BASED ON FIELDWORK IN JULY, 2021. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. IRON PINS TO BE SET AT ALL LOT CORNERS.

THE REINKE GROUP, INC.

BY: _____
GEORGE E. REINKE
OHIO SURVEYOR NO. 6207



COVENANTS, CONDITIONS AND RESTRICTIONS

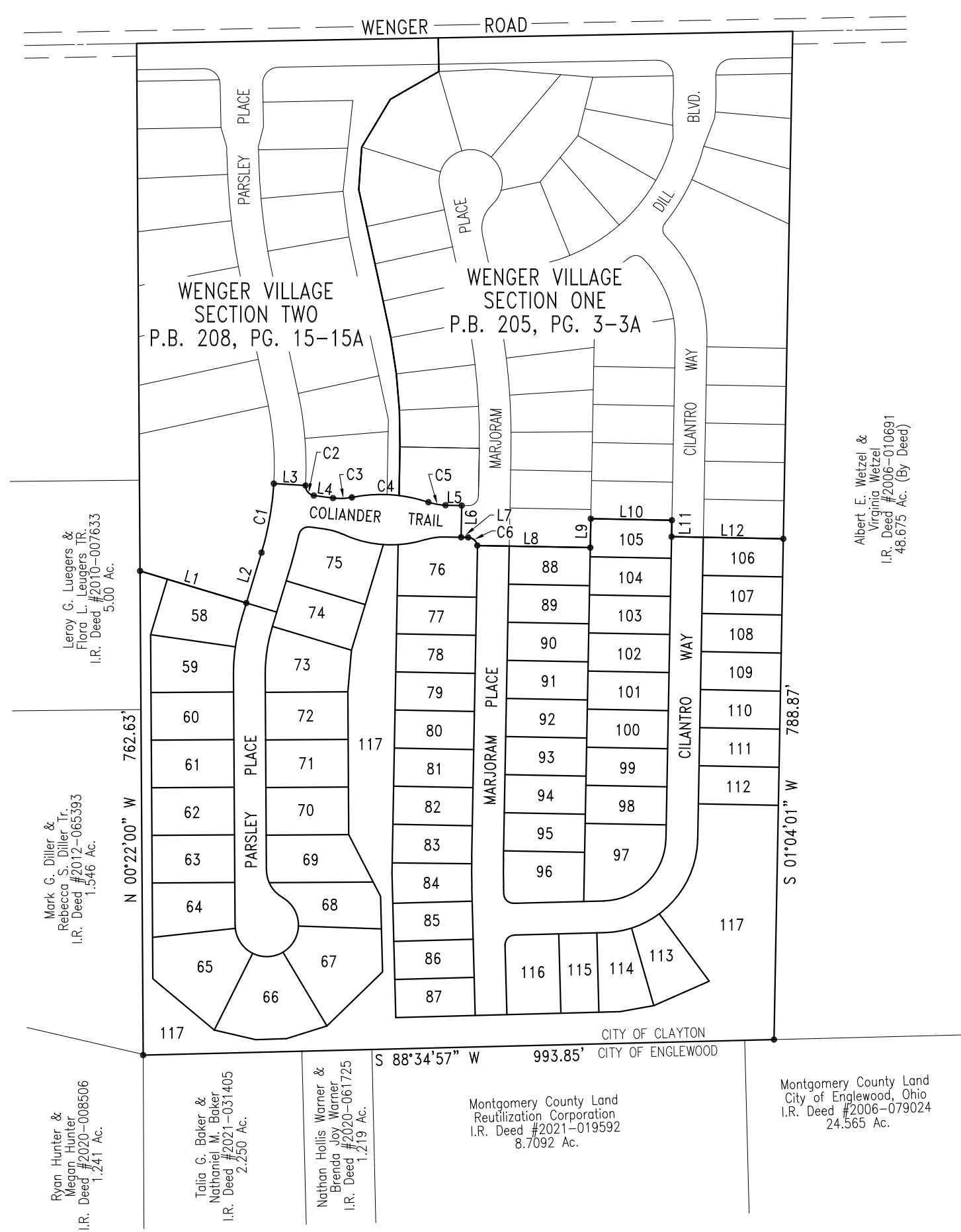
THE WITHIN SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WENGER VILLAGE, WHICH IS RECORDED IN THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO COMMENCING OFFICIAL RECORD I.R. DEED # _____, AND THE ARTICLES OF INCORPORATION AND CODE OF REGULATIONS FOR WENGER VILLAGE HOMEOWNER'S ASSOCIATION INC., AS AMENDED.

NO PRIVATE IMPROVEMENTS OF ANY KIND SHALL BE MADE ON ANY SAID RIGHT-OF-WAY OR EASEMENT WHICH WOULD INTERFERE WITH ACCESS TO ANY PROPOSED STREET, UTILITY OR OTHER SERVICE IMPROVEMENT, PRESENT OR FUTURE, AND THE CITY OF CLAYTON SHALL NOT BE RESPONSIBLE TO ANY PRESENT OR FUTURE OWNERS OF THE PROPERTY INDICATED ON THIS PLAT FROM ANY DAMAGE DONE ON SAID RIGHT-OF-WAY OR EASEMENTS TO SOIL, SHRUBBERY, TREES, DRIVEWAYS OR OTHER IMPROVEMENTS EITHER NATURAL OR ARTIFICIAL BY REASON OF ENTERING FOR CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF SAID IMPROVEMENTS.

CITY OF CLAYTON ASSUMES NO LEGAL OBLIGATIONS TO MAINTAIN OR REPAIR ANY OPEN DRAINAGE CHANNELS, DETENTION BASINS OR EASEMENT AREA OF ANY LOT AND NO STRUCTURES, CULVERTS, PLANTING, FENCING, FILLING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR DIVERT THE FLOW THROUGH SAID WATERCOURSE.

RECORD PLAN WENGER VILLAGE SECTION THREE

LOCATED IN:
SECTION 29 TOWN 5, RANGE 5 EAST
CITY OF CLAYTON
MONTGOMERY COUNTY, OHIO
CONTAINING: 18.6385 AC.
JANUARY 4, 2022



SUPERIMPOSED MAP
SCALE: 1"=200'

NOTE: THIS TABLE PERTAINS TO SHEET 1 OF 1 ONLY

LINE	BEARING	DISTANCE
L1	S 73°13'37" E	174.88'
L2	N 16°46'23" E	82.93'
L3	S 86°34'20" E	50.00'
L4	S 82°19'27" E	30.47'
L5	S 88°55'59" E	25.55'
L6	S 01°04'01" E	50.00'
L7	S 88°55'59" E	11.00'
L8	S 88°55'59" E	177.89'
L9	N 01°04'01" E	45.53'
L10	S 88°55'59" E	127.69'
L11	S 01°04'01" W	25.94'
L12	S 88°55'59" E	176.00'

NOTE: THIS TABLE PERTAINS TO SHEET 1 OF 1 ONLY

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	475.00'	13°20'43"	110.64'	N 10°06'01" E	110.39'
C2	15.00'	85°45'07"	22.45'	S 39°26'54" E	20.41'
C3	88.50'	19°22'55"	29.94'	N 87°59'05" E	29.80'
C4	229.00'	30°34'37"	122.21'	S 86°25'01" E	120.77'
C5	88.50'	17°48'15"	27.50'	S 80°01'51" E	27.39'
C6	15.00'	80°28'16"	21.07'	S 48°41'51" E	19.38'

APPROVALS:
MONTGOMERY COUNTY ENVIRONMENTAL SERVICES

DATE

APPROVED BY THE CITY OF CLAYTON ON THIS _____ DAY OF _____, 2022.

CITY MANAGER

MAYOR

PLANNING COMMISSION SECRETARY

APPROVED FOR DESCRIPTION

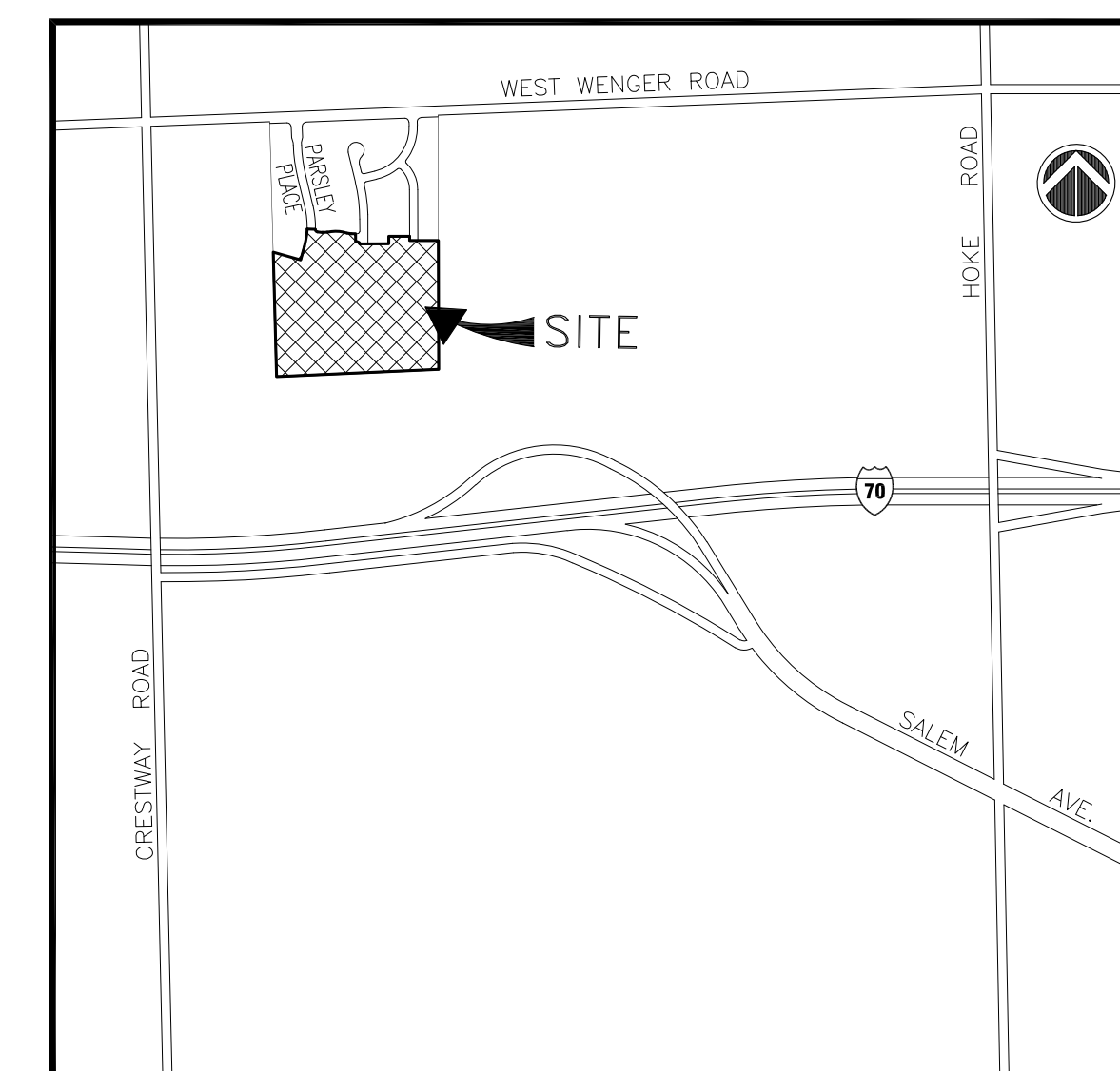
MONTGOMERY COUNTY ENGINEER

DATE

CHECKED BY:

DATE

JOB #



VICINITY MAP
NO SCALE

BENCHMARK:

5/8" IRON PIN WITH CAP MARKED "TRAV" ON THE NORTH SIDE OF WENGER ROAD, 47' NORTHWEST OF POWER POLE #110904 ELEV.=995.21

SETBACK INFORMATION:

LOTS #58-#75
FRONT YARD = 25'
SIDE YARD = 7.5' MIN' (TOTAL OF 15')
REAR YARD = 30'

LOTS #76-#116
FRONT YARD = 25'
SIDE YARD = 6' MIN' (TOTAL OF 12')
REAR YARD = 30'

ACREAGE TABULATION

RESIDENTIAL LOTS #58 - #116 = 12.1832 AC.
RESERVE LOT #117 = 3.3542 AC.
RESIDENTIAL STREET R/W = 3.1011 AC.
TOTAL = 18.6385 AC.

SHEET 1 OF 2
PREPARED BY:

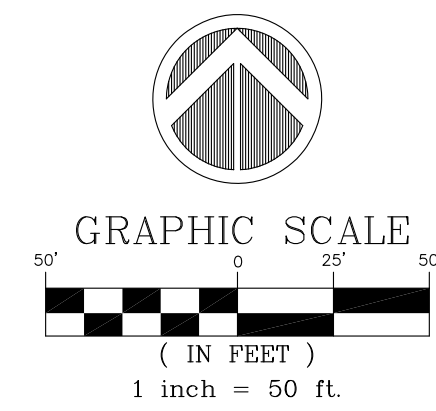


Engineering / Surveying / Land Planning

63 Rhoads Center Dr.
Cincinnati, OH 45268
(937) 434-4810 ph.
www.ReinkeGroup.com

RECORD PLAN WENGER VILLAGE SECTION THREE

LOCATED IN:
SECTION 29 TOWN 5, RANGE 5 EAST
CITY OF CLAYTON
MONTGOMERY COUNTY, OHIO
CONTAINING: 18.6385 AC.
JANUARY 4, 2022



NOTE: THIS TABLE PERTAINS TO SHEETS 2 & 3 ONLY

LINE	BEARING	DISTANCE
L1	S 86°34'20" E	50.00'
L2	S 82°19'27" E	30.47'
L3	S 88°55'59" E	25.55'
L4	S 01°04'01" W	50.00'
L5	S 88°55'59" E	11.00'
L6	N 01°04'01" E	45.53'
L7	S 01°04'01" W	25.94'
L8	N 89°38'00" E	25.00'
L9	N 16°46'23" E	2.98'
L10	N 01°30'29" W	11.84'
L11	S 82°19'27" E	26.05'
L12	S 88°55'59" E	27.38'
L13	S 88°55'59" E	38.38'
L14	S 88°55'59" E	25.55'
L15	S 75°25'26" E	2.42'
L16	N 89°48'48" E	26.67'

NOTE: THIS TABLE PERTAINS TO SHEETS 2 & 3 ONLY

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	475.00'	13°20'43"	110.64'	N 10°06'01" E	110.39'
C2	15.00'	85°45'07"	22.45'	S 39°26'54" E	20.41'
C3	88.50'	19°22'55"	29.94'	N 87°59'05" E	29.80'
C4	229.00'	30°34'37"	122.21'	S 86°25'01" E	120.77'
C5	88.50'	17°48'15"	27.50'	S 80°01'51" E	27.39'
C6	15.00'	80°28'16"	21.07'	S 48°41'51" E	19.38'
C7	15.00'	90°00'00"	23.56'	S 43°29'31" W	21.21'
C8	150.00'	87°25'30"	228.87'	N 44°46'46" E	207.31'
C9	150.00'	15°38'33"	40.95'	N 80°40'15" E	40.82'
C10	150.00'	19°27'17"	50.93'	N 63°06'58" E	50.69'
C11	150.00'	52°19'40"	136.99'	N 27°13'51" E	132.28'
C12	100.00'	07°29'26"	152.59'	N 44°46'46" E	138.21'
C13	15.00'	90°00'00"	23.56'	S 46°30'29" E	21.21'
C14	975.00'	2°34'30"	43.82'	S 00°13'14" E	43.82'
C15	1025.00'	2°34'30"	46.07'	S 00°13'14" E	46.06'
C16	1025.00'	02°29'26"	8.78'	S 00°49'18" W	8.78'
C17	1025.00'	2°05'04"	37.29'	S 00°27'57" E	37.29'
C18	179.00'	43°01'30"	134.42'	S 86°11'48" E	131.28'
C19	179.00'	21°24'30"	66.88'	S 75°23'18" E	66.49'
C20	179.00'	7°28'48"	23.37'	S 89°49'57" E	23.35'
C21	179.00'	14°08'11"	44.16'	N 79°21'33" E	44.05'
C22	88.50'	18°46'29"	29.00'	S 81°40'45" W	28.87'
C23	15.00'	80°28'34"	21.07'	N 48°41'42" W	19.38'
C24	15.00'	9°31'26"	2.49'	N 03°41'42" W	2.49'
C25	300.00'	17°08'23"	89.74'	S 08°12'11" W	89.41'
C26	300.00'	8°33'43"	44.83'	S 12°29'31" W	44.79'
C27	300.00'	8°34'40"	44.91'	S 03°55'20" W	44.87'
C28	50.00'	240°00'00"	209.44'	N 59°38'00" E	86.60'
C29	50.00'	5°48'41"	5.07'	S 03°16'20" E	5.07'
C30	50.00'	55°55'17"	48.80'	S 34°08'19" E	46.89'
C31	50.00'	55°55'12"	48.80'	N 89°56'26" E	46.88'
C32	50.00'	55°55'12"	48.80'	N 34°01'14" E	46.88'
C33	50.00'	66°25'38"	57.97'	N 27°09'11" W	54.77'
C34	50.00'	60°00'00"	52.36'	S 30°22'00" E	50.00'
C35	50.00'	36°25'22"	31.78'	S 42°09'19" E	31.25'
C36	50.00'	23°34'38"	20.58'	S 12°09'19" E	20.43'
C37	250.00'	17°08'23"	74.79'	S 08°12'11" W	74.51'
C38	525.00'	4°50'57"	44.43'	N 14°20'54" E	44.42'
C39	15.00'	85°45'07"	22.45'	S 54°48'00" W	20.41'
C40	88.50'	17°38'24"	27.25'	N 73°30'15" W	27.14'
C41	500.00'	13°20'46"	116.47'	N 10°06'00" E	116.20'
C42	500.00'	4°14'51"	37.07'	N 05°33'03" E	37.06'
C43	500.00'	9°05'55"	79.40'	N 12°13'25" E	79.32'
C44	113.50'	02°31'02"	4.99'	S 87°40'28" E	4.99'
C45	113.50'	4°05'30"	8.11'	S 84°22'12" E	8.10'
C46	275.00'	17°08'23"	82.26'	S 08°12'12" W	81.96'
C47	125.00'	87°25'30"	190.73'	N 44°46'46" E	172.76'
C48	1000.00'	2°34'30"	44.94'	S 00°13'14" E	44.94'

NOTE:
"MBOE" INDICATES "MINIMUM BUILDING OPENING ELEVATION"

SETBACK INFORMATION:

LOTS #58-#75
FRONT YARD = 25'
SIDE YARD = 7.5' MIN' (TOTAL OF 15')
REAR YARD = 30'

LOTS #76-#116
FRONT YARD = 25'
SIDE YARD = 6' MIN' (TOTAL OF 12')
REAR YARD = 30'

- MONUMENT LEGEND —
- 5/8" Iron Pin found (#5 Rebar)
 - 5/8" Iron Pin set with yellow plastic cap stamped: "Reinke L.S. #6207"
 - ⊙ Iron Pipe found
 - ⊠ Stone found
 - ▲ Spike found
 - △ Spike set
 - ⊗ Mag Nail Set
 - ⊕ Mag Nail Found
 - ⊞ Concrete Monument Found
 - ⊟ Concrete Monument Set
 - ⊠ Axle found

ACREAGE TABULATION

RESIDENTIAL LOTS #58 - #116	=	12.1832 AC.
RESERVE LOT #117	=	3.3542 AC.
RESIDENTIAL STREET R/W	=	3.1011 AC.
TOTAL	=	18.6385 AC.

SHEET 2 OF 2
PREPARED BY:



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Leroy G. Lingers &
I.R. Deed #2020-017633
1.246 AC.

Mark G. Diller &
Rebecca S. Diller
I.R. Deed #2020-06393
1.246 AC.

Ryan Hunter &
I.R. Deed #2020-08566
1.241 AC.

Tatia G. Baker &
Nathaniel M. Baker
I.R. Deed #2021-031405
2.250 AC.

Nathan Hollis Warner &
Brenda Joy Warner
I.R. Deed #2021-019592
1.219 AC.

Montgomery County Land
Reutilization Corporation
I.R. Deed #2021-019592
8.7092 AC.

Montgomery County Land
City of Englewood, Ohio
I.R. Deed #2008-079924
24.565 AC.

Albert E. Weitzel &
I.R. Virginia Weitzel
I.R. Deed #2008-079924
48.875 AC. (By Deed)