



AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, MAY 24, 2023, 3:30 P.M.
CITY HALL, COUNCIL CHAMBERS

1. Roll Call
2. Minutes - May 10, 2023
3. Installation of roof mounted solar panels facing the public right-of-way, 1415 Sussex Road.
Owner: Jacob & Carlotta Opperman
Applicant: Power Up Renewable Energy, Inc., by Timothy Shifflet
-Commission to make decision.
4. Installation of roof mounted solar panels facing the public right-of-way, 385 W. Ross St.
Owner: Robin & Richard Rosenquist
Applicant: Power Up Renewable Energy, Inc., by Timothy Shifflet
-Commission to make decision.
5. Rezoning application, 1511 S. Market Street and 1551 S. Market Street, from M-2, Light Industrial District, to B-2, General Business District; located on S. Market Street south of Dye Mill Road.
Owner: Troy Station LLC
Applicant: Mandeep Singh
-Commission to determine whether or not to hold a public hearing
-Commission to make recommendation to Troy City Council
6. Other

Next Meeting -- June 14, 2023

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, May 10, 2023 at 3:30 p.m. with Chairman Alan Kappers presiding. ATTENDING: Members – Oda, Kappers, Westmeyer, McGarry and Titterington; Development Staff – Eidemiller, Long, Bruner, and Development Director Davis.

APPROVAL OF MINUTES: Upon motion of Mr. McGarry, seconded by Mr. Westmeyer, the minutes of the April 26, 2023 meeting were approved by unanimous roll call vote.

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 9 W. MAIN STREET, SIGNAGE; OWNER - BUSTED BRICK REALTY GROUP; APPLICANT: A M SCOTT DISTILLERY, LLC DBA PROVISIONS CO. The staff report noted: property is zoned Central Business District; the OHI form lists this property as a two-story brick commercial building with Neo Classical Revival elements built in 1859 by George Ziegenfelder; important exterior features listed on the OHI form include: a façade featuring four 2nd floor bays with 12/12 windows within a round arched recess that have wrought iron balconies and keystone designs atop the arch; the property is listed on the National Register of Historic Places; the Commission previously approved the installation of a new roof sign using the Downtown Riverfront Overlay (DR-O) in November 2022; the sign above The Mayflower entrance will be included in a future, separate application; applicant proposes installation of new signage above the entry doorway, the transom window and entry door of the western entryway of the south façade of the building; this entryway faces West Main Street; lettering above the doorway will read "Provisions Co." measuring 115 inches by 6.75 inches and will be stand-off acrylic bronze; the transom window signage will be the number "9", measuring 8.7 inches by 13 inches and will be made of white vinyl; lettering on the entry door will read "Provisions Co." measuring 21.6 inches by 4.9 inches and will also be white vinyl; the Design Manual section 5.4 states "wall signs should be three dimensional, with letters carved by a router, or; letters should be individually pin-mounted or incorporated into a sign panel"; the proposed signage meets section 5.4 of the Design Manual; and staff recommends approval based on the findings that the signage complies with section 5.4 of the Design Manual.

A motion was made by Mr. Titterington, seconded by Mayor Oda, to approve the Historic District Application Certificate of Appropriateness for 9 W. Main Street as submitted, for the exact materials, colors and sizes as stated in the application, and based on the findings of staff that the signage complies with section 5.4 of the Design Manual.

MOTION PASSED, UNANIMOUS ROLL CALL VOTE

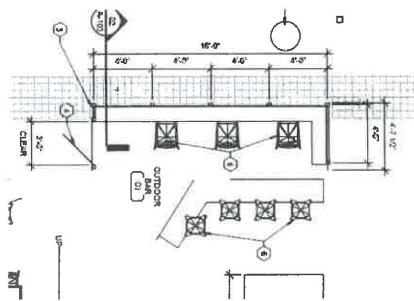
HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 110-112 E. MAIN STREET, ALTERATIONS OF THE STOREFRONTS, PAINT, OUTDOOR SEATING AND SIGNAGE; OWNER: KIMMELL OHIO LLC; APPLICANT: PUREBRED COFFEE CO. BY NOAH WALKUP. The staff report noted: the applicant has received authorization from the property owner to make this request; zoning is B-3, Central Business District; the OHI form identifies a two-story commercial block building with 15 bays across the front with multiple storefronts. Contributing features include Corbelled and decorative brickwork on the façade, brick piers separating the bays, continuous stone lintels; alterations include some windows and a 1-story addition at the rear;

On November 9, 2022, the Commission approved new storefront windows, paint, and second story window replacements; this request is a continuation of those alterations; and the applicant is proposing exterior alteration of the storefronts, paint, signage and outdoor seating.

Storefronts and paint. First, the applicant is proposing to paint the existing wood sign backer black that previously had the Carolina Moon signage on it. The applicant is proposing to continue the wood sign backer from the 112 E. Main storefront to the 110 E. Main storefront. It is important to note that both storefronts have been altered from the original storefront. The 110 E. Main Storefront is currently made of corrugated plastic as the sign backer boards.

Signage. Next, the applicant is proposing to add an individual pin mounted lettering spelling out bakery to match the coffee sign previously approved by the Planning Commission. The lettering will be grey in color and will be 2' x 10.79' (21.5 square feet). This will be the same size as the Coffee sign at the 110 E. Main Storefront.

Outdoor Seating. The applicant is proposing a 4' x 16' outdoor seating area in front of the 112 E Main storefront. There will be six (6') feet of unobstructed walkway maintained as required per Troy Codified Ordinance 717.07. The railing will be made of metal and will have a bar top. There will be three seats that are placed at the bar top. Please see below design graphics:



Design Manual. The Design Manual 2.15 states that "piers, columns, pilasters that separate a storefront into distinctive bays shall be preserved. The size of the storefront opening shall not be reduced". The original columns on the 112 E. Main Street storefront are being maintained. The 110 E Main Street storefront has been altered with a plastic covering. The applicant is investigating removing the plastic on the column on the 110 E. Main Storefront that separates the two storefronts to identify if a restoration is possible. If not, the plastic covering will be replaced over the column. It is also important to note that the original entry door to the upstairs apartments will be maintained.

Staff recommends approval of the proposed alterations and signage based on the following:

- The contributing features as referenced on the OHI form are being maintained;
- The signage meets the Design Manual and otherwise does not detract from the historic integrity of the streetscape;
- The paint color for the sign backer was permitted on the November 9th meeting.

DISCUSSION: Mr. Kappers commented that there needs to be sufficient available walkway of 6' that will allow for two persons to walk side by side. Staff advised that there will be more than 6' of walking space available after the outdoor seating is placed. Staff stated that the outdoor seating will not be enclosed by a fence.

A motion was made by Mr. Westmeyer, seconded by Mayor Oda, to approve the Historic District Application, Certificate of Appropriateness, for 110-112 E. Main Street as submitted, for all elements of the application, based on the exact dimensions, materials, sizes and colors as stated in the application, and based on the finding of staff that:

- The contributing features as referenced on the OHI form are being maintained;
- The signage meets the Design Manual and otherwise does not detract from the historic integrity of the streetscape;
- The paint color for the sign backer was permitted on the November 9th meeting.

MOTION PASSED, UNANIMOUS ROLL CALL VOTE

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 5 S. MARKET STREET, REPLACEMENT OF SECOND FLOOR WINDOWS; OWNER/APPLICANT: STEMELCAR, LLC, STEVE SMITH. The staff report noted: the property is zoned B-3, Central Business District and is listed on the National Register of Historic Places; built and constructed by W.H.H. Dye in 1871, the Ohio Historic Inventory form lists this property as a three-story brick, commercial building; structure is of Italianate Commercial style, with commercial store front on the first floor; second floor with tall 1 over 1 double hung sash, the third floor having a 20-foot-tall ballroom indicated from the outside with the 11 foot 9 over 9 double hung sash windows; on July 25, 2018, the Commission unanimously approved the request to replace 20 third floor windows with a Windsor Window, Pinnacle Clad Direct Glaze Rectangle with 2" simulated checkrail and 7/8" tall putty SDL 3W3H above and below, measuring at 138 3/8" by 32 1/4" in the color of "Sandstone"; on June 8, 2022, the Commission approved ten first floor replacement windows with the same manufacturing and design as the third-floor windows; Planning Staff did note that while the request did not meet the Secretary of Interior Standards for the Treatment of Historic Properties, however, the Planning Commission previously approved 20 third floor replacement windows and the proposed windows match the third and first floor windows. Staff further noted regarding this application: these 2nd floor windows would have the same manufacturing and design as the previously approved third floor windows; proposed window design is the Mueller Roofing Distributors "Pinnacle Clad Sandstone 7/8" Standard WDL with Inner Bar; while this application does not follow the Secretary of Interior Guidelines, Planning Commission previously approved matching windows on the third-floor and the first-floor of this building; this would balance the second-floor windows with the previously approved third and first floor windows; the windows will maintain the double hung functionality of the original windows; the muntins and inner bar will be on the exterior of the window and will maintain those characteristics of the original windows; and staff recommends approval of the twenty (20) second-floor windows as the windows will match the design of the first and third-floor windows.

In response to a question, staff stated the replacement windows come close to mirroring the original windows.

A motion was made by Mr. Titterton, seconded by Mr. Westmeyer, to approve the Historic District Application, Certificate of Appropriateness, for the window replacement on the second floor of 5 S. Market Street as submitted, based on the exact window manufacturer, style, color, and dimensions as stated in the application, and based on the finding of staff that the second floor window replacement will match the windows approved for the first and third floors.

MOTION PASSED, UNANIMOUS ROLL CALL VOTE

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 405 PUBLIC SQUARE SW & 2 - 6 W. MAIN STREET, REPLACEMENT OF THIRD FLOOR WINDOWS (WORK STARTED WITHOUT APPLICATION SUBMITTED); OWNER/APPLICANT: HEATHER DAVEY. The staff report noted:

"Heather Davey, owner, is requesting approval from the Planning Commission to review a window replacement of the third-floor windows for the property located at 405 Public Square SW / 2-6 W. Main Street. The property is located in the B-3, Central Business District.

The Ohio Historic Inventory form (attached) lists this property as a three-story brick, commercial building. The structure is of High Victorian Italianate style. The contributing features include the east storefront, overhanging eaves and cornice brackets, hood molds, and 4/4 windows.

On April 18, 2023, City staff identified windows being replaced that did not receive a Certificate of Appropriateness (COA) from the Planning Commission or Planning Staff. A stop work order was issued. A total of five (5) windows have been replaced on the public square side of the property. The owner then applied for a COA for the window replacement.

DISCUSSION:

The applicant is requesting approval for the five (5) window replacements already on the public square side of the building and four (4) windows on the front facade facing W. Main Street. The original windows were wood 4 x 4 double hung windows and referenced as contributing features on the Ohio Historic Inventory Form.

The applicant is requesting to use Pella 250 Series, Direct Set, Fixed Frame windows as the replacement windows. The proposed windows are single pane that do not have a meeting rail. The muntins are also located inside of the window pane. The color will be white. Please see below diagram; identifying window terminology from the Secretary of the Interior Preservation Brief #9:

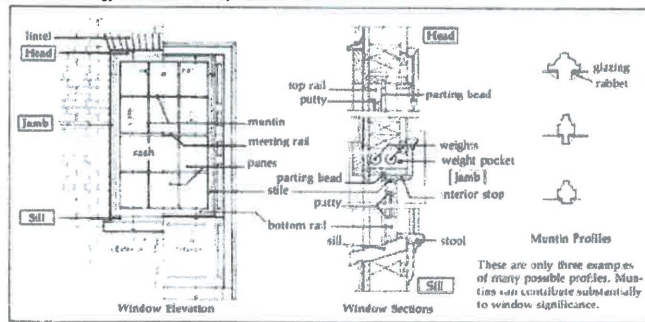


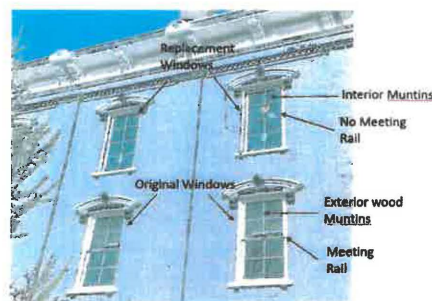
Figure 2. These drawings of window details identify major components, terminology, and installation details for a wooden double-hung window.

Referencing Historic Preservation Brief No.9 from the US Secretary of the Interior's Standards for Historic Properties, **The Repair of Historic Wooden Windows:** "Windows are an important aspect to the architectural design and character of any building. From their craftsmanship, design and other qualities make them worthy of preservation."

Repairing or rehabbing rather than replacement is the preferred method for most window treatments. Most millwork firms can duplicate parts which can be incorporated into the existing window. Replacement of certain portions, patching, or splicing maybe more appropriate. With replacement, the contribution of the window should be taken into consideration. The pattern of the openings and their size; proportions of the frame and sash; configuration of the window panes; muntin profile and size; types of wood or material; paint color; characteristics of the glazing, and any other associated details.

The Secretary of the Interior's Standards for the Treatment of Historic Properties is very specific in not recommending changes to the appearance of windows that contribute to the historic character of a historic building. This would include replacing materials, finishes, or colors which would noticeably change the sash, depth of reveal and muntin configuration; the reflectivity and color of the glazing or appearance of the frame is not recommended.

The City of Troy Design Manual States: "Replacement windows should match the appearance of the historic originals in number of panes, dimensions of sash members, and profile of sash members and muntins. Windows should simulate the operating characteristics of the originals." Please see below visual differences in the replacement windows: "



Staff recommended the application be denied based on the findings of:

1. The proposed windows do not comply with the Secretary of Interior Standards for the Treatment of Historic Properties.
2. The window appearance and overall historic character is being altered. The replacement windows are not double hung, rather single pane, the muntins are located inside the pane, further altering the character defining feature as referenced on the Ohio Historic Inventory form.
3. The windows will not be consistent with other windows on the building. If the windows were to proceed forward, three different window characteristics will be present on the building.
4. No evidence was provided of the condition of the original windows or any methods of review of other alternatives of the window replacement of which does not comply with the Design Manual.

DISCUSSION

-Mr. Kappers noted that the Commission received correspondence from the Troy Historic Preservation Alliance (attached to the original minutes).

-Mr. Titterington asked staff to confirm that in this application, the proposed windows do not replicate or match the original windows. Staff advised that is true as the proposed windows have muntins inside the window pane, there is a different glaze that appears shiny, and the windows do not have a meeting rail, although the applicant has proposed something to have the appearance of a meeting rail.

-The applicant, Heather Davey, 1640 Surrey Road, was present, provided a statement, and stated she did not understand that an application had to be submitted in advance in this case; the old windows were removed and are destroyed and cannot be reused; she had made a considerable investment in the new windows of approximately \$15,000; she is willing to attach a piece of material to the outside of the windows that will give the illusion of being double hung; and other buildings in the historic district have had windows replacements that do not match the original. Ms. Davey said that if she does make a modification to the new windows to give the illusion of being double hung, that modification will void the manufacturers' warranty. She stated she saw this as "maintenance"; the initial windows were allowing moisture to enter; she thought the ones placed were close replicas; and other windows in the downtown did not replicate original windows. Mrs. Davey stated she hoped to preserve the investment, and commented that the area where the windows were replaced will provide office space.

-Mr. Kappers asked staff if someone was looking at the windows from the public square, would they see the difference, to which staff replied "yes". It was further commented that the proposed windows will not appear to match what has been installed in the 405 Public Square Building. Staff also stated that a meeting rail is important to the appearance. Staff indicated that if the applicant could come back with a window that had the appearance of the original meeting rail, that could make a difference in the recommendation. Staff discussed the different window appearances of the building.

-Mr. McGarry stated he applauded Ms. Davey's efforts in maintaining buildings downtown; that he questions the energy efficiency of double hung windows; internal muntins can solve a problem of glass pulling away from wood; and he questions making a modification for appearances if that voids a warranty.

-Mayor Oda asked if there is an intent to have all windows be the same. Ms. Davey said that is a goal, but cost prohibitive to do all at once, and she chose to replace these as the worse, and it seems that windows were replaced in the past that did not try to replicate the original.

-Mr. Titterington noted that the guidelines have been recently adopted and should be followed as much as possible; there is nothing that indicates every attempt was made to follow the guidelines for this project; this is not the first historic district application of the applicant; what has been installed is not close to replicating the old windows; any financial investment without an application approved was at the risk of the property owner and he will not take that into account when voting; and he does not think the illusion of a railing will solve the issue.

-Mr. Kappers stated he has heard two things – internal vs. external muntins being an issue, as well as double hung vs. single pane; he commented that the muntins do not bother him too much. Mr. Kappers asked about the windows on the Dye Building. Staff advised that the third floor were single hung and the first and second floor double hung to replace double hung windows. Regarding the City Hall windows, referenced by Ms. Davey, it was commented that such project was done many years ago.

-Mayor Oda stated she understands the guidelines; she also thinks that had these windows been available when the building was built, they would not have had exterior muntins and might not have been double hung; and when the City is asking property owners to maintain old buildings, it seems there should be some way to get around this. She agrees the windows look pretty good, and thinks that double hung windows could be a moisture issue and questions why require something that could hurt the building.

-Mr. Westmeyer asked if the company makes double hung windows for this size of windows. Ms. Davey replied "yes", and further commented she did not expect issues with not using double hung windows, but she now understands it is a huge difference. She said she was going with something that looked similar and was energy efficient, and was less costly. Ms. Davey said the windows that were removed were destroyed in the process. She confirmed the windows installed cannot be returned for a credit. Mr. Westmeyer did commend Ms. Davey on working to maintain the properties she owns.

-Mr. Titterington commented that the windows removed would not have been destroyed if the applicant had gone through the process of submitting an application and waiting for approval, and the comment of the windows used being cheaper may indicate the lack of concern for the historic district and appearance of the building. He stated that the cost of the windows used and that they cannot be replaced will not weigh on his decision.

A motion was made by Mr. Kappers to approve the Historic District Application Certificate of Appropriateness for 405 Public Sq. SW and 2 – 6 W. Main Street, replacement of third floor windows, as submitted, based on the exact color, materials, and manufacturer as submitted.

MOTION FAILED FOR LACK OF A SECOND

There being no further business, the meeting adjourned at 4:04 p.m. upon motion of Mr. Titterington, seconded by Mr. Westmeyer, and approved by unanimous voice vote.

Respectfully submitted,

Chairman

Secretary

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Taylor Bruner, Zoning Inspector

DATE: May 24, 2023

SUBJECT: Planning Commission Review – 1415 Sussex Road

PROPOSAL:

A request by applicant Timothy Shifflet, of Power Up Renewable Energy Inc., is requesting review from the Planning Commission to consider the installation of solar panels facing the public right of way on the home located at 1415 Sussex Road. The property is zoned R-4, Single Family Residential.

Section 1151.14 (f)(2) of the City of Troy Zoning Code states the following: Roof mounted systems shall be located so not to be visible from the public right of way fronting the property except as otherwise approved by Planning Commission.

DISCUSSION:

The home faces south on an interior lot between Norwich Road and Sussex Road. The proposed solar panels would be located on front right corner of the roof facing Sussex Road, therefore is the reason for the request as described in Section 1151.14 (f)(2).

Chapter 13, Visioning, of the current Comprehensive Plan under the heading of Neighborhoods and Housing goal #7 states the following: “As technology changes, energy efficiency and renewable energy continue to be important topics in new construction and renovations projects. Similar to other established goals (see Community Facilities and Services, goal 4); the city shall encourage new construction and renovation to take advantage of the “green movement” to support energy efficiency and renewable energy uses. These alternative energy sources can be implemented during new construction phases, in-fill projects, as well as, home renovation projects.”

RECOMMENDATION:

Staff recommends approval for the installation of roof mounted solar panels, based on the following:

- The solar panels meet all requirements of the Zoning Code.
- The solar panels meet goal #7 of Chapter 13, Visioning, of the current Comprehensive Plan.



DEVELOPMENT DEPARTMENT
100 S. MARKET ST.
937-339-9481

Accessory Zoning Permit Application

Date: 04/25/2023

Applicant / Owner

Applicant Name: timothy shifflet
Applicant Address: 6447 valley chase
City, State, Zip: galena oh 43021
Phone: 8179485897
Email: permit@peakpower.pro

Owner Name:
Address:
City, State, Zip:
Phone:
Email:

Contractor

Contractor Name:
Applicant Address:
City, State, Zip:

Phone:
Email:
License #:

Project

Project Location: 1415 sussex rd
City, State, Zip: troy oh 45373
Parcel:
Work Type:
Design Graphics:
Accessory Type: Pool
Fence Type:
Material: Other solar panels

Height: roof
Right Setback: roof
Left Setback: roof
Rear Setback: roof
Square Feet: 0
Sign Type:
Building Setback:
Building Frontage:

Project Description: installation of 10 roof mounted solar panels

I do hereby certify that the information contained herein is true and correct.

Timothy Shifflet, Power Up Renewable Energy

04/25/2023

Date

CONTENTS

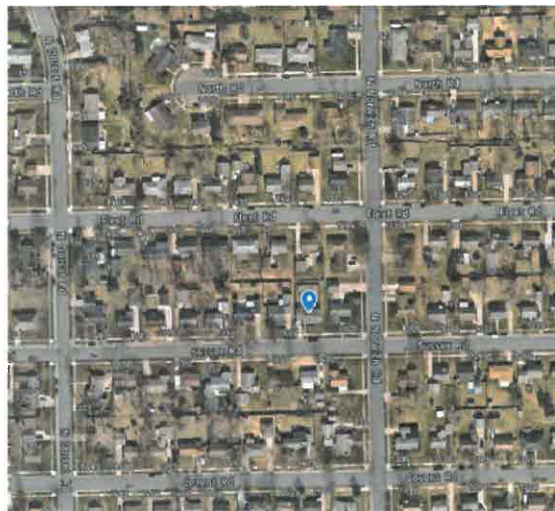
SHEET #	SHEET NAME
T-1	TITLE SHEET
PV-0	PROPERTY LAYOUT
PV-1	PV SITE PLAN
PV-2	ATTACHMENT DETAILS
E-1	ELECTRICAL DIAGRAM
E-2	METER PICTURES
E-3	WARNING LABELS
CS-M	MODULE SPEC SHEET
CS-I	MICRO INVERTER SPEC SHEET
CS-RS	RAPID SHUT DOWN SPEC SHEET
CS-PO	POWER OPTIMIZER SPEC SHEET
CS-MP	MOUNTING PT. SPEC SHEET
CS-R	RACKING SPEC SHEET

STRUCTURAL ONLY
The scope of professional engineer review is exclusive for structural impact on the existing roof by solar panels installation. The mounting hardware are provided by manufacturer and is out of scope of this review. Electrical engineering is out of scope of this review. Structural observation or construction inspections will not be performed by TEC, Engineer-of-Record (EOR) nor their representatives.



OPPERMAN RESIDENCE PHOTOVOLTAIC SYSTEM PROJECT - 4.000 kW DC / 3.200 kW AC

VICINITY MAP



STREET VIEW



Photos are for Reference Only

Owner:
JACOB OPPERMAN
1415 SUSSEX RD
TROY, OH 45373
(937) 606-6854

Solar Modules:
10 VSUN VSUN400-108-BB

Inverters:
(5) AP SYSTEM DS3-S MICRO INVERTER

1. Contractor shall comply with all Federal, State, County, City, local and OSHA mandated regulations and requirements. The most stringent regulation or requirements shall govern.
2. Structural observation or construction inspections shall Not be performed by TEC, Engineer-of-Record (EOR), nor their representatives
3. Contractor shall keep an accurate set of As-Built plans

METER UPGRADE

**MAIN SERVICE PANEL UPGRADE TO 200A BUS RATING
WITH 200A MAIN BREAKER**

Racking:
UNIRAC NXT - ROOF MOUNTING SYSTEM

(5 MOUNTING RAILS) - ALUMINUM RAILS = 14' LENGTHS

(22 MOUNTING POINTS) - FOR "COMP SHINGLE" ROOF

GENERAL NOTES

1. ROOF TRUSS 2x4" DF ON 24" c
2. ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE LATEST OH CODE OF REGULATIONS, NATIONAL ELECTRICAL CODE EDITION AND ALL APPLICABLE LOCAL CODES AND REGULATIONS. (Construction shall comply with 2018 IBC, 2018 IFC, 2020 NEC and 2015 IRC)
3. ALL PANELS, SWITCHES, ETC. SHALL HAVE SUFFICIENT GUTTER SPACE AND LUGS IN COMPLIANCE TO UL REQUIREMENTS TO ACCOMMODATE CONDUCTORS SHOWN.
4. WHERE WIRE SIZES ARE INDICATED ON PLANS, FOR INDIVIDUAL CIRCUITS, THE WIRE SIZE INDICATED SHALL APPLY TO THE COMPLETE CIRCUIT, UNLESS OTHERWISE NOTED.
5. CONTRACTOR SHALL EXTEND WIRING FROM ALL JUNCTION BOXES, SWITCHES, ETC. AND MAKE FINAL CONNECTION AS REQUIRED TO ALL BUILDING EQUIPMENT REQUIRING ELECTRICAL CONNECTIONS.
6. DRAWINGS ARE DIAGRAMMATIC AND INDICATE GENERAL ARRANGEMENT OF SYSTEMS AND WORK INCLUDED. FOLLOW DRAWING IN LAYING OUT WORK AND CHECK DRAWINGS OR OTHER TRADES RELATING TO WORK TO VERIFY SPACE IN WHICH WORK WILL BE INSTALLED. MAINTAIN HEADROOM AND MINIMUM CODE REQUIRED WORKING CLEARANCES AT ALL TIMES.
7. ALL EXTERIOR ELECTRICAL DEVICES AND EQUIPMENT INCLUDING THOSE THAT ARE EXPOSED TO OUTSIDE ENVIRONMENT SHALL BE WEATHERPROOF TYPE, NEMA 3R.
8. DISCONNECT SWITCHES SHALL BE MOUNTED ON INDIVIDUAL SUPPORTS, OR OTHERWISE DIRECTLY ON EQUIPMENT, PROVIDED.
9. NO MODIFICATION TO EQUIPMENT IS NECESSARY. ALL ELECTRIC MATERIAL SHALL BE LISTED BY "UL" FOR THE TYPE OF APPLICATION AND "UL" LABEL SHALL APPEAR ON ALL ELECTRICAL EQUIPMENT.
10. WIRING METHOD SHALL BE EMT ABOVE GROUND AND MOUNTED IN CONCEALED SPACES (UNLESS APPROVED OTHERWISE) AND SCHEDULE - 40 PVC FOR BELOW GROUND INSTALLATION UNLESS NOTED OTHERWISE.

OPPERMAN RESIDENCE
1415 SUSSEX RD
TROY, OH 45373

SOLAR

Last Modified: 04/20/2023

REVISIONS:

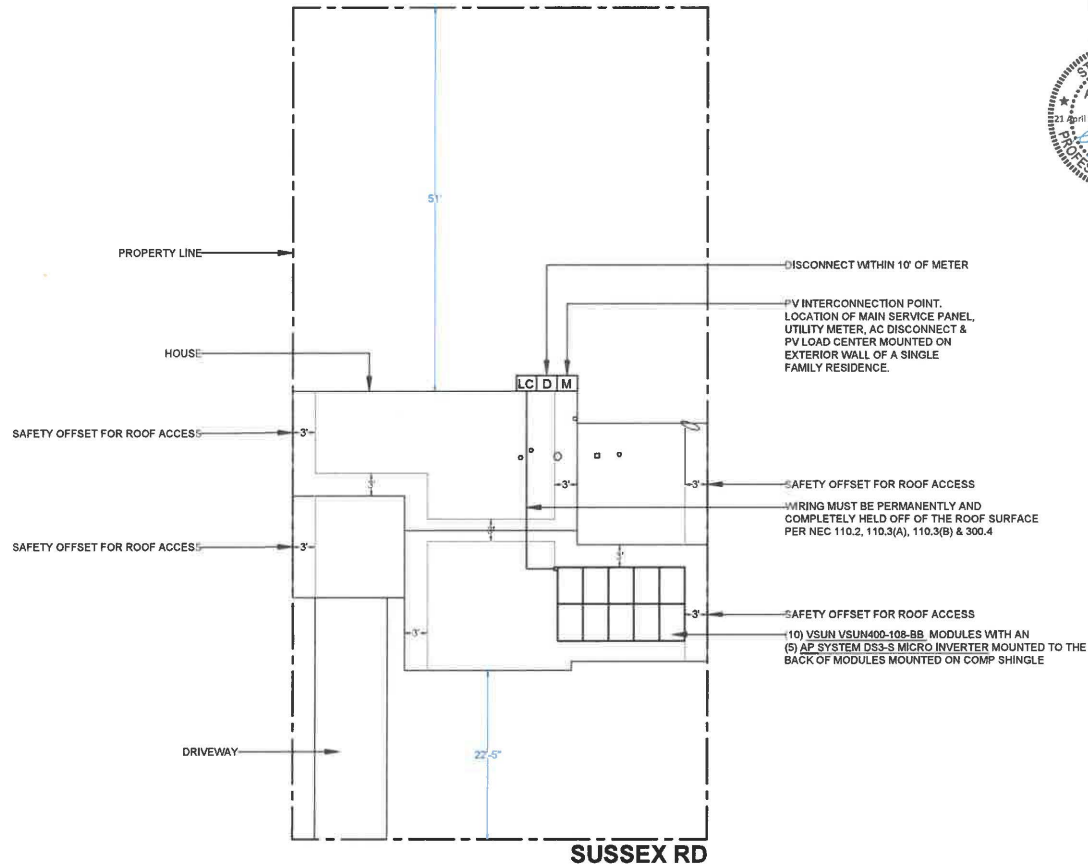
SHEET NAME:

TITLE SHEET

SHEET NUMBER:

T-1

DRAWN BY: BSP



STRUCTURAL ONLY
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1415 SUSSEX RD, TROY OH 45373

LEGEND

LC	PV LOAD CENTER
D	SOLAR DISCONNECT
M	METER

PV SYSTEM SITE LAYOUT

SCALE: 1/16" = 1'-0"

OPPERMAN RESIDENCE
1415 SUSSEX RD
TROY, OH 45373

SOLAR

Last Modified: 04/20/2023

REVISIONS:

DRAWN BY: BSP

SHEET NAME:

SITE LAYOUT

SHEET NUMBER:

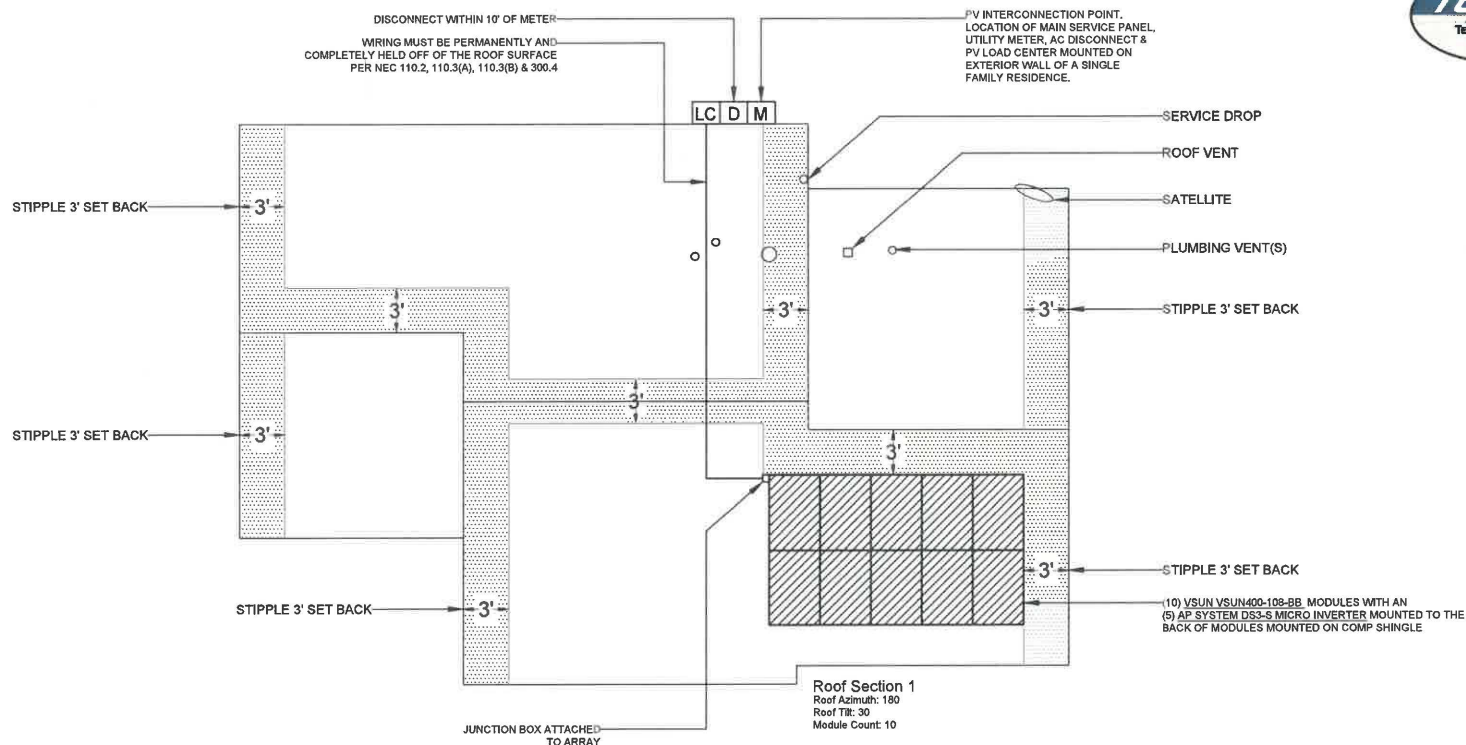
PV-0



PV SYSTEM SIZE:
4 kW DC



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LEGEND

LC	PV LOAD CENTER
D	SOLAR DISCONNECT
M	METER

1415 SUSSEX RD TROY, OH 45373

PV SYSTEM SITE PLAN

SCALE: 1/8" = 1'-0"

OPPERMAN RESIDENCE
1415 SUSSEX RD
TROY, OH 45373

SOLAR
Last Modified: 04/20/2023

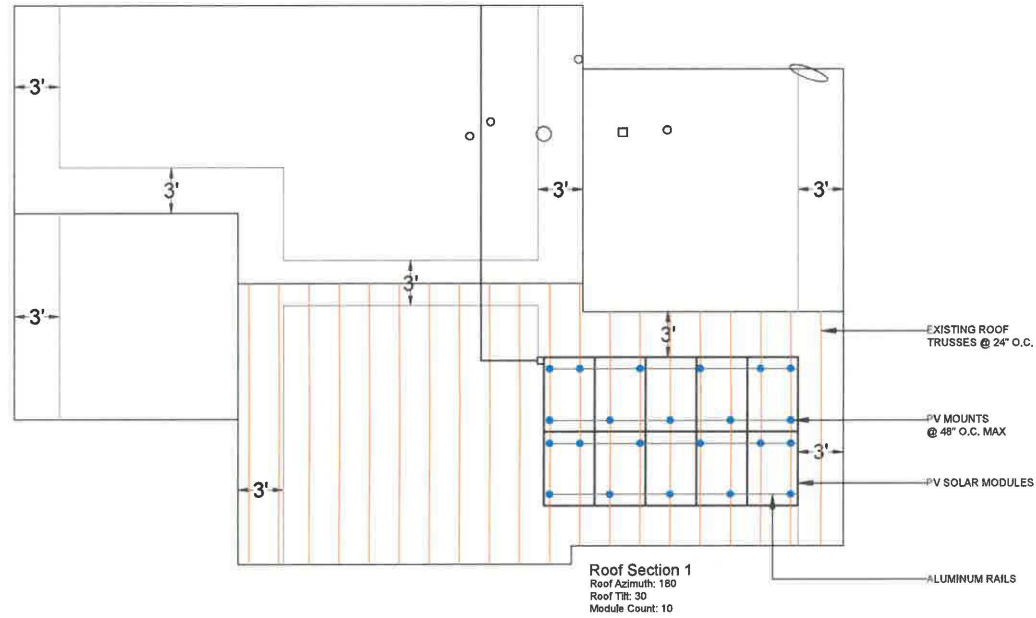
REVISIONS:
DRAWN BY: BSP

SHEET NAME:

SITE PLAN

SHEET NUMBER:

PV-1



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OPPERMAN RESIDENCE
1415 SUSSEX RD
TROY, OH 45373

SOLAR
Last Modified: 04/20/2023

REVISIONS:
DRAWN BY: BSP

SHEET NAME:
ATTACHMENT
DETAILS

SHEET
NUMBER:

PV SYSTEM MOUNTING DETAILS

SCALE: 1/8" = 1'-0"

PV-2

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Taylor Bruner, Zoning Inspector

DATE: May 24, 2023

SUBJECT: Planning Commission Review – 385 W Ross Street

PROPOSAL:

A request by applicant Timothy Shifflet, of Power Up Renewable Energy Inc., is requesting review from the Planning Commission to consider the installation of solar panels facing the public right of way on the home located at 385 W Ross Street. The property is zoned R-5, Single Family Residential.

Section 1151.14 (f)(2) of the City of Troy Zoning Code states the following: Roof mounted systems shall be located so not to be visible from the public right of way fronting the property except as otherwise approved by Planning Commission.

DISCUSSION:

The home faces southeast on an interior lot between Vincent Avenue and W Ross Street. The proposed solar panels would be located on front side of the roof facing W Ross Street, therefore is the reason for the request as described in Section 1151.14 (f)(2).

Chapter 13, Visioning, of the current Comprehensive Plan under the heading of Neighborhoods and Housing goal #7 states the following: “As technology changes, energy efficiency and renewable energy continue to be important topics in new construction and renovations projects. Similar to other established goals (see Community Facilities and Services, goal 4); the city shall encourage new construction and renovation to take advantage of the “green movement” to support energy efficiency and renewable energy uses. These alternative energy sources can be implemented during new construction phases, in-fill projects, as well as, home renovation projects.”

RECOMMENDATION:

Staff recommends approval for the installation of roof mounted solar panels, based on the following:

- The solar panels meet all requirements of the Zoning Code.
- The solar panels meet goal #7 of Chapter 13, Visioning, of the current Comprehensive Plan.



Structural Letter of Approval

Date: 28 April 2023
G3 Solar
272 W 200 N #200
Lindon, UT 84042

Robin Rosenquist Residence: 385 W Ross St, Troy, OH 45373

Dear Sir/ Madam,

Terra Engineering Consulting (TEC) has performed a structural load comparison for the existing roof based on the existing and proposed load conditions, and determined that the structure can support the additional weight of the proposed solar panel system. The attached calculations are based off the assumptions that the existing structural components are in good condition and that they meet industry standards. The existing structure information is assumed based on the survey and information provided by the client. The design information and assumptions that the calculations are based off are located in the attached References page. The design of the solar panel's mounting hardware and electrical engineering are provided by others.

Design Method

This engineering analysis was performed in accordance with ASCE 7-16 and 2019 Residential Code of Ohio (RCO) and 2017 Ohio Building Code (OBC) design methods. In general, this design method is a comparison of the roof loads before and after the solar panel installation. The snow load in the area of the panels will be reduced due to the roof pitch and the solar panel's slippery surface, as justified in Section 7.4 in ASCE 7-16. Due to the reduction of snow load the total roof loads and the stresses of the structural elements are decreased after the solar panels are installed.

Results

The total additional roof load of the solar panels system is 3 psf, and the typical 20 psf live load will not be present in the area of the panels, as defined per Section 1607.13.5.1 in 2017 OBC. The slippery surface snow load reduction allowed in Section 7.4 in ASCE 7-16 reduces the roof snow load in the area of the solar panels. The total combined vertical loads are reduced when considering the worse case load combination (ASD). Regarding lateral wind loads, the solar panel structure is considered to be partially enclosed due to the low profile of the panels (3 to 6 inches) and airflow restrictions below the panels caused by the pv frame, wiring, conduit, and frame brackets. Because the system is considered to be 'partially enclosed' additional wind pressure on the structure is considered negligible. The addition of total PV system weight result in an increase under 10% of the total roof weight, and meets the seismic requirements in Section 502.5 of 2018 IEBC. See the attached calculations for further details.

Conclusions

TEC concludes that the installation of solar panels on existing roof will not affect the structure, and allows it to remain unaltered under the applicable design standards. The calculations performed to support these conclusions are attached to this letter.

General Instructions

1. Contractor shall comply with all Federal, State, County, City, local and OSHA mandated regulations and requirements. The most stringent shall govern.
2. Contractor shall keep an accurate set of As-Built plans
3. The solar panel's racking system and mounting hardware shall be mounted in accordance with the manufacturer's most recent installation manual.
4. Connection: 5/16" lag screws 2.5" minimum penetration at 48" maximum spacing.
5. Panel supports connections shall be staggered to distribute load to adjacent trusses.
6. If during solar panel installation, the roof framing members appear unstable or deflect non-uniformly, our office should be notified before proceeding with the installation.
7. Structural observation or construction inspections will not be performed by TEC, Engineer-of-Record (EOR) nor their representatives.

Best Regards,
Terra Engineering Consulting, PLLC



Anthony E. Farmand, PE
Civil Engineer

References

Design Parameter

Code: 2019 Residential Code of Ohio/ 2017 Ohio Building Code, ASCE 7-16, and National Design Specification for Wood Construction (NDS) 2015 Edition

Risk Category: II

Ground Snow load: 20 psf

Roof Snow load: 13.9 psf

Design Wind Speed: 115 mph (3 sec gust) per ASCE 7-16

Seismic Design Category: D

Wind Exposure Category: C

Existing Roof Structure

Roof framing: 2x4 Pre-fab Trusses at 24" O.C.

Roof material: Composite shingles

Roof slope: 18°

Solar Panels

Weight: 3 psf

Connections: 5/16" Lag screw with 2.5" min. embedment into the framing at 48" O.C. spaced along the rail.



Date: 4/28/2023
Client: Robin Rosenquist
Subject: Gravity load

Gravity load calculations

Snow load (S)	Existing	w/ solar panels	
Roof slope (°):	18	18	
Ground snow load, p_g (psf):	20	20	ASCE 7-16 C7.2
Terrain category:	C	C	ASCE 7-16 table 7.3-1
Exposure of roof:	Fully exposed	Fully exposed	ASCE 7-16 table 7.3-1
Exposure factor, C_e :	0.9	0.9	ASCE 7-16 table 7.3-1
Thermal factor, C_t :	1.1	1.1	ASCE 7-16 table 7.3-2
Risk Category:	II	II	ASCE 7-16 table 1.5-1
Where p_g is 20 lb/ft ² (0.96 kN/m ²) or less:			
$p_m = I_s p_g$ (Importance Factor times p_g)			
Where p_g exceeds 20 lb/ft ² (0.96 kN/m ²):			
$p_m = 20 (I_s)$ (20 lb/ft ² times Importance Factor)			
Importance Factor, I_s :	1	1	ASCE 7-16 table 1.5-2
Flat roof snow load, p_f (psf):	13.9	13.9	ASCE 7-16, equation 7.3-1
Minimum roof snow load, p_m (psf):	0	0	ASCE 7-16, equation 7.3-4
Roof Surface type:	Other	Unobstructed slippery surface	ASCE 7-16, C7.4
Roof slope factor, C_s :	1	0.87	ASCE 7-16, C7.4
$p_s = C_d p_f$ (7.4-1)			
ASCE 7-16, equation 7.4-1 Design			
Sloped roof snow load, p_s [psf]:	13.9	12.1	Snow Load (S)

Roof dead load (D)

Roof pitch/12	3.9		
Composite shingles	3 psf	1/2" Gypsum clg.	0 psf
1/2" plywood	1 psf	insulation	0.8 psf
Framing	3 psf	M, E & Misc	1.5 psf
Roof DL without PV arrays			
	9.8 psf		
PV Array DL	3 psf		

Roof live load (Lr)	Existing	w/ solar panels	
Roof Live Load	20	0	2018 IBC, Section 1607.13.5.1

ASD Load combination:

	Existing	With PV array	
D [psf]	9.8	12.8	ASCE 7-16, Section 2.4.1
D+L [psf]	9.8	12.8	ASCE 7-16, Section 2.4.1
D+[Lr or S or R] [psf]	29.8	24.9	ASCE 7-16, Section 2.4.1
D+0.75L+0.75[Lr or S or R] [psf]	24.8	21.8	ASCE 7-16, Section 2.4.1
Maximum gravity load [psf]:	29.8	24.9	
Ratio proposed load to existing load:		83.42%	

The stresses due to gravity load in the area of the solar panels is reduced, allowing the structure to remain unaltered.



Date: 4/28/2023
 Client: Robin Rosenquist
 Subject: Wind load and Connection

Wind Pressure Calculations

$$p = q_p((GC_p) - (GC_{pi})) \quad (30.9-1)$$

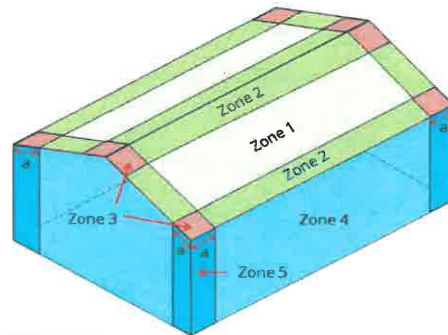
Basic wind speed (mph)	115			
Risk category	II			
Exposure category	C			
Roof type	Gable			
Figure for GCp values	ASCE 7-16 Figure 30.3-2A-I			
	Zone 1	Zone 2	Zone 3	
GCp (neg)	-0.9	-1.7		-2.6
GCp (pos)	0.5	0.5		0.5
zg (ft)	900 (ASCE 7-16 Table 26.11-1)			
α	9.5 (ASCE 7-16 Table 26.11-1)			
Kzt	1 (ASCE 7-16 Equation 26.8-1)			
	(only changes if structure located on a hill or ridge)			
Kh	0.94 (ASCE 7-6 Table 26.10-1)			
Kd	0.85 (ASCE 7-16 Table 26.6-1)			
Velocity Pressure, q_h (psf)	27.05 (ASCE 7-16 Equation 26.10-1)			
Gcpi	0 (ASCE 7-16 Table 26.13-1)			
	(0 for enclosed buildings)			
	Zone 1	Zone 2	Zone 3	
W Pressure, (neg) [psf]	-24.35	-45.99		-70.33
W Pressure, (pos) [psf]	13.53	13.53		13.53
W Pressure, (Abs. max) [psf]	24.35	45.99		70.33

Connection Calculations

Capacity

Connection type:	Lag screw
Embedment (in):	2.5
Framing grade:	DFL#2 G: 0.5
Capacity [lbs/in]:	266 (2015 NDS table 12.2A)
Number of screws:	1
Total capacity [lbs]:	665.00

Lag screw diameter: 5/16



Demand

Anchor spacing: 48 in
 Anchor spacing in roof corners: 48 in

	(0.6 W			
	Pressure,	Max.		
	psf), see	tributary		
Zone	Note 1	area (ft^2)	Max Uplift force (lbs)	
	1	14.6	11	160.7
	2	27.6	11	303.5
	3	42.2	11	464.2

Connection Meets Demand

Note 1: 0.6W results from dominant ASD combo [0.6D+ 0.6W] (ASCE 7-16 2.4.1).



DEVELOPMENT DEPARTMENT
100 S. MARKET ST.
937-339-9481

Accessory Zoning Permit Application

Date: 05/01/2023

Applicant / Owner

Applicant Name: Timothy Shifflet
Applicant Address: 6447 Valley Chase Ct
City, State, Zip: Galena OH 43021
Phone: 8179485897
Email: permit@peakpower.pro

Owner Name:
Address:
City, State, Zip:
Phone:
Email:

Contractor

Contractor Name: Timothy Shifflet Power Up
Renewable Energy
Applicant Address: 6447 Valley Chase Ct
City, State, Zip: Galena OH 43021

Phone: 8179485897
Email: permit@peakpower.pro
License #:

Project

Project Location: 385 W Ross St
City, State, Zip: Troy OH 45373
Parcel:
Work Type:
Design Graphics:
Accessory Type: Pool
Fence Type:
Material: Other roof mounted solar
panels

Height: 0
Right Setback: 0
Left Setback: 0
Rear Setback: 0
Square Feet: 0
Sign Type:
Building Setback:
Building Frontage:

Project Description: this zoning app is for a solar panel permit

I do hereby certify that the information contained herein is true and correct.

Timothy Shifflet, Power Up Renewable Energy Inc.

05/01/2023

Date

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning and Zoning Manager

DATE: May 24, 2023

SUBJECT: 1511 S. Market Street and 1551 S. Market Street – Rezoning Request

BACKGROUND:

A request by applicant Mandeep Singh for the Planning Commission to consider the rezoning of 1511 S. Market Street, Parcel ID: D08-105875 (1.25 Acres) and 1551 S. Market Street, Parcel ID: D08-251110 (2.5 Acres) from the M-2 Light Industrial District to the B-2 General Business District. The property is located on S. Market Street south of Dye Mill Road.

The land is currently vacant. The surrounding zoning districts include the B-2 General Business District to the north, M-2 Light Industrial district to the east and south, and County Zoning of A-2 General Agriculture to the west. See attached Zoning Map.

DISCUSSION:

The Zoning Code describes the proposed B-2 zoning district as “intended to provide for the development of major retail shopping areas and centers outside the downtown area. These districts include much of the strip commercial property existing along the major streets of the City. The uses permitted are intended to accommodate the general retail consumer.”

The Comprehensive Plan’s Future Land Use Map (Figure 14-4) displays this property as existing schools, institutional, and religious uses with Future Industrial to the southeast of the subject properties. However, it is important to note that the Comprehensive Plan was adopted in 2005 and is currently in the process of being updated. The Comprehensive Plan mentions the physical constraints flood hazard areas to the east of the of the subject properties with the potential of recreational opportunities but does not provide much detail on future proposed uses. It is also important to note that the future industrial land use boundary is not clearly defined, rather just an oval drawn in the general vicinity to the east. It is staff’s opinion that the proposed B-2 district meets the intent of retail uses mapped along major thoroughfares.

A copy of Figure 14-4 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 retail uses that exist to the north of the referenced properties.

(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 uses to the north of the referenced properties.

(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 can be provided to the reference property.

(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 unavailable vacant land for development with the B-2 zoning classification.

(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 intent of the Zoning Code, 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:

It is staff's opinion that the proposed rezoning will achieve the desired development. However, the Comprehensive Plan identifies this area as future industrial, the Comprehensive Plan does not clearly define the boundaries of the future industrial development. The intent of the B-2 General Business District is to be mapped along major thoroughfares. Due to the age of the 2005 Comprehensive Plan future industrial development is not warranted based on the current surrounding uses.

Staff is recommending that the Planning Commission recommend approval of the proposed rezoning from the M-2 Light Industrial District to the B-2 General Business District, based on the following:

1. The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
2. The proposed rezoning is consistent with the surrounding zoning districts to the north; and

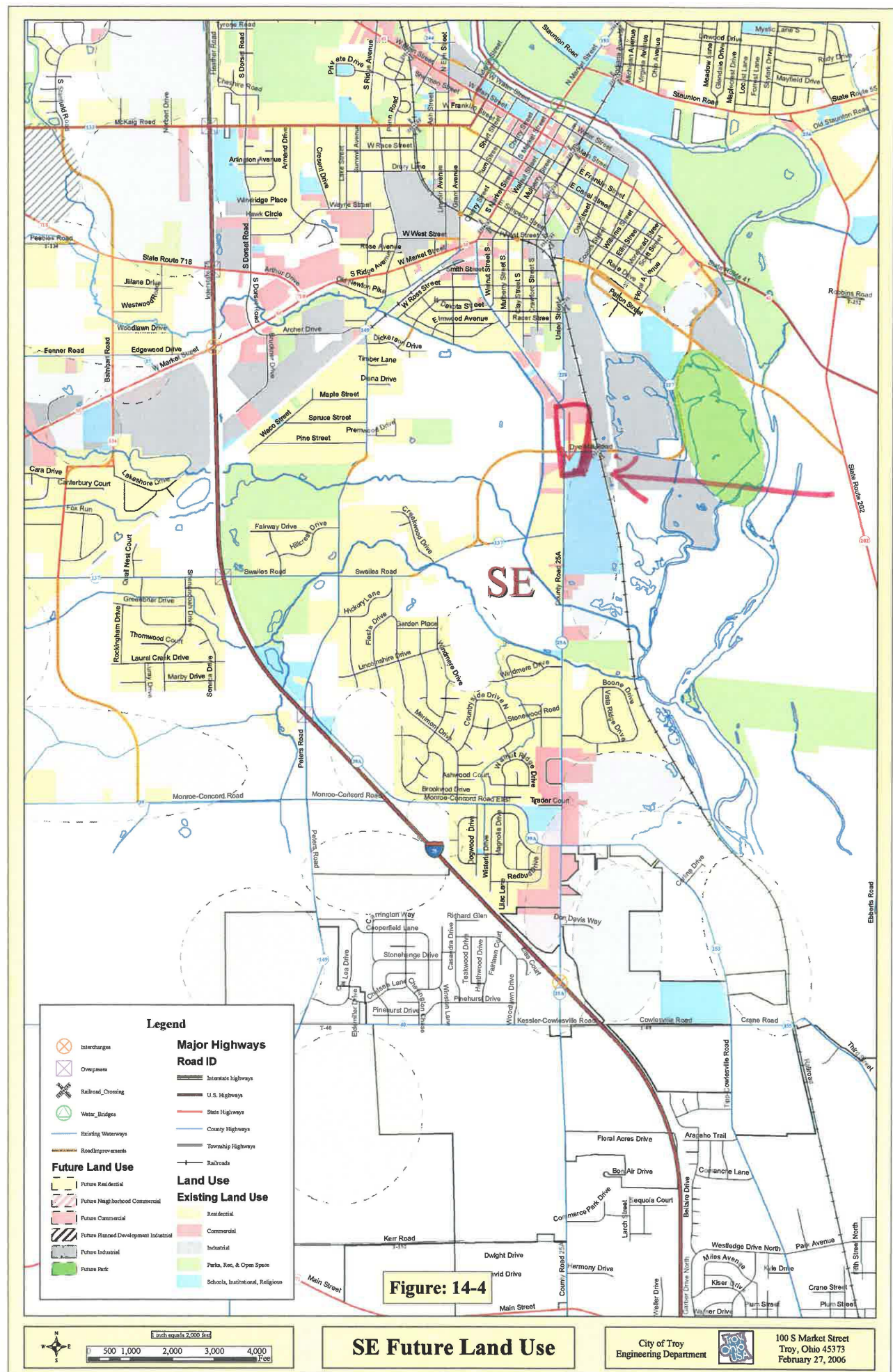
3. The use is consistent with permitted uses in the B-2 district.

Zoning Map

Legend

-  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 2nd and 4th 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 **1511 S. Market Street, Troy OH 45373**

being lot number(s) **D08-105875** from **M-2** to **B-2**
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

Name **Troy Station LLC**
Address **1511 S. Market Street**
City **Troy**
State **OH**
Zip Code **45373**
Phone No. **513-307-4240**
Fax No. **513-672-2545**
Email **mandeepaulkh@gmail.com**

APPLICANT

Name **Mandeep Singh**
Address **8050 Vegas Cir**
City **West Chester**
State **OH**
Zip Code **45069**
Phone No. **513-307-4240**
Fax No. **513-672-2545**
Email **mandeepaulkh@gmail.com**

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

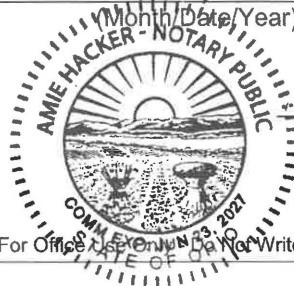
PLEASE PROVIDE THE FOLLOWING:

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.

Subscribed and sworn to before me this 4th day of May, 2023

My Commission Expires 06/23/27
(Month/Date/Year)



Mondep S. S. 1
(Applicant Signature)
AME HACKER
(Notary Public)

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

REQUIRED DOCUMENTS:

- | | | |
|--------------------------|------------|--|
| ☐ | EXHIBIT A | Reasons for Zoning Reclassification |
| ☐ | EXHIBIT B | Legal Description |
| ☐ | EXHIBIT C | Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses |
| ☐ | EXHIBIT D | Site Map with Zoning & Owners within 250 feet of parcel |
| ☐ | EXHIBIT E | Property Owners List within 250 feet of parcel |
| ☐ | Labels | Two (2) Sets of Mailing Labels of Property Owners |
| ☐ | Copies | (1) Complete Sets in a reproducible format 11"x17" |
| ☐ | Map(s) | One (1) County Tax Map(s) |
| ☐ | 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 st Reading:	2 nd :	3 rd :	PUBLIC HEARING DATE
			COUNCIL COMMITTEE RECOMMENDATION
			CITY COUNCIL ACTION
Approved:	Denied:		
Ordinance Number:			
Effective Date:			

Revised 10/25/11

From

Troy Station LLC

1511 S. Market St

Troy, OH 45373

To

Development Department

City of Troy

100 S. Market St

Troy, OH 45373

SUB: Reason for Zoning Reclassification

We are requesting a re-zoning classification for the parcel number D08-105875 located just south of County Road 25-A and Dye Mill Rd. for the purposes of future mercantile developments. This requires the current zoning to be changed from Industrial to B-2.

Please let me know if you need any additional documents.

Thanks

A handwritten signature in black ink, appearing to read "Mandeep Singh".

Mandeep Singh



DocId:8215526

Tx:4114312

TRANSFERRED
In compliance with ORC 319.202
MATTHEW W. GEARY, RT. Miami Co. Auditor
Annette Nehman
JUN 08 2022

Total Fee: \$ 375.00
ORC 319.54 \$ 87.50
ORC 322.02 \$ 187.50
Exempt ☐

DESCRIPTION APPROVED
MIAMI COUNTY ENGINEER
BY d2 DATE 6-8-22

MIAMI COUNTY RECORDER
JESSICA A LOPEZ
2022OR-09035
PRESENTED FOR RECORD
MIAMI COUNTY, TROY, OHIO
06/09/2022 01:05:16 PM
REFERENCES 0
RECORDING FEE 34.00
PAGES 2

Warranty Deed

Know All Men by These Presents:

That WACO Historical Society, Inc., an Ohio Non-Profit Corporation, for valuable consideration paid grants, with general warranty covenants, to Troy Station, LLC, an Ohio Limited Liability Company, its successors and assigns forever, whose tax mailing address is 8050 Vegas Circle, Westchester, Ohio 45069, the following real property:

Situate in the State of Ohio, County of Miami and City of Troy and being described as follows:

Being all of Inlot number 11508 in said City of Troy, Ohio as the same appears of record at Volume 29, Page 59 of the Miami County Recorder's Record of Plats and being subject to all easements, restrictions, covenants, building setback lines and legal highways of record.

The above-described Real Estate shall be subject to the following covenants, conditions and restrictions which shall run with the above-described Real Estate and which shall be binding upon the Grantee herein and his/her/its heirs, personal representatives, successors and assigns forever and which shall be enforceable by the Grantor and its successors and assigns forever:

- A. The Grantor owns real estate, which is east of and adjacent to the above-described Real Estate which is licensed by the Federal Aviation Administration as a "Privately Owned Public Use Airport" and no buildings, structures, towers, trees or other improvements shall be erected, placed or allowed to remain upon the above-described Real Estate which would in any way impair or adversely affect the Grantor's ability to continue to use its said adjacent real estate as a Federal Aviation Administration licensed Privately Owned Public Use Airport;
- B. All development of the above-described Real Estate shall conform to and comply with all building and subdivision rules, regulations and requirements of the City of Troy, Ohio;
- C. Applicable zoning rules and regulations notwithstanding, the above-described Real Estate shall not be used at any time for any of the following uses, purposes and/or occupations: agricultural implement sales and service; auction sales, automobile parking garages; automobile parking lots; automobile repair garages, including body work; bakeries; wholesale sales; beverage distribution and/or bottling plants; bone, canvas, cellophane, clay, cloth, cork, feathers and, felt manufacturing, assembling, compounding or treatment; cash advance businesses; cement block and formed products manufacturing; cold storage plants; contractor sales, storage and equipment

yards; crematoriums, both human and animal; dairy and food product processing and packaging; driver training schools; dry cleaning; equipment rental services, including cars, trucks and trailers; exterminating services; fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal, sheet metal, shell, textile, tobacco, wax, wire and wood manufacturing, assembling, compounding or treatment; frozen food lockers, bulk storage of liquid fuel, petroleum products, petroleum and volatile oils; meat processing, packaging and slaughtering; manufacturing, compounding, assembling or treatment of metal products; pawn shops; pool halls; private clubs; railroad stations, depots, train yards, sawing and planing mills; sexually oriented businesses; sign painting and manufacturing; tattoo parlors; truck repair facility; truck sales and service; trucking and motor freight terminals; and water filtration plants and pumping stations;

- D. No building, structure, tower, tree, shrub or other improvement shall be erected, placed or allowed to remain within the detention basin located upon the above-described Real Estate and no fill material of any nature whatsoever shall be placed or allowed to remain within said detention basin;
- E. The exterior finish materials of all buildings, structures and other improvements constructed or placed upon the above-described Real Estate shall be brick, split-faced block, EIFS, cementitious siding, architectural panel, or other exterior finish materials with the prior written consent of the Grantor, which consent may be granted or withheld in the sole and absolute discretion of the Grantor.

Prior Instrument Reference: Volume 676, Page 56 of the Deed Records of Miami County, Ohio.

Witness its hand this 22nd day of June, 2022.

WACO HISTORICAL SOCIETY, INC.,
an Ohio Non-Profit Corporation

By James A. McGarry
James A. McGarry, its President

State of Ohio, County of Miami, ss:

Before me, a Notary Public in and for said County and State, personally appeared the above named WACO Historical Society, Inc., an Ohio Non-Profit Corporation, by James A. McGarry, its President, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed individually and the duly authorized free act and deed of WACO Historical Society, Inc..

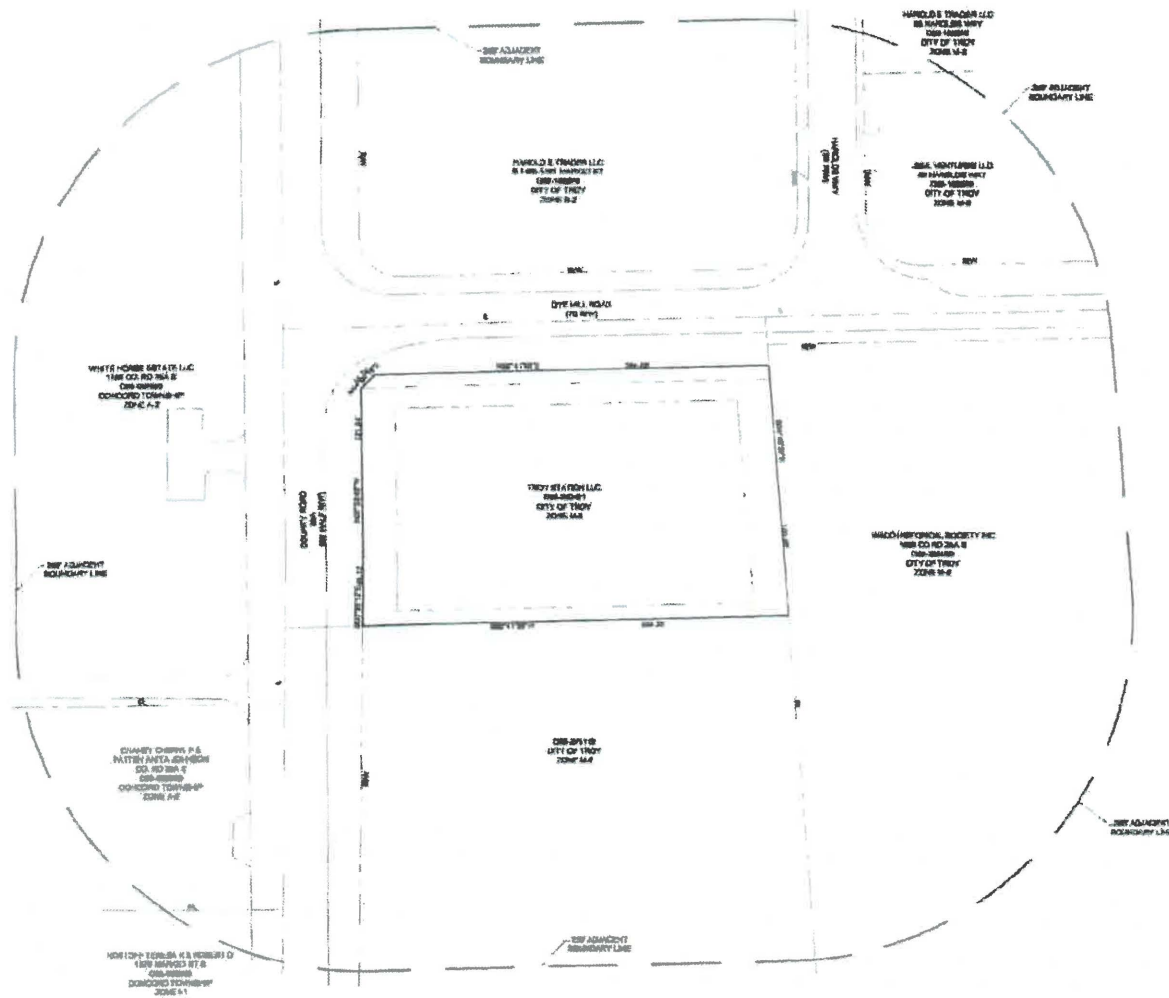
In testimony whereof, I have hereunto set my hand and official seal this 22nd day of June, 2022.



WILLIAM J. FULKER, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date.
Section 147.03 O. R. C.
Recorded in Miami County

William J. Fulker
Notary Public

This instrument was recorded by: William J. Fulker, Esq., 12 S. Cherry Street, Troy, Ohio 45373, (937) 335-8324.



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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TROY CONVENIENCE STORE & SPORTS BAR
TROY, MICHIGAN
LEESMAN ENGINEERING & ASSOC.
TROY, MICHIGAN

SJL
Engineers

DRAWING TITLE	
ZONING PLAN	
DATE: 8/26/05	BY: JLB
REVISION: 01	DATE: 8/26/05
DRAWING NO.	
C1	

Scheduled Planning Commission Meeting
(Held every 2nd and 4th 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 1551 S. Market Street, Troy OH 45373

being lot number(s) D08-251110 from M-2 to B-2
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

Name Troy Station LLC
Address 1551 S. Market Street
City Troy
State OH
Zip Code 45373
Phone No. 513-307-4240
Fax No. 513-672-2545
Email mandeepaulkh@gmail.com

APPLICANT

Name Mandeep Singh
Address 8050 Vegas Cir
City West Chester
State OH
Zip Code 45069
Phone No. 513-307-4240
Fax No. 513-672-2545
Email mandeepaulkh@gmail.com

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

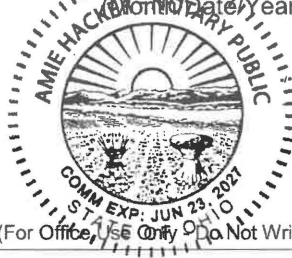
PLEASE PROVIDE THE FOLLOWING:

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.

Subscribed and sworn to before me this 4th day of May, 2023 Mamuly Sis
(Applicant Signature)

My Commission Expires 06/23/27
(Month/Day/Year)



Amie Hacker
(Notary Public)

REQUIRED DOCUMENTS:

- | | | |
|--------------------------|------------|--|
| ☐ | EXHIBIT A | Reasons for Zoning Reclassification |
| ☐ | EXHIBIT B | Legal Description |
| ☐ | EXHIBIT C | Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses |
| ☐ | EXHIBIT D | Site Map with Zoning & Owners within 250 feet of parcel |
| ☐ | EXHIBIT E | Property Owners List within 250 feet of parcel |
| ☐ | Labels | Two (2) Sets of Mailing Labels of Property Owners |
| ☐ | Copies | (1) Complete Sets in a reproducible format 11"x17" |
| ☐ | Map(s) | One (1) County Tax Map(s) |
| ☐ | 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 st Reading:	2 nd :	3 rd :	PUBLIC HEARING DATE
_____ COUNCIL COMMITTEE RECOMMENDATION			
Approved:	Denied:	CITY COUNCIL ACTION	
Ordinance Number: _____			
Effective Date: _____			

Revised 10/25/11

From

Troy Station LLC

1551 S. Market St

Troy, OH 45373

To

Development Department

City of Troy

100 S. Market St

Troy, OH 45373

SUB: Reason for Zoning Reclassification

We are requesting a re-zoning classification for the parcel number D08-251110 located just south of County Road 25-A and Dye Mill Rd. for the purposes of future mercantile developments. This requires the current zoning to be changed from Industrial to B-2.

Please let me know if you need any additional documents.

Thanks


Mandeep Singh