

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	October 8, 2020
SUBJECT:	Historic District Review-Demolition: 112-118 W. Main Street
OWNER:	116 West Main LLC
APPLICANT: 116 West Main LLC – Randy Kimmel	

**BACKGROUND:**

The applicant requests a certificate of appropriateness from the Troy Planning Commission regarding the demolition of a three-story commercial building that is 17,500 square feet located at 112-118 West Main Street. The owner has provided an application, a narrative justifying the reasons for seeking demolition, and supporting documents. The property is zoned B-3 Central Business District and is located in the middle of the block between S. Plum Street and S. Cherry Street. (Aerial Map & Building Pictures Attached).

**DISCUSSION:**

There is no Ohio Historic Inventory (OHI) form for this building. The building is not listed on the National Register. There are OHI forms for the adjacent buildings (110 and 122 W. Main) and across the street (Masonic Temple). Staff has reached out to the state Ohio History Connection and they also were unable to find any record of a building survey. A building marker placed at the top of the building indicates the Independent Order of Odd Fellows, along with a second marker located just above the 1<sup>st</sup> level that dates the building at 1902. Additionally, the Troy Historical Society in 1969 placed a bronze building plaque at the center entrance that reads, “COURTHOUSES and JAIL – LOG JAILER’S HOUSE built here 1808. LOG JAILER’S HOUSE built beside it in 1810. A second floor over both served as Troy’s SECOND COURTHOUSE 1811-24. Troy’s FOURTH COURTHOUSE—Two-Story, Greek Revival, brick building with columns in front and a belfry. Erected 1841, used until 1888. Rear part still intact.” Apart from these building markers, there is little to no documentation except from the evaluation reports of the structural engineer and contractor indicating the multiple renovations over the years within the buildings.

The property was purchased by 116 West Main LLC (Randy Kimmel) in February of 2018. For a time, the building went through planning phases to preserve and redevelop the property and was marketed for lease. After the January tornado hit the building and did extensive damage to the roof system and structural integrity of the whole building, the owner concluded after a series of inspections and evaluations from the Miami County Chief Building Official, the building contractor and a structural engineer, that renovation was not possible both economically and due to the time constraint to resolve the unsafe conditions. The owner hired Bruns Realty Group to lease or sell the building, but was unable to find a viable tenant or buyer.

The owner has provided a stamped and sealed structural engineer report from Tri-Tech, indicating structural failures at the roof, diaphragms and masonry walls, and possibly floors. (Exhibit A)

The owner has provided a contractor quote for \$659,788 to meet the minimum repairs needed to lift the demolition order. Several pictures have been provided that indicate some of the structural failures. (Exhibit B)

An Adjudication Order declaring the building as unsafe was made by the Miami County Chief Building Official, Rob England. Citing the Ohio Building Code, Section 109, the order states that the building shall be razed within 60 days if the unsafe conditions are not resolved. Additionally, the building has been placarded as unsafe. (Exhibit C)

### **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.

When reviewing these standards:

- I) The applicant has provided a copy of the Chief Building Officials declaration that the structure is unsafe and shall be razed if not repaired within 60 days of receipt of order, dated September 28, 2020. The CBO posted notice that the building is dangerous and unsafe. Barricades remain around the building keeping the public at a safe distance. Staff contacted Mr. England who stated that the aftermath of the tornado compromised the structural supports of the building. Being an old-style building, the masonry walls are structural, which shifted from the storm, pulling floor joists out of their pockets. Additionally, he observed rot that has set into the joists over decades of leaks coming into the building. Mr. England stated that Miami County Building Department oversees five counties, and in the last five years he has placarded only four

buildings as unsafe, with this being one of them. Staff concludes that this standard has been met.

- II) The front of the property is fairly consistent with other structures in the historic district in terms of historic character, architectural style, construction material, height, setback and mass. Built in a similar era of the adjacent buildings (122 W. Main St. built in 1897) and (110 W. Main St. built in 1910), the I.O.O.F building of 1902 was joined with previous structures, including the remnant south section of the fourth courthouse. Other than the building plaques from the Historical Society in 1969, there is little to no formal documentation filed as to the historical significance. The number of alterations to the principal 1902 building on W. Main Street would deem it non-qualifying for the National Register, although no OHI form indicates it as qualifying or non-qualifying. Because historical documentation is incomplete or missing, staff is unable to determine that the standard is met or not met.
- III) The third standard requires the square foot cost of meeting the minimum building code would exceed the square foot market value of similar structures in the historic district. The information provided by Bruns General Contracting, shows a cost of \$659,788 to minimally meet the building code standards to be safe. Coupled with the acquisition costs of \$485,000, the price per square foot is \$67.34 (Exhibit B). The most similar commercial building nearby is the Masonic Temple, which was purchased for \$670,000 and is in stable condition. That square foot value comes to \$23.81 square feet. The applicants argue that the minimum repair costs far exceed the square feet market value of similar structures. They estimate substantial additional costs on top of the \$659,788 number, once repairs are initiated and more damaged is discovered (Applicants Narrative). Staff concludes that this standard has been met.
- IV) The fourth standard requires the structure to be declared a public nuisance with no adverse impact on the historic integrity of the streetscape. The property has been posted as unsafe to the public, making it a public nuisance. According to Chapter 3767.41 of the Ohio Revised Code, Buildings found to be “public nuisance” means “a building that is a menace to the public health, welfare, or safety; that is structurally unsafe, unsanitary, or not provided with adequate safe egress; that constitutes a fire hazard, is otherwise dangerous to human life, or is otherwise no longer fit and habitable; or that, in relation to its existing use, constitutes a hazard to the public health, welfare, or safety by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.” Staff concludes that this part of the IV standard has been met.

The second criteria is whether removal will result with an adverse effect on the architectural or historic integrity of the streetscape. It is difficult to determine the level of any adverse effect, when the building is in imminent danger of collapse, and knowing its tied to multiple building structures unseen from the street. However, the removal of the building with a three-story mass along Main Street will change the visual streetscape and relationship to the

adjacent buildings. Staff is unable to support this second part of the fourth standard.

Section 1143.22(11) provides criteria to determine substantial economic hardship. The applicant believes they meet these criteria due to:

- 1) That the square foot cost of meeting the minimum building code and requirements of the Ohio Building Code, Section 109 exceeds the market value of the property. Beyond the initial storm damage repair costs, the needed improvements to lease the space would require rents well above market value for Downtown Troy.
- 2) No reasonable alternative exists consistent with the architectural standards and guidelines due to the costs of repairs and the time constraints to make the repairs for reuse of the building.

Section 1143.22(12) gives criteria for unusual and compelling circumstances which the applicant believes they meet based on:

- 1) The property has little or no significant historic and architectural significance and is listed as non-qualifying for the National Register.
- 2) The applicant has demonstrated that the property cannot be reasonably maintained in a manner consistent with the pertinent architectural standards and guidelines.
- 3) Similarly, no reasonable means of saving the property exists due to the above market value costs associated with the remediation and repair needed to stabilize the building.

#### **REUSE PLAN:**

Planning Commission may consider other appropriate reuse plans under Section 1143.22(10)(B)(2)(V), “when no alternatives or mitigation is possible and the undertakings benefits in relation to the significance of the property justify demolition as an acceptable loss.”

The applicant has submitted a reuse plan that results in creating a surface parking lot with green space that would meet both the city parking lot requirements and the architectural review standards (Exhibit D). The applicant would act on the demolition immediately, and properly compact the site with fill and seed and straw. Depending upon asphalt availability, the parking lot structure would be installed in the spring. Future plans for development will be required to come before the Planning Commission for a Historic Review. The applicant feels the reuse plan will mitigate any negative effects to the streetscape and the historic district, with the intention to add a landscape feature using the existing limestone materials to provide historic tribute of the site (Applicants Narrative).

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:**

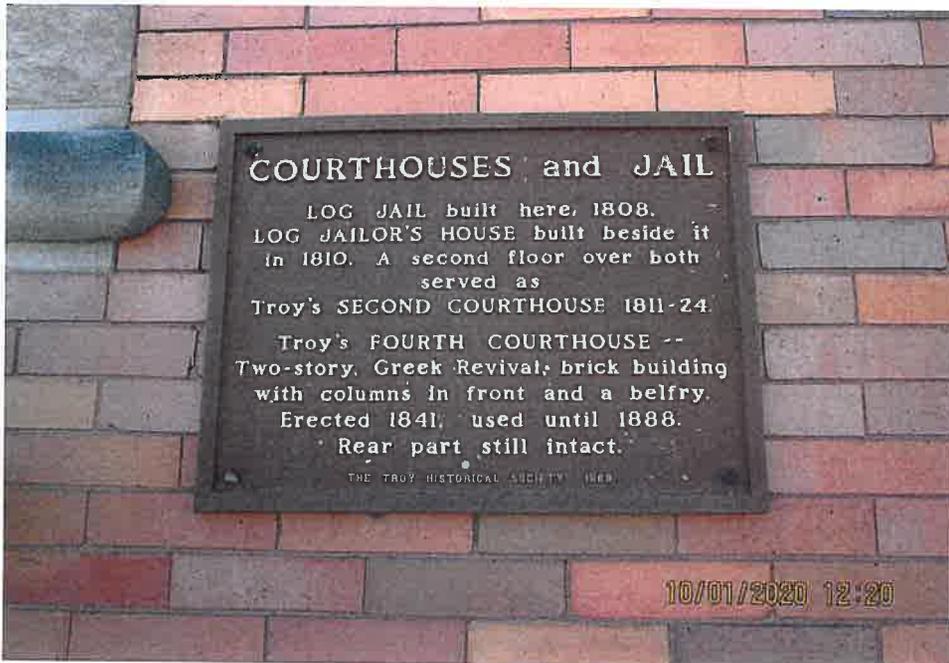
Staff recommends approval for the demolition of the existing structure as proposed, with the condition that a performance bond is posted with sufficient funds to insure completion of the demolition and reuse plan. This finding is based upon the following:

- The property meets the criteria listed in the Historic Preservation Overlay District, Section 1143.22(f)(10) demolition standards;
- The property is not listed on the National Register or OHI form;
- The building has been declared unsafe to the public, with orders to raze within 60 days;
- The applicant has demonstrated substantial economic hardship for the repair costs due to tornado storm damage making the building economically obsolete;
- The property is not eligible for inclusion on the National Register;
- A minimal reuse plan has been submitted.

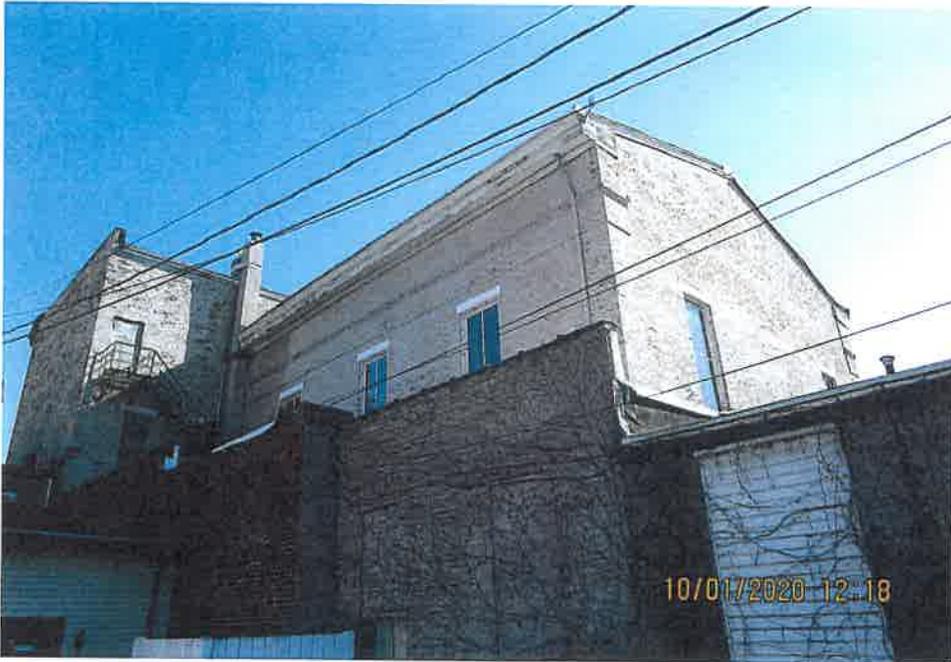
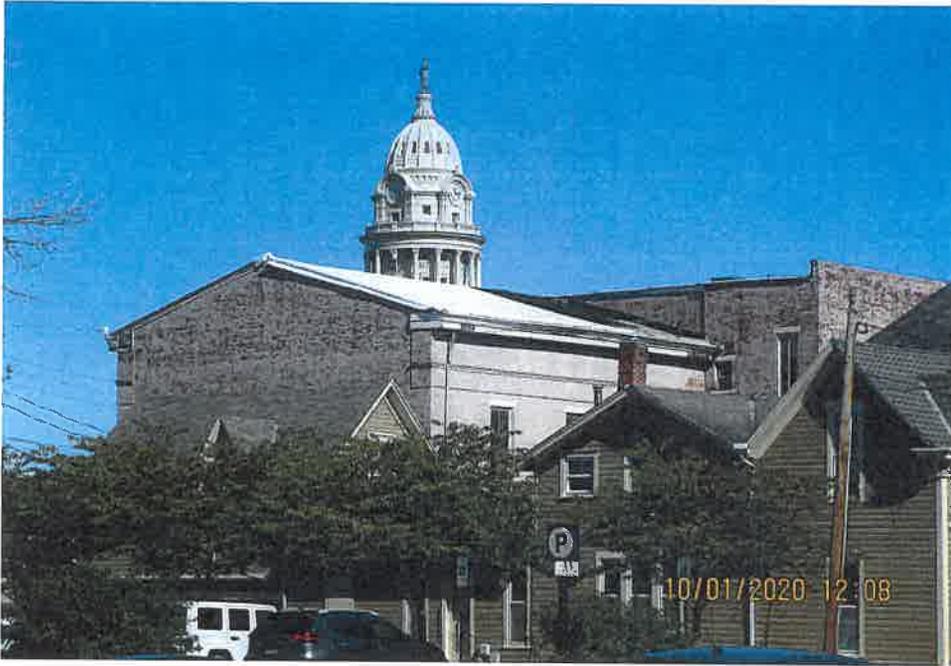
### Appendices:

- Applications for Certificate of Appropriateness & Demolition; Narrative
- Staff provided Aerial Map and Streetscape/Building Pictures
- Exhibit A – Structural Engineer Report from Tri-Tech
- Exhibit B – Contractor Estimate from Bruns General Contracting
- Exhibit C – Adjudication Order & Notice from Miami County Development Department
- Exhibit D – Reuse Site Plan





7



Planning Commission  
 Historic District Application  
 Revised 03/03/15

OFFICE USE ONLY



Date Filed: \_\_\_\_\_  
 Case #: \_\_\_\_\_  
 Date of Meeting: \_\_\_\_\_

CITY OF TROY PLANNING COMMISSION  
 APPLICATION FOR HISTORICAL TROY ARCHITECTURAL DISTRICT  
 (Must be typed or printed legibly)  
 (PLEASE READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM)

Date 9-2-2010

Applicant 116 W. Main LLC Telephone No. 937-418-2003

Owner of Property 116 W. Main LLC Has the Owner been Notified? Y

Address of Project 112-118 W. Main St., Troy

Contact Address (if different than Project Address) 8455 Covington-Broadford Rd.  
 Covington, OH 45318

Name of Architect/Engineer and/or Contractor Bruna General Contracting

Application for renovation to include the following:

Alteration  
 Construction  
 Moving A Building  
 Painting

Repair  
 Demolish - Principal Structure  
 Demolish - Accessory Structure  
 Other: \_\_\_\_\_

ONE (1) COPY OF INFORMATION TO BE SUPPLIED BY APPLICANT:

- (a) Site Plan drawn to scale shall be provided showing structure in question & its relationship to adjacent structures.
- (b) Description of proposed use, if different than existing use.
- (c) Plans illustrating the proposed structural or exterior changes, including changes in parking facilities, landscaping, screening, fences, signs and other relevant structures and fixtures, and relationship to surrounding structures.
- (d) Description and samples of materials proposed to be used in the project.
- (e) Paint samples for painting applications.
- (f) Any other photographs or illustrative visual aids and/or materials relevant to the project.
- (g) A written letter from the owner acknowledging the application, or a printed signature from the property owner on this form.

SIGNATURE OF APPLICANT:

Randy Kimmel

Randy Kimmel

SIGNATURE OF PROPERTY OWNER:

PRINTED NAME OF PROPERTY OWNER:

Randy Kimmel

Randy Kimmel

PLANNING COMMISSION RESULTS (OFFICE USE ONLY):

**APPLICATION FOR  
DEMOLITION PERMIT:**

(ONE APPLICATION MUST BE FILED FOR EACH BUILDING OR STRUCTURE TO BE DEMOLISHED)



**DEVELOPMENT  
DEPARTMENT**

(If in Historical District, File Separate application for  
Planning Commission approval)

DEVELOPMENT DEPARTMENT  
102 Market St. Troy, OH 45373  
Phone (937)339-9481, Fax (937)339-9341

[www.troyohio.gov](http://www.troyohio.gov)

Rev 12/3/07

1 LOCATION OF PROJECT	Project Address 112-118 W. Main St	Zip Code 45373	Lot No(s) Part 42/Part 289
	Name of Job Tavern Demolition	Type of Bldg/Structure (Ex: Home, Garage, Shed, Etc.) Commercial	
2 REQD INFO	Names (Please Print)	Mailing Addresses – Street, City, Zip Code	Phone (Day time)
Applicant	116 W Main, LLC	8455 Covington-Bradford Rd. Covington, OH 45318	937-418-2003
Contractor	Bruns General Contracting	3050 Tipp Cowlesville Rd Tipp City, OH 45371	937-339-2300
Bldg Owner	116 W Main, LLC	Same	Same
3 Subdivision NA	4 Lot size .3 Acres	5 Is work within the 100 Yr Flood Plain? <u>No</u> If yes, is work within the Floodway _____	
6 Are there easements or land restrictions on the property? If yes, explain:	<u>No</u>		6A Is this structure within the Historic District? <u>Yes</u>
7 What was the building last used for? Restaurant/Bar	8 If applicable, will the floor slab be removed? <u>Yes</u>		
8 Describe Nature of Work: Building demolition and removal, site preparation for future development, parking lot install			

**ATTENTION**

SUBMISSION OF UTILITY RELEASE FORMS ARE REQUIRED PRIOR TO ISSUANCE OF PERMIT AND  
COMMENCEMENT OF WORK....

Gas/Electric Release Form Received \_\_\_\_\_ Water/Sewer Release Form Received \_\_\_\_\_

10 OCCUPANCY CLASS (Check ONLY ONE)		<b>OFFICE USE ONLY</b>	
<input checked="" type="checkbox"/> 1-Family Residential Building	<input type="checkbox"/> 3,4 ,5 or More Family Residential Bldg	Permit Fees	Due
<input type="checkbox"/> 2-Family Residential Building	Specify No. of Housing Units _____		
<input type="checkbox"/> All other buildings and structures _____		Demolition of Structure: \$10 Plus \$4 per 1000 sf. (Max of \$75.00)	
11 Maximum Number of Stories	3	TTL Amount Due	
12 Floors Involved in Work	Figure Total Square Feet of Each Floor	TTL Amt Paid	
A Basement:	500sf	Receipt No.	Date
B First Floor	8,900sf		
C 2,3,4,5,6 (Circle One)	2 - 5,400sf ; 3 - 2,700sf		
D Additional Floors			
E Total Sq. Ft. A+B+C+D	17,500		
Sign your Full Name: <u>[Signature]</u>		By signing this application, this allows a representative of the City of Troy to enter the property for inspection purposes.	
Address: _____			
Phone _____ Date <u>9-2-2020</u>			
APPROVAL CONTINGENT UPON THE FOLLOWING:			
PERMIT ISSUED BY:			
REFER TO PERMIT NO.		DATE:	

Thank you for reviewing our application for demolition. While we recognize that this property once contained one of Miami County's courthouses, it is far removed from those historic days. Prior to our ownership, the property underwent several renovations, alterations, and additions. As a result the first floor space is now unrecognizable from its original state. In fact, the only portion of the building that is even remotely recognizable in its original state is the rear, 2-story structure. The upper floors have been completely ignored for decades. And while that was known at the time of purchase the storm damage from January's tornado has now made it fiscally unsound to repair and renovate those areas. After a lengthy attempt to develop a plan to preserve and redevelop the property we've determined that doing so would result in an economically obsolete property. At this time the safety of the public is of the utmost importance. Demolition is required to ensure the structure does not turn into a safety issue for pedestrians along Main St., and neighboring properties.

In accordance with the Historic District requirements for demolition we submit the following evidence:

#### 10.B.1.I – Imminent Danger to Public Safety

As you may know, the building located at 112-118 W. Main St., commonly known as the Tavern, fell victim to extensive storm damage during the tornado in January of this year. Entire roof sections were blown completely off, windows blown out, and large sections of brick parapet wall were either damaged or fell completely off of the building. We immediately took action to protect the property from further structural integrity loss by applying tarps, temporary roofs, and making minor repairs. Recent further structural investigation revealed roof structures completely separated from their bearings, the building façade has broken loose from its mounting points in many places, and large sections of ceiling structures are coming loose from the truss and joist systems. This is evidenced in the included letter from the structural engineer Mark Stemmer of Tri-Tech Engineering, followed by the letter in agreement from Miami County's Chief Building Official Rob England. It should be noted that these findings are without further structural investigation of sections hidden by floors, ceilings, walls, and equipment. We, along with the engineer, determined that further investigation was unnecessary given the condition of the structural elements that are visible without selective demolition. And further selective demolition could also result in additional structural compromise particularly to the building façade and upper floor ceiling elements creating a severe safety issue for the public.

#### 10.B.1.III – Economic Hardship

Unfortunately, the extent to which the building requires repairs and upgrades as a result of the storm damage now outweigh the market value of the property upon completion, and even if retained for a long term investment the rents would have to be well above market value for downtown Troy. This makes any redevelopment of the structure economically obsolete.

Below is an estimate of the costs for repairs in order to meet minimum standards:

- Totals = \$659,788
  - Exterior Front Brick Façade repair = \$134,687
  - New Roof = \$71,725

- Window repairs only (basic) = \$8,500
- Courtroom structural repair = \$81,090\*
  - Requires ceiling demolition for full scope understanding. This estimate is for structural framing only. No finish work.
- Rebuild Courtroom Ceiling(finish) = \$135,150\*
  - Requires ceiling demolition for full scope understanding.
- Repair structural connections to 3<sup>rd</sup> story roof = \$81,600\*
  - Requires ceiling demolition for full scope understanding.
- Rebuild 3<sup>rd</sup> Floor Ceiling = \$108,800
  - Requires ceiling demolition for full scope understanding.
- General Conditions = \$38,236
  - Permits
  - Engineering
  - Clean up
  - Public Safety Measures
  - Management
- Acquisition costs = \$485,000

**Total Repair Costs and Acquisition = \$1,144,788**

-Price per Square Foot =  $\$1,144,788 / 17,000\text{sf} = \$67.34/\text{sf}$

-Comparable: Masonic Temple Sale =  $\$670,000 / 28,140\text{sf} = \$23.81/\text{sf}$

**As-is Appraisal = \$440,000**

-Appraisal was performed **AFTER** the storm damage.

**\*Total Net Loss = \$1,144,788 - \$440,000 = \$704,788**

**\*It should be noted that the above estimates are based on known structural deficiencies caused by the storm. It is anticipated that there will likely be even more damage discovered as the ceilings, floors, and wall coverings are removed to accommodate the repairs.**

#### 10.B.1.IV – Public Nuisance

As demonstrated by the letter from CBO Rob England, the property has now become a public safety risk and nuisance. Because the building front is not original, as evidenced by the attached photograph of the original structure, it would not affect the historic integrity of the streetscape. In fact, it would provide an excellent opportunity for future new development on this property which would require historically conforming design which could be more appealing than the existing.

#### 10.B.2.IV – Performance Bond

We commit to providing a performance bond that will ensure successful completion of both the demolition and the approved re-use plan.

#### 10.B.2.V – Rescue Plan No Alternatives Available

Given the economic hardship with restoring the property from its existing storm damage there is no other alternative to demolition. It should be noted that immediately following the storm, we stabilized the roof system and façade structure to allow for proper analysis of the property. We made a lengthy attempt to save the building. Unfortunately, the further we investigated the more unreasonable the costs became.

Prior to making application, we made attempts to find a buyer for the facility as well as potential tenants in the hopes that a solution would present itself that might allow us to avoid applying for demolition. Unfortunately those attempts have so far come up empty and time is of the essence to ensure public safety.

#### 10.B.3. – Reuse Plans

The demolition contractor is prepared to begin demolition upon City's issuance of demolition permit. Application for which will be made immediately following approval from the Planning Commission. Special care will be taken throughout demolition. Some center structure elements will be removed using common demolition equipment. But when it comes to the sections of the building that adjoin the neighboring structures, the demolition will be performed by hand and in some cases with small-scale equipment.

Immediately following demolition, we will install a parking lot that will require a pay-pass to park onsite. The parking lot will be complete professionally, and will include approximately 15% greenspace consisting of a landscape "buffer" between the sidewalk and the edge of the parking lot. The landscaped areas will conform with the Architectural Design Standards and City of Troy parking lot standards, and include incorporation of the existing building's limestone and will display the existing plaque mounted on the front of the building. Please note the installation of the parking lot is dependent on the schedule of closure for asphalt plants. If the plants close prior to the ability to install the parking lot, we commit to install the parking lot upon the reopening of the asphalt plants in the spring.

September 22, 2020

Mr. Randy Kimmel  
116 Main LLC.  
8455 Covington-Bradford Road  
Covington, OH 45318

RE: Building Evaluation  
Tri-Tech File #20376

Dear Mr. Kimmel:

In accordance with the request of Mr. Ben Redick, Tri-Tech has completed an evaluation of the building structures at 112 through 118 W. Main Street in Troy, Ohio.

The field inspection of the building structures took place on Thursday September 17, 2020.

Per Mr. Redick the original structure was constructed in 1841. In 1902 a partial demolition of the north section of the building was done with an addition constructed to the north, east, and west of the original.



Findings:

The buildings are constructed of wood framing supported by multi-wythe brick masonry walls and some wood wall framing. The roof of the original building is supported by timber trusses that span from the east to west exterior walls. These trusses are assembled with mortise and tenon connections.

Failures of the roof trusses over the original building were observed. Truss members are broken, and truss connections have failed.

Portions of the roof structure over the 1902 addition have separated and lifted off its supports. The roof diaphragm connections to the masonry shear walls have been broken at these locations as well.

The load bearing brick masonry walls of the original building and the 1902 addition have deteriorated extensively and been damaged by a storm where the parapet was torn from the building.

The floor structure exhibit signs of damage, but direct inspection of the floors could not be obtained during my site visit.

Conclusions:

Structural failures have occurred at the roofs, diaphragms, the masonry walls, and possibly some of the floors. All these elements are critical to the stability and capacity of the building to support the required loads. It is my professional opinion that the structure be vacated and barricaded until the building can be demolished or the repairs to the structure are made.

Conclusions drawn in this report are based on observations and on information available, known and declared at the date of investigation and/or the time of preparation of this report. This report is furnished as privileged and confidential to the addressee. Release to any other company, concern, or individual is solely the responsibility of the addressee. Should additional information be uncovered or made available, we retain the right to revise or supplement our report accordingly. We trust this is the information you require. Please call if we can provide you with any further assistance in this case.

Respectfully Submitted.

*Mark H. Stemmer*

Mark H. Stemmer P.E., S.E.  
Tri-Tech Engineering





**BRUNS**  
GENERAL CONTRACTING

BUILDING STANDARDS THAT SET STANDARDS  
3050 Tipp-Cowlesville Rd. • Tipp City, Ohio 45371  
937/339-2300 • Fax. 937/339-8051

September 17, 2020

Randy Kimmel  
116 Main Street  
Troy, OH 45373

Re: Roof and Masonry repairs and replacement

We are pleased to provide our proposal to complete the following work to the above referenced project. All material, labor and equipment are included.

The following is our scope of work included in this proposal:

**Scope**

**General Conditions - \$38,236**

- Includes any permitting needed for lane closures
- Building Permits
- Engineering Fees
- Temp facilities
- Safety guard rails around perimeter of job
- Project manager/supervision time
- Final cleanup of road and surrounding area

**Masonry - \$134,687**

- Fully scaffold front face of building
- Demo loose masonry material down to sound bearing along the length of the wall
  - Assumes tearing wall down to 3-ft above water table
  - Includes dumpsters
- Rebuild masonry parapet to match previous condition
  - Includes anchoring wall to joists
  - Includes laying new limestone cap over metal flashing and caulking skyward joints
- Repair lower roof parapets as needed
- Clean new masonry

**Roofing – \$71,725**

- Front Flat roof
  - Complete (1) week of miscellaneous BUR roof repairs on the front BUR flat roof (cannot warranty because condition of existing roof)



**BUILDING STANDARDS THAT SET STANDARDS**

3050 Tipp-Cowlesville Rd. • Tipp City, Ohio 45371  
937/339-2300 • Fax. 937/339-8051

- Back sloped roof
  - Tear off all roofing material down to the roof deck from the entire back 4/12 Sloped roof area and dispose. Remove all old metal edging from all edges of the roof and dispose.
  - Install 2 layer of 2.2" ISO insulation board to entire roof surface to meet R-25 Ohio Building code requirements. Install new 24 gauge metal continuous commercial gutters and downspouts on both sides of the building. Install new 36Mil Fibertite KEE membrane roof system with 20 Year Manufacturer Warranty
  
- Lower Roofs
  - Cover lower wall area (15' exposed brick wall area)(East side of Bldg.) with roof membrane, wood nailer and new metal edge detail. Cover lower wall area (20' exposed brick wall area)(West side of Bldg.) with roof membrane, wood nailer and new metal edge detail

**Windows - \$8,500**

- Allowance to replace broken glass on historical windows.
- **Allowance Not to Exceed \$ 8,500.00**

**Courtroom Repair - \$216,240**

- Install scaffolding system for work platform
- Install trash shoot system for disposal
- Remove plaster ceiling and batton completely and dispose
- Repair or replace all horizontal and vertical ceiling structural supports and members.
- Install new ceiling framework
- Install new drywall ceiling, finished.
- Install new decorative trim work

**3<sup>rd</sup> Floor Roof/Ceiling repair – \$190,400**

- Install scaffolding system for work platform
- Install trash shoot system for disposal
- Remove plaster ceiling and batton completely, remove ceiling framing and dispose.
- Repair or replace all roof bearings.
- Install new ceiling framework
- Install new drywall ceiling, finished

**Exclusions:**

- Any possible deck repairs or replacement to be done on time and material basis. Labor rate \$66.30 per hr. + materials
- Any unforeseen brick issues
- Any unforeseen framing or structural issues
- Any unforeseen window issues other than replacing glass only



**BUILDING STANDARDS THAT SET STANDARDS**

3050 Tipp-Cowlesville Rd. • Tipp City, Ohio 45371  
937/339-2300 • Fax. 937/339-8051

**Total Repair Estimate: \$ 659,788.00**

**Demolition of Building - \$169,470**

- Demo Existing Building
- Backfill building lot with compactable fill and stone 12"
- Price includes foundation removal
- Excludes Asbestos testing and/or removal

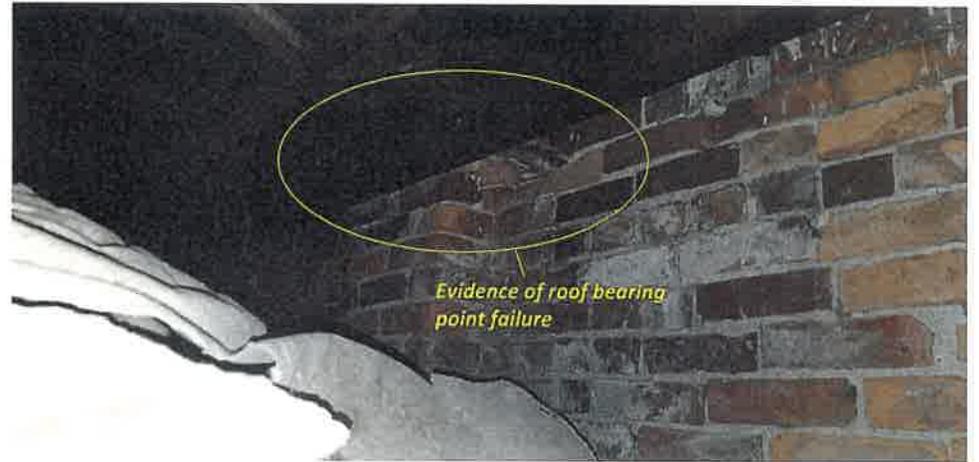
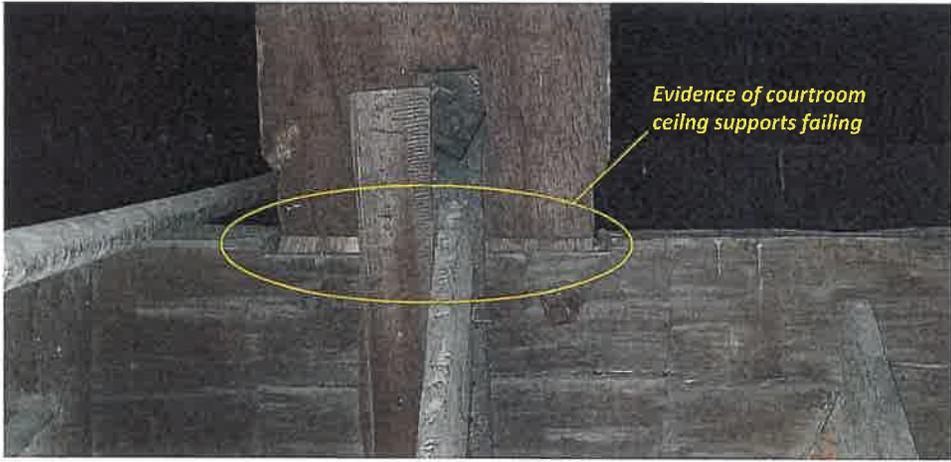
**Parking Lot Install – \$65,000**

- Includes paved area per drawing
- Includes new striping
- Includes landscape islands/buffers as shown
- Includes partial, decorative screen wall along Main Street
  - Incorporating as many limestone pieces from the original structure as possible
  - Includes re-install of plaque from the original structure.

Should you have any questions or need any additional information, please contact me at your convenience.

Sincerely,

Drew Mastrino  
Project Manager  
Bruns General Contracting





# MIAMI COUNTY DEPARTMENT OF DEVELOPMENT

Serving Darke, Mercer Shelby & Auglaize Counties

Richard Osgood  
Director

## Adjudication Order #0017

Ohio Building Code, Section 109  
09/28/2020

Date:

Project:

**UNSAFE BUILDING**  
112-118 W MAIN ST  
TROY, OHIO 45373

Owner/Owner's Authorized Agent:

Randy Kimmel

Please see items on Non-Compliance below.

Item#	OBC Section	Issue of Non-Compliance	Action required
1	109.4 108.6.3	Unsafe Building / Vacate building until orders are lifted or resolved per the CBO.	Unsafe conditions must be resolved within 60 days of receipt of this letter or the building shall be razed.  <b>Rob England 937-440-8121</b>

You have a right to appeal this decision. If you choose to appeal, this letter is to be used as an adjudication order pursuant to OBC Section 109. Please notify our office of your appeals board request. You have the right to be represented by counsel, present arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against you. In order to appeal, you must file a request within 30 days of the mailing of this notice to:

The Ohio Board of Building Appeals P.O. Box 4009  
6606 Tussing Road  
Reynoldsburg, Ohio 43068-9009  
Phone (614) 644-2616

If an appeal is waived, failure by the owner to respond to the order to comply per OBC 109.4 could result in prosecution as provided for in section 3791.04 of the Ohio Revised Code.

Building Official:

Rob England BO, Cert # 425

**HOME. GROWN. GREAT.**

web [www.miamicountyohio.gov](http://www.miamicountyohio.gov)  
visit Hobart Center for County Government  
510 W. Water St., Suite 120 • Troy, Ohio 45373  
phone 937.440.8121  
fax 937.440.8124



**DANGER**

**Unsafe building**



**KEEP OUT**

**MIAMI COUNTY  
DEPARTMENT OF DEVELOPMENT**

**Rob England, CBO, EPE**

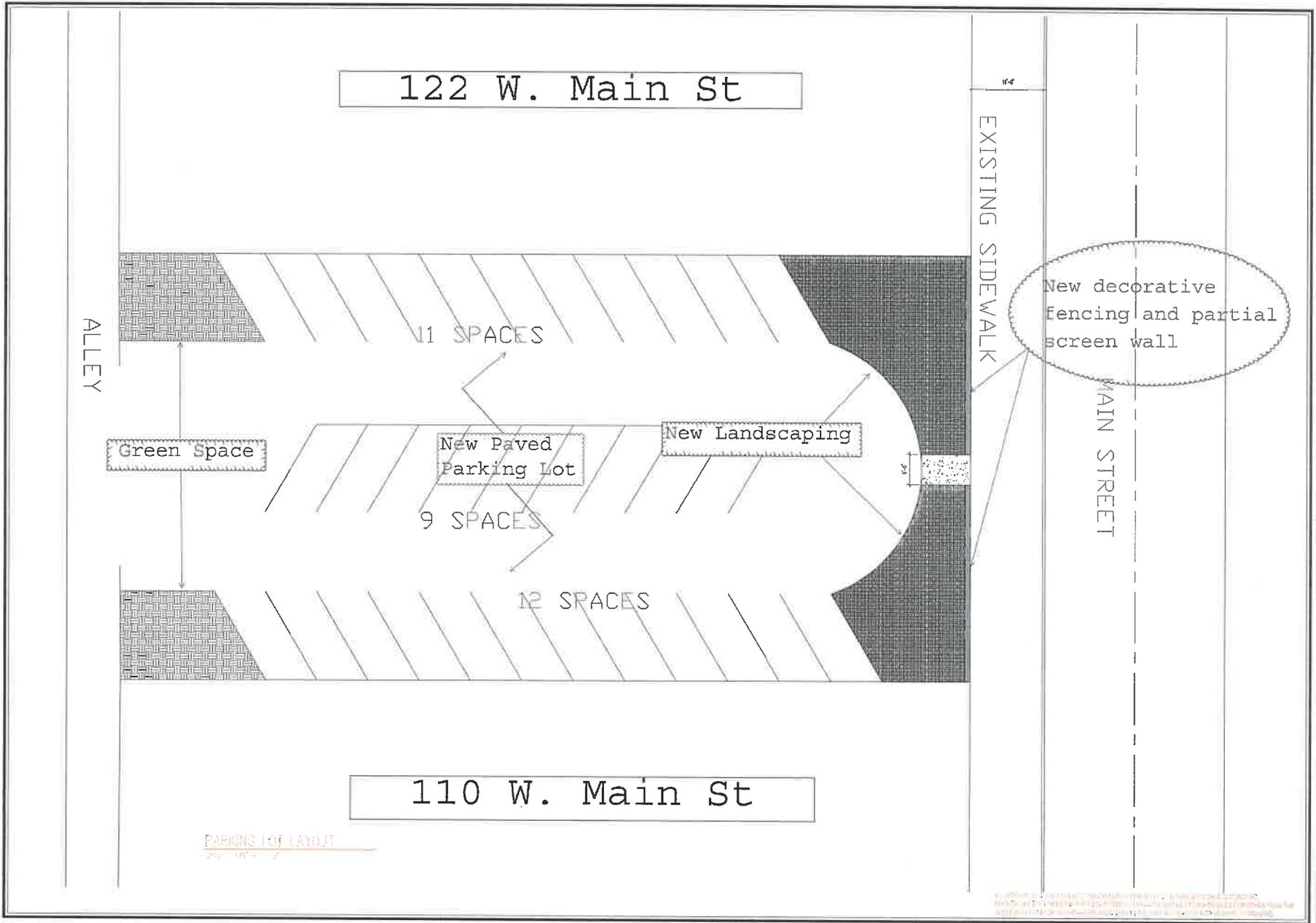
State Certified Building/Electrical Insp.

*Serving Darke, Mercer, Shelby & Auglaize Counties*



Office: Hobart Center for County Government  
510 W. Water St., Suite 120, Troy, Ohio 45373  
Phone: (937) 440-8121 • Fax: (937) 440-5486  
Email: REngland@MiamiCountyOhio.gov  
Website: www.miamicountyohio.gov

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REVISIONS	
1	7-8-2020
2	10-6-2020
3	Decisions
4	
5	

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TAVERN DRAWINGS

BRUNS  
GENERAL CONTRACTING  
Building Standards That Set Standards  
1200 The Commons Rd.  
Topeka, Ohio 43271

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PLANNING

building a new green.

EXHIBIT D

