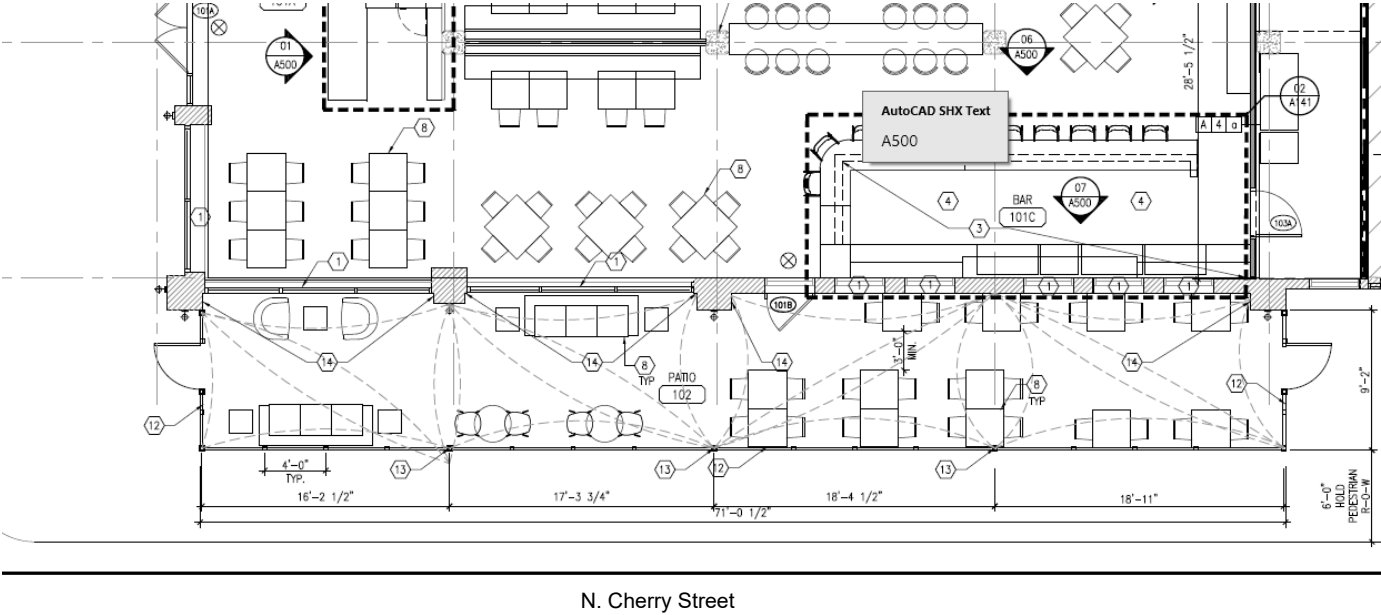


A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall, Wednesday, April 10, 2024, at 3:30 p.m. with Chairman James McGarry presiding. ATTENDING: Members – McGarry, Ehrlich, Emerick, Wolke, Westmeyer, Oda and Titterington; Development Staff – Eidemiller and Bruner; Development Director Davis; and City Engineer Rhoades.

APPROVAL OF MINUTES: Upon motion of Mr. Wolke, seconded by Mr. Westmeyer, the minutes of March 27, 2024, meeting were approved by unanimous voice vote.

HISTORIC DISTRICT APPLICATION - CERTIFICATE OF APPROPRIATENESS, 101-107 W. MAIN STREET, FOR OUTDOOR SEATING LOCATED ON N. CHERRY STREET; OWNER - SAM O'NEAL; APPLICANT - SPEAKEASY MISO C/O CARLY HENSLEY. Staff reported: zoning is B-3, Central Business District; a similar application was approved in 2022, however, that application has expired; the building, built in 1904, is made of stucco and brick and is described in the Ohio Historic Index form as an eclectic style building and a major landmark for downtown Troy; contributing descriptive features include the Eclectic design with Egyptian Revival entrance at the southwest corner, and distinctive religious and Masonic ornamentation; the building is not listed on the National Register; the outdoor seating is to be a total width of nine feet along N Cherry St.; string lights are being proposed in the outdoor seating area and will be attached to approximately six planters; a black aluminum fence will surround the outdoor seating.



Staff further reported that Troy Codified Ordinance 717.07 requires a minimum of five (5) feet of unobstructed walkway maintained at all times; the proposal meets this requirement as six (6) feet of unobstructed walkway is being provided; the sidewalk on W. Main Street will not be affected by this proposal; and staff recommends approval of the proposed repairs and alterations based on the following:

- The proposed alteration does not detract from the historic integrity of the building;
- The modifications are temporary, do not attach to the historical portion of this site and can be removed or altered in the future; and
- The proposed colors and material are commonly found in the district;

Discussion. In response to Mrs. Ehrlich, it was stated there is a door from the building into the patio seating area.

A motion was made by Mr. Emerick, seconded by Mayor Oda, that the Troy Planning Commission approves the Historic District Application, Certificate of Appropriateness for 101-107 W. Main Street as submitted, based on the exact materials and colors stated in the application, and based on the recommendation of staff that:

- The proposed alteration does not detract from the historic integrity of the building;
- The modifications are temporary, do not attach to the historical portion of this site and can be removed or altered in the future; and
- The proposed colors and material are commonly found in the district.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

ACCESSORY ZONING PERMIT APPLICATION FOR ACCESSORY USE - SWIMMING POOL TO BE LOCATED AT 1396 MCKAIG AVE.;
OWNER - SCOTT AND FRANKIE CLEGG; APPLICANT - STEPHEN KLEIN, ATTORNEY. Staff reported; property is zoned B-1, Local Retail District; application is for a 20' x 40' above-ground swimming pool in the rear of the property; pool will be a height of 5' with a deck surrounding the pool; pool will be setback 15' from the side and rear lot lines and will comply with the accessory structure setback requirements; per Zoning Code Section 1143.13 (c), the following are permitted as accessory uses subject to the provisions of Section 1151.04 of this Zoning Code: (4) "Any use which is customarily found in conjunction with the principal use as approved by the Planning Commission"; the initial pool application was previously denied for this address due to swimming pools not being specifically listed as a Permitted Accessory Use per Zoning Code 1143.13 (c); the Zoning Code grants the discretion of the Planning Commission to review and approve accessory uses that may not fit the listed accessory uses in 1143.13 (c); swimming pools are often found accessory to residential uses. the B-1 Local Retail District permits the following residential uses:

1. "Residential Uses on the second story and above";
2. "Bed and Breakfast";

the property owner currently uses the property as a residential use on the second story and above; in staff's opinion, the swimming pool is found to be an accessory use to residential uses on the second story and above and is permitted; and staff recommends approval of the proposed pool as the pool is commonly found as an accessory use to a residential use.

Discussion. In response to the Mayor, it was stated that the downstairs is vacant. It was also stated that if the use should change to commercial, the pool would no longer be a permitted accessory use and would have to be removed. Staff noted that the applicant was present and has been advised of the information related to the accessory use.

A motion was made by Mr. Titterington, seconded by Mrs. Ehrlich, that the Troy Planning Commission approves the accessory use application for 1396 McKaig Ave. as submitted, based on the recommendation of staff that a swimming pool is found to be an accessory use to residential uses on the second story and above and is permitted by the Zoning Code.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

HISTORIC DISTRICT APPLICATION – CERTIFICATE OF APPROPRIATENESS, 2 S. MARKET STREET, INSTALLATION OF AN 11'X11' MURAL UNDER THE STAIRS; OWNER - HEATHER DAVEY; APPLICANT -TROY MAIN STREET, INC. Kennedy Goubeaux, Executive Director of Troy Main Street, commented that this application is part of Troy Main Street's Mural Program; the mural would add visual appeal of the cityscape and serve as a focal point for residents and visitors; the mural would be placed this spring and has a life expectancy of five years; the building owner has given permission for the mural to be placed; the mural installation process permits sections of it to be removed and refurbished as necessary; and there is a contract being worked out for the applicant to assure maintenance.

A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, that the Troy Planning Commission approves the Historic District Application Certificate of Appropriateness for a mural to be installed under the stair area at 2 S. Market Street based on the design/colors/materials as submitted, with the placement being a five-year period subject to appropriate maintenance.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

There being no further business, the meeting adjourned at 3:40 p.m. upon motion of Mayor Oda, seconded by Mr. Westmeyer, and approved by unanimous voice vote.

Respectfully submitted,

_____Chairman

_____Secretary