



AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, MARCH 27, 2024, 3:30 P.M.
CITY HALL, COUNCIL CHAMBERS

1. Roll Call
2. Minutes - March 13, 2024
3. Dedication of Right-of-Way associated with a replat. Dedication of 0.124 acres of Right-of-Way of current Inlot 11365, located at 2765 McKaig Road.
Owner: Linda F. Rocco
Applicant: Cozatt Engineering Company
-Commission to make recommendation to Troy City Council
4. Final Plat Approval, Fox Harbor Section 10 and Dedication of Right-of-Way. Fox Harbor Subdivision is located west of the Kings Chapel neighborhood, just south of W. Main Street (SR 41).
Owner: Harbor West Land Co.
Applicant: Brumbaugh Engineering and Surveying LLC
-Commission to make recommendation to Troy City Council
5. Comprehensive Plan Update - status report and review presented by representatives of American Structurepoint
6. Other
7. Adjourn

Next Meeting -- April 10, 2024

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, Wednesday, March 13, 2024, at 3:30 p.m. with Chairman James McGarry presiding. ATTENDING: Members – McGarry, Ehrlich, Emerick, Westmeyer, Titterington and Wolke; Development Staff – Long, Eidemiller, and Bruner; and Development Director Davis.

APPROVAL OF MINUTES: Upon motion of Mr. Emerick, seconded by Mrs. Ehrlich, the minutes of February 28, 2024, meeting were approved by unanimous voice vote.

PROPOSED AMENDMENTS THE ZONING CODE REGARDING PERMITTED USES WITHIN THE DOWNTOWN RIVERFRONT OVERLAY (DR-O) DISTRICT.

Take From the Table: A motion was made by Mr. Titterington, seconded by Mr. Wolke, to Take From the Table consideration of amendments to the Zoning Code regarding certain permitted uses within the Downtown Riverfront Overlay (DR-O) District.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

Staff reported that City Council adopted a moratorium on specific uses in the Downtown Riverfront Overlay (DR-O) by Ordinance No. O-44-2023 to allow staff to perform analysis on the uses in the DR-O; the DR-O encompasses twelve (12) zoning districts: the PD Planned Development District, Wellhead Operation District, A-R Agricultural Residential District, R-5 Single Family Residential District, the R-6 Two Family Residential District, the R-7 Multiple Family Residential District, OR-1 Office Residence District, OC-1 Office Commercial District, B-1 Local Retail District, B-2 General Business District, B-3 Central Business District, and the M-2 Light Industrial District. The report further noted:

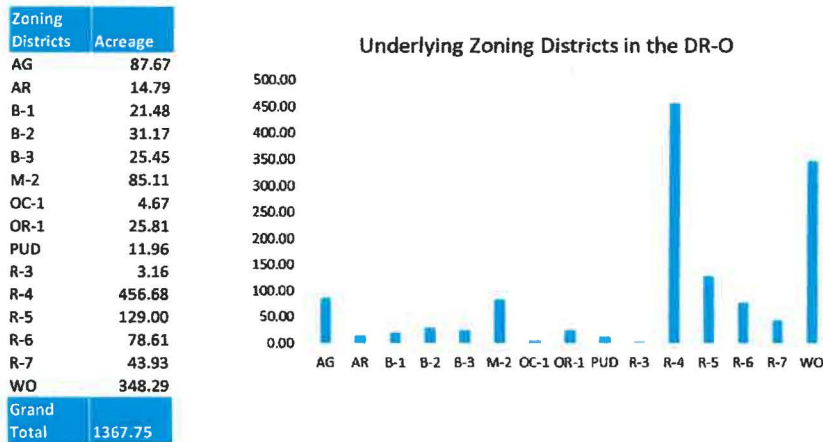
“PROPOSAL:

Staff Analysis: When analyzing the twelve (12) zoning districts as a whole, it was determined that there are undesirable uses that are currently permitted by right in the DR-O. The B-1 Local Retail District and the B-2 General Business District represent only 3.8% or about 52.58 acres of the entire acreage of the DR-O and reflect one of the main business support areas to the downtown. The intent of the DR-O is intended to permit alteration and adaptive reuse of existing buildings, and redevelopment of vacant lands, in accordance with a coordinated plan which can be designed with greater flexibility, and consequently, more creative and imaginative redevelopment of this closely built and oldest area of Troy. Many of the permitted uses in the underlying districts do not support the stated intent of the DR-O. Additionally, these uses do not meet today's design standards of the Historic Preservation Overlay as well as safe maneuverability of vehicles per the Construction Standards.

Alteration #1: Changes to 1143.13, 1143.14, and 1143.18

Planning Staff are proposing to add an additional permitted uses list for properties that are located in the DR-O with the underlying zoning of B-1 Local Retail District, B-2, General Business District, and the M-2 Light Industrial District. Additionally, Staff is proposing to modify the B-3 Central Business District permitted uses. Please see Exhibit A for a principally permitted uses table for a comparison of the existing and proposed uses in the DR-O.

These proposed changes would not affect the majority of the districts that represent the DR-O with no changes being proposed in the residential districts that make up 52% or about 711.5 acres of the DR-O. A full breakdown of the Zoning District acreage in the DR-O can be seen below:



The B-1 District has about 21.48 acres in the DR-O. Outside the DR-O, the B-1 District has an additional 13.75 acres located outside of the DR-O. The B-2 district has about 31.17 acres inside the DR-O with about 333 acres located outside the DR-O. The M-2 District has 85.11 acres inside the DR-O with an additional 1,544 acres located outside of the DR-O.

Alteration #2: Changes to 1143.15 (b) Principal Permitted Uses

Planning Staff is proposing to remove the following uses from the B-3 Central Business District:

1. Automobile accessories – retail sales, including incidental installation.
2. Dry cleaning and laundromats.
3. Electrical appliance repair.
4. Nursing homes.
5. Paint, glass and wallpaper – retail sales.
6. Railroad Stations – Passenger
7. Repair Part – Retail Sales
8. Rescue Missions
9. Rooming Houses

Staff Analysis: Many of the above listed uses are not clearly defined by section 1133.02 Definitions of the Zoning Code and are similar to other listed permitted uses in the district. Please see exhibit B for a full list of permitted uses in the B-3 Central Business District.

RECOMMENDATION: Staff Recommends that the Planning Commission provide a positive recommendation to City Council for the proposed Zoning Code Changes as a result of the analysis of undesirable uses in the DR-O.”

Discussion: Mr. Wolke stated he understands that some uses are recommended to be removed because they are inappropriate and others because they are redundant; this was confirmed by staff.

Mr. Titterington commented that he understood one reason this was tabled was to make sure he and the Mayor had had time to review the recommendation and provide any comments, as both were absent at the previous meeting. Mr. Titterington commented that both he and the Mayor had reviewed the recommended changes and neither had any concerns.

Public Hearing: A motion was made by Mr. Wolke, seconded by Mrs. Ehrlich, that the Commission not hold a public hearing on the proposed amendment to the Zoning Code Section 1143.15(b) to remove certain Principal Permitted Uses from the B-3 Central Business District, with the Commission noting that Council must hold a public hearing.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

Recommendation: A motion was made by Mr. Titterington, seconded by Mr. Wolke, to recommend to Troy City Council that Zoning Code Sections 1143.13, 1143.14, and 1143.18 be amended to add a revised additional permitted uses list for properties that are located in the DR-O with the underlying zoning of B-1 Local Retail District, B-2 General Business District, and the M-2 Light Industrial District based on the revised list attached to the staff report, and that Section 1143.15(b) Principal Permitted Uses in the B-3 Central Business District to remove the following uses:

1. Automobile accessories – retail sales, including incidental installation.
2. Dry cleaning and laundromats.
3. Electrical appliance repair.
4. Nursing homes.
5. Paint, glass and wallpaper – retail sales.
6. Railroad Stations – Passenger
7. Repair Part – Retail Sales
8. Rescue Missions
9. Rooming Houses

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

PRELIMINARY PLAN APPLICATION, THE RESERVES AT CLIFF OAKS SUBDIVISION, LOCATED ALONG FENNER ROAD: PARCELS D08-107398, D08-107410, AND D08-107400 OWNER – MONTE SWANK; APPLICANT – CHOICE ONE ENGINEERING BY JEFF PUTHOFF. Staff reported: City Council approved the rezoning on this parcel from City Administered County Zoning to Troy Zoning of R-4, Single-Family Residential District (minimum lot size of 9,000 square feet) by Ordinance No. O-51-2023; owner is creating a new subdivision named The Reserves at Cliff Oaks; the submitted Preliminary Plan is the first step of the approval process; following the Commission approval of the Preliminary Plan, Final Plats will follow to create the lots and to dedicate the streets and public utilities and will require Council approval; and this development is anticipated to be in four phases. The staff report further noted:

Uses & Layout: The proposed subdivision, which consists entirely of single-family homes, encompasses 58.798 acres and includes 136 buildable lots that range from .207 acres to .527 acres and will be developed in four-phases. The first phase will create 54 lots and the second phase will create 22 lots.

Roadways: Access to this development will be provided by two separate points. The North access point off of Fenner Road will serve as the main entrance to the proposed subdivision. The remaining access point, located to the south of the proposed development, connects to the existing road named Parkview Drive. Road improvements have been required along Fenner Road (see sheet 2 for the location for the improvements). The City Engineer and Assistant Fire Chief have reviewed the street layout and have indicated they have no issues with the proposal.

Utilities: This development will be served by city water and sewer lines. The plan seeks to mitigate storm water control by utilizing two retention areas located in the northwest and southwest portion of the development. Maintenance of storm water control facilities (including drainage swales) will be the responsibility of the Homeowners Association.

Parkland: The developer is proposing to provide private open space within the subdivision (maintained by HOA) and received a unanimous positive recommendation from the Park Board.

Easements: A 40' utility easement is being provided on the east of the subdivision to provide the utilities to this subdivision. Easement areas are the responsibility of the Homeowners Association."

Discussion: In response to Mr. McGarry, staff confirmed that the parkland plan had been reviewed and approved by the Board of Park Commissioners.

-Mr. Wolke asked if the development had been discussed with the Board of Education as development would result in increased school enrollment. Staff stated the development had been discussed with representatives of the Troy Schools with the representatives stating the schools can withstand the capacity.

Motion: A motion was made by Mr. Wolke, seconded by Mr. Titterington, that the Troy Planning Commission approves the Preliminary Plan of The Reserves at Cliff Oaks Subdivision as submitted as the plan is in accordance with the Zoning Code, Subdivision Regulations, and other engineering standards.

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

FINAL PLAT AND DEDICATION OF RIGHT-OF-WAY FOR HALIFAX ESTATES, SECTION 7, LOCATED EAST OF PIQUA-TROY ROAD AND NORTH OF TROY-URBANA ROAD: OWNER/APPLICANT- HALIFAX LAND COMPANY, LLC BY FRANK D. HARLOW. Staff reported: Preliminary Plan for Halifax Estates was approved in 2014; Section 7 conforms to the approved Preliminary Plan; Section 7 encompasses a total of 28.171 acres with 20 building lots and one drainage lot; zoning is R-1 Single-Family Residential which has a minimum lot size of 40,000 square feet; lot sizes range from 0.919 acres (40,031 square feet) to 2.878 acres (125,365.68 square feet); dedication of 3.722 acres of public street Right-of-Way; roadway names are Lacewood Court, Halifax Drive, Windmill Court, and Maynard Lake Court; fees-in-lieu-of have been accepted by the Planning Commission and Park Board for this development and are being collected with each new housing permit; and staff recommends approval as Section 7 is in general accordance with the approved amended preliminary plan. The applicant was present and confirmed that this is the last section of the development.

Discussion: Mr. McGarry asked about the one large lot (125,365.68 square feet), with staff stating that lot is the drainage lot and will be maintained by the HOA.

-Mr. Wolke stated that he hopes purchasers are advised that development is in the Miami East School District as in the past purchasers have indicated they did not receive that information and there was some disappointment when some found they were not automatically in the Troy School District.

Recommendation: A motion was made by Mr. Westmeyer, seconded by Mrs. Ehrlich, that the Troy Planning Commission recommends that Troy City Council approves the Final Plat of the Halifax Estates Subdivision Section 7 as submitted as the Final Plat is in general conformance to the approved Preliminary Plan, with the condition requested by staff that the recommendation will not be forwarded to City Council until the developer completed the Escrow Agreement. **MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE**

FINAL DEVELOPMENT PLAN FOR THE HALIFAX VILLAS AND PATIO HOMES PLANNED DEVELOPMENT-RESIDENTIAL (PD-R) PHASE 2, LOCATED ON THE EAST SIDE OF NORTH MARKET STREET: OWNER/APPLICANT- HALIFAX LAND COMPANY, LLC BY FRANK D. HARLOW. Staff reported: The Planned Development process requires three steps for approval; first step is the General Plan, which was previously approved by Planning Commission and City Council; the second step is the Final Development Plan; the third step is the Record Plan; the Final Development Plan is in accordance with the approved General Plan; and staff recommended approval. Specifics of the Final Development Plan are:

Uses & Layout: This phase of the development will consist of 19.43 acres with 21 buildable lots. The ratio for this section will be 1.1 units per acre. 6.915 acres will be open space or 36%. None of the lots will have direct access to Piqua-Troy Road. A cart path will connect into the southern cul-de-sac and will connect to phase one of this development.

Roadways: Access to this development will be provided by on connection on N. Market Street that will align with Loxley Lane in the Nottingham Subdivision. As this development is private streets, the streets will not meet the city standards for a public street and will not be providing curbs or sidewalks. No proposed right-of-way will be dedicated with this development. Maintenance of the private streets will be the responsibility of the HOA.

Utilities: This development will be served by city water and sewer lines. The plan seeks to mitigate storm water control by utilizing seven retention ponds and two detention ponds throughout the development. In addition, two ponds (one to the north and one to the west) will be utilized to control storm water. Maintenance of these private storm water control facilities will be the responsibility of the HOA.

Parks & Recreation Facilities: This planned development has a clubhouse, and an extensive cart path and walkway in other phases of this development and has met the required 10% open space requirement of the Zoning Code.

Motion: A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, that the Troy Planning Commission approves the Final Development Plan for the Halifax Villas and Patio Homes Planned Development-Residential (PD-R) Phase 2 as submitted as the Final Development Plan conforms to the approved General Plan. **MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE**

RECORD PLAN FOR THE HALIFAX VILLAS AND PATIO HOMES PLANNED DEVELOPMENT-RESIDENTIAL (PD-R) PHASE 2, LOCATED ON THE EAST SIDE OF NORTH MARKET STREET. OWNER/APPLICANT- HALIFAX LAND COMPANY, LLC BY FRANK D. HARLOW. Staff report noted that the Record Plan is the third step of approval for a Planned Development; the General Plan and Final Development Plan have been approved; this Record Plan conforms to both the General Plan and Final Development Plan; and staff supports the Commission recommending City Council approval of the Record Plan.

Recommendation: A motion was made by Mr. Westmeyer, seconded by Mr. Emerick, that the Troy Planning Commission recommends that Troy City Council approves the Record Plan for the Halifax Villas and Patio Homes Planned Development-Residential (PD-R) Phase 2 as submitted as the Record Plan conforms to the approved Final Development Plan and General Plan. **MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE**

MINOR AMENDMENT TO THE GENERAL PLAN OF THE TROY CHRISTIAN SCHOOLS EDUCATION AND PERFORMING ARTS FACILITY PLANNED DEVELOPMENT-RESIDENTIAL (PD-R), GENERALLY LOCATED AT 700 S. DORSET ROAD: THE MINOR AMENDMENT IS THE ADDITION OF A NEW TICKET BOOTH AND ARCHWAY ENTERING THE STADIUM; OWNER - TROY CHRISTIAN SCHOOLS; APPLICANT - MT STUDIOS BY MIKE TWISS. The General Plan of this PD-R was approved by City Council by Ordinance No. O-43-2021; the requested minor amendment is for the addition of a new ticket booth and archway entering the stadium to be used for admissions and ticket sales to sporting events held at the field; the ticket booth will be constructed using a splitface block, metal fascia, and a single slope metal standing seam roof; the size is approximately 107 square feet or 8' x 13'4"; the archway span will be 18' wide and include an overhead steel structure supported by splitface block pillars; the Troy Christian School's logo will also be incorporated into the design of the archway; the total height of the archway will measure 14'4"; the City has received a full set of plans; staff considers this to be a minor amendment that may be approved by the Planning Commission without the submission of the revised

General Plan to City Council in accordance with Section 1145.17 of the City's Zoning Code; and staff recommends approval of the minor amendment as requested as the amendment will not have any negative effects on the Planned Development or adjoining properties. Staff commented that the design of the sign is not part of this review; the sign structure is part of the review, but the actual design will be submitted for consideration at a later date.

Motion: A motion was made by Mr. Emerick, seconded by Mr. Titterington, that the Troy Planning Commission approves the minor amendment of the Troy Christian Schools Education and Performing Arts Facility Planned Development-Residential (PD-R) as submitted for the ticket booth and the archway structure, based on the findings of staff that the proposed minor amendment will not have any negative effects on the Planned Development or adjoining properties. **MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE**

MINOR AMENDMENT TO THE RECORD PLAN OF THE TROY STORAGE PLANNED DEVELOPMENT-INDUSTRIAL PHASE 2 (PD-I), LOCATED AT 2601 W. MAIN STREET; OWNER/APPLICANT IS GEORGE MOORMAN; THE MINOR AMENDMENT IS TO THE PHASE BOUNDARY. Staff reported that the Record Plan for the Troy Storage Planned Development – Industrial (PD-I) was approved by Council by Ordinance No. O-11-2023; the Record Plan identifies multiple phases for this development; applicant is requesting a minor amendment to the Planned Development to permit a modification to Phase 2 of the Planned Development to encompass an addition to building C, and half of building D, and include the Outdoor storage area and access lanes, landscape islands, fencing and site lighting; staff has determined that this is a minor amendment that may be approved by the Planning Commission without the submission of a revised General Plan to City Council as permitted by Section 1145.17 of the City's Zoning Code, and does not require a revised Final Development Plan to be submitted; and staff recommends approval of the Minor Amendment to the General Plan as submitted

Motion: A motion was made by Mr. Titterington, seconded by Mrs. Ehrlich, that the Troy Planning Commission approves the minor amendment application of the Troy Storage Planned Development – Industrial (PD-I) as submitted for the phase boundary, and based on the recommendation of staff, and with the condition that the landscaping is installed as a part of the original Planned Development.

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

MINOR AMENDMENT TO THE RECORD PLAN OF THE TROY STORAGE PLANNED DEVELOPMENT-INDUSTRIAL PHASE 2 (PD-I), LOCATED AT 2601 W. MAIN STREET; OWNER/APPLICANT IS GEORGE MOORMAN; THE MINOR AMENDMENT IS TO PERMIT ADDITIONAL SIGNAGE ON THE FRONT OF BUILDINGS A AND D. Staff reported that the Record Plan for the Troy Storage Planned Development – Industrial (PD-I) was approved by Council by Ordinance No. O-11-2023; the Record Plan identifies multiple phases for this development; applicant is requesting additional signage on the front of building A and building D; building A would have 32 square feet of signage that reads the phone number for the development; building D would have 28 square feet of signage that identifies the web address of the development; minor amendments may be approved by the Planning Commission without the submission of the revised general plan to City Council as Section 1145.17 of the City of Troy Zoning Code does not require a revised Final Development Plan to be submitted; it is important to note that these signs were not a part of the original Planned Development request and, therefore, have been denied by Planning Staff.

Staff recommends that the minor amendment application for additional signage be denied based on the findings that the intent of the Sign Code is for the Principal Building to have signage. This development has multiple buildings; however, the main office building was already permitted signage with the original Planned Development.

Discussion: In response to Mr. McGarry, it was indicated that the applicant has no recourse if the Commission denies the application.

-In response to Mr. Wolke, staff stated it would have to be checked to determine if there is space on the main building for additional signage.

-In response to Mrs. Ehrlich, staff advised that the buildings fronts are on Main Street.

-In response to Mr. Emerick, staff stated that had this request been part of the original application, staff would have recommended the request be denied.

Motion: A motion was made by Mr. Titterington, seconded by Mr. Wolke, that the Troy Planning Commission denies the minor amendment for the Troy Storage Planned Development – Industrial (PD-I) for additional signage on the front of Buildings A and D, based on the recommendation of staff, with it noted that while this building has multiple buildings, the main office building has permitted signage approved as part of the original Planned Development.

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE, APPLICATION DENIED

OTHER: Mr. Titterington noted that there had been social media comment following the last meeting that he and Mayor Oda were deliberately absent so they would not have to vote on the Historic District application associated with the roof replacement at 112-118 W. Main Street. For the record, he stated that both he and Mayor Oda had schedule conflicts with the February 28 Planning Commission date based on being out of town for separate reasons, and their schedules had been established far in advance of knowing what may or may not be on the February 28 Commission agenda, and their absences had nothing to do with that agenda item.

Mr. Westmeyer also noted for the record that his absence on February 28 was due to a vacation that had also been scheduled well in advance of the Commission meeting.

Staff advised that the March 27 Commission meeting will include a Comprehensive Plan update, and the meeting will require additional time for that item.

There being no further business, the meeting adjourned at 3:55 p.m. upon motion of Mr. Titterington, seconded by Mr. Westmeyer, and approved by unanimous voice vote.

Respectfully submitted,

Chairman

Secretary

TO: CITY OF TROY PLANNING COMMISSION
FROM: Jillian Rhoades, PE, City Engineer
DATE: MARCH 21, 2024
SUBJECT: Dedication of right-of-way along 2765 McKaig Road

Attached is a copy of a plat for the dedication of right-of-way along the property of 2765 McKaig Road. The right-of-way to be dedicated is 0.124 acres of current Inlot 11365. The replat was requested to combine existing Inlots 11365 and 11366, totaling two acres, into a single new lot. The replat is considered a minor subdivision that can be approved by the City Engineer and does not require Planning Commission approval. The replat provides the opportunity to formally dedicate a portion of right-of-way. City Council is required to review and make a determination regarding the acceptance and dedication of the right-of-way presented on this plat, following review and recommendation of the Planning Commission. The existing drainage easement will remain as previously accepted and recorded.

The roadway and drainage easements were recorded by deed in 2008, and the parcels were annexed into the City of Troy in 2020.

The replat has been reviewed by the City Engineer and staff is requesting that Planning Commission make a positive recommendation to the City Council to dedicate 0.124 acres of current Inlot 11365 as right-of-way.



MCKAIG ROAD REPLAT
REPLAT OF INLOTS 11365 & 11366
CITY OF TROY, MIAMI COUNTY, OHIO

VOLUME _____ PAGE _____
MIAMI COUNTY RECORDER'S RECORD OF PLATS

CONSENT

WE, THE UNDERSIGNED, BEING ALL OF THE OWNERS AND LIEN HOLDERS OF THE PARCEL HEREIN REPLATTED, DO HEREBY CONSENT TO THE EXECUTION OF SAID REPLAT AS SHOWN HEREON.

OWNERS

LINDA F. ROCCO

STATE OF OHIO, MIAMI COUNTY, SS:

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME LINDA F. ROCCO, UNMARRIED, WHO ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING PLAT TO BE HER VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND NOTORIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LENDER, PNC BANK, FKA NATIONAL CITY BANK

AGENT

PRINTED NAME AND TITLE

STATE OF OHIO, MIAMI COUNTY, SS:

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME _____, AGENT FOR PNC BANK, WHO ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING PLAT TO BE HIS/HER VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND NOTORIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CITY OF TROY PLANNING COMMISSION

AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF TROY, OHIO, HELD THIS _____ DAY OF _____, 20____, THIS PLAT OF THE ALLEY VACATION WAS REVIEWED AND APPROVED.

CHAIRMAN

SECRETARY

CITY OF TROY COUNCIL

AT A MEETING OF THE COUNCIL OF THE CITY OF TROY, OHIO, HELD THIS _____ DAY OF _____, 20____, THIS PLAT OF THE ALLEY VACATION WAS APPROVED BY ORDINANCE _____, EFFECTIVE _____, 20____.

MAYOR

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

CITY OF TROY ENGINEER

THIS RECORD PLAT WAS REVIEWED AND APPROVED THIS _____ DAY OF _____, 20____.

DESCRIPTION

BEING A REPLAT OF INLOTS 11365 & 11366 AS CONVEYED TO LINDA F. ROCCO, UNMARRIED, BY DEED BOOK 568, PAGE 542 AND OFFICIAL RECORD 220, PAGE 913 OF THE MIAMI COUNTY RECORDER'S RECORDS, AS ANNEXED IN PLAT BOOK 28, PAGE 51, TO THE CITY OF TROY, MIAMI COUNTY, OHIO.

FEE \$ _____

MIAMI COUNTY RECORDER BY DEPUTY RECORDER

MIAMI COUNTY AUDITOR

APPROVED AND TRANSFERRED _____, 20____.

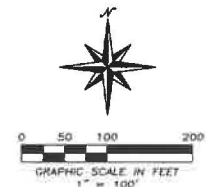
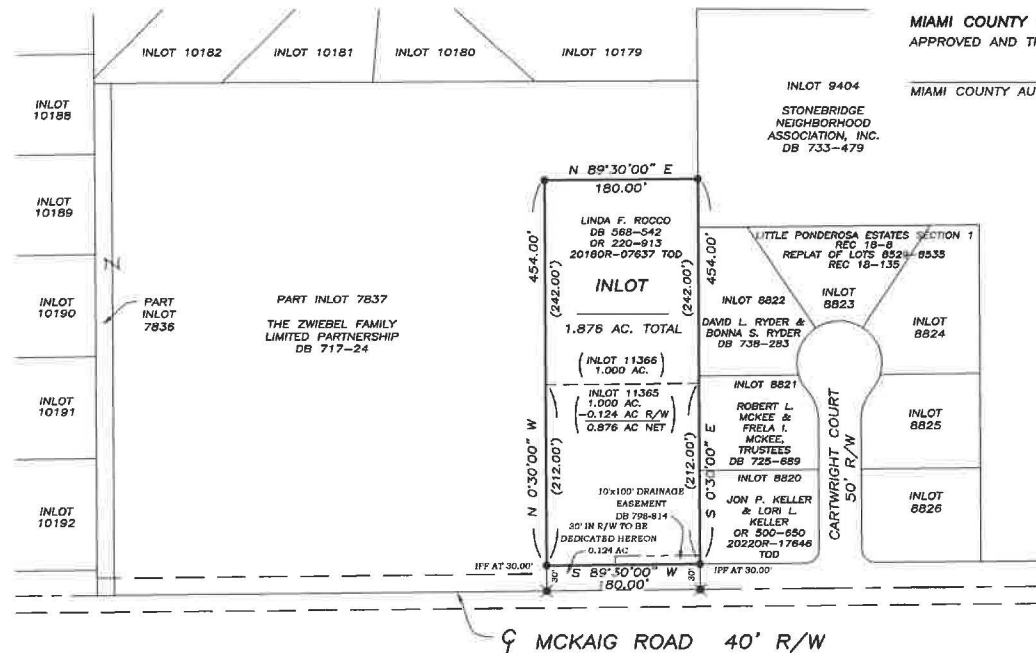
MIAMI COUNTY AUDITOR BY DEPUTY AUDITOR

LEGEND

- IRON PIN FOUND
- ✕ RAILROAD SPIKE FOUND

REFERENCES

MIAMI COUNTY RECORDER'S RECORDS OF PLATS:
PLAT BOOK 18, PAGE 135
PLAT BOOK 28, PAGE 51
DEEDS AS SHOWN HEREON
MIAMI COUNTY ENGINEER'S RECORDS OF LAND SURVEYS:
VOLUME 28, PAGE 145
VOLUME 32, PAGE 84
VOLUME 36, PAGE 38
VOLUME 51, PAGE 26



SURVEYOR CERTIFICATION:

I HEREBY CERTIFY THAT THIS REPLAT WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 7433-37.

MONUMENTATION STATEMENT

MONUMENTATION IS CORRECT AS SHOWN AND IN GOOD CONDITION UNLESS SHOWN OTHERWISE.

OCCUPATION STATEMENT

MONUMENTED PROPERTY LINES GENERALLY FIT OCCUPATION WHERE OCCUPATION EXISTS.

REPLAT FOR LINDA ROCCO
IN THE CITY OF TROY

PREPARED BY:

MICHAEL W. COZATT, P.S. #6001

DATE



COZATT ENGINEERING COMPANY

CIVIL ENGINEER
1100 WAYNE ST., SUITE 1140 TROY, OH 45373
JOB NO. _____ (937) 339-2921
MARCH 8, 2024

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: March 27, 2024

SUBJECT: Fox Harbor Section 10 – Final Plat

DISCUSSION:

A request by applicant, Brumbaugh Engineering and Surveying LLC, on behalf of Harbor West Land Company for the Planning Commission to consider Fox Harbor Section 10 Final Plat. The Fox Harbor Subdivision is located west of the Kings Chapel Neighborhood and south of West Main Street (State Route 41). This is the tenth section of the multi-phase development. Attached to this report is a copy of the final plat which contains a vicinity map to show the area of development:

PROPOSAL:

The applicant is seeking approval for the Final Plat of Fox Harbor Section 10. The details are as follows:

Development Area:

Section 10 encompasses a total of 11.455 acres. There are 27 developable lots on 10.105 acres of land.

Right-of-way:

The development will dedicate 1.35 acres of public street Right-of-Way. The street names of the roads in this section are Darla Drive, Executive Drive, and Liette Drive.

Zoning lot size:

The zoning of this property is R-4 Single-Family Residential which requires a minimum lot size of 9,000 square feet. The proposal indicates the buildable lots range from .207 acres (9,016 square feet) to .415 acres (18,077 square feet).

Parkland:

Parkland fees will be paid in lieu of the dedication of parkland as approved by the Planning Commission and Board of Park Commissioners.

RECOMMENDATION:

Staff recommends that Planning Commission provide a positive recommendation to City Council to accept the proposed Final Plat and Dedication of Right-of-Way. As it is in general accordance with the approved Preliminary Plan with the condition that the escrow agreements are provided and accepted prior to going before City Council.

DEDICATION

THE UNDERSIGNED, BEING THE OWNER OF 11.455 ACRES OF LAND, BEING PART OF INLOT NUMBER 7446 IN THE CITY OF TROY, MIAMI COUNTY, OHIO, DO HEREBY ASSENT TO AND ADOPT THE ACCOMPANYING PLAT OF SUBDIVISION TO BE KNOWN AS FOX HARBOR, SECTION 10, AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER, IN ACCORDANCE WITH THE LAWS IN SUCH CASES MADE AND PROVIDED, THE STREETS AND ROADWAYS AS SHOWN ON SAID PLAT, AND DECLARE THE SAME TO BE FREE AND UNENCUMBERED.

UTILITY EASEMENT

UTILITY EASEMENT ARE PROVIDED FOR OTHER PUBLIC USES AS DESIGNATED AND SHALL BE USED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF ELECTRIC, GAS, WATER, SEWERS, STORM WATER DRAINS, OPEN CHANNELS, CABLE TELEVISION, TELEPHONE AND FOR ANY PUBLIC OR QUASI-PUBLIC UTILITY OR FUNCTION, CONDUCTED, MAINTAINED OR PERFORMED BY ORDINARY METHODS BENEATH OR ABOVE THE SURFACE OF THE GROUND, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS LOTS TO AND FROM SAID EASEMENTS. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS, NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO (1) REDUCE THE CLEARANCE OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITY; OR (4) CREATE A HAZARD.

DRAINAGE NOTES

THE CITY OF TROY DOES NOT ACCEPT ANY DRAINAGE EASEMENTS SHOWN ON THIS PLAT. THE CITY OF TROY IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE OWNER OF THE LOT SHALL MAINTAIN THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT CONTINUOUSLY. MAINTENANCE OF ALL IMPROVEMENTS WITHIN THE DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE FOX HARBOR HOMEOWNERS ASSOCIATION AS PROVIDED FOR IN THE DECLARATION AND IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CITY OF TROY ON FILE WITH THE CITY ENGINEER. WITHIN THE EASEMENT AREA, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR CHANGE THE DIRECTION OF THE WATER FLOW.

THE CITY OF TROY SHALL HAVE THE PERMANENT AND IRREVOCABLE RIGHT AND AUTHORITY TO INSPECT SUCH INTERIOR STREETS, ACCESS EASEMENTS, WATERWAYS, COMMON SPACES AND IMPROVEMENTS THEREON AS ARE DEVELOPED IN THIS SUBDIVISION.

THE CITY OF TROY SHALL HAVE THE RIGHT, BUT NOT THE RESPONSIBILITY, TO ENTER UPON ANY LOT IN THE SUBDIVISION TO INSPECT AND MONITOR ANY STORM WATER DETENTION BASIN AREA OR DRAINAGE FACILITIES CONSTRUCTED IN THE SUBDIVISION. IN THE EVENT THAT THE FACILITIES ARE NOT PROPERLY CONSTRUCTED OR MAINTAINED, UPON THE FAILURE OF THE DEVELOPER, LOT OWNER, OR THE ASSOCIATION TO TAKE CORRECTIVE ACTION AFTER BEING DULY NOTIFIED IN WRITING BY THE CITY, THE CITY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION TO TAKE WHATEVER ACTION IS NECESSARY TO CORRECT ANY IMPROPER CONSTRUCTION OR TO MAINTAIN STORM WATER DETENTION BASINS AREAS AND DRAINAGE FACILITIES; PROVIDED, HOWEVER, THAT THE DEVELOPER, LOT OWNER, AND/OR ASSOCIATION SHALL FIRST HAVE A REASONABLE PERIOD OF TIME, TAKING INTO ACCOUNT THE URGENCY OF THE MATTER, TO TAKE CORRECTIVE ACTION. ANY COST INCURRED BY THE CITY OF TROY FOR SUCH MAINTENANCE MAY BE ASSESSED TO THE ASSOCIATION OR, IF THERE IS NO ASSOCIATION, OR THE ASSOCIATION HAS CEASED TO EXIST, AGAINST INDIVIDUAL LOT OWNER. THESE RESTRICTIONS SHALL RUN WITH THE LAND, AND SHALL BIND THE OWNERS, SUCCESSORS, AND ASSIGNS UNLESS AND UNTIL A MODIFICATION IS AGREED TO AND APPROVED BY THE COUNCIL OF THE CITY OF TROY.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

HARBOR WEST LAND CO., LLC
FRANK D. HARLOW JR.
MANAGING MEMBER

LIEN HOLDER:

ANNETTE BAKER
GREENVILLE FEDERAL BANK

COUNTY OF MIAMI, STATE OF OHIO

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME THE OWNER, BY ITS MANAGING MEMBER, FRANK D. HARLOW JR. AND PERSONALLY CAME THE LIEN HOLDER, GREENVILLE FEDERAL BY ANNETTE BAKER, AND EACH ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR MIAMI COUNTY, OHIO
MY COMMISSION EXPIRES _____

COUNTY OF MIAMI, STATE OF OHIO

FRANK D. HARLOW JR., MANAGING MEMBER, HARBOR WEST LAND CO., LLC., BEING DULY SWORN THIS _____ DAY OF _____, 2023 SAY THAT ALL PERSONS AND CORPORATIONS TO THE BEST OF HIS KNOWLEDGE INTERESTED IN THIS DEDICATION HAVE UNITED IN ITS EXECUTION.

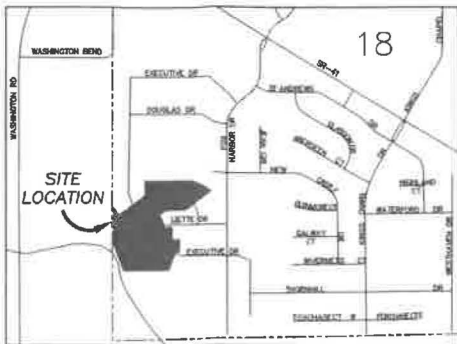
FRANK D. HARLOW JR., MANAGING MEMBER
HARBOR WEST LAND CO., LLC.

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

NOTARY PUBLIC IN AND FOR MIAMI COUNTY, OHIO
MY COMMISSION EXPIRES _____

FOX HARBOR SECTION 10

LOCATED IN
CITY OF TROY, MIAMI COUNTY, OHIO
PART INLOT 7446
11.455 ACRES
MARCH 15, 2024



VICINITY MAP
~NTS~

DESCRIPTION

BEING A SUBDIVISION CONTAINING A TOTAL OF 11.455 ACRES COMPRISED OF 1.395 ACRES REMAINING OF PART INLOT 7446 AS DESCRIBED TO HARBOR WEST LAND CO., LLC BY 2018OR-01012 AND PART OF THE 25.047 ACRE TRACT AS DESCRIBED TO LIETTE REALTY 1, LLC BY O.R. 64-662 OF THE MIAMI COUNTY RECORDER'S OFFICE.

HOME OWNERS ASSOCIATION RESTRICTIONS

ALL OF THE LOTS IN THE SUBDIVISION ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF THE FOX HARBOR HOME OWNERS ASSOCIATION, AS RECORDED IN 2018OR-10028 OF THE MIAMI COUNTY, OHIO RECORDER'S OFFICE. RESTRICTIONS CREATED IN THIS DECLARATION ARE INTENDED FOR THE BENEFIT OF AND ARE BINDING IN ALL LOTS IN THE SUBDIVISION.

CURVE DATA

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	61.30'	225.00'	15°36'38"	S 60°48'27" E	61.11'
C2	54.92'	225.00'	13°59'11"	S 46°00'33" E	54.79'
C3	2.10'	225.00'	0°32'01"	N 38°44'57" W	2.10'
C4	20.10'	225.00'	5°07'03"	N 35°55'25" W	20.09'
C5	20.11'	175.00'	6°35'07"	S 35°11'23" E	20.10'
C6	47.64'	30.00'	90°59'06"	N 83°58'29" W	42.79'
C7	67.76'	225.00'	17°15'17"	S 59°09'36" W	67.50'
C8	139.36'	175.00'	45°37'35"	S 57°22'10" E	135.70'
C9	31.06'	175.00'	10°10'11"	S 85°16'20" E	31.02'
C10	36.14'	50.00'	41°24'33"	N 68°56'29" E	35.35'
C11	36.69'	50.00'	42°02'19"	S 69°15'18" W	35.87'
C12	34.97'	50.00'	40°04'20"	N 69°41'23" W	34.26'
C13	43.60'	50.00'	49°57'30"	S 24°40'28" E	42.23'
C14	40.14'	50.00'	45°59'40"	N 23°18'07" E	39.07'
C15	41.91'	50.00'	48°01'28"	S 70°18'41" W	40.69'
C16	32.05'	50.00'	36°43'55"	S 67°18'37" E	31.51'
C17	36.14'	50.00'	41°24'35"	S 69°38'58" E	35.36'
C18	35.14'	225.00'	8°56'52"	S 85°52'49" E	35.10'
C19	59.84'	225.00'	15°14'14"	N 73°47'16" W	59.66'
C20	62.18'	225.00'	15°50'03"	N 58°15'07" W	61.98'
C21	59.66'	225.00'	15°11'36"	N 42°44'32" W	59.49'
C22	122.69'	175.00'	40°10'14"	S 69°52'14" W	120.20'
C23	46.22'	30.00'	88°16'03"	N 05°39'05" E	41.78'
C24	128.10'	175.00'	41°56'26"	N 59°27'05" W	125.26'
C25	35.77'	175.00'	11°42'35"	N 74°34'28" W	35.70'
C26	68.09'	175.00'	22°17'39"	S 78°48'31" W	67.67'
C27	54.60'	175.00'	17°52'34"	N 58°43'24" E	54.38'
C28	92.34'	175.07'	30°13'11"	S 53°35'37" E	91.27'
C29	105.33'	200.00'	30°10'33"	S 53°34'13" E	104.12'
C30	20.10'	200.00'	5°45'33"	N 35°36'10" W	20.09'
C31	56.52'	200.00'	16°11'33"	S 59°38'10" W	56.33'
C32	193.62'	200.00'	55°28'04"	S 62°37'13" E	186.15'
C33	118.32'	225.00'	30°07'51"	S 53°32'52" E	116.96'
C34	170.42'	175.00'	55°47'45"	N 62°27'19" W	163.76'
C35	229.35'	50.00'	262°49'11"	S 00°21'16" E	75.00'
C36	216.82'	225.00'	55°12'47"	N 62°44'56" W	208.53'

PLAT BOOK _____ PAGE _____
MIAMI COUNTY RECORDER'S RECORD OF PLATS

FEE \$ _____

JESSICA A. LOPEZ, MIAMI COUNTY RECORDER

DEPUTY RECORDER

TRANSFERRED ON THE _____ DAY OF _____, 2023.

MATTHEW W. GEARHARDT
AUDITOR, MIAMI COUNTY, OHIO

BY: DEPUTY AUDITOR

APPROVALS

WE, THE CITY COUNCIL FOR THE CITY OF TROY, MIAMI COUNTY, OHIO, DO HEREBY APPROVE AND ACCEPT THE DEDICATION OF LAND FOR THE STREETS AS SHOWN ON THIS PLAT OF FOX HARBOR, SECTION 9, ON THE _____ DAY OF _____, 2023,

THIS PLAT WAS REVIEWED AND APPROVED BY ORDINANCE No. _____

MAYOR

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF TROY, OHIO, HELD THE _____ DAY OF _____, 2023, THIS PLAT WAS REVIEWED AND APPROVED.

CHAIRPERSON

SECRETARY

CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND UNDERSTANDING THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733.37 STANDARDS FOR SURVEYS AND ALSO CONFORMS TO THE OHIO REVISED CODE CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION, BASED ON FIELDWORK PERFORMED THROUGH JULY, 2023. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. IRON PINS TO BE SET AT ALL LOT CORNERS ARE 5/8" X 30" REBAR.

JOHN J. BRUMBAUGH
OHIO REGISTERED
PROFESSIONAL SURVEYOR #8218

DEVELOPER
HARBOR WEST LAND CO., LLC.
701 NORTH MARKET STREET
TROY, OHIO 45373

PREPARED BY
BRUMBAUGH
ENGINEERING &
SURVEYING, LLC

2270 SOUTH MIAMI STREET
WEST MILTON, OHIO 45383
(937) 698-3000

PAGE 1 OF 2



2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

BES JOB #398.23 DRAWN BY: SES CHECKED BY: JJB

FOX HARBOR SECTION 10

LOCATED IN
CITY OF TROY, MIAMI COUNTY, OHIO

PT. INLOT 7446

11.455 ACRES

MARCH 15, 2024

LEGEND

- 30" X 5/8" OD IRON PIN (SET) WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"
- 5/8" IRON PIN FOUND

FRONT YARD BUILDING SETBACK LINE: 30 FT.
REAR YARD BUILDING SETBACK LINE: 30 FT.
SIDE YARD BUILDING SETBACK LINE: 7 FT. WITH A TOTAL MINIMUM COMBINED SIDE YARD DISTANCE OF 15 FEET. SETBACKS ARE TYPICAL UNLESS OTHERWISE NOTED

MAXIMUM BUILDING COVERAGE: 40%

PT. 7446
LIETTE REALTY I, LLC
25.047 AC.
OR 64-662



NOTES:

EACH LOT IS SUBJECT TO A 10' UTILITY EASEMENT ALONG EACH LOT STREET RIGHT OF WAY.

THERE IS A 5' UTILITY EASEMENT ALONG EACH LOT'S SIDE LOT LINE, UNLESS OTHERWISE NOTED.

OTHER EASEMENTS ARE SHOWN HEREON

WHERE RECORD PLAN DENOTES A STORM SEWER & DRAINAGE EASEMENT ONLY, THE EASEMENT SHALL NOT BE USED AS A UTILITY EASEMENT.

NO CONSTRUCTION IS PERMITTED WITHIN ANY DRAINAGE EASEMENT.

REFERENCES

LAND SURVEY VOL. 58, PAGE 37
LAND SURVEY VOL. 58, PAGE 72

RECORD PLAT BOOK 12, PAGE 115
RECORD PLAT BOOK 13, PAGE 20
RECORD PLAT BOOK 17, PAGE 57
RECORD PLAT BOOK 27, PAGE 97-97A
RECORD PLAT BOOK 29, PAGE 13-13A
RECORD PLAT BOOK 29, PAGE 96-96A

ACREAGE SUMMARY

10.105 ACRES IN LOTS
1.350 ACRES IN RIGHT OF WAY

PARCEL D08-099867	PARCEL D08-099864
1.395 AC.	25.047 AC.
-1.395 AC.	-10.060 AC.
0 AC. REMAINING	14.987 AC. REMAINING

CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND UNDERSTANDING THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733.37 STANDARDS FOR SURVEYS AND ALSO CONFORMS TO THE OHIO REVISED CODE CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION, BASED ON FIELDWORK PERFORMED THROUGH JULY, 2023. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. IRON PINS TO BE SET AT ALL LOT CORNERS ARE 5/8" X 30" REBAR.

JOHN J. BRUMBAUGH
OHIO REGISTERED
PROFESSIONAL SURVEYOR #8218

PREPARED BY
**BRUMBAUGH
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