

A regular meeting of the Troy Planning Commission was held remotely on Wednesday, April 28, 2021, with Chairman, Mr. Kappers presiding. ATTENDING: Members – Kappers, Titterington, Wolke, Oda, McGarry, Westmeyer, and Ehrlich; Staff – Assistant Development Director Harris, Zoning Inspector Eidemiller, Engineering Technician Watson.

**MINUTES OF APRIL 14, 2021 MEETING.** The minutes of the April 14, 201 meeting were approved upon motion of Mr. Titterington, second of Mr. McGarry.

Mr. Westmeyer was remotely in attendance at 3:35 p.m.

**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.** This application was reviewed at the April 14 meeting, with the Commission not approving the portion of the application regarding the demolition of a small rear addition, and requesting information related to the repair costs and new construction costs.

The staff report noted: demolition application is for a rear 20'x9' (180 square feet) addition; 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."; and independent construction estimate from Harlow Builders on the cost to improve rear enclosed porch according to acceptable building code standards has been received, with the square foot cost of meeting the minimum building code \$379.72, according to the estimate; there is no foundation under the addition, which is why it is dramatically sloping and would have to be torn down in order to be properly improved; Bruns Realty Group provided the square foot market value of the current addition of \$105.00; the information shows that the cost to repair exceeds the value; 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; and staff recommends approval of the demolition based on the findings of:

**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.

Staff further commented that the County Chief Building Official has issued a report that the addition is considered unsafe, which further meets the criteria for demolition.

Mr. Kappers stated he concurs that the appropriateness of demolition has been met.

A motion was made by Mr. McGarry, seconded by Mr. Westmeyer to approve a certificate of appropriateness of the demolition of the addition to the rear of 24-26 N. Short Street as submitted and based on the findings that two or more of the following conditions have been met as required by Ordinance Section 1143.22(f)(10)(B)(1):

- 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.

**MOTION PASSED, UNANIMOUS VOTE**

**HISTORIC DISTRICT APPLICATION, PAINTED PIANO PROGRAM FOR PIANOS TO BE PLACED DOWNTOWN, SUBMITTED BY TROY MAIN STREET, INC.** It was stated that the program is to provide another form of public art to help bring residents and visitors downtown; there are three pianos that have been donated; they will be painted based on designs submitted by Lincoln Community Center (piano to be located in the SE Quadrant), Mayflower Art Studio (piano located in the NW Quadrant, near Prouty Plaza), and Troy-Hayner Cultural Center (piano to be located within the Miami County Courthouse Plaza); the dates are June 11-August 11, 2021; and the pianos will be locked and covered by volunteers at night.

**DISCUSSION.**

In response to Mr. McGarry, it was commented that each piano will have a cover and be locked through gromets on the cover.

In response to Mr. Kappers, it was commented that a piano will be near but not actually on Prouty Plaza.

Mrs. Ehrlich commented that she can see that a painted piano could be considered as an unusual piece of art, but as a musician and a pianist, a piano left out of doors cannot be maintained as a musical instrument and appreciated as such, and she cannot support the program as providing a musical instrument to be played.

A motion was made by Mr. Westmeyer, seconded by Mayor Oda, to approve the concept and design provided for the 2021 Downtown Painted Piano Program as submitted.

Vote: YES – Oda, Kappers, Titterington, Westmeyer, McGarry and Wolke; NO - Ehrlich

**MOTION PASSED**

**FINAL PLAT APPROVAL, FOX HARBOR SUBDIVISION SECTION EIGHT, AND DEDICATION OF RIGHT-OF-WAY; OWNER – HARBOR WEST LAND COMPANY LLC; APPLICANT- BRUMBAUGH ENGINEERING & SURVEYING, LLC.** Staff provided the

following information regarding Fox Harbor Subdivision Section Eight:

- o Fox Harbor Subdivision is located west of the Kings Chapel Neighborhood, just south of West Main Street (State Route 41)
- o Section Seven is an area of 10.811 acres
- o There will be 20 building lots on 9.137 acres.
- o Right-of-way to be dedicated is an area of 1.674 -- Fox Harbor Drive
- o The zoning is R-4 Single-Family Residential which requires a minimum lot size of 9,000 square feet. Actual lot sizes range from .207 acres (9,016 square feet) to .270 acres (11,716 square feet)
- o Fees-in-lieu of dedicated green space will be paid to the City
- o The Final Plat is in general conformance with the approved Preliminary Plan

Staff recommended approval with the condition that the Preliminary Plan is not submitted to Council until escrow agreements have been provided and are accepted.

A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, to recommend to Troy City Council that the Final Plat of Fox Harbor Subdivision Section Eight and the dedication of right-of-way be accepted as submitted and recommended by City Staff, but that the Commission not transmit the plat to Council until staff has received and accepted the escrow agreements from the developer.

**MOTION PASSED, UNANIMOUS VOTE**

There being no further business, the meeting adjourned at 3:52 p.m. upon motion of Mr. Titterington, seconded by Mr. Westmeyer.

Respectfully submitted,

\_\_\_\_\_Chairman

\_\_\_\_\_Secretary