



**AGENDA - TROY PLANNING COMMISSION MEETING**  
**WEDNESDAY, FEBRUARY 23, 2022, 3:30 P.M.**  
**CITY HALL, COUNCIL CHAMBERS**

1. Roll Call
2. Minutes - 1-26-2022
3. Historic District Application for 2 E. Main Street for the installation of outdoor seating  
Owner/Applicant: Connor Haren/Haren's Market  
-Commission to make decision
4. Rezoning of 1125 Washington Road (IL 11463 and 11464) from the County zoning of A-1, Domestic Agriculture, and A-2, General Agriculture, to the City zoning of R-4, Single Family Residential District  
Owner/Applicant: Strayer Farms, Inc.  
-Commission to determine whether or not to hold a public hearing  
-Commission to make recommendation to Council.
5. Other

2-18-2022

Note      Next Meeting -- March 9, 2022

Note to Commission members:

If you will not be attending, please email or call Sue.

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, January 26, 2022 at 3:30 PM with Vice-Chairman James A. McGarry presiding. ATTENDING: Members – Titterington, Ehrlich, McGarry, Wolke, Oda and Westmeyer – Development Director Davis, Zoning Inspectors Eldemiller and Bruner.

**APPROVAL OF MINUTES:** Upon motion of Mr. Titterington, seconded by Mrs. Ehrlich, the minutes of the January 12, 2022 meeting were approved by unanimous vote.

**DOWNTOWN RIVERFRONT OVERLAY (DR-O) DISTRICT APPLICATION FOR 112-118 W. MAIN STREET: OWNER 116 W MAIN LLC (RANDY KIMMEL) – SECOND READING AND PUBLIC HEARING: HISTORIC DISTRICT APPLICATION FOR 112-118 W. MAIN STREET.**

**A. DR-O (Downtown Riverfront-Overlay) District Application for 112-118 W. Main Street**

Owner/Applicant: 116 W Main LLC

-Public Hearing – related to a new construction having a primary height of 50' and a height of 53' for the rear of the structure containing the elevator shaft. The underlying B-3 Zoning District allows for a maximum height of 35'.

**Staff Report:** The following report was submitted:

\*At the January 12, 2022 Planning Commission meeting, an introduction to the requested Downtown Riverfront Overlay (DR-O) for the proposed development at 112-118 W. Main Street was reviewed. The DR-O was requested due to the height of the proposed structure exceeding the maximum allowance of the B-3 Central Business District. The proposed structure height is primarily 50' with the rear structure height at 53' due to the elevator shaft. The B-3 Central Business District permits a height of 35'.

As stated in section 1143.25 of City of Troy Zoning Code, Planning Commission shall review all DR-O applications and shall grant, modify, or deny/and or recommend the denial, or modifications of such application based upon the following criteria:

1. To prevent hazards to the health and safety of the public and of all occupants of improved real property.
2. To assure adequate light, air and convenience of access for all properties.
3. To promote the delivery of public services such as utilities, streets, refuse collection, emergency medical services, fire and police protection.
4. To provide for creatively designed single-use and mixed-use Planned Developments, and to preserve their character and vitality through ongoing regulatory supervision.
5. To assure, through an appropriate site plan review that the general, district and supplementary regulations of this Zoning Code are being followed in the design of each new site improvement or redevelopment.
6. To minimize adverse effects on traffic safety caused by development and certain land uses.
7. To minimize adverse effects on the environment resulting from development and certain land uses.
8. To facilitate the efficient and economical development and use of land and public facilities.
9. To allocate to each site development, rather than to the public, the maximum feasible portion of the infrastructure and operating costs which arise as a result of that development.
10. To fairly balance the interest of property owners and occupants in continuing their nonconforming land uses against the community interest in achieving full compliance with this Zoning Code.
11. To protect floodways and flood plains from development which increases the general risk of flooding or puts occupants of the development at risk.
12. To preserve and enhance property values.
13. To protect public and private water supplies, both in quality and quantity.
14. To promote the economic vitality of business and industry.
15. To direct particular land uses to the parcels of land best suited for them physically and in terms of access to highways and public services.
16. To enhance the predictability and profitability of private investments made in the City.
17. To continuously improve the aesthetic character of all parts of the City.

With the creation of the Downtown/Riverfront Overlay District, the intent is for the district to be applied when the conventional zoning requirements are inappropriate or the underlying zoning district is unduly restrictive or prevents the reuse of buildings or properties in downtown Troy. Looking at the surrounding streetscapes, the height request of this structure is compatible to existing nearby structure heights.

Utilizing the criteria intended to justify a DR-O application; you will find the proposed project will have a minimum effect on the environment and neighborhood, as several surrounding structures currently do not meet by the existing height maximum. In addition, the creative reuse of the property, positive economic impact, and improved overall aesthetics resulting from this development will benefit the neighborhood and downtown Troy.

**REQUESTED ACTION:**

Based upon the criteria used to determine the merits of the DR-O application, it is requested that Planning Commission provide a positive recommendation to City Council for the proposed DR-O application for the proposed development, based upon the following:

- The proposed development is new construction in the Historic District and while the new building is a product of its own time, it is compatible to the current and surrounding developments without exactly duplicating it; and
- The proposed development reflects a conscious effort to respect the architecture of the existing historical building in material, scale, proportion and style; and
- The proposed development improves the aesthetic character of the city; and
- The proposed request will enhance property values; and
- The proposed request provides a creatively designed development that preserves the character and vitality;
- The proposal follows the Comprehensive Plan and historic district requirements set forth by the Zoning Code if the DR-O is applied.

**Public Hearing:**

At 3:35 p.m., Vice-Chairman McGarry declared open the Public Hearing on the DR-O application, related to a new construction having a primary height of 50' and a height of 53' for the rear of the structure containing the elevator shaft. The underlying B-3 Zoning District allows for a maximum height of 35'. The following commented:

-Ben Sutherly, President of Troy Historic Preservation Alliance, 110 ½ W. Main Street, in regard to the height of a replacement structure, asked for clarification and asked if the DR-O application denied would the Commission or Council allow demolition of the current building to proceed anyway if the appeal before the courts is unsuccessful.

-Mr. Titterington suggested the question has nothing to do with the DR-O application; a stay exists on the current building; and this application is only based on the appeal denied.

-Mr. Sutherly continued by asking that the matter be tabled as it is premature to consider it as an appeal on demolition is before the courts, that part of the appeal to the court is based on the rescue plan not meeting the zoning code, and he believes the court should make a ruling before the Commission considers the application.

-Mr. McGarry advised Mr. Sutherly that the comments were not related to the application.

-Mr. Sutherly continued that the questions were related and further requested that the Commission table the matter to avoid multiple appeals.

-Jeremy Tomb, Attorney, stated he is representing Cheryl Cheadle, an adjoining property owner who is present, representing adjoining property owner Evil Empire LLC, and representing Ben Sutherly and the Troy Historic Preservation Alliance, and he wished the record to reflect their presence. He stated the Commission bifurcated the proceedings to have the height issue first, that he is objecting to the proceedings as the Commission does not have the authority to consider the application, and the application should be tabled.

-Bradley Brachner, 105 Cranswood Drive, stated he does believe the issue should be bifurcated because what is being considered is predicated

-Mark Stemmer, 2864 Blackhorse Court, structural engineer for the owner, commented in looking at the reuse, in order to provide information detailing the reuse, he needs to know how tall the building can be so planning can occur and the owner define the reuse plan.

There being no further comments, at 3:45 p.m., Vice-Chairman McGarry closed the Public Hearing.

Recommendation to City Council regarding the DR-O Application:

A motion was made by Mr. Westmeyer, seconded by Mrs. Ehrlich, that the Troy Planning Commission has reviewed the application to apply the Downtown/Riverfront Overlay District to the property located at 112-118 West Main Street; that the Commission finds that the criteria under which the Planning Commission shall review said applications, as set forth in Section 1143.25(q) (1) (c) of the Zoning Code, is met by this application and, therefore, the Troy Planning Commission formally recommends that the application to apply the Downtown/Riverfront Overlay District to the property of 112-118 West Main Street (Parcel No. D08-001270) be approved as submitted.

MOTION PASSED, UNANIMOUS ROLL CALL VOTE

- B. Historic District Application for 112-118 W. Main Street, subject to the Court determining that the demolition of the current structure is to proceed.** Exterior alterations including but not limited to building façade, windows, setback, height, roof, historic plaque location, and exterior lighting.

Mr. Davis asked to provide some clarification before reviewing the report:

1. This is not an act on the demolition, it is a certificate of appropriateness for a new building.
2. Chairman Kappers had asked if the awning would be permanent, and it will be permanent, affixed to the building.
3. Chairman Kappers had asked about the awning material, which will be canvas.
4. Mr. Tomb had provided the Commission with an email regarding the appropriateness of considering the application while there is a judicial stay on the property before the court; staff contacted outside counsel and was advised to proceed unless the applicant wished to withdraw or table the application, and the applicant does not want to withdraw or table the application.
5. Regarding a comment that this is an incomplete application as it does not address behind the building; there is now a wall and paved courtyard behind the building, which will be removed and green space installed.
6. Regarding the bond, Mr. Tomb raised a question on the calculation for the bond, it was found that the calculation was in error and prior to the meeting, the applicant provided a \$2 Million Bond, which exceed the amount of bond required.

Staff Report: The following report was submitted:

**"PROPOSAL:**

The applicant requests the Planning Commission to review the proposal for a four-story new structure at 112-116 W. Main Street. The property is zoned B-3, Central Business District and is located in the middle of the block on the south side of W. Main Street between S. Cherry and S. Plum Street.

**DISCUSSION:**

The following is a breakdown of the proposed exterior features that are being requested. The project is subject to the historic review process by the Planning Commission and the approval of a Downtown Riverfront Overlay District:

- **Facade:** The exterior of the proposed building predominately consists of brick masonry Belden Bricks "Harvest Blend" with cast stone cornices and cast stone lintels "Portland 01". The ground floor consists of three entry points protected by Sunbrella Shade Fabric awnings "Black 4608-0000". Six brick columns will present a recessed look that is consistent with surrounding buildings in the historic district. Brick is the most common form of building material in the historic district and the darker color brick is appropriate to many of the larger buildings along W. Main Street and blends in with the surrounding facades while making the contributing features more visible.



- **Windows:** The proposed windows on the first-floor consist of aluminum clad storefront windows covered with a fabric awning. The second and third-floor windows are aluminum clad wooden windows "Classic white finish" with cast stone lintels "portland 01" and a cast stone sill below the window. The fourth-floor windows on the north elevation are aluminum clad wooden windows "Classic white finish" with circular cast stone lintels "portland 01". The building introduces different styles of windows all of which can be found throughout downtown and complement the existing building window style.



- **Setback:** The proposed building will have no front setback from W. Main St. and contains no side yard setback, and a 112' rear yard setback. The B-3 Central Business District does not require or establish minimum setbacks.
- **Height:** The building height is 53' from the grade to the top elevation of the elevator shaft at the highest elevation. The Zoning Code allows for a maximum height in the B-3 district as 35'. The Zoning Code allows for a DR-O height amendment in Section 1143.25. Surrounding buildings to the north and east are approximately the same size in height as the proposed building.
- **Roof:** The roof will consist EPDM or TPO rubber membrane, which is similar to many roofs in the downtown area. The roof will not be visible from the street level.
- **Exterior Lighting:** The proposal includes six gooseneck Arless Matte Black Outdoor Barn Light on the first level of the building. The lights will be black and match the complementing color of the fabric.

The applicant will be present at the meeting to answer any additional questions on materials and architectural style of the proposed building.

#### **Compatibility with the Historic District:**

The application was reviewed for compatibility in scale, massing, proportion and façade treatment to the existing historic district. The existence of other area buildings with common exterior features shared by the proposed project indicates a conscious effort to blend in the general character of the neighborhood. The colors are neutral and the dark brick is a common theme throughout downtown. In addition, the proposed material consists of brick and stone, which again, is a common occurring theme throughout the historic district.

The building itself complements the block that it is proposed to be built within by mimicking the current structure in size and window style. In addition, the building is setback at the property line consistent with each building on the block. Attached is the proposed rendering compared to the current existing structure.

This application has been reviewed for compliance with all requirements of the Zoning Code except for the additional design standards imposed by the historic district regulations and has been found to comply with same if a DR-O is applied.

#### **RECOMMENDATION:**

Staff recommends approving the proposed plan, based on the following:

- The proposed alteration does not detract from the historic integrity of the building;
- The proposed alterations restore the building and façade more to the original design than what's existing, while staying compatible with the surrounding streetscape environment;
- The proposed materials and colors are in keeping with the existing colors and the architectural style found throughout the Historic District.
- The DR-O application is approved, allowing for the height to exceed 35'. "

#### Discussion:

-Mr. Wolke noted that he had had asked that Mr. Kappers review the application and provide comments; staff answered the questions of Mr. Kappers regarding the canopy material and permanence; Mr. Kappers asked if the lintels would be limestone; and Mr. Kappers commented that the building does seem appropriate for the site.

-Mr. Stemmer stated the lintels would be made of cast stone, Cementous material to look like natural stone.

-Mr. Titterington asked about the area behind the building which Mr. Davis discussed, and Mr. Davis advised that the garage would be removed and what is now the courtyard will be greenspace – seed and straw

-There was a question regarding public comments. Mr. Titterington advised that the prior subject required a public hearing, and that the Commission does not generally consider public comments.

#### Request that Email be part of the Record:

-Mr. Tomb asked that his email be part of the record of the Commission meeting of this date. A motion was made by Mr. Titterington, seconded by Mr. Wolke, that Mr. Tomb's email be a part of the record of the January 26 Planning Commission Meeting.

MOTION PASSED, UNANIMOUS VOTE

#### Objection:

-Mr. Tomb indicated his objection as the action of the Commission is giving conditional approval on the conditional approval of the BZA, and the Ordinances do not provide for conditional approval. Mr. McGarry advised that the objection was noted.

#### Decision of the Planning Commission regarding the Historic District Application:

A motion was made by Mayor Oda, seconded by Mr. Westmeyer, that the Historic District Application for 112-118 W. Main Street be approved as submitted.

MOTION PASSED, UNANIMOUS VOTE

There being no further business, the meeting adjourned at 3:58 p.m. upon motion of Mr. Westmeyer, seconded by Mr. Titterington and approved by unanimous voice vote.

Respectfully submitted,

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary



## MEMORANDUM

**TO:** City of Troy Planning Commission Members

**FROM:** Development Staff

**DATE:** February 23, 2022

**SUBJECT:** Historic Review – 2. E. Main Street - Outdoor Seating

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### **BACKGROUND:**

A request by the applicant, Connor Haren, for the Planning Commission to consider installation of outdoor seating for the property at 2 E. Main Street. The property is zoned B-3 Central Business District and is located on the southeast corner of the public square. The Planning Commission previously approved this request on April 22, 2020.

The OHI describes the building as a two-story brick and stone commercial building incorporating Neo-Classical elements. The entrance to the original bank was on the north side facing E. Main. During a later renovation the entrance was altered and replaced with display windows. A canopy and the new entrance were installed along the west side wall. This building is listed on the National Register for Historic Places.

### **PROPOSAL:**

The applicant is proposing the following modifications to the property:

- Installing a black railing to create an outdoor seating area for the patrons of the business Haren's Market. The proposed railing will allow for 9' 7" of pedestrian maneuverability.

The proposed site plan has been attached to this report.

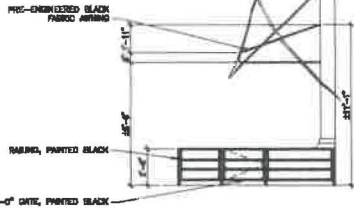
### **RECCOMENDATION:**

This application has been reviewed for compliance with all requirements of the zoning code except for the additional design standards imposed by the historic district regulations and has been found to comply with same.

Staff recommends approval of the proposed outdoor seating modifications.

- The proposed seating and design meet the City of Troy requirements;
- The proposed modifications will not detract from the historic integrity of the building;
- The proposed modifications are temporary in nature and may be removed without harming the historic building.

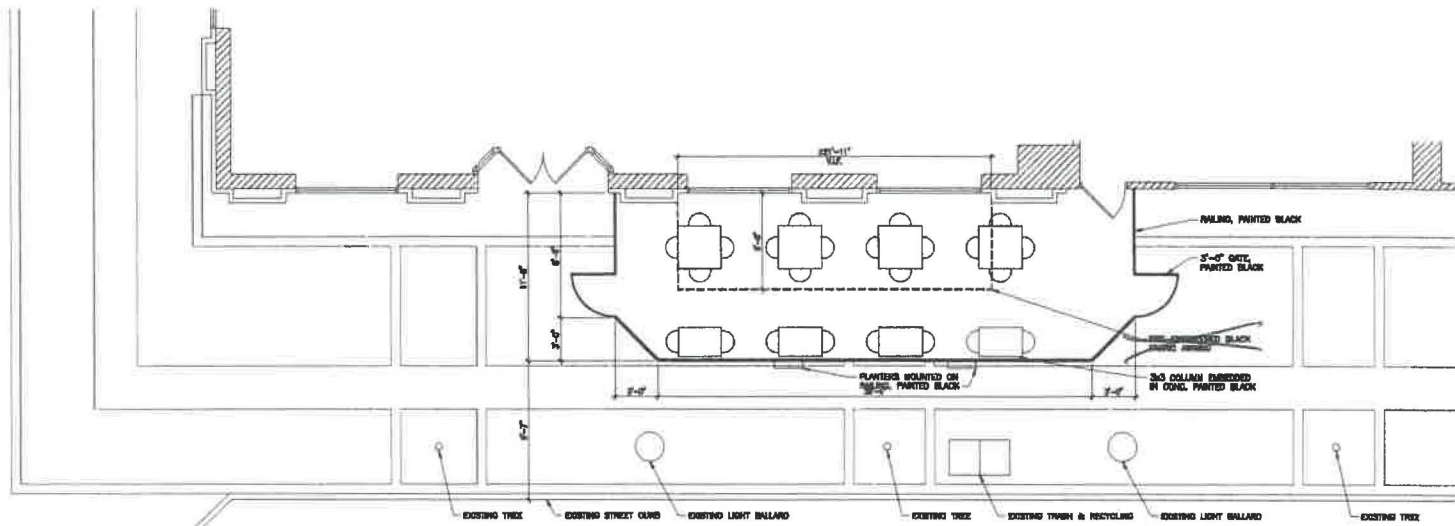




**03 SIDE ELEVATION**  
1/4" = 1'-0"



**02 FRONT ELEVATION**  
 $\frac{1}{4}" = 1'-0"$



**01 FLOOR PLAN**



CITY OF TROY PLANNING COMMISSION  
APPLICATION FOR HISTORICAL TROY ARCHITECTURAL DISTRICT

Date 2/5/22

Applicant Harens Market Telephone No. 937) 339-1173

Owner of Property Connor Haren Has the Owner been Notified? Yes

Address of Project 2 E Main St Troy Ohio

Contact Address (if different than Project Address) Mike Twiss Architect  
Connor Haren - Contractor/Installer. *harensmarket@gmail.com*

Name of Architect/Engineer and/or Contractor \_\_\_\_\_

Application for renovation to include the following:

- |                                            |                                                                   |
|--------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Alteration        | <input type="checkbox"/> Repair                                   |
| <input type="checkbox"/> Construction      | <input type="checkbox"/> Demolish - Principal Structure           |
| <input type="checkbox"/> Moving A Building | <input type="checkbox"/> Demolish - Accessory Structure           |
| <input type="checkbox"/> Painting          | <input checked="" type="checkbox"/> Other: <u>Outdoor railing</u> |

Will the work require use of the public right of way? (Blocking of sidewalk, parking spaces, etc?) ☒ Yes ☐ No

\*If yes, a use of public space application is required

**ONE (1) COPY OF INFORMATION TO BE SUPPLIED BY APPLICANT:**

- Site Plan drawn to scale shall be provided showing structure in question & its relationship to adjacent structures.
- Description of proposed use, if different than existing use.
- Plans illustrating the proposed structural or exterior changes, including changes in parking facilities, landscaping, screening, fences, signs and other relevant structures and fixtures, and relationship to surrounding structures.
- Description and samples of materials proposed to be used in the project.
- Paint samples for painting applications.
- Any other photographs or illustrative visual aids and/or materials relevant to the project.
- A written letter from the owner acknowledging the application, or a printed signature from the property owner on this form.
- Application fee: \$25.00

\*The Planning Commission meets on the second and fourth Wednesday of every month. Completed applications are due a minimum of two weeks prior to the requested meeting date.

SIGNATURE OF APPLICANT:

*[Signature]*

SIGNATURE OF PROPERTY OWNER:

*[Signature]*

Connor Haren

PRINTED NAME OF PROPERTY OWNER:

OFFICE USE ONLY:

DATE FILED: \_\_\_\_\_

CASE #: \_\_\_\_\_

DATE OF MEETING: \_\_\_\_\_





**APPLICATION FOR SEATING ENCLOSURES ON PUBLIC SIDEWALKS**

Applicant Harey's Market Telephone No. 937)339-1173

Owner of Property Connor Haren Has the Owner been Notified? yes

Address of Project 2 E Main St.

Contact Address (if different than Project Address) \_\_\_\_\_

Name of Installer or Contractor Connor Haren

Application for renovation to include the following:

Tables (number: 8)

Chairs (number: 24)

Other (describe: \_\_\_\_\_)

By signing this application, I acknowledge that I am authorized by the owner to make this application. I agree to allow City of Troy employees to enter the property in order to complete necessary inspections. I agree to conform to all applicable laws of the City.

Signature: [Signature] Date: 2/5/22

PLANNING COMMISSION RESULTS (OFFICE USE ONLY):

APPROVAL BY SAFETY AND SERVICE DIRECTOR

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



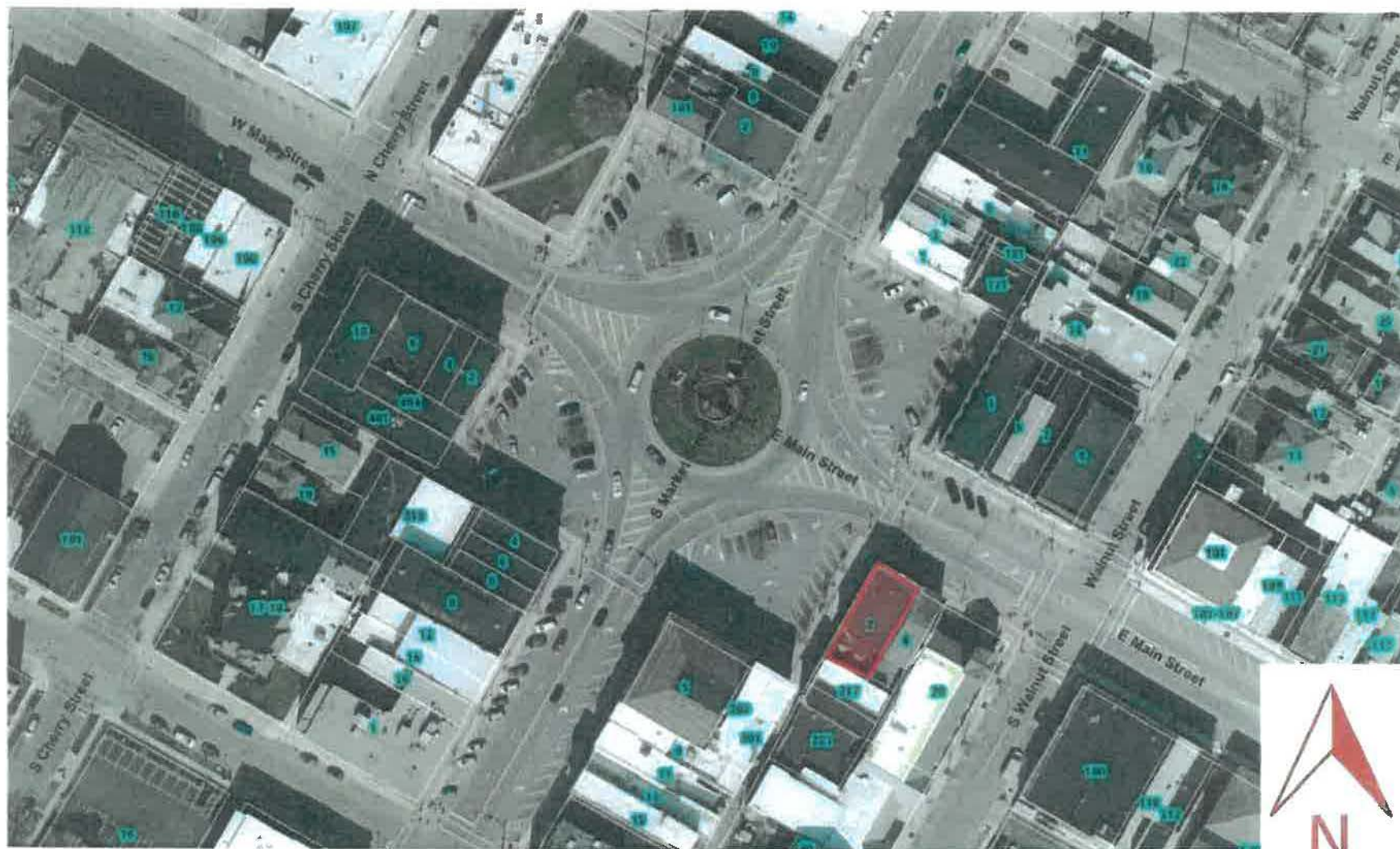
## OHIO HISTORIC INVENTORY

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                      |  |                                                                                                                                               |  |                                                                                                                                                                          |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  | 2. County<br><b>Miami</b>                                                                                                                            |  | 4. Present Name(s)<br><b>M &amp; R Drugs</b>                                                                                                  |  | <input type="checkbox"/> Coded                                                                                                                                           |  |
| 3. Location of Negatives<br><b>City of Troy Devel. Dept.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                                                                                                      |  | 5. Historic or Other Name(s)<br><b>Bank Building</b>                                                                                          |  |                                                                                                                                                                          |  |
| Roll No.<br><b>A</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | Picture No.(s)<br><b>4</b>                                                                                                                           |  |                                                                                                                                               |  |                                                                                                                                                                          |  |
| 6. Specific Address or Location<br><b>2 E. Main St.<br/>SE Public Square</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                                                                                                      |  | 16. Thematic Association(s)<br><b>Commercial-Financial</b>                                                                                    |  | 28. No. of Stories <b>2</b>                                                                                                                                              |  |
| 6a. Lot, Section or VMD Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                      |  | 17. Date(s) or Period<br><b>C 1913</b>                                                                                                        |  | 29. Basement? Yes <input type="checkbox"/> No <input type="checkbox"/>                                                                                                   |  |
| 7. City or Village<br><b>Troy</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                                      |  | 17b. Alteration Date(s)                                                                                                                       |  | 30. Foundation Material<br><b>Unknown</b>                                                                                                                                |  |
| 8. Site Plan with North Arrow<br>                                                                                                                                                                                                                                                                                                                                                                                                               |  |                                                                                                                                                      |  | 18. Style or Design<br><b>Reviva</b> <input type="checkbox"/> High Style<br><b>Neo Classical</b> <input checked="" type="checkbox"/> Elements |  | 31. Wall Construction<br><b>Brick w/stone trim</b>                                                                                                                       |  |
| 9. U.T.M. Reference<br>Quadrangle Name <b>TROY</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                                                                                                                                                      |  | 18a. Style of Addition or Element(s)<br><b>N/A</b>                                                                                            |  | 32. Roof Type & Material<br><b>Unknown</b>                                                                                                                               |  |
| Zone <b>16</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | Easting <b>738610</b>                                                                                                                                |  | 19. Architect or Engineer                                                                                                                     |  | 33. No. of Bays<br>Front <b>2</b> Side <b>4</b>                                                                                                                          |  |
| Northing <b>4435660</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | 10. Site <input type="checkbox"/> Structure <input type="checkbox"/><br>Building <input checked="" type="checkbox"/> Object <input type="checkbox"/> |  | 19a. Design Sources                                                                                                                           |  | 34. Exterior Wall Material(s)<br><b>Auff brick &amp; cut st</b>                                                                                                          |  |
| 11. On National Register? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                    |  | 12. N.R. Yes <input type="checkbox"/> Potential? No <input type="checkbox"/>                                                                         |  | 20. Contractor or Builder                                                                                                                     |  | 35. Plan Shape <b>Rectangular</b>                                                                                                                                        |  |
| 13. Part of Estab. Yes <input checked="" type="checkbox"/> Hist. Dist.? No <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                              |  | 14. District Yes <input type="checkbox"/> Potential? No <input type="checkbox"/>                                                                     |  | 21. Building Type or Plan<br><b>Commercial</b>                                                                                                |  | 36. Changes Addition <input type="checkbox"/> Altered <input checked="" type="checkbox"/> Moved <input type="checkbox"/><br>(Explain in #42)                             |  |
| 15. Name of Established District (N.R. or Local)<br><b>Troy historic district</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                                      |  | 22. Original Use, if apparent<br><b>Bank</b>                                                                                                  |  | 37. Window Type(s)<br><input type="checkbox"/> 6 over 6 <input type="checkbox"/> 2 over 2<br><input type="checkbox"/> 4 over 4 <input checked="" type="checkbox"/> Other |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                      |  | 23. Present Use<br><b>Just vacated - Drug Store</b>                                                                                           |  | 38. Building Dimensions <b>35 x 60</b>                                                                                                                                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                      |  | 24. Ownership Public <input type="checkbox"/> Private <input checked="" type="checkbox"/>                                                     |  | 39. Endangered? Yes <input type="checkbox"/> No <input type="checkbox"/><br>By What?                                                                                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                      |  | 25. Owner's Name & Address, if known<br><b>Jane Russell<br/>2009 W. McKaig Ave<br/>Troy, OH</b>                                               |  | 40. Chimney Placement<br><b>None</b>                                                                                                                                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                      |  | 26. Property Acreage                                                                                                                          |  | 41. Distance from and Frontage on Road<br><b>40 x 45</b>                                                                                                                 |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                      |  | 27. Other Surveys in Which Included                                                                                                           |  | <br><div style="text-align: center;">PHOTO</div>                                    |  |
| 42. Further Description of Important Interior and Exterior Features (Continue on reverse if necessary)<br><b>2 story brick and stone commercial building incorporating Neo-Classical elements. The entrance to the original bank was on the north side, the entrance was altered and replaced with display windows, a canopy and a new entrance was added to the west side. Second story windows were covered entirely. CDF: Stone cornice and trim, stone base and steps, original windows may be under the wood coverings.</b> |  |                                                                                                                                                      |  |                                                                                                                                               |  |                                                                                                                                                                          |  |
| 43. History and Significance (Continue on reverse if necessary)<br><b>Built as a bank by Benedict Koerner in 1913. N. end keystone in parapet says "Founded 1847".</b>                                                                                                                                                                                                                                                                                                                                                           |  |                                                                                                                                                      |  |                                                                                                                                               |  |                                                                                                                                                                          |  |
| 44. Description of Environment and Outbuildings (See #52)<br><b>Downtown commercial core area.</b>                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                                                                                                                                                      |  |                                                                                                                                               |  | 46. Prepared by<br><b>J. Darbee/N. Recchie</b>                                                                                                                           |  |
| 45. Sources of Information<br><b>Field observation<br/>City of Troy<br/>Miami Co. property records</b>                                                                                                                                                                                                                                                                                                                                                                                                                           |  |                                                                                                                                                      |  |                                                                                                                                               |  | 47. Organization<br><b>F. Conaway &amp; Assoc.</b>                                                                                                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                      |  |                                                                                                                                               |  | 48. Date Recorded in Field<br><b>5/97</b>                                                                                                                                |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                      |  |                                                                                                                                               |  | 49. Revised by <b>50a. Date Revised</b>                                                                                                                                  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                      |  |                                                                                                                                               |  | 50b. Reviewed by                                                                                                                                                         |  |

## 2 E. Main St. – Streetscape



## 2 E. Main Street



|            |                                         |
|------------|-----------------------------------------|
| TO:        | Troy Planning Commission                |
| FROM:      | Development Department                  |
| DATE:      | April 22, 2020                          |
| SUBJECT:   | Historic District Review: 2 E. Main St. |
| CASE #:    | HR-10-20                                |
| OWNER:     | CHACRERS LLC                            |
| APPLICANT: | Mike Twiss, MT Studio                   |

#### **DISCUSSION:**

The applicant, is requesting Planning Commission approval for the installation of outdoor seating for the property at 2 E. Main Street. The property is zoned B-3 Central Business District is located on the southeast corner of the public square.

The OHI describes the building as a two-story brick and stone commercial building incorporating Neo-Classical elements. The entrance to the original bank was on the north side facing E. Main. During a later renovation the entrance was altered and replaced with display windows. A canopy and the new entrance were installed along the west side wall. This building is listed on the National Register for Historic Places.

#### **PROPOSAL:**

The applicant is proposing the following modifications to the property:

- Install a black metal awning that covers from the building out to the extent of the seating area.
- Installing a black fence to create an outdoor seating area for the patrons of the business Haren's Market.
- Install matching black tables, chairs and planter boxes.

The proposed site plan has been attached to this report

This application has been reviewed for compliance with all requirements of the zoning code except for the additional design standards imposed by the historic district regulations and has been found to comply with same.

#### **RECOMMENDATION:**

Staff does not recommend approval of the metal awning that covers the seating area.

- The proposed awning is not historically accurate for an early 1900's Neo-classical Revival styled building. Metal awnings were predominant through the 1950's-1980's.
- Based on the Secretary of the Interior, Preservation Brief 11: Preserving Historic Storefronts. *"Fixed aluminum awnings and awnings simulating mansard roofs and umbrellas are generally inappropriate for older commercial buildings. If awnings are added, choose those that are made from soft canvas or vinyl materials rather than wood or metal; be certain that they are installed without damaging the building or visually impairing distinctive architectural features."*

- Along with the Secretary of the Interior, Preservation Brief 44: The use of awnings on historic buildings. *"A new awning should be compatible with the features and characteristics of a historic building, as well as with neighboring buildings, or the historic district, if applicable."* and *"When selecting and installing a new awning, a number of other factors should be considered: shape, scale, massing, placement, signage, and color."*

Staff does recommend approval of:

- The proposed fence design meets the City of Troy requirements;
- The proposed modifications will not detract from the historic integrity of the building;
- The proposed modifications are temporary in nature and may be removed with minimal repairs needed to the historic building.

Planning Commission  
Historic District Application

Revised 03/03/15

OFFICE USE ONLY

Date Filed: \_\_\_\_\_

Case #: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

**CITY OF TROY PLANNING COMMISSION**  
**APPLICATION FOR HISTORICAL TROY ARCHITECTURAL DISTRICT**  
(Must be typed or printed legibly)  
(PLEASE READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM)

Date 4/07/20

Applicant Mike Twiss Telephone No. 937-760-3884

Owner of Property Connor Haren Has the Owner been Notified? Yes

Address of Project 2 East Main Street, Troy, OH 45373

Contact Address (if different than Project Address) 210 S. Market Street, Suite B, Troy, OH 45373

Name of Architect/Engineer and/or Contractor Mike Twiss, Architect

Application for renovation to include the following:

- |                                              |                                                                               |
|----------------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> Alteration          | <input type="checkbox"/> Repair                                               |
| <input type="checkbox"/> Construction        | <input type="checkbox"/> Demolish – Principal Structure                       |
| <input type="checkbox"/> Moving A Building   | <input type="checkbox"/> Demolish – Accessory Structure                       |
| <input checked="" type="checkbox"/> Painting | <input checked="" type="checkbox"/> Other: <u>adding outdoor seating area</u> |

**ONE (1) COPY OF INFORMATION TO BE SUPPLIED BY APPLICANT:**

- (a) Site Plan drawn to scale shall be provided showing structure in question & its relationship to adjacent structures.
- (b) Description of proposed use, if different than existing use.
- (c) Plans illustrating the proposed structural or exterior changes, including changes in parking facilities, landscaping, screening, fences, signs and other relevant structures and fixtures, and relationship to surrounding structures.
- (d) Description and samples of materials proposed to be used in the project.
- (e) Paint samples for painting applications.
- (f) Any other photographs or illustrative visual aids and/or materials relevant to the project.
- (g) A written letter from the owner acknowledging the application, or a printed signature from the property owner on this form.

SIGNATURE OF APPLICANT: \_\_\_\_\_

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

Connor Haren

PRINTED NAME OF PROPERTY OWNER: \_\_\_\_\_

PLANNING COMMISSION RESULTS (OFFICE USE ONLY): \_\_\_\_\_



## **MEMORANDUM**

**TO:** City of Troy Planning Commission Members

**FROM:** Development Staff

**DATE:** February 23, 2022

**SUBJECT:** Map Amendment (Rezoning) Request – 1125 Washington Road (Inlot 11463) & (Inlot 11464)

---

### **BACKGROUND:**

A request by Stayer Farms Inc for the Planning Commission to consider the rezoning of 1125 Washington Road, Inlot 11463 (5.0 Acres) and Inlot 11464 (3.13 Acres) from County Zoning of A-1 Domestic Agriculture and A-2 General Agriculture to R-4 Single Family Residential District. The properties are located on Washington Road north of W Stanfield Road and south of New Castle Drive.

The total 8.13 acres has a proposed use of a residential subdivision. The surrounding zoning districts include the R-4 Single Family Residential District to the east, R-3 Single Family Residential to the north, County zoning of A-1 Domestic Agriculture to the south, and County zoning of A-2 General Agriculture to the west. Please see attached Zoning Map.

### **DISCUSSION:**

Chapter 1143.07 of the Zoning Code describes the proposed R-4 Zoning District as “designed to accommodate single-family dwellings on lots with areas of at least nine thousand (9,000) square feet per dwelling unit. This district will be mapped to protect areas that now meet these minimum lot sizes and for comparable areas which will develop in the future. The Comprehensive Plan describes the R-4 District as medium to high density.”

The Comprehensive Plan’s Future Land Use Map (Figure 14-3) displays this area as future residential uses.

A copy of Figure 14-3 has been attached to this report.

**In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:**

*(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.*

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

*(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.*

The proposed rezoning is not made necessary because of changing conditions in the affected area. The proposed use will not have any adverse effects in the area and is similar to the residential uses that currently exist.

*(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.*

The proposed use is compatible with adjacent properties in the immediate vicinity. The R-4 Single Family Residential District exists in the immediate vicinity to the east.

*(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.*

Adequate utilities will be reviewed and provided during the subdivision review process.

*(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.*

In the vicinity of the subject property, there is no available vacant land for development with the R-4 zoning classification as the adjacent R-3 and R-4 districts are apart of active subdivisions.

*(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.*

Not applicable in this request.

**PUBLIC HEARING:**

Due to the straight forward nature of the rezoning request, the compliance with the City of Troy Comprehensive Plan, and the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

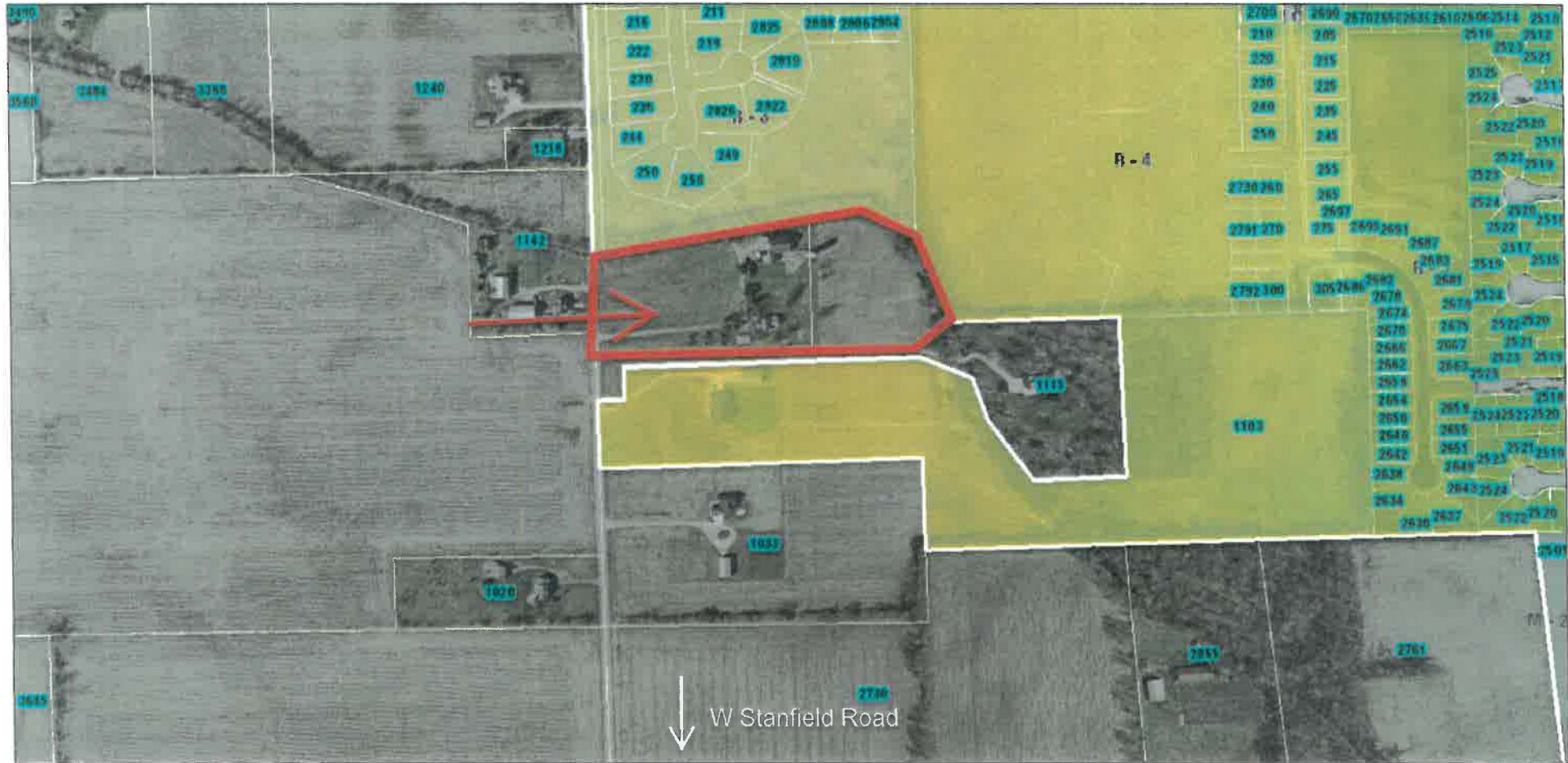
**RECOMMENDATION:**

The proposed rezoning achieves the desired residential uses as are discussed in the City of Troy's Comprehensive Plan. The Comprehensive Plan shows this area as residential uses.

Staff is recommending that the Planning Commission recommend approval to the City Council for the proposed rezoning from County Zoning of A-2 General Agriculture and A-1 Domestic Agriculture to R-4 Single Family Residential, based on the following:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The proposed rezoning is consistent with the surrounding zoning districts; and
- The use is consistent with permitted uses in the R-4 district; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

# Zoning Map



2/16/2022, 9:47:08 AM

Parcels  
City Limits

Zones

County Zoning (Outside Troy)

Agriculture; 20 Acre Min.

Agriculture-Residential; 5 Acre Min.

R-1 Single Family Residential: 40,000 SqFt.

R-2 Single Family Residential: 20,000 SqFt.

R-3 Single Family Residential: 15,000 SqFt.

R-3B Single Family Residential: 12,000 SqFt.

R-4 Single Family Residential: 9,000 SqFt.

R-5 Single Family Residential: 6,000 SqFt.

R-6 Two Family Residential: 3,000 SqFt/DU

R-7 Multiple Family Residential: 3,000 SqFt/DU

OR-1 Office-Residential: 3,000 SqFt/DU

OC-1 Office-Commercial District

B-1 Local Retail District

B-2 General Business District

B-3 Central Business District

B-4 Highway Service Business District

M-1 Planned Industrial District

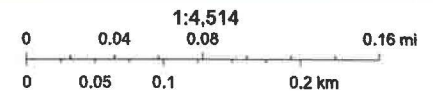
M-2 Light Industrial District

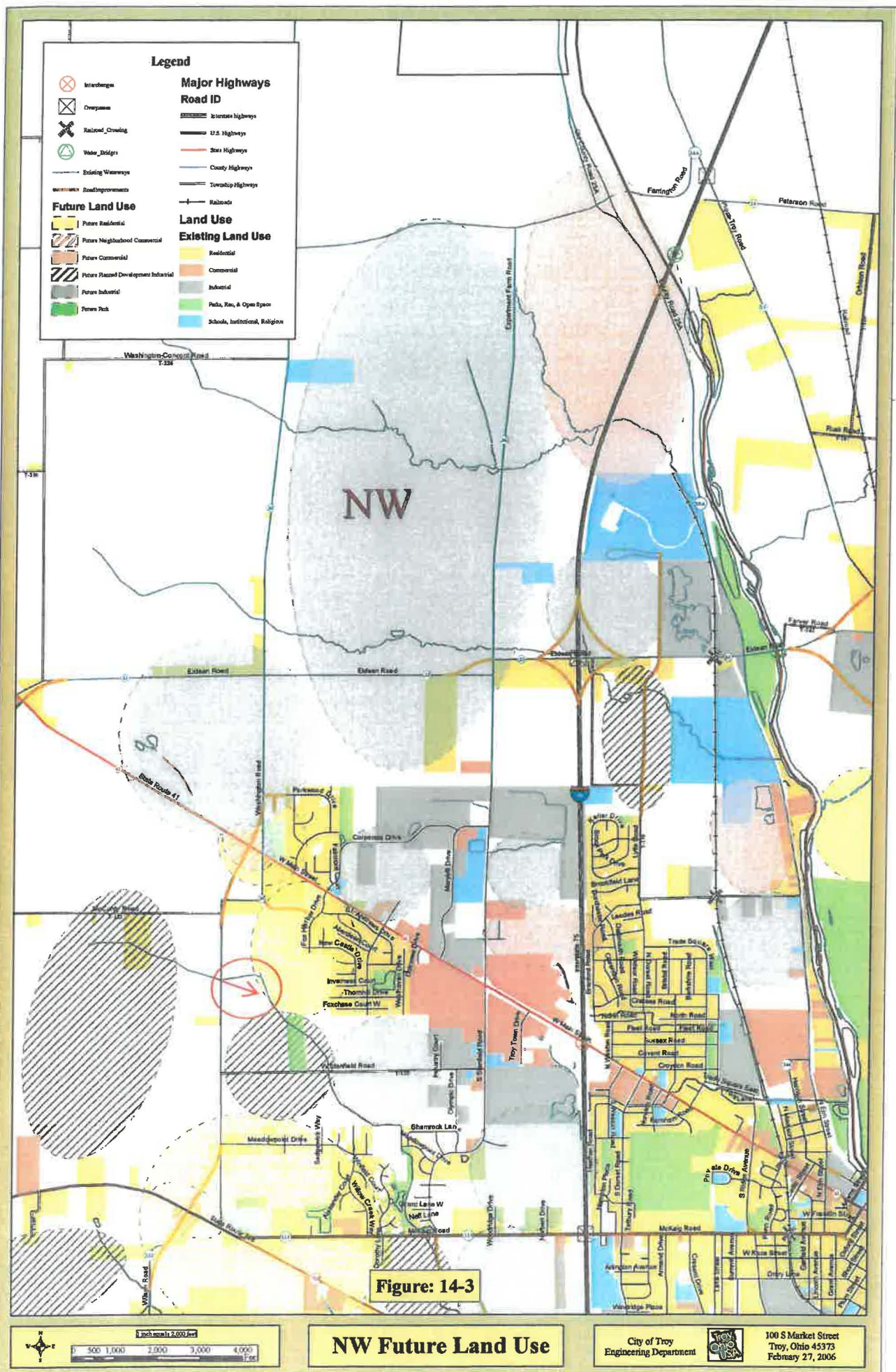
M-3 General Industrial District

PUD Planned Unit Development

WO Wellhead Operation District

City Administered County Zoning





Scheduled Planning Commission Meeting  
(Held every 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of the month at 3:30 p.m.)

Date Requested: \_\_\_\_\_  
Applicant(s) scheduled on the agenda will be notified

**Office Use Only**

Date Filed \_\_\_\_\_  
Accepted by \_\_\_\_\_  
Filing Fee Pd. \_\_\_\_\_  
Receipt # \_\_\_\_\_

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

**APPLICATION FOR ZONING AMENDMENT  
CITY OF TROY PLANNING COMMISSION**

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at 1125 Washington Rd, Troy OH 45373

being lot number(s) D08-107048& D08-107050 from (Street Address)  
(Parcel Identification Number) (Existing Zoning Classification) to R4 Single Family  
(Proposed Zoning Classification)

**OWNER**

**APPLICANT**

Name Strayer Farms Inc  
Address PO Box 193  
City Troy  
State OH  
Zip Code 45373  
Phone No. 937-726-7910  
Fax No. \_\_\_\_\_  
Email Scott@strayerinvestments.com

Name same  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_  
Zip Code \_\_\_\_\_  
Phone No. \_\_\_\_\_  
Fax No. \_\_\_\_\_  
Email \_\_\_\_\_

The applicant is the Owner of the property, which is subject to this application.  
(State the interest of the applicant)

**PLEASE PROVIDE THE FOLLOWING:**

1. The reasons for seeking a change in the zoning classification or zoning text: Attach as **EXHIBIT "A"**.
2. The legal description of the land proposed to be reclassified: Attach as **EXHIBIT "B"**.
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
  - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as **EXHIBIT "C"**.
  - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as **EXHIBIT "D"**.
  - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as **EXHIBIT "E"**
    - i. Include one (1) copy of County Tax Maps
    - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$250.00 made payable to the City of Troy

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HERewith ARE TRUE.

*[Handwritten Signature]*

(Applicant Signature)

Subscribed and sworn to before me this 7<sup>th</sup> day of FEB, 2022

My Commission Expires 7/27/22  
(Month/Date/Year)



Mark J. Schmittmeyer  
Notary Public, State of Ohio  
My Commission Expires July 27, 2022

*[Handwritten Signature]*  
(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

**REQUIRED DOCUMENTS:**

- |                          |            |                                                                                    |
|--------------------------|------------|------------------------------------------------------------------------------------|
| <input type="checkbox"/> | EXHIBIT A  | Reasons for Zoning Reclassification                                                |
| <input type="checkbox"/> | EXHIBIT B  | Legal Description                                                                  |
| <input type="checkbox"/> | EXHIBIT C  | Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses |
| <input type="checkbox"/> | EXHIBIT D  | Site Map with Zoning & Owners within 250 feet of parcel                            |
| <input type="checkbox"/> | EXHIBIT E  | Property Owners List within 250 feet of parcel                                     |
| <input type="checkbox"/> | Labels     | Two (2) Sets of Mailing Labels of Property Owners                                  |
| <input type="checkbox"/> | Copies     | (1) Complete Sets in a reproducible format 11"x17"                                 |
| <input type="checkbox"/> | Map(s)     | One (1) County Tax Map(s)                                                          |
| <input type="checkbox"/> | Filing Fee | Check issued to City of Troy for \$250.00                                          |

Additional Documentation (List):

**PLANNING COMMISSION DISPOSITION:**

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

**CITY COUNCIL DISPOSITION:**

1<sup>st</sup> Reading:                      2<sup>nd</sup>:                      3<sup>rd</sup>:                      PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved:                      Denied:                      CITY COUNCIL ACTION

Ordinance Number: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Revised 10/25/11

## **Exhibit A**

The rezoning request involves two adjacent parcels D08-107048 & D08-107050 along Washington Rd on the west side of Troy. The current county zoning is A-1 Domestic Ag & A-2 General Ag. We are requesting a change in zoning to R4 Single Family Residence with minimum lot size of 9,000 SF. The proposed zoning is consistent with adjacent districts.

# ANNEXATION TO THE CITY OF TROY

VOLUME 29 PAGE 42  
MIAMI COUNTY RECORDER'S RECORD OF PLATS

13 SECTION 7 TOWN 5 RANGE CONCORD TOWNSHIP MIAMI, OHIO COUNTY

MIAMI COUNTY RECORDER  
JESSICA A. LOPEZ  
2022P-09003  
PRESENTED FOR RECORD  
MIAMI COUNTY, TROY, OHIO  
07/10/2022 03:08:00 PM  
REFERENCES:  
RECORDING FEE  
PAGES 1

FEE \$43.20

*Jessica Lopez*  
MIAMI COUNTY RECORDER  
*Devi Humeiri*  
BY DEPUTY RECORDER

MIAMI COUNTY AUDITOR  
APPROVED AND TRANSFERRED *Jan. 10th*, 2022  
*Matthew W. Grady*  
MIAMI COUNTY AUDITOR  
*Mindy Arnold*  
BY DEPUTY AUDITOR

## MIAMI COUNTY ENGINEER

THIS PLAT WAS REVIEWED AND APPROVED BY  
US THIS 25th DAY OF May, 2021.

*One P. Whelan*  
MIAMI COUNTY ENGINEER

## MIAMI COUNTY COMMISSIONERS

THE ANNEXATION OF THIS AREA WAS APPROVED  
BY US THIS 8th DAY OF June, 2021 BY  
RESOLUTION NUMBER 21-06-716.

*William A. Saunders*  
MIAMI COUNTY COMMISSIONER  
*Ed S. Menden*  
MIAMI COUNTY COMMISSIONER  
*Robert J. Koval*  
MIAMI COUNTY COMMISSIONER

## CITY OF TROY

THIS ANNEXATION WAS ACCEPTED AND APPROVED  
BY THE COUNCIL OF THE CITY OF TROY THIS 1st DAY  
OF Nov, 2021, BY ORDINANCE NO. 0-5629.

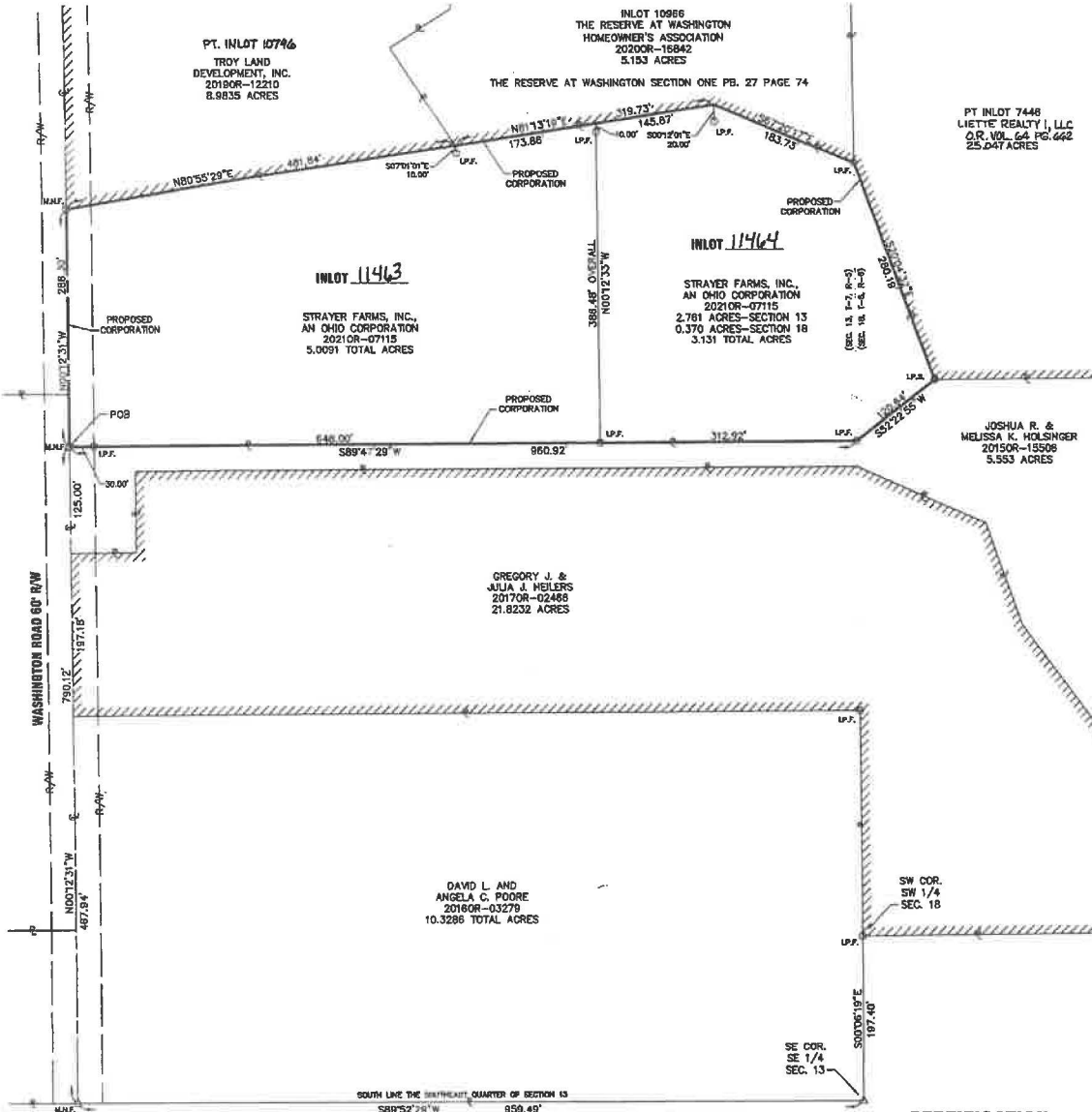
*Roberto J. Oda*  
MAYOR  
*Steve H. Knight*  
CLERK  
*Mike Felt*  
PRESIDENT OF COUNCIL

**LEGEND**  
● 5/8" X 30" REBAR  
W/CAP SET  
○ IRON PIN FOUND  
● MAG NAIL SET  
○ MAG NAIL FOUND  
△ CONCRETE POST FOUND  
▨ EXISTING CORP. LIMITS

**SURVEY REFERENCE**  
LAND SURVEY 30, PAGE 105  
LAND SURVEY 39, PAGE 185  
LAND SURVEY 51, PAGE 106  
LAND SURVEY 57, PAGE 1  
LAND SURVEY 57, PAGE 24  
LAND SURVEY 59, PAGE 2  
REC. PB 27, PG. 1  
REC. PB 27, PG. 74  
REC. PB 28, PG. 46

THE BEARINGS ARE BASED ON  
NAD 83 COR. 2011 ADJUSTMENT, OHIO  
SOUTH ZONE, ODOT VRS COR. NETWORK

SCALE: 1"=100'  
0 50 100 200



## DESCRIPTION

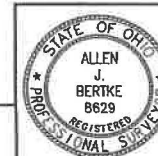
BEING THE ANNEXATION OF 8.140 ACRES OF LAND TO THE CITY OF TROY, OHIO AND BEING OWNED BY STRAYER FARMS, INC., AN OHIO CORPORATION AS DESCRIBED IN 2021OR-07115. SAID AREA AS SHOWN, HAVING 7.770 ACRES IN SECTION 13 AND 0.370 ACRES IN SECTION 18.

## CERTIFICATION

I HEREBY CERTIFY THAT THE BOUNDARY LINES OF THIS ANNEXATION ARE BASED ON AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION. ALL MONUMENTATION IS OR TO BE SET AS SHOWN.

*Allen J. Bertke*  
ALLEN J. BERTKE, P.S. #8629

5-7-2021  
DATE



**ChoiceOne**  
Engineering  
CINCINNATI, OHIO 45202  
LOVELAND, OHIO 513.229.8534  
www.CHOICEONEENGINEERING.com

DATE:  
04-27-2021  
DRAWN BY:  
MPL  
JOB NUMBER:  
MIATRO2023  
SHEET NUMBER  
1 OF 1