



**AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, SEPTEMBER 26, 2018, 3:30 P.M.
CITY HALL, SECOND FLOOR COUNCIL CHAMBERS**

1. Roll Call
2. Minutes - September 12, 2018
3. Final Plat of Fox Harbor Subdivision Section Five
Owner: Harbor West Land Company LLC (Frank Harlow)
Applicant: John Brumbaugh, on behalf of Frank Harlow
4. Other

Note to Commission members:

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

September 12, 2018

A regular meeting of the Troy Planning Commission was held Wednesday, September 12, 2018, at 3:30 p.m. in Council Chambers, second floor, City Hall, with Chairman Alan Kappers presiding. Members Present: Beamish, Titterington, Wolke, McGarry, Snee, and Mahan; Assistant Development Director Davis; Zoning Inspector Watson.

The minutes of the August 22, 2018 meeting were approved following a motion of Mr. Titterington, seconded by Mrs. Snee.

HISTORIC DISTRICT APPLICATION, 21 NORTH WALNUT STREET, FOR EXTERIOR PAINTING, OWNER/APPLICANT – WILLIAM COTA.

The staff report noted: property is zoned OR-1 Office Residential in the Historic District; building constructed in 1902; building is not on the National Register; request is for painting the exterior walls/ siding and decorative trim of the property as the current paint is very faded; siding color to be HGTV Home by Sherwin Williams, Raven Wing– code HGSW1442, white trim will be repainted white and red trim to be painted the same white color; and staff recommends approval based on the findings of:

- The proposed alteration does not detract from the historic integrity of the building;
- The proposed colors are in keeping with the existing color of the building.

A motion was made by Mr. Wolke, seconded by Mrs. Snee, to approve the historic district application for 21 N. Walnut Street as submitted with the exterior to be repainted HGTV Home by Sherwin Williams, Raven Wing– code HGSW1442 (dark gray) and all the trim painted white, as stated in the application and viewed by the Commission, and based on the findings of City staff that:

- The proposed alteration does not detract from the historic integrity of the building;
- The proposed colors are in keeping with the existing color of the building.

MOTION PASSED UNANIMOUS VOTE

There being no further business, the meeting adjourned at 3:35 p.m.

Respectfully submitted,

_____ Chairman

_____ Secretary

TO:	Troy Planning Commission
FROM:	Development Staff
DATE:	September 26, 2018
SUBJECT:	Final Plat Review
OWNER:	Harbor West Land Company LLC (Frank D. Harlow)
APPLICANT:	John Brumbaugh (on behalf of Frank D. Harlow)

DISCUSSION:

The applicant is requesting for Planning Commission review of Fox Harbor Section Five Final Plat. Fox Harbor is located west of the Kings Chapel Neighborhood just south of West Main Street (State Route 41). This is the fifth 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 Five. The details are as follows:

Development Area:

Section Five encompasses a total of 10.498 acres. There are 35 building lots on 8.343 acres of land.

Right-of-way:

The development will dedicate 2.155 acres of public street Right-of-Way. The names of the roads in this section will be Executive Drive and Edward Circle.

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 35 buildable lots range from .207 acres (9,017 square feet) to .358 acres (15,594 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.

DEDICATION

THE UNDERSIGNED, BEING THE OWNERS OF 10.498 ACRES OF LAND, BEING LOT NUMBERS _____ THROUGH _____ 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 5, 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 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 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 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 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 _____, 2018, 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, MINISTER BANK 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

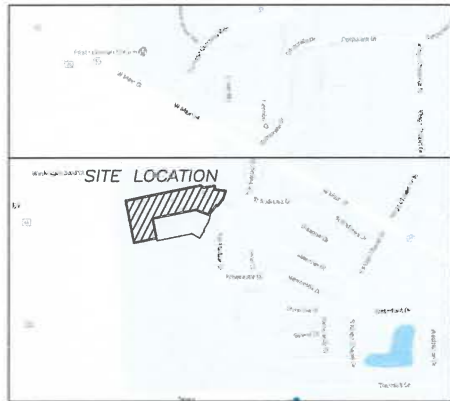
FRANK D. HARLOW JR., MANAGING MEMBER, HARBOR WEST LAND CO., LLC., BEING DULY SWORN THIS _____ DAY OF _____, 2018 SAY THAT ALL PERSONS AND CORPORATIONS TO THE BEST OF HIS KNOWLEDGE INTERESTED IN THIS DEDICATION HAVE UNITED IN ITS EXECUTION.

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 5
 LOCATED IN
 SECTION 18, TOWN 5, RANGE 6
 CITY OF TROY, MIAMI COUNTY, OHIO
 10.498 ACRES
 SEPTEMBER 10, 2018



VICINITY MAP
 ~NTS~

DESCRIPTION

BEING A SUBDIVISION CONTAINING A TOTAL OF 10.498 ACRES OF WHICH 2.155 ACRES IS DEDICATED AS PUBLIC STREETS AND THE REMAINING 8.343 ACRES ARE IN LOTS. SAID SUBDIVISION IS COMPRISED OF PART IN LOT 7446 ACQUIRED BY HARBOR WEST LAND CO., LLC BY 2017OR-11529 AND RECORDED IN VOLUME 58, PAGE 37 OF 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 2018OR-_____ 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	CHORD	CHORD BEARING	CHORD LENGTH	
C1	113.26	200.00	89.44 S 53.37 E	44.46 72	782.21
C2	148.42	200.00	89.44 S 53.37 E	88.14 37	143.88
C3	163.85	200.00	46.58 N 73.34 E	232.2 21	159.30
C4	172.17	200.00	46.58 N 73.34 E	464.41 34	188.90
C5	189.81	200.00	89.44 S 53.37 E	243.92 34	184.78
C6	48.59	50.00	89.44 S 53.37 E	44.46 22	42.33
C7	47.28	50.00	30.15 S 71.13 E	45.13 31	42.52
C8	274.10	175.00	89.44 S 53.37 E	443.99 11	124.83
C9	178.00	175.00	89.44 S 53.37 E	443.99 11	124.83
C10	128.86	175.00	41.32 S 68.15 E	26.10 14	124.10
C11	130.44	175.00	42.42 S 66.35 E	88.17 32	127.44
C12	128.65	175.00	89.44 S 53.37 E	443.99 11	124.83
C13	88.17	175.00	31.41 S 64.81 E	74.35 45	85.54
C14	83.88	175.00	17.38 S 61.88 E	49.51 01	53.86
C15	44.97	50.00	89.44 S 53.37 E	01.01 43	40.69
C16	172.88	225.00	84.01 S 24.23 E	22.25 49	188.68
C17	58.61	225.00	14.35 S 30.27 E	36.53 48	58.45
C18	78.81	225.00	19.33 S 34.82 E	19.39 14	76.44
C19	17.48	225.00	17.20 S 31.07 E	17.20 11	17.42
C20	131.21	175.00	89.44 S 53.37 E	21.48 53	128.18
C21	43.42	50.00	89.44 S 53.37 E	84.49 22	39.78
C22	144.14	225.00	16.37 S 33.82 E	77.00 05	141.69
C23	178.00	225.00	89.44 S 53.37 E	61.01 42	87.85
C24	88.17	225.00	17.20 S 31.07 E	77.06 24	88.08
C25	17.88	225.00	4.32 S 34.92 E	88.04 42	17.88
C26	178.00	225.00	89.44 S 53.37 E	21.48 53	128.18
C27	41.14	225.00	10.18 N 27.74 E	84.74 39	41.08
C28	18.79	225.00	44.04 S 53.37 E	78.44 00	18.78
C29	47.73	50.00	84.41 S 18.91 E	78.15 14	45.26
C30	100.89	50.00	17.20 S 31.07 E	42.44 42	89.78
C31	33.73	50.00	38.36 S 48.37 E	70.14 58	33.09
C32	41.61	50.00	47.41 S 48.19 E	88.35 24	40.42
C33	50.14	50.00	34.20 N 11.28 E	16.39 23	43.46
C34	50.14	50.00	34.20 N 11.28 E	16.39 23	43.46
C35	60.02	50.00	88.48 S 27.74 E	08.54 09	56.48
C36	100.89	225.00	25.36 S 52.18 E	12.42 38	89.75
C37	178.00	225.00	89.44 S 53.37 E	21.48 53	128.18
C38	81.53	225.00	16.33 S 33.42 E	09.14 09	86.09
C39	2.83	225.00	27.43 S 45.45 E	00.15 50	2.83

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 5, 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

CERTIFICATION: I HEREBY CERTIFY THIS PLAT AND ALL MEASUREMENTS TO BE CORRECT. CURVED DISTANCES ARE MEASURED ALONG THE ARC, CAPPED IRON PINS TO BE SET UPON THE REQUEST OF DEVELOPER AT ALL LOT CORNERS, LOT POINT OF TANGENCY, AND LOT POINT OF CURVATURE.

JOHN J. BRUMBAUGH
 OHIO REGISTERED
 PROFESSIONAL SURVEYOR #8218

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

HALIFAX ESTATES, SECTION 4, RECORD PLAN LOCATED IN THE CITY OF TROY, MIAMI COUNTY, OH.



BRUMBAUGH ENGINEERING & SURVEYING, LLC
 2270 SOUTH MIAMI STREET
 WEST MILTON, OHIO 45383
 (937) 698-3000
 PAGE 1 OF 2



FOX HARBOR SECTION 5
 LOCATED IN
 SECTION 18, TOWN 5, RANGE 6
 CITY OF TROY, MIAMI COUNTY, OHIO
 10.498 ACRES
 SEPTEMBER 10, 2018



GRAPHIC SCALE IN FEET 1"=60'

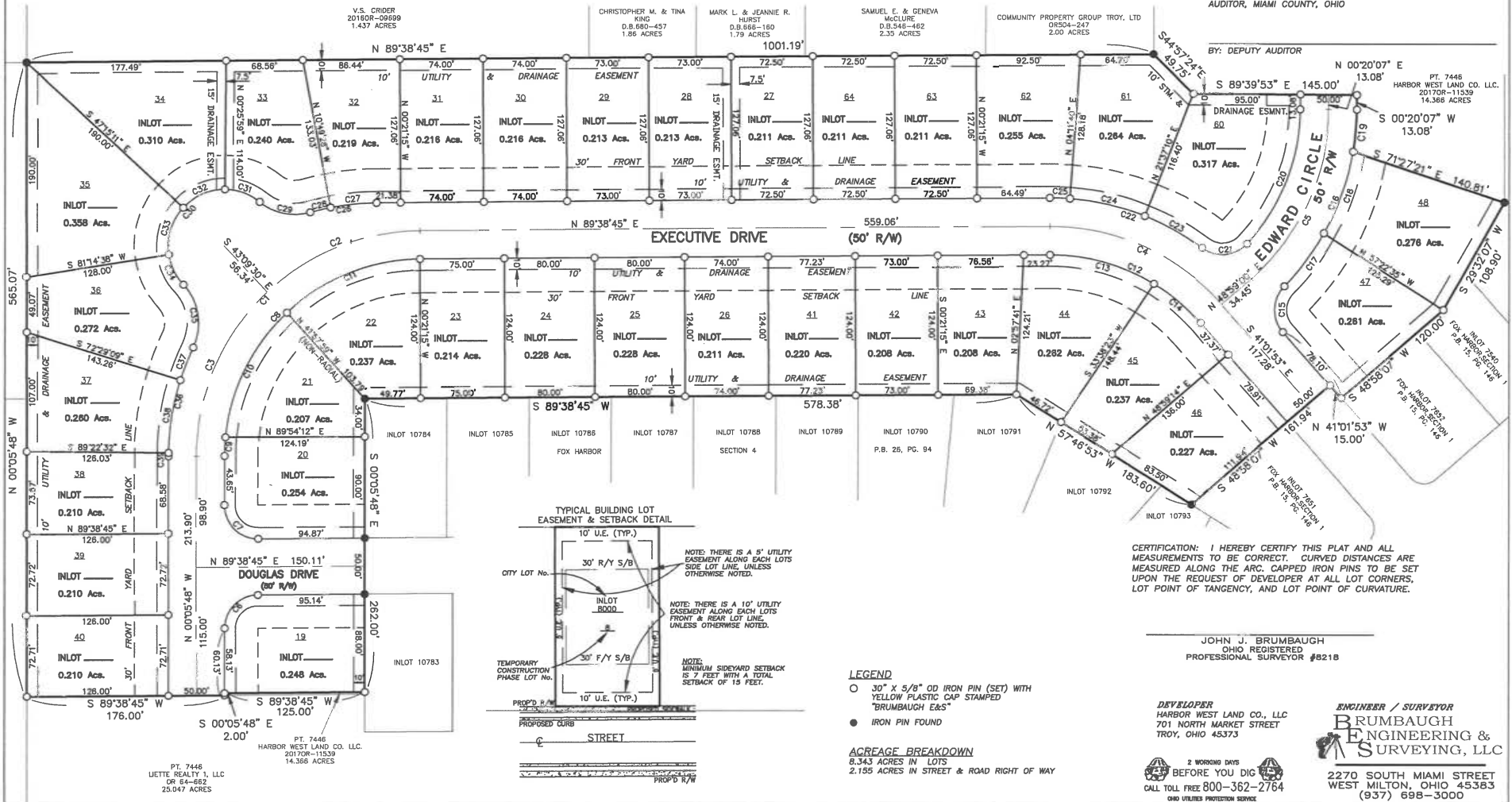


THE BASIS OF BEARING IS THE OHIO STATE PLANE
 COORDINATE SYSTEM, OHIO SOUTH ZONE, NAD83 (CORS).

JESSICA A. LOPEZ, MIAMI COUNTY RECORDER

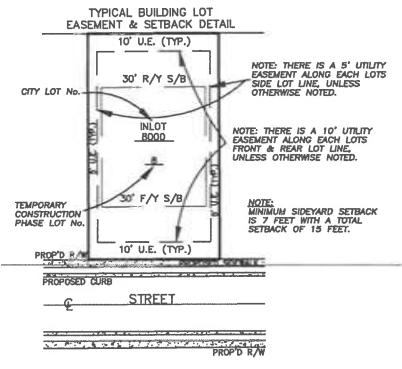
DEPUTY
 TRANSFERRED ON THE _____ DAY OF _____, 20____

MATTHEW W. GEARHARDT
 AUDITOR, MIAMI COUNTY, OHIO



BY: DEPUTY AUDITOR

PT. 7446
 HARBOR WEST LAND CO. LLC.
 20170R-11539
 14.368 ACRES



CERTIFICATION: I HEREBY CERTIFY THIS PLAT AND ALL MEASUREMENTS TO BE CORRECT. CURVED DISTANCES ARE MEASURED ALONG THE ARC. CAPPED IRON PINS TO BE SET UPON THE REQUEST OF DEVELOPER AT ALL LOT CORNERS, LOT POINT OF TANGENCY, AND LOT POINT OF CURVATURE.

JOHN J. BRUMBAUGH
 OHIO REGISTERED
 PROFESSIONAL SURVEYOR #8218

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

ACREAGE BREAKDOWN
 8.343 ACRES IN LOTS
 2.155 ACRES IN STREET & ROAD RIGHT OF WAY

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

2 WORKING DAYS
 BEFORE YOU DIG
 CALL TOLL FREE 800-362-2764
 Ohio Utilities Protection Service

ENGINEER / SURVEYOR
BRUMBAUGH
 ENGINEERING &
 SURVEYING, LLC

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

PT. 7446
 UETX REALTY 1, LLC
 OR 64-682
 25.047 ACRES

PT. 7446
 HARBOR WEST LAND CO. LLC.
 20170R-11539
 14.368 ACRES