



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

PC Case# _____	Date Received: <u>7/2/24</u>
Reviewed By: _____	PC Meeting Date: _____
Council Meeting Date: _____	Date of Legal Publication: _____
Fee: \$ <u>500.00</u> <input type="checkbox"/> Cash <input type="checkbox"/> Credit Card <input checked="" type="checkbox"/> Check # <u>52409</u>	

### Planning Commission Application

Applicant: Moss Creek Land Holdings LLC Phone Number: 480-861-9886  
Mailing Address: 5614 W. ST MORITZ LN GLENDALE, AZ 85306

Applying for:

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

Property Address: HOKE RD CLAYTON, OH

Parcel ID#: M60 03206 0020 Acreage: 10

Subdivision: \_\_\_\_\_ Lot#: \_\_\_\_\_

Current Zoning District: RCD-2 If Applicable, Proposed Zoning District: RSD

Located in Flood Hazard: \_\_\_\_\_ Sewer: \_\_\_\_\_ Water: \_\_\_\_\_

*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.*

CLAYTON LAND HOLDINGS LLC  
Willie E. Parker III  
Applicant's Signature

7/2/2024  
Date



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**Affidavit**

State of Ohio; County of Montgomery

I (We) William E. Parker 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.

Clayton Land Holding LLC      William E. Parker MM  
Property Owner(s) Signature(s)

5614 W. St. Montgomery, Cleveland Az 95306  
Mailing Address

480-861-9886  
Phone Number

Subscribed and sworn to be before me this 2 day of July 2021

Abigail Wyman  
Notary Public Signature

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

893 D. Main St. Englewood OH 45322  
Mailing Address

937 832 1800  
Phone Number



ABIGAIL WYMAN  
NOTARY PUBLIC  
STATE OF OHIO  
MONTGOMERY COUNTY  
MY COMMISSION  
EXP: 5-31-27

# City of Clayton Receipt by Receipt Line

Receipt No: 2024-1068

Received From: Moss Creek Land Holding LLC

Received For: M60 03206 0020 - Hoke Rd.

Reference:

Page: 1  
Date: 07/03/2024  
Amount: \$500.00

Line #	Line Description	Line Date	GL Account Number	Account Number	Project	Quantity	Unit Price	Amount
1	M60 03206 0020 - Hoke Rd.	07/03/2024	101-0000-40623	00000-001		1	0.0000	\$500.00

Tender Type

Check

Tender Amount

\$500.00

Total Amount:

\$500.00

Tendered Amount:

\$500.00

Change Amount:

\$0.00

Credit Memo:

\$0.00

**“Dear City of Clayton Planning Commission Members”**

I am a member of Clayton Land Holding LLC, the owner of 11 acres located at the N.W. quadrangle of Westbrook and Hoke rds. Our members acquired the property in the early 2000's. Over the last several years we have attempted to sale our property. While your future land use plans has classified all properties along the west side of Hoke rd. from the Caterpillar plant to our north and south to Westbrook as Manufacturing we have addressed the concerns of the surrounding neighborhood and feel that the transition from manufacturing from the Caterpillar plant to Westbrook rd. is not in the best interest the neighborhood and the general principles and practices of modern Urban Planning. Additionally, ending contiguous at Graywolf Golf Club.

On behalf of Clayton Land Holding LLC members, we have always looked in another direction in rezoning for the best intended use for our property.

The following is support for our rezoning request.

1. Josh Tackett, our property owner to the north is desirous acquiring 4 acres from Clayton landholdings LLC's 10 acre parcel to his south to protect his property from the city of Clayton's proposed comprehensive land use plan that suggests the property south of the caterpillar plant to Westbrook Road be rezoned to allow manufacturing.
2. The majority of Clayton land holding LLC members are in their late 70s and early 80s and are in the process of selling their assets.
3. The city of Clayton's comprehensive land use plan does not appear to be a good transition from its Industrial future land use to blend them with the residential component Graywolf Golf Club.
4. Our proposed RCD district would be compatible to develop a future residential component that would be receptive to the surrounding property owners versus Manufacturing.

Thank you for your time,

Bill Parker, 480-861-9886

Clayton Land Holding LLC

Sheet1

Map ID#	Parcel ID	Parcel Address	Current Owner/ Tax Name	Tax Mailing Address	City, State, Zip
1	M60 03206 0020	Vacant Land Hoke Rd	Clayton Land Holding LLC	5229 Diamond Mill Rd	Brookville, OH 45309
2	M60 03206 0009	7317 Westbrook Rd	Beverly J McGregor	7317 Westbrook Rd	Brookville, OH 45309
3	M60 03206 0012	6161 Hoke Rd	Joshua M Tackett	6161 Hoke Rd	Clayton, OH 45315
4	M60 03206 0016	6201 Hoke Rd	Dennis D & Jean M Simmons	6201 Hoke Rd	Clayton, OH 45315
5	M60 03207 0044	6216 Hoke Rd	John W Hames	6216 Hoke Rd	Clayton, OH 45315
6	M60 03207 0026	Vacant Land Hoke Rd	ICARUS LLC	1173 Scarlet Oak Dr	Tipp City, OH 45371
7	M60 03206 0010	7005 Westbrook Rd	Clayton Land Holding LLC	5229 Diamond Mill Rd	Brookville, OH 45309
8	M60 03206 0031	7029 Westbrook Rd	Lore S Tyler	7029 Westbrook Rd	Clayton, OH 45315
9	M60 03206 0015	7039 Westbrook Rd	Lore S Tyler	7029 Westbrook Rd	Clayton, OH 45315
10	M60 03206 0030	7049 Westbrook Rd	Ted Rhoades & Leslie Howell	8265 Number Nine Rd	Brookville, OH 45309
11	H33 202105 0020	7200 Westbrook Rd	Dillon J Brown	7200 Westbrook Rd	Brookville, OH 45309
12	H33 202105 0047	Vacant Land Westbrook Rd	TPN Golf Properties LLC	1 Club Dr	Clayton, OH 45315
13	H33 00619 0007	Vacant Land Westbrook Rd	TPN Golf Properties LLC	1 Club Dr	Clayton, OH 45315

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**1111.11 RESIDENTIAL SINGLE-UNIT DISTRICT (RSD).**

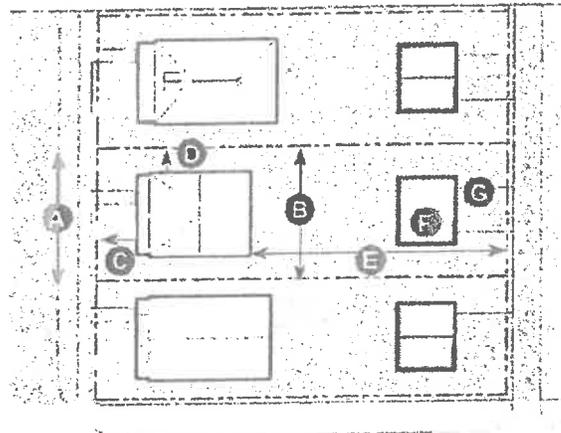
- A. Purpose and Intent.
  - (1) The Residential Single-Unit (RSD) District is intended to regulate all land in the City platted for medium-scale suburban single-unit residential development.
  
- B. Existing Development Patterns.
  - (1) The existing development pattern in the RSD is traditional single-family residential subdivisions with single unit residential structures.
  - (2) Where a subdivision has been platted and substantially built-out utilizing a front setback different from that required by this section, an infill lot must utilize the established setback as defined in Chapter 1181 - Glossary General Terms. Similarly, redeveloped or combined residential lots must utilize established setbacks, as defined, for the subject lot's front yard setback, if surrounding lots are predominantly residential.
  
- C. Desired Development Pattern.
  - (1) The desired development pattern in the RSD District is to accommodate multiple forms of single-family development, including attached single-family dwellings. New development in the RSD should also promote pedestrian connectivity and the retention of planned open-space amenities.
  
- D. Uses.
  - (1) The following uses are either permitted or conditional uses as indicated in the following chart. For definitions, see Section 1181.02, Glossary of Terms-Uses.

DISTRICT USES (P = PERMITTED, C = CONDITIONAL)		REF. #
<b>AGRICULTURAL</b>		
Backyard Farm	P	1121.02E.
Hobby Farms	P	1121.02E.
<b>RESIDENTIAL</b>		
Accessory Dwelling Unit (ADU)	P	1121.02B.
Child Day Care, in Home - Type A	C	
Child Day Care, in Home - Type B	P	
Dwelling, Attached Single-Family	C	
Dwelling, Residential Care Facility	P	1121.02N.
Dwelling, Detached Single-Family	P	
Dwelling, Duplex	C	
Dwelling, Halfway House	C	

<b>COMMUNICATIONS/UTILITIES</b>		
Wireless Service Facility	C	1121.06
<b>INSTITUTIONAL</b>		
<b>CIVIC</b>		
Community Facility, Activity Center	C	
Community Facility, Government Administration and Courts	C	
Community Facility, Public Health Safety	P	
Library	C	
<b>EDUCATION</b>		
School, College/University	C	
School, Primary	C	
School, Secondary	C	
School, Vocational	C	
<b>OTHER</b>		
Event Center, Small	C	
<b>PARKS &amp; RECREATION</b>		
Community Facility, Outdoor Recreation	P	
Community Facility, Park	P	
Community Facility, Trail	P	
<b>COMMERCIAL</b>		
<b>ENTERTAINMENT/RECREATION</b>		
Golf Course	P	
<b>PROFESSIONAL OFFICE</b>		
Studio - Art	C	

**E. Development Standards.**

- (1) All development in the RSD shall be conducted in accordance with the following development standards. Additional standards generally applicable to certain uses and development standards can be found in Chapter 1121 "Generally Applicable Standards."



DEVELOPMENT STANDARDS			
Dimensions	A	Street Frontage (Min. Ft.)	Project Area (Min. Acres)
		60	N/A
		Lot Size (Min. Sq. Ft.)	Lot Size (Max. Sq. Ft.)
		0.15 acres	N/A
	B	Lot Width (Min. Ft.)	Lot Width (Max. Ft.)
		60	N/A
Density		Units Per Acre (Max.)	
		N/A	
Setbacks	C	Front Yard Setback (Min. Ft.)	Front Yard Setback (Max. Ft.)
		20	N/A
	D	Side Yard Setback (Min. Ft.)	Side Yard Setback (Max. Ft.)
		10	N/A
		Side Yard Setback (Min. Aggregate Ft.)	Side Yard Setback (Max. Aggregate Ft.)
		20	N/A
	E	Rear Yard Setback (Min. Ft.)	
		30	

<b>Height</b>		<b>Building Height (Min. Ft.)</b>	<b>Building Height (Max. Ft.)</b>
		N/A	35
<b>Lot Coverage</b>		<b>Lot Coverage (Max.) - Not Including Paved Areas</b>	<b>Open Space (Min.) Paved Areas Not Included</b>
		40%	40%
<b>Use Area</b>		<b>Residential Unit Area (Min.)</b>	<b>Residential Unit Area (Max.)</b>
		N/A	N/A
		<b>Commercial Ground Floor Area (Min.)</b>	<b>Commercial Ground Floor Area (Max.)</b>
		N/A	N/A
<b>Accessory Building</b>	<b>F</b>	<b>Accessory Building Location</b>	<b>Accessory Building Height (Max. Ft.)</b>
		Rear yard, 5 feet from any lot or recorded easement, no closer to the front lot line than 10 feet behind the front building line.	15
<b>Parking Location</b>	<b>G</b>	<b>Parking Location</b>	
		Driveway and Garage	
<b>Drive-Thru</b>		<b>Drive-Thru Location</b>	
		Drive-thrus are not permitted in the RS	
<b>Signs</b>		<b>Permitted Sign Types</b>	
		Residential Monument sign as permitted in Chapter 1121, and permitted only as identification to a residential subdivision	
<b>Design</b>		<b>Design Standards</b>	
		Front facades shall be composed of no less than 50% of a natural material like brick or stone, or a synthetic natural material.	

- F. Development Typologies.  
 (1) Buildings in the RS District may be constructed in accordance with the following development typologies:

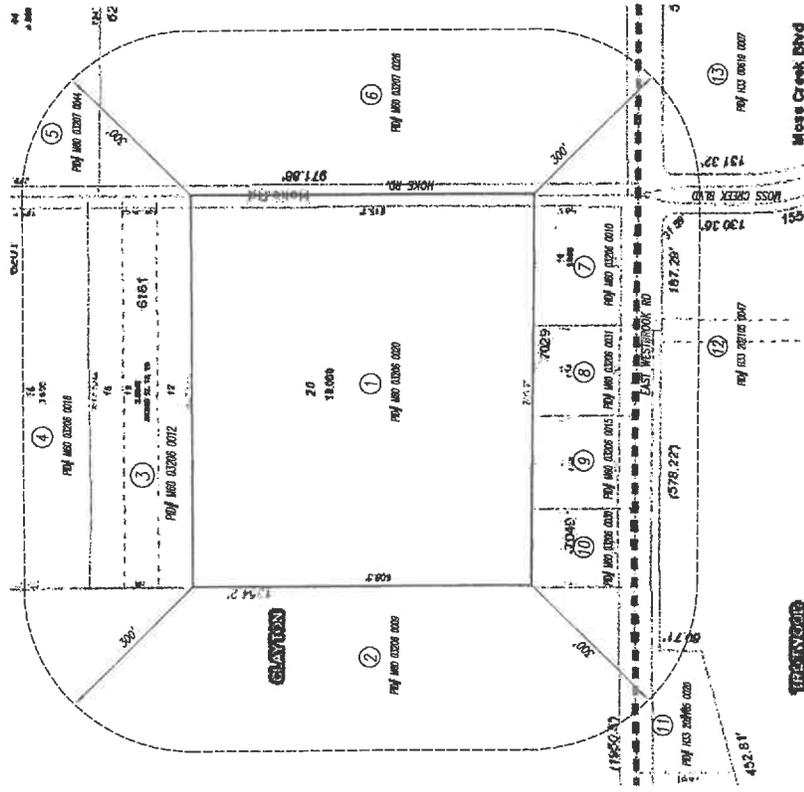
Sheet1

REZONING MAILING LIST  
 10 ACRES ON HOKE RD.  
 CLAYTON LAND HOLDING LLC  
 PARCEL # M60 03206 0020  
 CITY OF CLAYTON, OHIO

OWNERS 300' BUFFER						
Map ID#	Parcel ID	Parcel Address	Current Owner/ Tax Name	Tax Mailing Address	City, State, Zip	
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LGR # 24025 06/27/24

**REZONING MAP**  
**SECTION 32, TOWN 5, RANGE 5 E**  
**CITY OF CLAYTON**  
**MONTGOMERY COUNTY, OHIO**  
**10 ACRES**  
**CLAYTON LAND HOLDING LLC**  
**PARCEL ID M60 03206 0020**  
**D.M.F. 98-800D01 & D03**  
**EXISTING ZONING RCD-2**  
**PROPOSED ZONING RSD**



CLIENT: WILLIAM PARKER  
 DATE OF SURVEY: MAY 2024

PREPARED BY:



**LUIS C. RIANCHO & ASSOCIATES, INC.**  
 SURVEYING  
 TEL 937 836-1555  
 FAX 937 836-6974  
 LGRIANCHO@OH. RR.COM  
 140 WEST WENGER ROAD  
 ENGLEWOOD, OHIO  
 45322-2777

JOB # 24025

MAY 2024

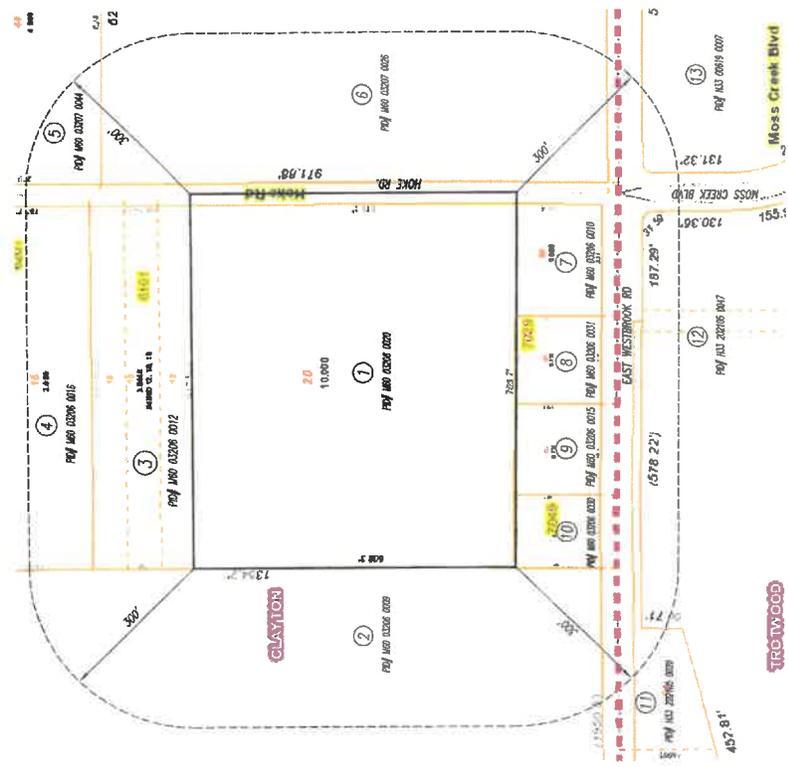
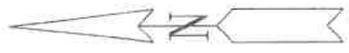
DRAWING: 24025POS

PLOT DATE 07-02-2024



GRAPHIC SCALE  
 SCALE 1"=200'

REZONING MAP  
 SECTION 32, TOWN 5, RANGE 5 E  
 CITY OF CLAYTON  
 MONTGOMERY COUNTY, OHIO  
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 LGRIANCHO@WOH.BRR.COM  
 140 WEST WEAVER BOUL  
 ENGLEWOOD, OHIO  
 45322-2727

DRAWING: 24025PDS

PLOT DATE 07-02-2024



## **PUBLIC MEETING NOTICE**

Notice is hereby given that the City of Clayton Planning Commission will hold a public hearing on Monday, August 26, 2024, at 7:00 p.m. The Planning Commission will hear *a request to rezone the property at M60 03206 0020 from RCD-2 to RSD*. The request was made by Clayton Land Holding LLC (property owner). The Clayton Planning Commission will vote at the hearing to make a recommendation to Clayton City Council for their final action.

The application and plans may be reviewed at the Clayton Government Center, 6996 Taywood Road, during regular business hours or online at <https://www.clayton.oh.us/375/Planning-Commission-Agenda>.

The meeting is open to the public. If you are unable to attend in person you can submit a letter that will be forwarded to the Planning Commission for consideration.

Development Department  
City of Clayton  
Ph. (937) 836-3500