



DEVELOPMENT DEPARTMENT
 PO Box 280
 Clayton, OH 45315
 P:(937) 836-3500 F:(937) 836-6773

BZA Case# <u>VAR22-06</u>	Date Received: <u>5/5/22</u>	Reviewed By: <u>SD</u>
BZA Meeting Date: <u>6/7/2022</u>	Date of Legal Publication: <u>5/25/2022</u>	
Fee: \$ <u>250.00</u>	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Credit Card
		<input type="checkbox"/> Check # _____

Board of Zoning Appeals Application

Applicant: Frederick and Karen E. Novak Phone Number: 937-832-2974

Mailing Address: 11100 Rinehart Road, Englewood OH 45322

Request:

Administrative Appeal Conditional Use Variance

Property Address: 11100 Rinehart Road, Englewood OH 45322

Subdivision Name: _____ Lot#: _____

Parcel ID#: M60-03002-0023 Zoning District: RCD - 1

Nature of Request: Requesting detached accessory structure variance(s) for the location and size to build a three car garage.

Reference Detach Accessory (Section 1121.02 (c))

I hereby authorize and grant to the City of Clayton Officials and employees, members of the Board of Zoning Appeals 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.

Frederick Novak
 Applicant's Signature
Karen E. Novak

MAY 4, 2022
 Date

Email: 1620.fn@gmail.com



DEVELOPMENT DEPARTMENT
PO Box 280
Clayton, OH 45315
P:(937) 836-3500 F:(937) 836-6773

Affidavit

State of Ohio
County of Montgomery

I (We) Frederick Novak and Karen E. Novak 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 for Conditional Use, Variance or Administrative Appeal of the City of Clayton Codified Ordinance, 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.

Frederick Novak Karen E Novak
 Property Owner(s) Signature(s)

11100 Rinehart Road, Englewood, OH 45322
Mailing Address

937-832-2974
Phone Number

Subscribed and sworn to be before me this 3 day of May 2022

Alyssa Jenkins
Notary Public Signature

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

893 S main st englewood OH
Mailing Address

(937) 832-1800
Phone Number



ALYSSA JENKINS
NOTARY PUBLIC
STATE OF OHIO
MONTGOMERY COUNTY
MY COMMISSION
EXP: 07-21-2026

GENERAL WARRANTY DEED

Robert O. Lodge and Norma E. Lodge, husband and wife, of Montgomery County, Ohio, for valuable consideration paid, grant, with general warranty covenants, to Frederick Novak and Karen E. Novak, husband and wife, for their joint lives, remainder to the survivor of them, whose tax mailing address is: 11100 Rinehart Road Clayton, Ohio 45322 the following Real Property:

Situate in the State of Ohio, County of Montgomery and in the City of Clayton, and being in part of the southwest Quarter of Section 4, Town 5, Range 5 East, and being a part of the premises conveyed to Larry McCarty and Patricia D. McCarty as described in Deed Microfiche No. 77-212 A9 of the deed records of Montgomery County, Ohio and being more particularly described as follows: Beginning at an iron pin at the southwest corner of Section 4; thence south 89 degrees 40 minutes 20 seconds east with the south line of Section 4 and the centerline of Phillipsburg-Union Road a distance of 3.50 feet to a point; thence north 0 degrees 50 minutes west, parallel to and 3.50 feet eastwardly from the west line of Section 4 and the centerline of Rinehart road a distance of 352.87 feet to a railroad spike at the place of beginning of this description; thence north 0 degrees 50 minutes west parallel to and 3.50 feet eastwardly from the west line of Section 4 and the centerline of Rinehart Road a distance of 355.00 feet to a railroad spike at the northwest corner of the said McCarty tract; thence north 89 degrees 48 minutes 20 seconds east with the north line of the said McCarty Tract a distance of 366.65 feet to a stone at the northeast corner thereof; thence south 0 degrees 56 minutes 20 seconds east with the east line of the said McCarty tract a distance of 356.00 feet to an iron pin; thence south 89 degrees 57 minutes 40 seconds west a distance of 367.32 feet, to the place of beginning, containing 2.995 acres of land more or less.

Parcel ID No. M60-30-2-23

Property Address: 11100 Rinehart Road Clayton, Ohio 45322

Subject to all easements, covenants, conditions, restrictions and reservations of record and all zoning and legal highways. Saving and excepting all taxes and assessments due and payable with the June 2000 installment and thereafter, all of which the grantees herein assume and agree to pay.

PRIOR INSTRUMENT REFERENCE: Microfiche No. 87-562 A12 of the Montgomery County, Ohio records.

WITNESS their hands this 15th day of May, 2000.

Signed and acknowledged
in the presence of:

Gerry D. McKenzie
Witness
GERRY D. MCKENZIE
(Print or Type Name)

John T. Broecker
Witness
John T. Broecker
(Print or Type Name)

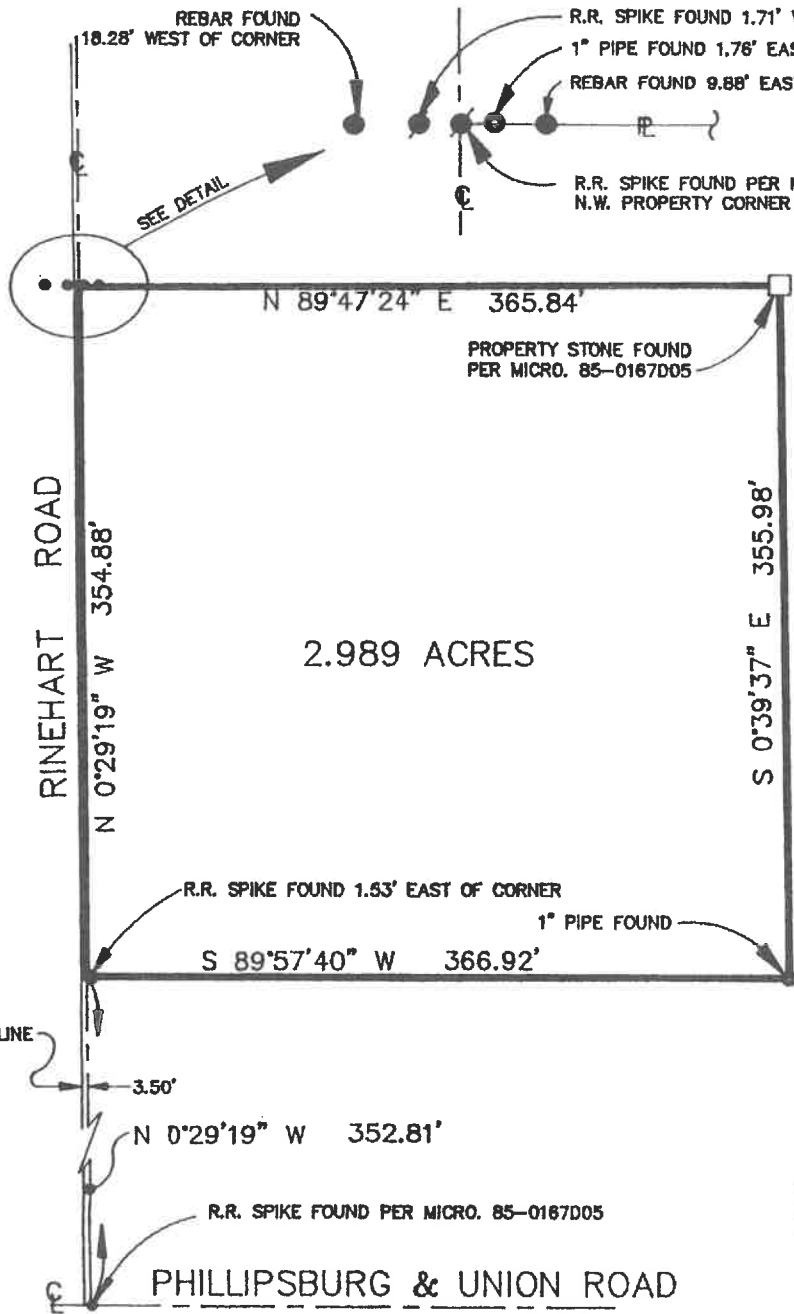
Robert O. Lodge
Robert O. Lodge

Norma E. Lodge
Norma E. Lodge

STATE OF Ohio)
COUNTY OF Montgomery)

SS:

A. J. WAGNER
COUNTY AUDITOR
MONTGOMERY COUNTY DAYTON, OHIO
DESCRIPTION APPROVED FOR
STRAIGHT TRANSFER. CLOSURE
NOT CHECKED.
BY AC DATE 5-18-00
MAP DEPARTMENT



5N TOWN 5E RANGE 4 SECTION

RANDOLPH TOWNSHIP

MONTGOMERY COUNTY

OHIO STATE



SURVEY FOR
ROBERT LODGE
11100 RINEHART ROAD
UNION, OHIO 45322

I HEREBY CERTIFY ALL MEASUREMENTS ARE CORRECT AND THAT CORNERS ARE MARKED AS SHOWN.

Eugene R. Brown

Eugene R. Brown, P.S.
Ohio Registered Surveyor No. 4213
December, 1987



SCALE: 1" = 100'

PREPARED BY:
SHAW, WEISS & DeNAPLES
14 WEST FIRST STREET
DAYTON, OHIO 45402

JOB #1570

RCD-2

RCD-1

RCD-1

RCD-1

RCD-1

RCD-1

RCD-1

RCD-2

RCD-2

544.12'

Rinehart Rd

348.5'

11244

42
(11.000)
6.798

4'

(636')

244.5'

244.5'

(831.8')

130.1'

234.3'

267.4'

92 11160
5.102

267.4'

514'

325.2'

100'

940.5'

11 4708

942.4'

362.87'

23 46,800
11100

362.87'

367.32'

355.25'

22 (13.340)
5.373

713.16'

713.16'

55 1,640

1003.86'

47 3,000

1003.86'

752.87'

77 2988

3835

3893

3861

217.8'

3985

366.02'

325.2'

100'

130.1'

Phillipsburg Union Rd

420.73'

(343.2)

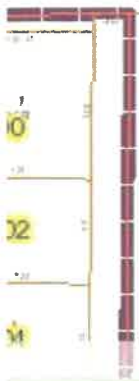
254.74'

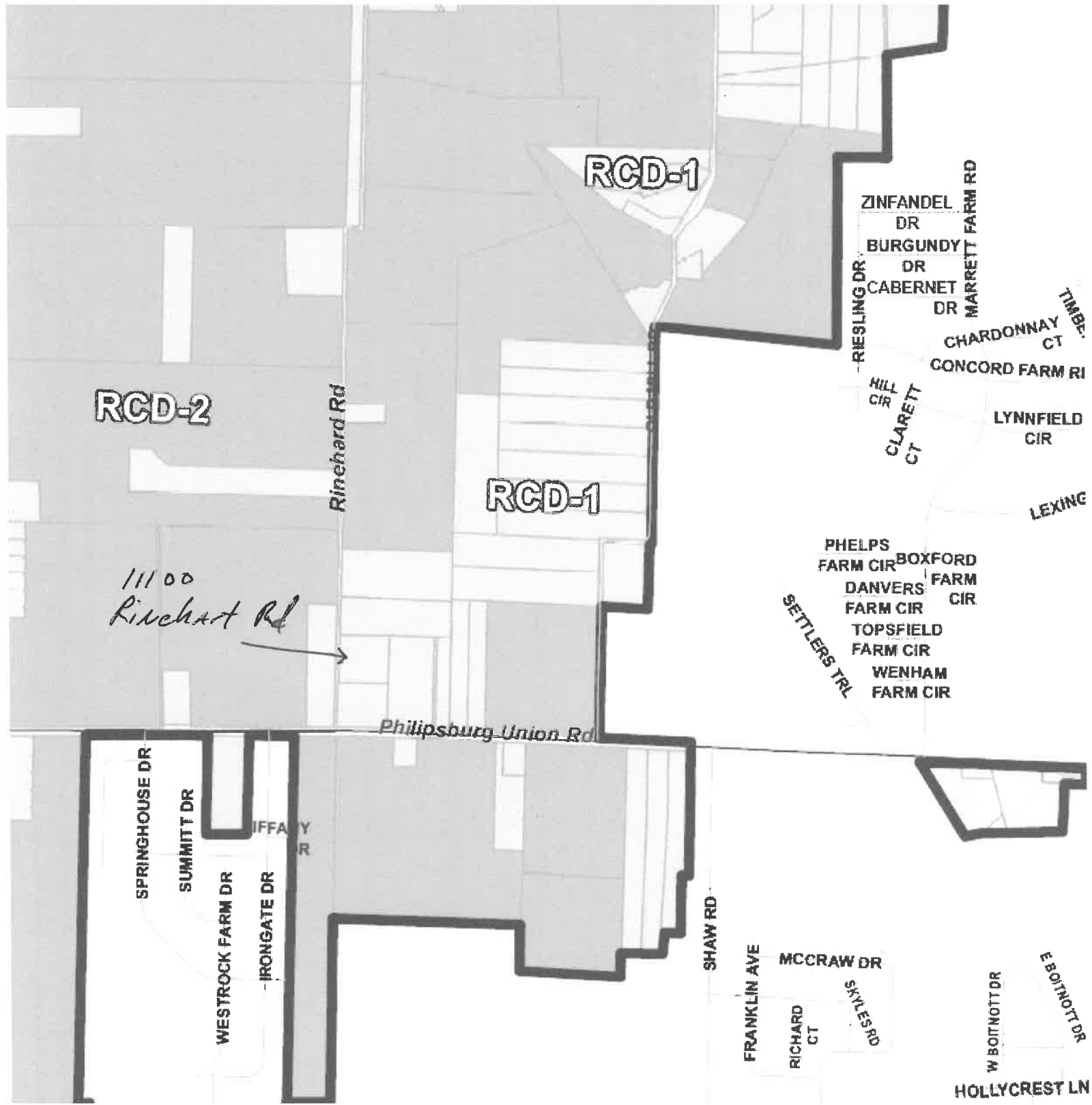
RCD-1

3870

570.28'

42 4,838
3890





RCD-1

RCD-2

RCD-1

Rinehard Rd

Philipsburg Union Rd

SHAW RD

ZINFANDEL DR
BURGUNDY DR
CABERNET DR

MARRETT FARM RD

CHARDONNAY CT
CONCORD FARM RI

TIMBER

HILL CIR
CLARETT CT

LYNNFIELD CIR

LEXING

PHELPS FARM CIR
DANVERS FARM CIR

BOXFORD FARM CIR

SETTLERS TRL

TOPSFIELD FARM CIR
WENHAM FARM CIR

11100 Rinehart Rd

SPRINGHOUSE DR

SUMMITT DR

WESTROCK FARM DR

IRONGATE DR

IFFA Y R

FRANKLIN AVE

MCCRAW DR

RICHARD CT

SKYLES RD

W BOITNOTT DR

E BOITNOTT DR

HOLLYCREST LN

Date: May 4, 2022

City of Clayton, OH

Board of Zoning Appeals

PO Box 280

Clayton, Ohio 45315

Ref: Variance Request / **Letter of Intent** for:

11100 Rinehart Road

Clayton, Ohio 45322


Parcel ID No: M60 03002 0023

Dear Planning and Zoning Committee Members,

We (Frederick and Karen Novak) are requesting a variance for the location and size of a Detached Accessory Structure/garage building for the above property. Reference Accessory Structure Standards (Section 1121.02 (C))

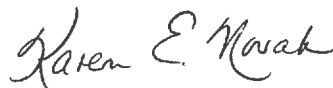
The Detached Accessory Structure will be used as a three car garage. The road side building peak and partial lower brick wall siding will add symmetry to the house and additional curb appeal to the property with the intent of functionally housing our vehicles.

Sincerely,



Frederick (Fred) Novak

5/4/22



Karen E. Novak

Accessory Structures



City of Clayton (937) 836-3500, ext. 114

Contact: Seth Dorman, Zoning Administrator / sdorman@clayton.oh.us

May 4, 2022 ZB-1

Of Special Interest

- Zoning Certificate required to install an accessory structure (\$50 application fee)
- Max of two (2) accessory structures per single lot
- Only one of the two (2) accessory structures can exceed 200 s.f.
- Minimum setback of 5' from both side and rear property lines and located outside of any recorded easements
- **Maximum Height:**
- 15' RSD, RMX, HCD
- 25' CMI,
- 20' MSD, SCD
- Same as principal structure in RCD-1, RCD-2
- **Building Permit required** through Montgomery County Building Regulations for all structures over 200 s.f. Call to inquire at (937) 225-4622.



Detached Accessory Structure Standards (Section 1121.02 (C))

- (1) Up to two (2) accessory structures are permitted on a single lot; only one of which may exceed 200 s.f.
- (2) Accessory structures shall be located in the rear yard only
- (3) Any utilities to service accessory structure shall be underground
- (4) Accessory structures may not be located within 5 feet of the primary structure
- (5) Accessory structures shall be no closer than 5 feet from any lot line and not within any recorded easement
- (6) Any accessory structure located adjacent to a side street shall not be closer to the side street lot line than the required side yard setback for the principal structure
- (7) Accessory structures may be constructed only in conjunction with or after construction of the primary structure on the site with the exception of agricultural properties, which are exempt from this standard
- (8) No accessory structure shall exceed 864 s.f. except where a rear yard exceeds 20,000 s.f. in area. In this case, the size of the accessory structure may be increase 5% of the rear yard area over 20,000 s.f.
- (9) No accessory structure shall exceed 1,800 s.f.
- (10) To be allowed the largest accessory structure area (1,800 s.f.) your rear yard would need an area of 38,720 s.f.

Date: May 4, 2022

City of Clayton

Board of Zoning Appeals

PO Box 280

Clayton, Ohio 45315

Ref. List of Surrounding Neighbors for Detached Accessory Structure/ Garage building variance request for:

Frederick and Karen Novak

11100 Rinehart Rd

Clayton, Ohio 45322

Parcel ID No: M60 03002 0023

Brown, Arron G and Kelly L

11160 Rinehart Rd

Englewood OH 45322

Wilson, Charley and Reva

3985 Phillipsburg Union Rd

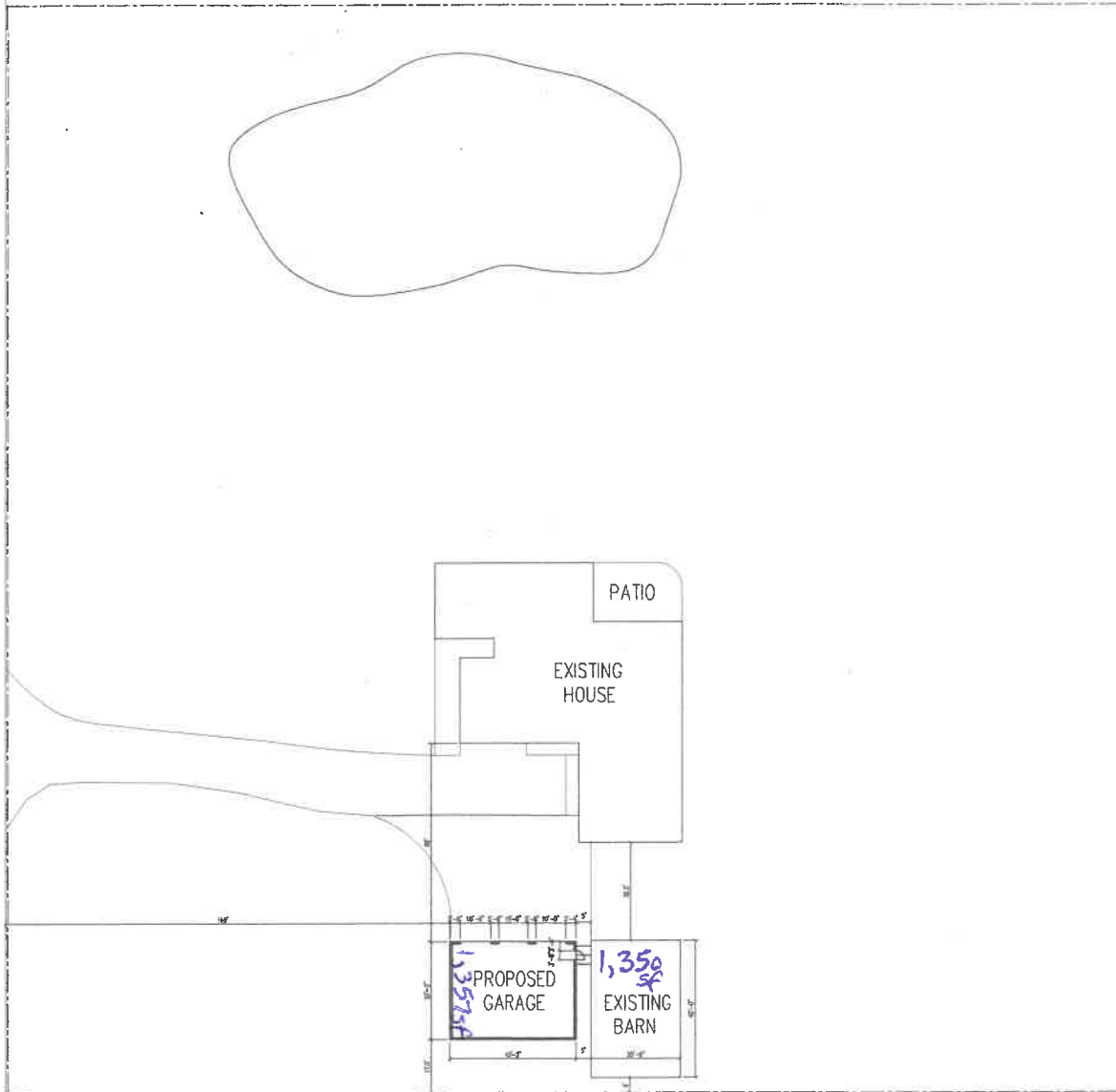
Englewood, Ohio 45322

Wilson, John F Jr and Kimkerlee L

3983 Phillipsburg Union Rd

Englewood, Ohio 45322

11009 Reinhardt Road



1 SITE PLAN
SCALE: 1/4" = 1'-0"

BUILDER'S FACILITY SPECIFICATIONS:

SITEWORK:

STRIP SITE OG TOPSOIL AND PREPARE SUBGRADE
GRAVEL PAD WITH UP TO 4" OF COMPACTABLE GRAVEL (MAX. 80 TONS)
EXCAVATION FOR FOOTINGS AND FOUNDATIONS
ALL DIRTY SPOILS ARE TO REMAIN ON-SITE
PROVIDE FINISH GRADING
LANDSCAPING AND SEEDING ARE NOT INCLUDED
DRIVEWAY EXTENSION IS NOT INCLUDED

CONCRETE:

3000 PSI CONCRETE FOUNDATION WALLS
4" THICK 4000 PSI CONCRETE SLAB W/ 42 LB WIRE MESH OR FIBERMESH
REINFORCEMENT ON 8 MIL PLASTIC VAPOR BARRIER; SLOPE SLAB 2" FROM REAR WALL TO OVERHEAD DOORS

MASONRY:

2" HIGH BRICK MASONRY WAINSCOT ON WEST AND NORTH WALLS
FOR BRICK ALLOWANCE CONTACT BUILDER

CARPENTRY:

32" WIDE X 42" LONG X 12" EAVE HEIGHT WOOD-FRAMED BUILDING
2X8 WOOD STUD EXTERIOR WALLS @ 24" O.C. W/ TREATED BASEPLATE, 2 TOP PLATES
PRE-ENGINEERED WOOD TRUSSES @ 48" O.C. W/ 4:12 SLOPE AND 12" OVERHANG
2X4 RAFTERS (PURLINS) FOR ROOF @ APPROX. 24" O.C.
EVERLAST METAL ROOF AND WALL PANELS SECURED W/ SCREWS
EXTERIOR WALLS TO HAVE 2" BRICK WAINSCOT W/ METAL WALL PANELS ABOVE
INTERIOR CEILING TO BE WHITE METAL LINER PANEL APPLIED TO BOTTOM OF TRUSSES
NO LINER PANEL ON EXTERIOR WALLS

MOISTURE BARRIER:

R19 BLOWN FIBERGLASS ROOF INSULATION IN TRUSS SPACE
R19 KRAFT-FACED FIBERGLASS BATT WALL INSULATION
CAULKING AS NECESSARY
ALUMINUM GUTTERS AND DOWNSPOUTS ON NORTH WALL ONLY

DOORS AND WINDOWS:

THREE (3) 10' X 10' INSULATED STEEL OVERHEAD DOORS W/ HIGH TRACK, WEATHERSEAL,
TWO (2) OPERATORS, ONE (1) REMOTE, AND ONE ROW OF WINDOWS IN EACH DOOR
ONE (1) 300B PRE-HUNG INSULATED FLUSH STEEL ENTRY DOOR W/ LEVER LOCKSET
TWO (2) WHITE VINYL SINGLE HUNG, INSULATED GLASS WINDOWS W/ SCREENS

FINISHES:

EXTERIOR DOORS AND FRAMES TO BE PRE-FINISHED
ALL METAL SIDING PRE-FINISHED IN COLOR SIMILAR TO EXISTING BUILDING COLORS
PAINTING IS BY OWNER OR OTHERS

PLUMBING: NONE

ELECTRICAL:

UNDER AN ALLOWANCE TO FURNISH AND INSTALL ELECTRIC SERVICE, LIGHTING, AND RECEPTACLES IN NEW BUILDING

EXCLUSIONS:

TEMPORARY UTILITY CHARGES DURING CONSTRUCTION
TELECOMMUNICATION, COMPUTER, SECURITY AND FIRE ALARM WIRING
SCOPE CHANGES BY OWNER, ZONING, BUILDING REGULATIONS, OR OTHER GOVERNING AUTHORITIES
DRIVEWAY EXTENSION OR PAVING

SHEET INDEX:

- T100 SITE PLAN AND COVER SHEET
- A100 FOUNDATION PLAN, FLOOR PLAN, ROOF FRAMING PLAN, ROOF PLAN
- A105 EXTERIOR ELEVATIONS
- A300 WALL SECTIONS
- A301 WALL SECTIONS
- A302 BUILDING CROSS SECTION

CODE NOTES:

AREA OF EXISTING HOUSE: 4263 SQUARE FEET
AREA OF EXISTING UNHEATED BARN: 200 SF
AREA OF UNHEATED GARAGE ADDITION: 1344 SQUARE FEET
CONSTRUCTION TYPE: VB



- GARAGE ADDITION TO -
FRED AND KAREN NOVAK RESIDENCE
11100 REINHARDT ROAD
DAYTON, MONTGOMERY COUNTY, OHIO 45322-9716

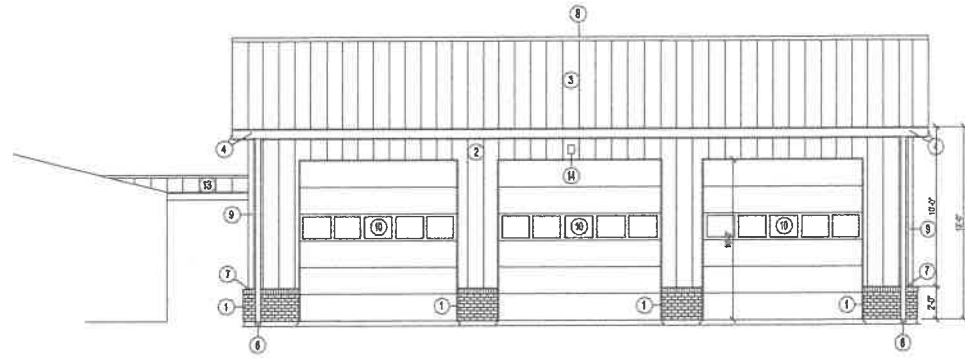
3650 Somerset Drive
Dayton, Ohio 45431
937-599-8387
www.sniderarchitecture.com



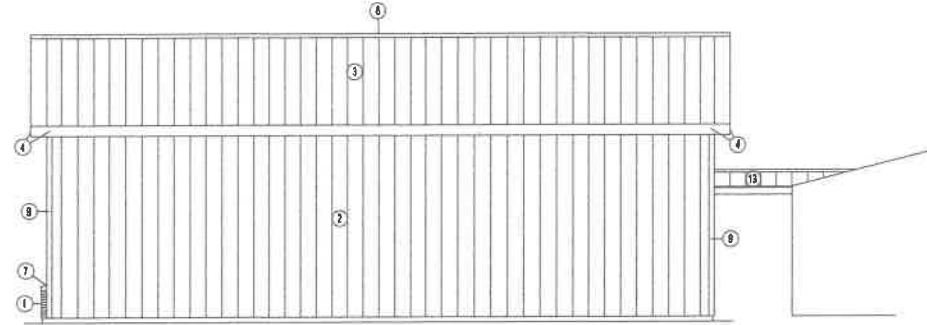
5-4-22

T100

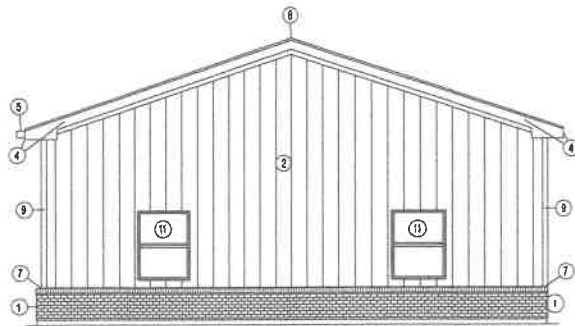
HOUSE SIDE



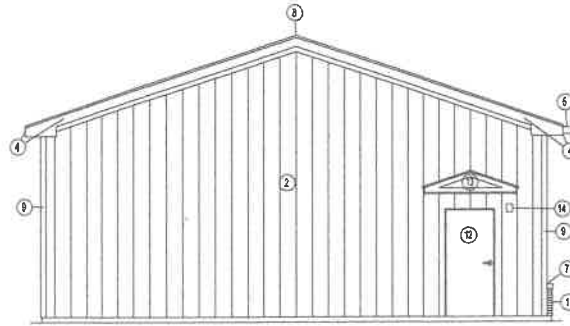
2 BACK ELEVATION
SCALE: 1/4" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



3 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



4 SIDE ELEVATION
SCALE: 1/4" = 1'-0"

DRAWING NOTES:

- 1 2" TALL BRICK WAINSCOT W/ RIMLOCK WATER TABLE CAP
- 2 PRE-FINISHED METAL WALL PANEL
- 3 PRE-FINISHED METAL ROOF PANELS
- 4 VINYL-WRAPPED 2X6 FASCIA AND RAKE BOARD
- 5 5" ALUMINUM GUTTER
- 6 ALUMINUM DOWNSPOUT; DISCHARGE AT GRADE ONTO SPLASHBLOCK
- 7 METAL PANEL BASE FLASHING ON TOP OF BRICK WAINSCOT
- 8 METAL RIDGE CAP FLASHING
- 9 PRE-FINISHED METAL CORNER FLASHING
- 10 10' X 10' PRE-FINISHED INSULATED STEEL OVERHEAD DOOR W/ ONE ROW OF WINDOWS
- 11 3' X 4' INSULATED VINYL WINDOW
- 12 3068 INSULATED STEEL DOOR WITH THRESHOLD AND LEVER LOCKSET
- 13 ROOF OVER ENTRY DOOR; BUILD TO, OR ONTO EXISTING BARN
- 14 EXTERIOR LED LIGHT FIXTURE

ROAD SIDE

350 LIMA DRIVE
DAYTON, OHIO 45424
937-477-8825

GAME
CONSTRUCTION

- GARAGE ADDITION TO -
FRED AND KAREN NOVAK RESIDENCE
11100 REINHARD ROAD
DAYTON, MONTGOMERY COUNTY, OHIO 45322-9716

PRELIMINARY

3850 Somerset Drive
Dayton, Ohio 45431
937-999-6887
www.sniderarchitecture.com

SNIDER
ARCHITECTURE

5-4-22

A200