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Topic: Troy Ohio Planning Commission
April 28, 2021 3:30 PM

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Meeting ID: 822 9158 3413

Please note the following:

1. The meetings may be televised live on the City's Facebook page (subject to the technological capability)
2. The public can submit questions or comments on any item in advance of the meeting by submitting them to Planning Commission Secretary, Sue Knight at sue.knight@troyohio.gov. Questions or comments are to be submitted **no later than noon, WEDNESDAY, APRIL 28, 2021.**

Notes for Planning Commission Members:

1. Members should be un-muted (unless there are background noises that would be picked up on audio)
2. Everyone else is asked to stay muted unless called upon
3. Please be aware that once you join the meeting you are on video

AGENDA - TROY PLANNING COMMISSION MEETING

WEDNESDAY, April 28 2021, 3:30 P.M.

1. Roll Call
2. Minutes - 4-14-2021
3. Historic District Application for 24-26 N. Short Street for demolition of a small rear addition
Owner: Priam Holdings LLC - Allison Westfall
Applicant: Noah Westfall, Allison Westfall, Grant Westfall and Andrea Westfall
-Commission to make decision
4. Historic District Application for Painted Pianos Project: placement of three pianos in the downtown between June 11 and August 11, 2021.
Owner: City of Troy, Ohio
Applicant: Troy Main Street
-Commission to make decision
5. Final Plat Approval, Fox Harbor Subdivision, Section Eight and Dedication of Right-of-Way of Fox Harbor Drive
Owner: Harbor West Land Company LLC
Applicant: Brumbaugh Engineering and Surveying, LLC
-Commission to make recommendation to Troy City Council
6. Other

Next Meeting -- MAY 12, 2021

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 remotely on Wednesday, April 14, 2021, with Chairman, Mr. Kappers presiding. ATTENDING: Members – Kappers, Titterington, Wolke, Oda, McGarry, Westmeyer, and Ehrlich; Staff – Development Director Davis, Zoning Inspector Eidemiller, Assistant Development Director Harris.

MINUTES OF MARCH 24, 2021 MEETING. Mr. Kappers asked that "that will complete their plans for the re-use of" be removed from the minutes regarding 126 S. Cherry Street. The amended minutes were approved upon motion of Mrs. Ehrlich, second of Mayor Oda.

HISTORIC DISTRICT APPLICATION – DEMOLITION OF 112-118 W. MAIN STREET, OWNER/APPLICANT 116 W MAIN LLC – RANDY KIMMEL. A motion was made by Mr. Westmeyer, seconded by Mr. Wolke to remove this item from the table.

MOTION APPROVED, UNANIMOUS VOTE

Mr. Davis commented that the Commission received a request from the applicant to withdraw the demolition application as there is now a contract for the purchase of the property. Mr. Titterington stated that staff supports the request.

A motion was made by Mr. Wolke, seconded by Mr. Westmeyer, to approve the request to withdraw the demolition application for 112-118 West Main Street.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION – 408 W. MAIN STREET FOR ONE WALL SIGN: OWNER: TODD & LISA BROOMHALL – 404 WEST MAIN STREET, LLC: APPLICANT: TOM HARRIS – HARRIS SIGN WORKS, LLC. The staff report noted: the property is zoned B-2 General Business District; the structure dates from 1878 but has had several alterations; building is not on the National Register; application is for one 24"x24" (3 square feet) sign made of sandblasted cedar; to be located about 8' above grade on the left side of the front door of 408 W. Main Street as pictured; sign advertises the business, Renew U, owned and operated by Stephanie Harris. Colors include Green Tartan (HGSW2291), Rural Green (HGSW2222) and Celebration Gold (HGSW2143); and staff recommends approval based on the findings of:

- The proposed sign will meet all City of Troy sign code requirements; and
- The proposed sign is compatible with the building.

A motion was made by Mr. Westmeyer, seconded by Mr. Titterington, to approve the Historic District Application for 408 W. Main Street as submitted, based on the exact colors/materials/size stated in the application, and based on the findings of staff that:

- The proposed sign will meet all City of Troy sign code requirements
- The proposed sign is compatible with the building.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION FOR 215 W. WATER STREET TO REPAINT EXTERIOR OF BUILDING: OWNER: WATER STREET INVESTMENTS, LTD: APPLICANT: LENEÉ BROSH – WATER STREET INVESTMENTS, LTD/PARTNER. The staff reported noted: property is zoned OR-1 Office Residential District, currently houses the Shipman, Dixon and Livingston law office; is not on the National Register; application is to replace the primary building color from the current Salmon color to a Sherwin Williams #7668 March Wind, which has been customized a little darker; trim color would be replaced from the Burgundy color to a Sherwin Williams #9179 Anchors Aweigh (blue) color; trim would include the Central Pavilion on the mansard roof, cornice top and the windows; and staff recommends approval based on the findings of the work provides improved maintenance to the building and the colors are consistent with the nearby historic colors of the historic district.

Discussion. It was discussed that the "March Wind" color is a custom shade and color makeup is not available; the building corners are stone and will not be painted; and the applicant made a verbal request during the meeting to amend the application to include a new awning that would be as close as possible to the Anchors Aweigh paint color.

A motion was made by Mr. Westmeyer, seconded by Mrs. Ehrlich, to approve the Historic District Application for 215 W. Water Street as amended to include the awning, based on the exact colors/brands stated in the application, with the awning to be in a color as close as possible to the Anchors Aweigh paint color, and based on the findings of staff that:

- The work provides improved maintenance to the building and the colors are consistent with the nearby historic colors of the historic district.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION FOR 101 W. FRANKLIN STREET FOR ONE NEW SIGN: OWNER -P&C VENTURES, LLC – PATRICIA ROSE; APPLICANT: AIRROSTI REHAB CENTERS – LORI SLUSSER. The staff report noted: property is zoned B-3, Central Business District; the property dates to 1855; had been used as a church for a number of years, but that is no longer the use; property is not listed on the National Register; 100 square feet of signage with an additional 50 square feet permitted for the upper floor; business The Fitness Institute has approximately 93 square feet of existing signage on the building; the Commission approved an application for one 6.25 square feet window sign on January 27th for Airrosti window sign on the door formerly used as the parsonage, and approved two small window signs for both Airrosti and The Fit on the front doors totaling 11.21 square feet on March 10th; remaining maximum allowed building wall signage is approximately 40 square feet; this application is for 8 square feet; applicant originally asked for three signs on January 27 but withdrew two of them; now requesting one 48"x24" (8.00 square feet) wall sign to be located on the left side of the window opposite of The Fit sign; material is aluminum face composite with solid plastic core utilizing the business graphic including the following colors: blue (Pantone 648c), orange (Pantone 144c) and Grey (HEX 626366); and staff recommends approval based on the findings of:

- The proposed sign will meet all City of Troy sign code requirements; and
- The proposed sign is compatible with the building.

DISCUSSION. It was commented that the Commission had previously indicated not having email addresses or website addresses on signs, and possibly not phone numbers as well, and the Commission did not want signs to look like business cards; however, there was not a specific motion. Mr. Kappers indicated a preference for signage that has the business name and address. Some members discussed the prior discussions on the subject, but it was noted that the Commission has approved some signage that includes email, website and phone information.

PLANNING COMMISSION MOTION RE INFORMATION ON HISTORIC DISTRICT SIGN APPLICATIONS RELATED TO TELEPHONE NUMBERS, EMAIL ADDRESS, WEBSITES.

A motion was made by Mr. McGarry, seconded by Mr. Kappers, that the Commission does not want historic district signage to include phone numbers, website addresses, or email addresses, and that staff makes this information known to applicants.

Vote: Yes – Westmeyer, McGarry, Wolke, Ehrlich, Titterington and Kappers; No – Oda. **MOTION PASSED.**

Staff was asked to contact the applicant regarding submitting a modified application based on the directive of the Commission. It was noted that the applicant will not be required to pay an additional application fee.

HISTORIC DISTRICT APPLICATION FOR 1-10 PEARSON COURT TO REPLACE FRONT DOOR SIDELIGHTS AND ADD SHUTTERS TO THE UPPER FLOOR WINDOWS OF THE FIVE DOUBLES LOCATED AT 1-10 PEARSON COURT; OWNER -KPM REAL ESTATE, LLC; APPLICANT: KEVIN & PHIL MOELLER – KPM REAL ESTATE, LLC.

The staff report noted: property is zoned R-7, Multiple Family Residential District, structures were built about 1926; structures are not on the National Register; proposed work for each address is:

- 1-2 Pearson Court: Add Navy Shutters on the two 2nd floor windows
Replace front door entrance with new navy sidelights
- 3-4 Pearson Court: Add Green Shutters on the two 2nd floor windows
- 5-6 Pearson Court: Add Navy Shutters on the two 2nd floor windows
Replace front door entrance with new navy sidelights
- 7-8 Pearson Court: Add Green Shutters on the two 2nd floor windows
- 9-10 Pearson Court: Add Navy Shutters on the two 2nd floor windows
Replace front door entrance with new navy sidelights

Staff recommends approval of the Historic District Application based on the findings of the proposed improvements are consistent with previous updates made to the structures and are found to be mostly due to maintenance and cosmetics. Changes are consistent and do not detract from any style, color or architectural features.

Discussion. There was a discussion that the colors shown in the packet did not seem to match the terms of "navy" or "green" and there was no additional color description or identification. Staff advised that these particular shutters are from Lowe's and are pre-painted in the colors noted.

A motion was made by Mr. Titterington, seconded by Mrs. Ehrlich, to approve the Historic District Application for 1-10 Pearson Court as submitted, based on the exact colors/materials/size stated in the application, and based on the findings of staff that:

- The proposed improvements are consistent with previous updates made to the structures and are found to be mostly due to maintenance and cosmetics.
- Changes are consistent and do not detract from any style, color or architectural features.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION FOR 24-26 N. SHORT STREET FOR EXTERIOR ALTERATIONS, PAINTING, REPAIRS, AND DEMOLITION OF A SMALL REAR ADDITION ON THE PROPERTY; OWNER: PRIAM HOLDINGS LLC – ALLISON WESTFALL; APPLICANTS: NOAH WESTFALL, ALLISON WESTFALL, GRANT WESTFALL AND ANDREA WESTFALL.

The staff report noted: Applicant is returning the current 4 unit back to a duplex; it was built in 1880 by Elizabeth Dillaway and is not listed on the National Register, the details of the application:

Removal/Demo and Repairs:

- Brick and stone work as needed, including tuck pointing on all four sides of the property.
- Removal of exterior stairs both on the north and south sides;
- Removal of doors and brick openings as noted on photo elevations.
- Removal of non-functioning chimneys & skylight
- Demo of rear addition (see Demo Standards), including concrete stairs
 - Pour new concrete steps and patio in its place

Replace:

- (17) 1/1 double hung windows all around with 8300 Series Marsh vinyl windows – color Black
- (12) basement windows replaced all around – color White
- Replace cellar entry doors and repair concrete stairs
- (2) new 8' front doors with 12" transom – textured fiber glass door/Bronze color
- Replace front stair rails with black wrought iron style railing similar to existing fence – Knight Fabrication

Paint:

- Masonry brick all sides: Behr, Swiss Coffee
- Stone lintels, sills, and block foundation all around: Sherwin Williams, Balanced Beige
- Soffit, porch deck railings, posts and fascia: Sherwin Williams, Urban Bronze
- Gutters/Downspouts: Urban Bronze at the top, Swiss Coffee down the sides and Balanced Beige at the base

Garage:

- Repair wood siding
- Paint Behr Swiss Coffee
- Replace gutters and downspouts: paint to match same on the house
- Repair and replace garage doors as needed – Color White

Regarding the Standards for Demolition or Removal:

Section 1143.22(f)(10)(B)(1) requires that demolition permits shall not be issued unless accompanied by an approved certificate of appropriateness and a certificate of appropriateness may only be approved if clear evidence that two or more of the following conditions exist:

- I) The structure has incurred extensive damage to its basic structural elements such as the roof, walls, and foundation requiring substantial reconstruction and presenting an immediate danger to the public safety as declared by the Chief Building Official.
- II) The structure is listed as non-qualifying or is not consistent with other structures in the historic district in terms of historic character, architectural style, construction material, height, setback or mass.
- III) The square foot cost of meeting the minimum building code would exceed the square foot market value of similarly used and improved structures in the historic district.
- IV) The structure is contributing and has been declared a public nuisance and its removal will not adversely affect the architectural or historic integrity of the streetscape.

Following the standards for demolition, staff finds that the attached "mud room" meets both II and IV Standards above in that the addition to the rear is clearly not original or historically significant and its removal will not adversely affect the historic integrity of the primary structure or the streetscape.

Staff recommended approval of the requested exterior alterations, repairs, painting and demolition as the proposed work will not damage or negatively affect the original and historic qualities of the building or streetscape.

Discussion. Regarding the chimneys to be removed, staff advised that they are not actually used and no exhaust piping would be required.

The Commission noted that there are a number of entrances and windows that the owner plans to brick in and then paint, along with repainting the brick structure. Mr. Wolke noted that while he has objected to painting perfectly good brick structures, he does not believe this property is "perfectly good brick".

Regarding the demolition, Mr. Kappers commented that item IV has not been met as stated in the staff report, as the mudroom has not been declared a public nuisance and all of the statements of IV must be met for IV to qualify. Staff commented that while this may meet the definition of a "minor demolition", Commission approval is still required, although a reuse plan is not required. Ms. Ehrlich commented that she has been in the mud room and believes it detracts from the building. The Commission suggested the applicant provide an independent contractor's statement of what it would cost to rehab the mudroom and costs to build that size of a structure to show if the repair costs exceed construction costs.

A motion was made by Mr. Westmeyer that the Commission approve elements of the historic district application for 24-26 N. Short Street with the exception of the demolition with staff to determine if the value of repair exceeds construction costs when the applicant submits that information and, if so, authorize the demolition. It was commented that the Commission could not delegate that to staff, and Mr. Westmeyer withdrew his motion.

A motion was made by Mr. Kappers, seconded by Mr. Wolke, that the Commission approve elements of the historic district application for 24-26 N. Short Street with the exception of the demolition portion and when the applicant submits information related to repair costs and construction costs, the demolition portion of the application can be placed on the Commission agenda, with the portion approved based on the findings of staff that approval of the requested exterior alterations, repairs, and painting, as the proposed work will not damage or negatively affect the original and historic qualities of the building or streetscape.

MOTION PASSED, UNANIMOUS VOTE

There being no further business, the meeting adjourned at 4:24 p.m. upon motion of Mr. Titterington, seconded by Mr. Westmeyer.

Respectfully submitted,

_____ Chairman

_____ Secretary

TO:	Troy Planning Commission
FROM:	Gregg Harris – Development Department
DATE:	April 28, 2021
SUBJECT:	Historic District Review: 24-26 N. Short St.
OWNER:	Priam Holdings LLC – Allison Westfall
APPLICANT: Noah Westfall, Allison Westfall, Grant Westfall and Andrea Westfall	

PROPOSAL AND DISCUSSION:

The applicant proposed numerous improvements to 24-26 N. Short Street at the April 14th Planning Commission meeting, which also included a demolition of the rear 20’x9’ (180 square feet) addition. At that time, one of the two conditions for Planning Commission to consider the demolition according to Section 1143.22(f)(10)(B)(1) Standards for Demolition or Removal was incomplete, and consequently was not approved.

The applicant has provided additional information that meets condition III, “The square foot cost of meeting the minimum building code would exceed the square foot market value of similarly used and improved structures in the historic district.”

Attached is an independent construction estimate from Harlow Builders on the cost to improve rear enclosed porch according to acceptable building code standards. The square foot cost of meeting the minimum building code would be \$379.72, according to the estimate. The applicant stated that there is no foundation, which is why its dramatically sloping and would have to be torn down in order to be properly improved.

The similarly used and improved square foot market value of the structure was provided by local real estate broker, Benjamin Redick with Bruns Realty Group. The square foot value came to \$105.00 (Also Attached).

Following the standards for demolition, staff finds that the attached rear addition meets both II and III Standards in that the addition is clearly not original or historically significant and its removal will not adversely affect the historic integrity of the primary structure or the streetscape.

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

RECOMMENDATION:

Staff recommends approval of the requested demolition of the rear addition, and that such removal will not negatively affect the historic character of the primary house structure.

STANDARDS FOR DEMOLITION OR REMOVAL:

Section 1143.22(f)(10)(B)(1) requires that demolition permits shall not be issued unless accompanied by an approved certificate of appropriateness and a certificate of appropriateness may only be approved if clear evidence that two or more of the following conditions exist:

- I) The structure has incurred extensive damage to its basic structural elements such as the roof, walls, and foundation requiring substantial reconstruction and presenting an immediate danger to the public safety as declared by the Chief Building Official.
- II) The structure is listed as non-qualifying or is not consistent with other structures in the historic district in terms of historic character, architectural style, construction material, height, setback or mass.
- III) The square foot cost of meeting the minimum building code would exceed the square foot market value of similarly used and improved structures in the historic district.
- IV) The structure is contributing and has been declared a public nuisance and its removal will not adversely affect the architectural or historic integrity of the streetscape.



701 N. Market Street, Troy, Ohio 45373
937-339-9944
Landon@harlowbuilders.com

Priam Holdings LLC
24 26 Short St
Troy, Oh 45373

QUOTE

Date 4/15/2021

Description	Quoted Amount:
<u>Porch Patio</u>	
<ul style="list-style-type: none">• Demo existing porch/patio• Excavate and lay proper footer• Block foundation (creating crawl space)• Frame new porch/patio• New windows to match windows being replaced in rest of house• New roof• New gutters and downspouts• Finish interior with LP Smart sheeting• Lighting and electrical receptacles to meet or exceed code req.	
	<u>Project Total: \$68,349.00</u>

**Thank you for the opportunity to work with you on this project!
Please contact us with any questions or concerns.**

Harlow Builders, Inc.
701 N. Market Street
Troy, Ohio 45373
Office: 937-339-9944 Email: sales@harlowbuilders.com

The difference between a good builder and a great builder is customer satisfaction!



3050 Tipp-Cowlesville Road • Tipp City, OH 45371
Phone 937-339-2300 • FAX 937-339-8051 • www.brunส์realty.com

Grant Westfall
Priam Holdings LLC

RE: Property Addition Market Valuation for 24-26 N. Short St, Troy, OH 45373

Dear Grant,

Thank you for your inquiry into property valuations, specifically as it pertains to the back room addition at 24-26 N. Short St in Troy, Ohio. I've performed the below evaluation to come up with an approximate market value for the portion of the property recognized as an "addition." According to the Auditor's data, the addition is approximately 180 square feet in size. The pages attached to this evaluation contain residential properties sold in the downtown Troy area within the last three months. Examining that data we find that the average selling price per square foot is approximately \$105 per square foot of finished space. Thus we can place a market value of the addition as follows:

180 square feet x \$105 per square foot = \$18,900.

Should you have any questions, please feel free to contact me with any questions.

Sincerely,

Benjamin Redick, Principal Broker
Bruns Realty Group
3050 Tipp Cowlesville Rd
Tipp City, OH 45371



442 Grant Street
Troy OH 45373 3122
 831858



420 S Walnut Street
Troy OH 45373
 833163



432 E Canal Street
Troy OH 45373 3617
 833487

Listing #

Property Type

Property SubType

Status

Area

SqFt (approx)

Acreage

Lot SqFt

Subdivision

Year Built

Beds/Baths

School District

House Level

Basement

Garage

Residential
 Single Family
 Sold

 1,790
 0.13
 5,663
 City/Troy
 1920
 3/2
 Troy
 2 Story
 Partial
 None

Residential
 Single Family
 Sold

 1,647
 0.14
 6,098
 Troy
 1900
 3/1
 Troy
 2 Story
 Crawl Space, Partial
 None

Residential
 Single Family
 Sold

 1,344
 0.07
 3,049

 2003
 3/2
 Troy
 2 Story
 Slab
 None

Original Price

Orig PR/SF

Listing Date

Listing Price

List PR/SF

Sold Date

Sold Price

Sell PR/SF

Financing

CDOM

\$234,900
 \$131.23
 12/27/2020
 \$224,900
 \$125.64
 02/08/2021
 \$221,500
 \$123.74
 Conventional
 44

\$175,000
 \$106.25
 01/26/2021
 \$185,000
 \$112.33
 03/11/2021
 \$185,050
 \$112.36
 FHA
 45

\$149,000
 \$110.86
 02/02/2021
 \$149,000
 \$110.86
 03/12/2021
 \$150,000
 \$111.61
 FHA
 38



323 Lincoln Avenue
Troy OH 45373 3129
 817993

Listing #
Property Type
Property SubType
Status
Area
SqFt (approx)
Acreage
Lot SqFt
Subdivision
Year Built
Beds/Baths
School District
House Level
Basement
Garage

Residential
 Single Family
 Sold

 846
 0.14
 6,098

 1920
 2/1
 Troy
 1 Story
 Partial, Unfinished
 None

Original Price
Orig PR/SF
Listing Date
Listing Price
List PR/SF
Sold Date
Sold Price
Sell PR/SF
Financing
CDOM

\$93,900
 \$110.99
 06/11/2020
 \$93,900
 \$110.99
 10/23/2020
 \$93,500
 \$110.52
 FHA
 134



507 W Franklin Street
Troy OH 45373 2917
 832978

Residential
 Single Family
 Sold

 646
 0.18
 7,841

 1920
 2/1
 Troy
 1 Story
 Crawl Space
 None

Original Price
Orig PR/SF
Listing Date
Listing Price
List PR/SF
Sold Date
Sold Price
Sell PR/SF
Financing
CDOM

\$49,900
 \$77.24
 01/20/2021
 \$45,000
 \$69.66
 03/04/2021
 \$42,500
 \$85.79
 Cash
 44

April 28, 2021

Troy Planning Commission
100 South Market St.
Troy, OH 45373

Dear City of Troy Planning Commission,

This summer Troy Main Street and the City of Troy plan to make a little music downtown!

Troy Main Street and the City of Troy are requesting permission in moving forward with a Painted Pianos Project. The Painted Pianos Project will show off the paintings of local organizations on three "upcycled" pianos donated by area families. The pianos will be placed downtown and playable by the public from June to August, while enjoying and celebrating music and visual arts.

The goal of the Painted Piano Project is to add another element of public art downtown. Public art helps create a more interactive downtown, encourages walkability, creates engagement with community members, and helps promote the downtown to community members and visitors. The mission of Troy Main Street is to create the most desirable downtown destination in the Midwest and we believe the Painted Pianos Project will help further that mission. We are also excited to bring this program during a Sculptures on the Square year so that we can add the musical arts to our celebration of public art.

- Three pianos have been donated for the Painted Piano Project
- Three local organizations, Troy-Hayner Cultural Center, Lincoln Community Center, and The Mayflower Arts Center, have volunteered to paint the pianos (piano photos and renderings are enclosed as Exhibit "A")
- The pianos will be placed in downtown on June 11, 2021 and will be removed by August 11, 2021
- Locations (Exhibit "B")
 - Hayner piano – the Miami County Courthouse Plaza
 - Mayflower piano – sidewalk area along Prouty Plaza
 - LCC piano – in front of Haren's Market
- The pianos will be accessible daily 11:00 a.m. – 7:00 p.m.; covered and locked from 7:00 p.m. – 11:00 a.m.

At this time, we are seeking approval of the enclosed renderings and locations of the pianos.

We appreciate Planning Commission's consideration of this request.

Thank you for your time and consideration.

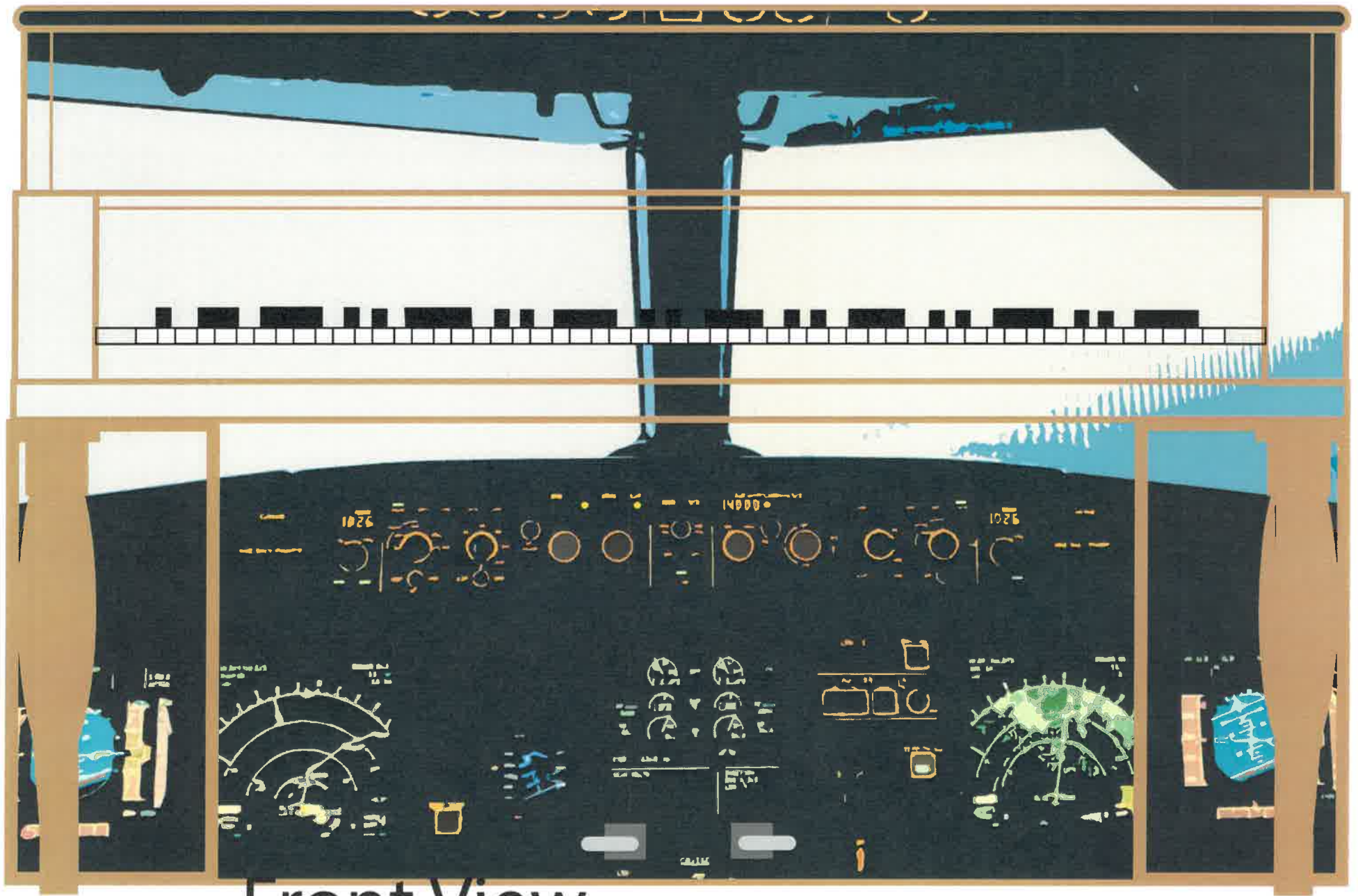
Sincerely,

Andrea Keller
Executive Director
Troy Main Street

Exhibit "A"

Troy-Hayner Cultural Center Piano and Design Proposal





Front View



Back View

Mayflower Piano and Design Proposal

Mayflower Arts Center
9 West Main Street
Downtown Troy, Ohio

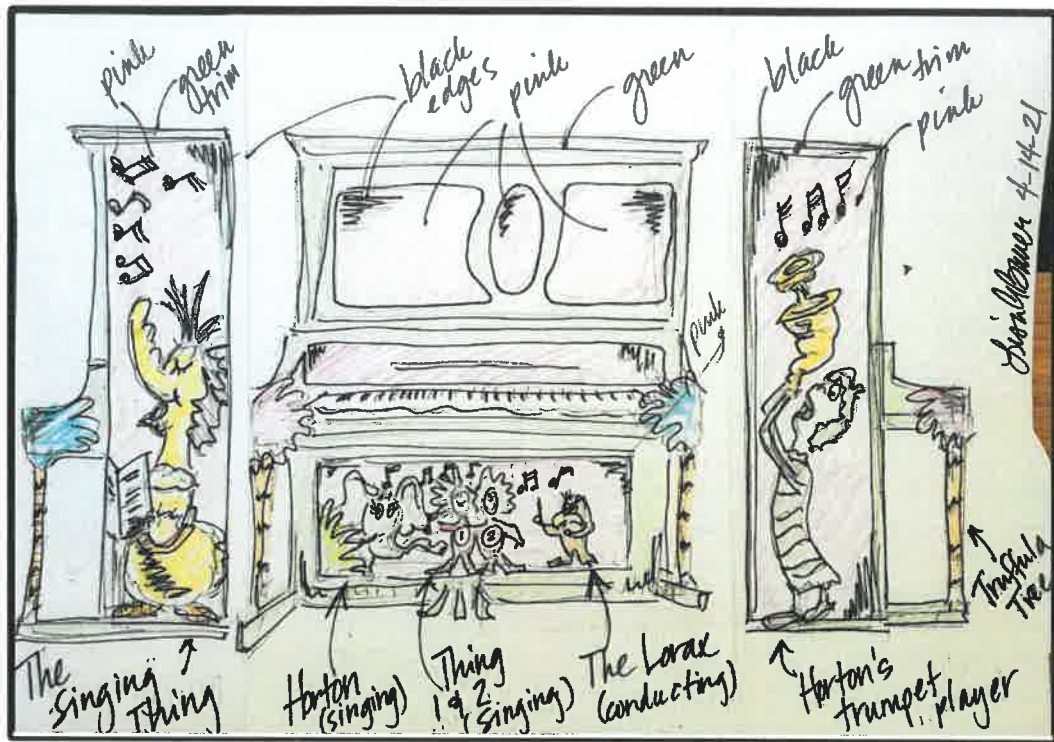
The Mayflower Arts Center appreciates the opportunity to paint one of the donated pianos for the 2021 Sculptures on the Square summer event. To attract the attention of our downtown patrons, we propose to "Seussify" the AB Cameron upright piano (and wooden chair) using bright, vivid color schemes and characters created by the beloved children's author, Dr. Seuss.



The color palette used to paint the front, top, back and side panels of the piano will consist of bright pink and green. Black will be used for outlines and Seuss-style sketch lines. Characters appearing on the bottom front panel will be Horton (*Horton Hears a Who*), and Thing 1 and Thing 2 (*Cat in the Hat*), singing under the direction of the Lorax. The piano legs will be painted as Truffula Trees from *The Lorax*. The Signing Thing (*Hop on Pop*) and Jojo (*Horton Hears a Who* movie) will be painted on the side panels. All colors used will be drawn from the color palettes provided below. The concept sketch may be found on the following page.

Since the original keys are not in particularly good shape, they will be removed, sanded, and painted to fit with the design. The exact colors of the keys are still to be determined.





Dr. Seuss Piano concept sketch. Lisa Bauer, Mayflower Arts Center.

Samples of other painted pianos that have used the Seuss theme.



Lincoln Community Center Piano and Design Proposal





Exhibit "B"
Map of Piano Locations



TO:	Troy Planning Commission
FROM:	Development Staff
DATE:	April 28, 2021
SUBJECT:	Fox Harbor Section Eight – Final Plat
OWNER:	Harbor West Land Company LLC
APPLICANT: Brumbaugh Engineering and Surveying, LLC	

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 Eight 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 eighth 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 Eight. The details are as follows:

Development Area:

Section Eight encompasses a total of 10.811 acres. There are 20 developable lots on 9.137 acres of land.

Right-of-way:

The development will dedicate 1.674 acres of public street Right-of-Way. The street name of the road in this section is Fox Harbor 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 20 buildable lots range from .207 acres (9,016 square feet) to .270 acres (11,761.2 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. 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 OWNERS OF 10.811 ACRES OF LAND, BEING LOT NUMBERS THROUGH 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 8, 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 EASEMENTS 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 DRAINAGE, 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 NOTICED 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 BASIN 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, AND/OR COSTS 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 OWNERS. 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 2021, 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 BANK BY ANNETTE BAKER, AND EACH ACKNOWLEDGED THE SIGNED AND EXECUTION OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HERETO 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 SHOWN THIS DAY OF 2021 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 HERETO 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 8
LOCATED IN
CITY OF TROY, MIAMI COUNTY, OHIO
PART INLOT 7446
10.811 ACRES
APRIL 22, 2021



VICINITY MAP
~NTS~

DESCRIPTION

BEING A SUBDIVISION CONTAINING A TOTAL OF 10.811 ACRES COMPRISED OF PART INLOT 7446 ACQUIRED BY HARBOR WEST LAND CO., LLC BY 201808-01012 AND RECORDED IN VOLUME 58, PAGE 72 OF THE MIAMI COUNTY RECORDER'S OFFICE AND THE MIAMI COUNTY ENGINEER'S RECORD OF LAND SURVEYS.

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 201808-10059 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	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	CHANGENT
C1	30.00	47.12	42.43	N 45°04'54" W	107°00'00"	30.00
C2	30.00	47.12	42.43	N 44°53'26" E	88°50'58"	29.74
C3	30.00	46.87	42.24	N 44°53'26" E	88°50'58"	29.74
C4	30.00	47.38	42.61	N 45°04'54" W	107°29'22"	30.26
C5	30.00	46.87	42.24	N 44°53'26" E	88°50'58"	29.74
C6	30.00	47.38	42.61	S 45°06'34" E	107°29'22"	30.26

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

JESSICA A. LOPEZ, MIAMI COUNTY RECORDER

DEPUTY

TRANSFERRED ON THE _____ DAY OF _____, 20____

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 8, ON THE _____ DAY OF _____, 20____.

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 _____, 20____, THIS PLAT WAS REVIEWED AND APPROVED.

CHAIRPERSON

SECRETARY

RECITATION: I HEREBY CERTIFY 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 MAY, 2020. 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 #6218

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

FOX HARBOR SECTION 8 PLAT LOCATED BY THE CITY OF TROY, MIAMI COUNTY, OHIO

BRUMBAUGH
ENGINEERING &
SURVEYING, LLC

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

BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO PUBLIC PROTECTION OFFICE

FOX HARBOR SECTION 8

LOCATED IN
CITY OF TROY, MIAMI COUNTY, OHIO

PT. INLOT 7446

10.811 ACRES

APRIL 22, 2021

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

ACREAGE SUMMARY

9.137 ACRES IN LOTS
1.674 ACRES IN RIGHT OF WAY

PART # 7446
HARBOR WEST LAND COMPANY, LLC
25.071 ACRES ORIGINAL
- 6.964 ACRES FOX HARBOR SECTION 8
- 8.881 ACRES FOX HARBOR SECTION 8
7.296 ACRES REMAINING

LIETTE REALTY 1, LLC
0284-4622
PT. 7446
35.047 ACRES



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%

LEGEND
○ 30" X 5/8" OD IRON PIN (SET) WITH
YELLOW PLASTIC CAP STAMPED
'TERRIMOUNT EAST'
● 5/8" IRON PIN FOUND

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 27
RECORD PLAT BOOK 27, PAGE 87-87A

CERTIFICATION: I HEREBY CERTIFY THIS PLAT WAS PREPARED IN
ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4333.37 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 MAY, 2020. 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 #8216



THE BASIS OF BEARING IS THE OHIO STATE PLANE
COORDINATE SYSTEM, OHIO SOUTH ZONE, NAD83 (CORSE).

3 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
680 MILLER ROAD, TROY, OHIO

ENGINEER / SURVEYOR
BRUMBAUGH
ENGINEERING & SURVEYING, LLC
2270 SOUTH MIAMI STREET
WEST MILTON, OHIO 45383
(937) 688-3000