



AGENDA, TROY CITY COUNCIL  
MONDAY, NOVEMBER 21, 2011, 7:00 P.M.  
COUNCIL CHAMBERS, CITY HALL

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

Excuses by motion/second/roll call vote

SUMMARY OF MINUTES

Nov. 7, 2011 Meeting (motion, second, roll call vote)

COMMITTEE REPORTS

Citizen comments on committee reports or agenda items – two minute limit

RESOLUTIONS

None

*Resolution in Memoriam – Mary Catherine Rozell*

ORDINANCES

O-23-2011	Reappropriation		1 <sup>st</sup> reading
O-24-2011	Rezone – Inlots 6518, 1216 & 1217, 623 South Clay St., from M-2, Light Industrial District, to OR-1, Office Residential District	PUBLIC HEARING 12-5-2011	1 <sup>st</sup> reading
O-25-2011	Zoning Code Amendments, Sections 1143 and 1151	PUBLIC HEARING 12-5-2011	1 <sup>st</sup> reading
O-26-2011	New Wards		1 <sup>st</sup> reading

COMMUNICATIONS/ANNOUNCEMENTS

COMMENTS: Mayor, Director of Public Service & Safety, Director of Law, Auditor, Council President

COMMENTS: Council

COMMENTS: Staff

COMMENTS: Audience

ADJOURN

NOTE: Committee meetings may take place prior to or following Council meeting

**CITY OF TROY MISSION STATEMENT:**

*Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.*

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, November 7, 2011, at 7:00 p.m. in Council Chambers.

Members Present: Clark, Harrah, Hutchinson, Kendall, Phillips, Schweser and Tremblay.

Presiding Officer:	Martha A. Baker,	President of Council
Others Present:	Michael L. Beamish,	Mayor
	Patrick E. J. Titterington,	Director of Public Service and Safety
	Grant D. Kerber,	Director of Law
	John D. Stickel,	City Auditor

INVOCATION: An invocation was given by Council Member Hutchinson.

MINUTES: The Clerk gave a summary of the minutes of the October 17, 2011, meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Clark, seconded by Mr. Phillips, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS:

Finance Committee: Mr. Kendall, Chairman, reported that Committee recommends legislation be prepared authorizing the refunding (refinancing) of two bonds issued in 2002 in order to realize a savings of approximately \$15,450 in debt service payments in the Water Fund and General Fund, for a total savings of approximately \$170,000 through 2022. Emergency legislation is supported to secure the lower interest rate as soon as possible.  
Report signed by Schweser, Tremblay and Kendall.

COMMENTS REGARDING COMMITTEE REPORTS OR AGENDA ITEMS: NONE

ORDINANCE NO. O-22-2011

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,350,000 FOR THE PURPOSE OF REFUNDING BONDS PREVIOUSLY ISSUED BY THE CITY FOR THE PURPOSE OF PAYING THE COSTS OF (I) IMPROVING THE WATER DISTRIBUTION SYSTEM OF THE CITY BY CONSTRUCTING A WATER LINE TO PROVIDE WATER SERVICE TO THE VILLAGE OF WEST MILTON, OHIO, MIAMI COUNTY, OHIO AND OTHER USERS OF THE WATER DISTRIBUTION SYSTEM OF THE CITY, TOGETHER WITH ALL RELATED APPURTENANCES AND (II) IMPROVING THE PARKS AND RECREATION FACILITIES OF THE CITY BY RENOVATING AND IMPROVING MEMORIAL STADIUM, INCLUDING THE CONSTRUCTION OF NEW RESTROOMS, CONCESSION AREAS, STORAGE AREAS, LOCKER ROOMS, MULTIPURPOSE ROOMS AND THE RELOCATION OF RELATED WATER LINES, TOGETHER WITH ALL RELATED APPURTENANCES, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Harrah moved for suspension of rules requiring three readings. Motion seconded by Mr. Kendall.

Yes: Tremblay, Hutchinson, Clark, Phillips, Harrah, Schweser and Kendall.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Schweser.

Yes: Hutchinson, Clark, Phillips, Harrah, Schweser, Kendall and Tremblay.

No: None.

ORDINANCE ADOPTED

PRESENTATION: LINCOLN COMMUNITY CENTER. Shane Carter, Executive Director, was introduced to City Council, along with Board Members Alan May and Stephen Lucas. Mr. Carter informed Council about improvements and initiatives he has started at the Center since being appointed two months prior, including increased utilization, a GED program, after school program, and a new basketball league for youth. Mr. Carter invited Council to attend an event on November 19 ("Future of our History") and an open house on December 3.

COMMENTS OF THE MAYOR:

Mayor Beamish commented as follows:

- The community Christmas Tree was donated by Mr. and Mrs. John Permenter. The tree is to be set during the coming week and will be lighted on November 25.
- On November 6, Robert Brown, Joanne Gamblee, John Fulker, and R. George Kuser were inducted into the Troy Hall of Fame.
- Several events will be held on Veterans Day, November 11.

COMMENTS OF DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington commented that the Dye Mill Road facility is closed for just a few days as some work is being done on Dye Mill Road and the facility cannot not be accessed.

COUNCIL COMMENTS:

Mr. Clark encouraged people to attend performances at the Troy Civic Theatre.

CITIZEN COMMENTS:

Lester Conard, 1210 S. Clay Street, commented that he appreciates that the permissive tax (for the Adams Street Bridge project) will end at the end of 2011, but he asked Council not to continue the scheduled annual fee adjustments for recycling and stormwater.

There being no further business, the meeting adjourned at 7:20 p.m.

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Clerk of Council

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President of Council

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Committee of the Whole  
SUBJECT: WARDS

DATE: November 7, 2011

**SUMMARY REPORT:** *(To be read at Council meeting)*

This Committee met following the November 7 meeting of Council as a Committee of the Whole to consider the new proposed Ward Map. The map provides for six wards, as required by law, with six ward Council members elected to take office in 2014. State law provides that following the official certification of a population after a census, the City is to be divided into wards that are "substantially equal in number" and the wards must follow standard boundaries (streets, alleys, etc.). The proposed Ward Map follows the requirements of the code.

**RECOMMENDATION:** *(To be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared establishing a new Ward Map for the City of Troy based on the attached map. The proposed Ward Map has been posted on the City's website.

Respectfully submitted,

\_\_\_\_\_  
Alan R. Clark

\_\_\_\_\_  
Frank L. Hutchinson

\_\_\_\_\_  
Jarrod W. Harrah

\_\_\_\_\_  
Thomas M. Kendall

\_\_\_\_\_  
Bobby W. Phillips

\_\_\_\_\_  
John W. Schweser

\_\_\_\_\_  
Douglas W. Tremblay

**DETAILED REPORT:**

All members of Council met as a Committee of the Whole following the November 7 meeting of Council to consider a proposed new ward map. Also attending the meeting were Mayor Beamish, the City Auditor, the Director of Law, the Director of Public Service and Safety, members of the City staff, and citizens.

State law provides that following the official certification of a population after a census, the City is to be divided into wards that are "substantially equal in number" and the wards are to follow standard boundaries (streets, alleys, etc.). Based on the certified population of 25,058, Troy is now to be divided into six wards. The new wards must be established by the end of this year. However, a Councilmember elected from each of the six wards will not happen until the election of 2013, with those elected taking office in 2014. At that time, there will continue to be three at large members of Council.

City staff, using census block data, proposed a realignment of the wards as shown on the attached map. The populations of each ward, based on the 2010 Census, would be:

Ward 1	4201
Ward 2	4194
Ward 3	4151
Ward 4	4188
Ward 5	4179
Ward 6	4145

Using the 2010 population of 25,058, "equal" would be 4,176 per ward. The proposed wards are within 1% of that number. Legislative action is required to realign the Wards

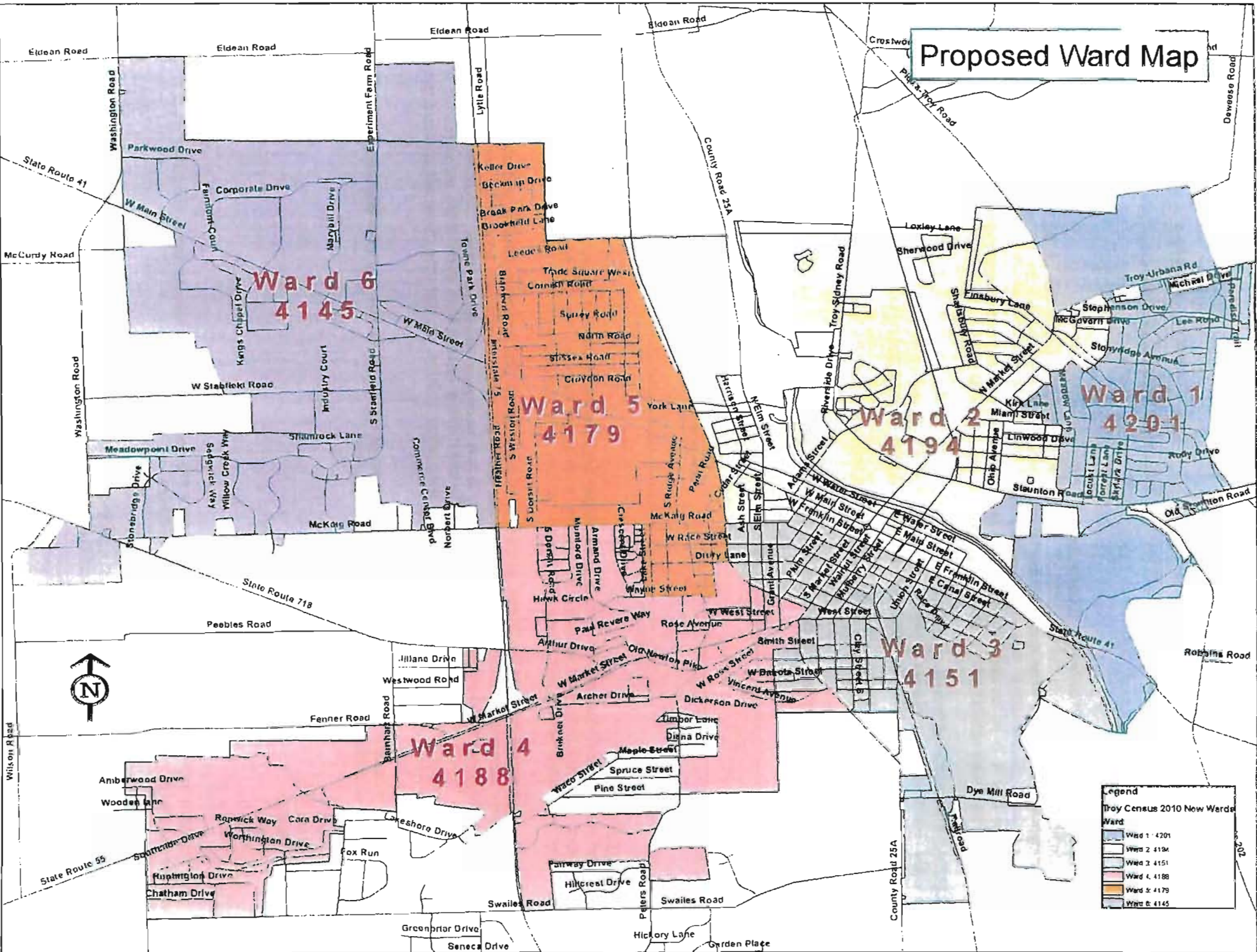
**RECOMMENDATION:**

It is the recommendation of this Committee that legislation be prepared establishing a new Ward Map for the City of Troy based on the attached map. The proposed Ward Map has been posted on the City's website.

encl.

Cc: Council, Mayor, Mr. Kerber, Mr. Stickel, Mr. Titterington, Clerk, staff, media

# Proposed Ward Map



**Ward 6**  
4145

**Ward 5**  
4179

**Ward 2**  
4194

**Ward 1**  
4201

**Ward 3**  
4151

**Ward 4**  
4188

**Legend**

Troy Census 2010 New Wards

Blue	Ward 1 - 4201
Yellow	Ward 2 - 4194
Grey	Ward 3 - 4151
Pink	Ward 4 - 4188
Orange	Ward 5 - 4179
Purple	Ward 6 - 4145

# Resolution

## A RESOLUTION IN MEMORIAM

MARY CATHERINE ROZELL

1930 - 2011

**WHEREAS**, the members of Council for the City of Troy recognize, on behalf of all Troy citizens, the service to our City by the late Mary Catherine Rozell; and

**WHEREAS**, Mary Catherine Rozell was a dedicated public servant and leader involved in a number of community organizations and activities, including serving for several years as a teacher for the Troy Schools, was a tireless fund-raiser for several organizations, volunteered countless hours for the boards for several organizations and committees of her church, supported recreational and sporting activities, was a positive, encouraging and supportive role model and mentor for the youth, was an advocate for senior citizens, and truly loved the Troy community; and

**WHEREAS**, Mary Catherine Rozell particularly served the City of Troy and its residents faithfully and diligently as a member of Troy City Council from April 1, 1974 through December 31, 1977, and as a member of the Troy Recreation Board since October 21, 1993; and

**WHEREAS**, Mary Catherine Rozell was removed from our midst by death on November 8, 2011;

**NOW, THEREFORE, BE IT RESOLVED** that this expression of appreciation for the dedicated services of Mary Catherine Rozell to this City and the citizens of this community be extended with sincere sympathy to the Gardner and Rozell families.

**BE IT FURTHER RESOLVED** that a notation of this Resolution be placed in the official records of the City of Troy, Ohio, and that the Clerk of Council is hereby directed and instructed to forward a duly attested and signed copy of this Resolution to the family of Mary Catherine Rozell.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

Members of Troy City Council:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
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\_\_\_\_\_

\_\_\_\_\_



MEMORANDUM

TO: Members of Council
FROM: Martha Baker, President of Council
DATE: November 17, 2011
SUBJECT: REAPPROPRIATION OF FUNDS FOR 2011

When the annual budget (or appropriation) is adopted, it is noted that supplemental appropriations, or reappropriations, may be required through the year, as well as an annual year-end reappropriation.

In that this is routine and required, we will have the legislation prepared and placed on the agenda.

If you have any questions about the attached information, I am sure Mr. Stickel will be happy to respond.

encl.
cc: Mayor Beamish
Mr. Stickel
Mr. Kerber
Mr. Titterington



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fax: (937) 335-8951
john.stickel@troyohio.gov

MEMO TO: Ms. Martha Baker
President of City Council
FROM: Mr. John Stickel
City Auditor
DATE: November 17, 2011
Subject: Fourth Reappropriation of 2011

I respectfully request that this proposed reappropriation be considered at the City Council meeting of November 21, 2011. The request represents reappropriations resulting from the following:

- A. An increase in the appropriation account 332.901.5424 in the Bond Retirement Fund (Fund No. 332) in the amount of \$450 to provide funding for additional interest expense associated with special assessment bonds due during 2011.
B. An increase in the appropriations for the Miami Shores Fund (Fund No. 713) various line item accounts in the total amount of \$75,000 to provide sufficient appropriations for personnel, maintenance of equipment and facilities, utilities and equipment.

If you have any questions regarding this request, I would be happy to discuss the matter further.

Sincerely,

[Handwritten signature of John A. Stickel]

John A Stickel
City Auditor

JAS:djs
Enclosure

**ORDINANCE No.** O-23-2011

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**ORDINANCE AMENDING ORDINANCE NO. O-29-2010, AS AMENDED BY  
ORDINANCE NUMBERS O-9-2011, O-13-2011, AND O-17-2011,  
APPROPRIATING FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS  
AND OFFICES OF THE CITY OF TROY, OHIO, FOR THE YEAR 2011**

**BE IT ORDAINED** by the Council of the City of Troy, Ohio, at least two-thirds of the members duly elected thereto concurring as follows.

**SECTION I.** That Section XVII of Ordinance No. O-29-2010, as set forth below, is hereby repealed in its entirety:

*FUND	TOTAL	TRANSFER
<u>SECTION XVII.</u> BOND RETIREMENT FUND	\$ 821,797	\$ None *

**SECTION II.** That Section XVII of Ordinance No. O-29-2010 is hereby enacted as follows:

* <u>SECTION XVII.</u> BOND RETIREMENT FUND	\$ 822,247	\$ None *
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**SECTION III.** That Section XXXIV of Ordinance No. O-29-2010, as set forth below, is hereby repealed in its entirety:

* <u>SECTION XXXIV.</u> MIAMI SHORES GOLF CLUB FUND	\$ 800,798	\$ None *
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**SECTION IV.** That Section XXXIV of Ordinance No. O-29-2010 is hereby enacted as follows:

* <u>SECTION XXXIV.</u> MIAMI SHORES GOLF CLUB FUND	\$ 875,798	\$ None *
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**SECTION V.** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

ORDINANCE No. 0-24-2011

623 S Clay

ORDINANCE CHANGING THE ZONING OF INLOTS 6518, 1216 AND 1217 IN THE CITY OF TROY, OHIO FROM M-2, LIGHT INDUSTRIAL DISTRICT TO OR-1, OFFICE RESIDENTIAL DISTRICT

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone Inlots 6518, 1216 and 1217 in the City of Troy, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the zoning of Inlots 6518, 1216 and 1217 be changed from M-2, Light Industrial District to OR-1, Office Residential District.

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law:

Adopted: \_\_\_\_\_ President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_ Clerk of Council Mayor



MEMORANDUM

TO: Mrs. Baker, President of Council  
FROM: Sue Knight  
DATE: November 17, 2011  
SUBJECT: CORRECTIONS TO ZONING CODE

The Troy Planning Commission considered recommending to Council amendments to the Zoning Code to correct some items that were inadvertently altered in the Zoning Code revision. To summarize the corrections:

- Section 1143.17(e) (3) Maximum structure height corrected to be 75 feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line -- instead of 40 feet.
- Section 1143.18(f) (2) Maximum structure height corrected to be 75 feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line – instead of 40 feet
- Section 1143.19(f)(2) Maximum structure height corrected to be 75 feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line – instead of 40 feet.
- Section 1143.09(f)(4) Minimum side yard corrected to be five feet – instead of ten feet.
- Section 1143.15 (d)(1)(2)(3)(4) No minimum lot size requirement for B-3, Central Business District – instead of the current 20,000 square foot minimum lot size requirement.
- Section 1151.15(b)(2)(E) corrected to indicate that an appeal regarding a residential use within a structure in the M-2 Industrial Zoning District would be under the jurisdiction of the Planning Commission and not the Board of Zoning Appeals.

The Planning Commission determined not to hold a public hearing on the proposed changes. By unanimous vote, the Troy Planning Commission recommends that the Zoning Code be amended to reflect the above items. Council is required to hold a Public Hearing on the proposed amendments, and that hearing has been scheduled for the December 5 meeting of Council. The legislation will be on the agenda for a first reading at the November 21 meeting.

It is noted that the Commission considered this on August 24. As staff was further reviewing the Code to determine if additional amendments should be recommended, there was a delay in submitting this report and recommendation to Council. No additional amendments are suggested at this time.

This matter is forwarded herewith for consideration of Troy City Council.

encl.



**DATE:** August 22, 2011  
**TO:** Patrick Titterington, Director of Public Service & Safety  
**FROM:** Tim Davis, Planning and Zoning Manager  
**SUBJECT:** Changes to the Zoning Code

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This memo addresses four recommended corrections to the City of Troy Zoning Code. These items were inadvertently altered in the Zoning Code during the revision period. We simply wish to correct these alterations in the code. With your blessing, I will place the following Zoning Code changes on an upcoming agenda for the Planning Commission to review.

**Issue 1:** Currently, the maximum structure height requirement for the industrial districts (M-1, M-2, and M-3) are listed as 40 feet. In the 1990 Zoning Code the maximum height for structures in the industrial districts were listed as 75 feet. In the 2000 Zoning Code it was a formula which depended on the side and rear yard distance. The current maximum structure height requirement was incorrectly copied from other zoning districts and staff suggests the code be altered to reflect a maximum height of 75' be set for the M-1, M-2, and M-3 zoning districts. This would be a verbiage change in sections: 1143.17(e)(3), 1143.18(f)(2), and 1143.19(f)(2).

**Issue 2:** In the R-6 Zoning District, the minimum side yard requirement is ten (10) feet. However, in the less and more dense residential districts (R-5 and R-7) the minimum side yard requirement is five (5) feet. In the previous Zoning Code, the minimum side yard requirement for the R-6 Zoning District was five (5) feet. Staff suggests the code be altered to reflect a minimum side yard requirement of five (5) feet. Staff viewed this as a typo and has been enforcing the five (5) foot requirement. This would be a verbiage change to section 1143.09(f)(4).

**Issue 3:** The Zoning Code requires a minimum lot area for the B-3 Zoning District as twenty thousand (20,000) square feet with a minimum lot depth and width of one hundred (100) feet. The B-3 district is a high intensity development and is located in the downtown area. These lots are very narrow and extremely small. The minimum lot area requirements have made the majority of the lots in the B-3 nonconforming lots. Staff must approve all new lots and lot splits as part of the review process and would contain a strong control in this aspect. Furthermore, in previous codes no minimum lot size requirements existed for the B-3. Staff feels this requirement was inadvertently copied from the other business districts (B-1 and B-2) and should be altered. This would be a verbiage change to section 1143.15(d)(1)(2)(3)(4).

**Issue 4:** Section 1151.15(b) refers to residential conversions of industrial structures located within the built-up core of the community. The reuse plan must receive approval from the City of Troy Planning Commission. However, a typo in section 1151.15(b)(2)(E) refers to the Board of Zoning Appeals instead of the Planning Commission. Staff suggests we alter the language to show the correction.

# ORDINANCE No. O-25-2011

Dayton Leg-1 Blank, Inc.

## AN ORDINANCE AMENDING SECTIONS 1143 AND 1151 OF THE ZONING CODE FOR THE CITY OF TROY, OHIO

WHEREAS, Council has reviewed Section 1143 and Section 1151 of the Zoning Code for the City of Troy, Ohio, and determined the appropriate changes are necessary,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio, as follows:

**SECTION I:** That Section 1143.09(f)(4) of the Zoning Code for the City of Troy, Ohio, attached hereto and marked Exhibit "A" is hereby repealed.

**SECTION II:** That Section 1143.09(f)(4) of the Zoning Code for the City of Troy, Ohio, as set forth below is enacted and adopted.

(4) "Minimum side yard of five (5) feet."

**SECTION III:** That Sections 1143.15(d)(1) to 1143.15(d)(4) of the Zoning Code for the City of Troy, Ohio, attached hereto and marked Exhibit "B" are hereby repealed.

**SECTION IV:** That Section 1143.15(d)(1) of the Zoning Code for the City of Troy, Ohio, as set forth below is enacted and adopted.

(1) "No minimum lot size requirement."

**SECTION V:** That Section 1143.17(e)(3) of the Zoning Code for the City of Troy, Ohio, attached hereto and marked Exhibit "C" is hereby repealed.

**SECTION VI:** That Section 1143.17(e)(3) of the Zoning Code for the City of Troy, Ohio, as set forth below is enacted and adopted.

(3) "Maximum structure height of seventy-five (75) feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line. The Planning Commission may allow for a higher structure upon review of the specific circumstances and proximity to non-industrial neighboring uses."

**SECTION VII:** That Section 1143.18(f)(2) of the Zoning Code for the City of Troy, Ohio, attached hereto and marked Exhibit "D" is hereby repealed.

**SECTION VIII:** That Section 1143.18(f)(2) of the Zoning Code for the City of Troy, Ohio, as set forth below is enacted and adopted.

(2) "Maximum structure height of seventy-five (75) feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line. The Planning Commission may allow for a higher structure upon review of the specific circumstances and proximity to non-industrial neighboring uses."

**SECTION IX:** That Section 1143.19(f)(2) of the Zoning Code for the City of Troy, Ohio, attached hereto and marked Exhibit "E" is hereby repealed.

**SECTION X:** That Section 1143.19(f)(2) of the Zoning Code for the City of Troy, Ohio, as set forth below is enacted and adopted.

(2) "Maximum structure height of seventy-five (75) feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line. The Planning Commission may allow for a higher structure upon review of the specific circumstances and proximity to non-industrial neighboring uses."

**SECTION XI:** That Section 1151.15(b)(2)(E) of the Zoning Code for the City of Troy, Ohio, attached hereto and marked Exhibit "F" is hereby repealed.

**SECTION XII:** That Section 1151.15(b)(2)(E) of the Zoning Code for the City of Troy, Ohio, as set forth below is enacted and adopted.

(E) "Prior to authorizing residential use within a structure in the M-2 Industrial Zoning District, the Planning Commission may consider the following:

1. Whether conversion will harm the industrial sector of Troy's economy.
2. Whether the conversion will preempt space necessary for industrial uses, considering the availability of alternate space for industrial use."

**SECTION XIII:** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

Exhibit "A"

**1143.09 R-6 TWO-FAMILY RESIDENTIAL DISTRICT.**

(f) Bulk Regulations. All construction on any zoning lot in the "R-6" Two-Family Residential district shall provide for:

- (4) Minimum side yard of ten (10) feet.  
\* \* \*

Exhibit "B"

**1143.15 B-3 CENTRAL BUSINESS DISTRICT.**

(d) Lot Size Requirements. Each separate zoning lot in the "B-3" Central Business District shall:

- (1) Contain a minimum lot area of twenty thousand (20,000) square feet.  
(2) Have a minimum lot width of one hundred (100) feet.  
(3) Have a minimum lot depth of one hundred (100) feet.  
(4) Have a maximum lot depth to lot width ratio of 3:1 except on cul-de-sacs lots and other lots bearing unique topography.  
\* \* \*

Exhibit "C"

**1143.17 M-1 PLANNED OFFICE/INDUSTRIAL DISTRICT.**

(e) Bulk Regulations. All construction on any zoning lot in the "M-1" Planned Office/Industrial District shall provide for:

- (3) Maximum structure height of forty (40) feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line. The Planning Commission may allow for a higher structure upon review of the specific circumstances and proximity to non-industrial neighboring uses.  
\* \* \*

Exhibit "D"

**1143.18 M-2 LIGHT INDUSTRIAL DISTRICT.**

(f) Bulk Regulations. All construction on any zoning lot in the "M-2" Light Industrial District shall provide for:

- (2) Maximum structure height of forty (40) feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line. The Planning Commission may allow for a higher structure upon review of the specific circumstances and proximity to non-industrial neighboring uses.  
\* \* \*

Exhibit "E"

**1143.19 M-3 GENERAL INDUSTRIAL DISTRICT.**

(f) Bulk Regulations. All construction on any zoning lot in the "M-3" General Industrial District shall provide for:

- (2) Maximum structure height of forty (40) feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line. The Planning Commission may allow for a higher structure upon review of the specific circumstances and proximity to non-industrial neighboring uses.  
\* \* \*

Exhibit "F"

**1151.15 RESIDENTIAL CONVERSIONS.**

(b) Residential Conversion of Industrial Structures.

- (2) The Planning Commission may permit conversion of non-residential structures to partial residential use subject to the following:  
E. Prior to authorizing residential use within a structure in the M-2 Industrial Zoning District, the Board of Zoning Appeals may consider the following:  
1. Whether conversion will harm the industrial sector of Troy's economy.  
2. Whether the conversion will preempt space necessary for industrial uses, considering the availability of alternate space for industrial use.

**ORDINANCE No.** 0-26-2011

Dwyer Legal Black, Inc.

**ORDINANCE AMENDING SECTIONS 103.02 - 103.05 AND ENACTING SECTIONS 103.06 AND 103.07 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY**

**WHEREAS**, the Ohio Revised Code requires Council to redivide the city into wards equal in number to the members of council to be elected from wards, within ninety days after October 1, of the year following a decennial census year, and,

**WHEREAS**, Council has reviewed a plan for the division of wards,

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio as follows:

**SECTION I:** That Sections 103.02 – 103.05 of the Codified Ordinances of the City of Troy, Ohio, as set forth as Exhibit A, attached hereto and made a part hereof, is hereby repealed.

**SECTION II:** That Section 103.02 of the Codified Ordinances of the City of Troy, Ohio, as set forth below, is hereby enacted:

**"103.02 FIRST WARD**

The First Ward shall contain all that territory bounded and described as follows:

Beginning at Piqua-Troy Road at the northern City limits  
 Then south along Piqua-Troy Road to Troy-Urbana Road  
 Then east on Troy-Urbana Road to Maplecrest Drive  
 Then south along Maplecrest Drive to Cloverdale Drive  
 Then northwest on Cloverdale Drive to Crestview Drive  
 Then southwest on Crestview Drive to Cricket Lane  
 Then west on Cricket Lane to Meadow Lane  
 Then south on Meadow Lane to Fairfield Drive  
 Then southwest on Fairfield Drive to Kirk Lane  
 Then east on Kirk Lane to Dellwood Drive  
 Then south on Dellwood Drive to Miami Street  
 Then east on Miami Street to Meadow Lane  
 Then south on Meadow Lane to Staunton Road  
 Then east on Staunton Road to Rutherford Drive  
 Then south and west along Rutherford Drive to the north property line of parcel D08-250330  
 Then east and southwest along said property line to the Great Miami River  
 Then along the Great Miami River to State Route 41 at the City limits  
 Then following the City limits north and east to the Point of Beginning."

**SECTION III:** That Section 103.03 of the Codified Ordinances of the City of Troy, Ohio, as set forth below, is hereby enacted:

**"103.03 SECOND WARD**

The Second Ward shall contain all that territory bounded and described as follows:

Beginning at N. Elm Street and the City limits  
 Then east along the City limits to the railroad tracks  
 Then south along the railroad tracks to McKaig Avenue  
 Then east on McKaig Avenue to Monroe Street  
 Then northwest on Monroe Street to Franklin Street  
 Then southeast on Franklin Street to Williams Street  
 Then northeast on Williams Street to E. Main Street  
 Then southeast on E. Main Street to the Great Miami River  
 Then northwest along the river to the property line of parcel D08-250330  
 Then northeast and west along said property line to Rutherford Drive  
 Then north and northwest along Rutherford Drive to Staunton Road  
 Then east on Staunton Road to Meadow Lane  
 Then north on Meadow Lane to Miami Street  
 Then west on Miami Street to Dellwood Drive  
 Then north on Dellwood Drive to Kirk Lane  
 Then west on Kirk Lane to Fairfield Road  
 Then northeast on Fairfield Road to Meadow Lane  
 Then north on Meadow Lane to Cricket Lane  
 Then west on Cricket Lane to Crestview Drive  
 Then northwest on Crestview Drive to Cloverdale Drive  
 Then south on Cloverdale Drive to Maplecrest Drive  
 Then south on Maplecrest Drive to Troy-Urbana Road  
 Then west on Troy-Urbana Road to Troy-Piqua Road  
 Then north on Troy-Piqua Road to the City limits  
 Then following the City limits west and south to the Point of Beginning."

**SECTION IV:** That Section 103.04 of the Codified Ordinances of the City of Troy, Ohio, as set forth below, is hereby enacted:

**"103.04 THIRD WARD**

The Third Ward shall contain all the property bounded and described as follows:

Beginning at a point on E. Main Street at the Great Miami River  
Then west along E. Main Street to Williams Street  
Then southwest on Williams Street to Franklin Street  
Then west on Franklin Street to Monroe Street  
Then southwest on Monroe Street to McKaig Avenue  
Then west on McKaig Avenue to S. Madison Street at the railroad  
Then following the railroad to S. Market Street  
Then southwest on S. Market Street to Smith Street  
Then west on Smith Street to Amelia Avenue  
Then south on Amelia Avenue to Elmwood Avenue  
Then east on Elmwood Avenue to S. Market Street  
Then south on S. Market Street to the City limits  
Then following the City limits to the Great Miami River  
Then north along the river to E. Main Street at the Point of Beginning."

**SECTION V:** That Section 103.05 of the Codified Ordinances of the City of Troy, Ohio, as set forth below, is hereby enacted:

**"103.05 FOURTH WARD**

The Fourth Ward shall contain all the property bounded and described as follows:

Beginning at the intersection of Clay Street and S. Market Street  
Then northwest along S. Market Street to Elmwood Avenue  
Then west along Elmwood Avenue to Amelia Avenue  
Then north along Amelia Avenue to Smith Street  
Then east on Smith Street to S. Market Street  
Then north on S. Market Street to the railroad  
Then north and west on the railroad to Drury Lane  
Then west on Drury Lane to Pennsylvania Avenue  
Then south along the southern extension of Pennsylvania Avenue to the eastern extension of Wayne Street  
Then west along the extension of Wayne Street and along Wayne Street to the alley west of Lake Street  
Then north along said alley to McKaig Avenue  
Then west along McKaig Avenue to I-75  
Then south along I-75 to Arthur Drive  
Then west on Arthur Drive to the City limits  
Then following the City limits south, west and east to the Point of Beginning."

**SECTION VI:** That Section 103.06 of the Codified Ordinances of the City of Troy, Ohio, as set forth below, is hereby enacted:

**"103.06 FIFTH WARD**

The Fifth Ward shall contain all the property bounded and described as follows:

Beginning at McKaig Avenue and I-75  
Then east along McKaig Avenue to an alley west of Lake Street  
Then south along said alley to Wayne Street  
Then east on Wayne Street and its extension at the southern extension of Pennsylvania Avenue  
Then north along said southern extension of Pennsylvania Avenue to Drury Lane  
Then east on Drury Lane to railroad  
Then north and west along the railroad to the City limits  
Then following the City limits west to I-75  
Then south along I-75 to McKaig Avenue at the Point of Beginning."

**SECTION VII:** That Section 103.07 of the Codified Ordinances of the City of Troy, Ohio, as set forth below, is hereby enacted:

**"103.07 SIXTH WARD**

The Sixth Ward shall contain all the property bounded and described as follows:

Beginning at McKaig Avenue and I-75  
Then follow the City limits west and north and east to I-75  
Then south along I-75 to McKaig Avenue ending at the Point of Beginning."

**SECTION VIII:** That this Ordinance shall be effective at the earliest date allowed by law and be effective for the first municipal primary election occurring at least one hundred and fifty days after the passage of this Ordinance.

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor

## EXHIBIT A

### 103.02 FIRST WARD.

The First Ward shall contain all that territory bounded and described as follows:

Beginning at the northeasterly corporation line at the centerline of Troy-Urbana Road; thence westerly with the centerline of Troy-Urbana Road to the center of Todd Lane; thence southerly with the centerline of Todd Lane to the center of Stephenson Drive; thence westerly with the centerline of Stephenson Drive to the center of Stonyridge Avenue; thence westerly with the centerline of Stonyridge Avenue to the center of North Market Street; thence southerly with the centerline of North Market Street to the center of the Miami River; thence easterly with the center of the Miami River to the easterly corporation line; thence northerly and easterly on and along the corporation line to the place of beginning.

### 103.03 SECOND WARD.

The Second Ward shall contain all that territory bounded and described as follows:

Beginning at the intersection of North Market Street and Stonyridge Avenue; thence easterly along the centerline of Stonyridge Avenue to the center of Stephenson Drive; thence northerly and easterly with the centerline of Stephenson Drive to the center of Todd Lane; thence northerly with the centerline of Todd Lane to the center of Troy-Urbana Road; thence westerly and southerly with the corporation line to the center of North Market Street; thence southerly with the centerline of North Market Street to the point of beginning; and

Beginning at the intersection of North Market Street and Stonyridge Avenue; thence southerly with the centerline of North Market Street to the center of West Main Street at the Public Square; thence westerly with the centerline of West Main Street to the center of Kings Royal Drive; thence southerly with the centerline of Kings Royal Drive to the center of Glasgow Drive; thence easterly with the centerline of Glasgow Drive to the center of Kings Chapel Drive; thence southerly with the centerline of Kings Chapel Drive to the center of Waterford Drive; thence easterly with the centerline of Waterford Drive to the center of Westhaven Drive; thence southerly with the centerline of Westhaven Drive to the center of Thornhill Drive; thence westerly with the centerline of Thornhill Drive to the center of Kings Chapel Drive; thence northerly with the centerline of Kings Chapel Drive to the center of Inverness Court; thence westerly with the centerline of Inverness Court to the center of New Castle Drive; thence northerly and westerly with the centerline of New Castle Drive to the center of Fox Harbor Drive; thence northerly with the centerline of Fox Harbor Drive but including all lots to the west and contiguous to Fox Harbor Drive to the center of West Main Street; thence westerly with the centerline of West Main Street to the westerly corporation line; thence northerly and easterly on and along the corporation line to the place of beginning.

### 103.04 THIRD WARD.

The Third Ward shall contain all the property bounded and described as follows:

Beginning on the westerly corporation line at the center of West Main Street; thence easterly with the centerline of West Main Street to the center of Fox Harbor Drive; thence southerly with the centerline of Fox Harbor Drive but excluding all of the lots to the west and contiguous to Fox Harbor Drive to the center of New Castle Drive; thence easterly and southerly with the centerline of New Castle Drive to the center of Inverness Court; thence easterly with the centerline of Inverness Court to the center of Kings Chapel Drive; thence southerly with the centerline of Kings Chapel Drive to the center of Thornhill Drive; thence easterly with the centerline of Thornhill Drive to the center of Westhaven Drive; thence northerly with the centerline of Westhaven Road to the center of Waterford Drive; thence westerly with the centerline of Waterford Drive to the center of Kings Chapel Drive; thence northerly with the centerline of Kings Chapel Drive to the center of Glasgow Drive; thence westerly with the centerline of Glasgow Drive to the center of Kings Royal Drive; thence northerly with the centerline of Kings Royal Drive to the center of West Main Street; thence easterly with the centerline of West Main Street to the center of South Market Street at the Public Square; thence southerly with the centerline of South Market Street to the center of West Market Street; thence westerly with the centerline of West Market Street to the intersection of an imaginary line proceeding directly south from the centerline terminus of Summit Avenue; thence northerly along such imaginary line and with the centerline of Summit Avenue to the center of Wayne Avenue; thence westerly with the centerline of Wayne Avenue to the center of Armand Drive; thence northerly with the centerline of Armand Drive to the center of McKaig Avenue; thence westerly with the centerline of McKaig Avenue to the west corporation line at I-75, except for that unincorporated property contiguous to and north of McKaig Avenue; thence westerly and northerly on and along the corporation line to the place of beginning.

### 103.05 FOURTH WARD.

The Fourth Ward shall contain all the property bounded and described as follows:

Beginning at the corporation line at the intersection of McKaig Avenue and I-75; thence easterly with the centerline of McKaig Avenue to the center of Armand Drive, except for that unincorporated property contiguous to and south of McKaig Avenue; thence southerly with the centerline of Armand Drive to the center of Wayne Avenue; thence easterly with the centerline of Wayne Avenue to the center of Summit Avenue; thence southerly with the centerline of Summit Avenue and continuing south on an imaginary line proceeding directly south from the centerline terminus of Summit Avenue to the center of West Market Street; thence easterly with the centerline of West Market Street to the center of South Market Street; thence northerly with the centerline of South Market Street, through the public square to the center of the Miami River; thence southerly with the center of the Miami River to the east corporation line; thence westerly, southerly, and northerly with the corporation line to the place of beginning.



MEMORANDUM

TO: Mrs. Baker, President, Troy City Council

FROM: Sue Knight, for the Troy Planning Commission

DATE: November 9, 2011

SUBJECT: **REPORT OF THE PLANNING COMMISSION ON A REZONING APPLICATION – INLOTS 6518, 1216 AND 1217, LOCATED AT 623 SOUTH CLAY STREET, TROY, OHIO, FROM M-2, LIGHT INDUSTRIAL DISTRICT, TO OR-1, OFFICE RESIDENTIAL DISTRICT**

On October 26, 2011, the Troy Planning Commission considered the rezoning of Inlots 6518, 1216 and 1217, located at 623 South Clay Street, Troy, Ohio, from M-2, Light Industrial District, to OR-1, Office Residential District. The property owner is Tammy and Brent, LLC, which is owned by Robert Cole. Stephen Kalmar is serving as agent for the applicant.

Inlot 6518 houses an old warehouse building that is created by three jointly connected buildings and Inlots 1216 and 1217 are currently used as parking for the old warehouse building; the City's 2005 Comprehensive Plan shows the existing land use in this area as a mix of industrial, commercial, and residential uses; the applicant proposes to use the land to intermix office and residential uses; the proposed use is consistent with the OR-1 Office-Residential District, but not permitted under the M-2 Light Industrial district; the property has industrial properties to the north and east and residential properties to the south and west (with a vacant CSX property zoned M-2 Light Industrial); and the property is legally non-conforming to the M-2 industrial district and will carry over the legally non-conforming status in the OR-1 zoning district. City staff advised the Planning Commission that the proposed district is considered as a transitional area between commercial and residential uses and act as a "buffer" between the industrial properties to the surrounding residential properties.

The applicant believes this building is an ideal location for incubator projects for starting businesses, and the rezoning would be a good fit for the area.

The Planning Commission determined not to hold a public hearing on this rezoning application.

It is the recommendation of the Troy Planning Commission to Troy City Council that Inlots 6518, 1216 and 1217, located at 623 S. Clay Street, be rezoned from M-2, Light Industrial District, to OR-1, Office Residential District, as:

- o The proposed uses of the property would be in compliance with the permitted uses of the City of Troy Zoning Code.
- o The OR-1 Zoning District will act as a buffer from the surrounding industrial zoning district to the residential zoning districts.
- o The rezoning is consistent with the City's Comprehensive Plan efforts to maximize reuse potentials for older industrial properties.

This motion was approved by six members, with one member (Mr. Kappers) abstaining.

A Public Hearing on this rezoning has been scheduled for the Council meeting of Monday, December 5, 2011, at 7:00 p.m.

This recommendation is forwarded herewith for action by Troy City Council.

encl.

cc: Mr. Kerber

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	October 26, 2011
SUBJECT:	Rezoning Inlots 6518, 1216, and 1217
OWNER:	Tammy & Brent LLC
APPLICANT: Steve Kalmar	

**DISCUSSION:**

The applicant is requesting Planning Commission to review a rezoning of two parcels consisting of Inlots 6518, 1216, and 1217. The applicant requests the Planning Commission to support a rezoning proposal from M-2 Light Industrial District to the OR-1 Office-Residential District. Inlot 6518 houses an old warehouse building that is created by three jointly connected buildings and Inlots 1216 and 1217 are currently used as parking for the old warehouse building.

The City's 2005 Comprehensive Plan shows the existing land use in this area as a mix of industrial, commercial, and residential uses. The applicant proposes to use the land to intermix office and residential uses. The proposed use is consistent with the OR-1 Office-Residential District, but not permitted under the M-2 Light Industrial district.

The subject property has industrial properties to the north and east and residential properties to the south and west (with a vacant CSX property zoned M-2 Light Industrial). The property is legally non-conforming to the M-2 industrial district and will carry over the legally non-conforming status in the OR-1 zoning district.

It is staff's opinion that adjoining properties will not suffer from potential negative impacts of the proposed rezoning. In fact, the proposed district is considered as a transitional area between commercial and residential uses and act as a "buffer" between the industrial properties to the surrounding residential properties.

A pre-application meeting was held with the owner of the property to discuss his concern with the reuse of an industrial building. The proposed OR-1 district permits the greatest flexibility to the reuse of the property while protecting the surrounding residential zoning districts. In addition, this request is consistent with Chapter 12 "Visioning" of the Comprehensive Plan as stated in Economic Development goal #4, which states:

"Along with the development of greenfield sites, current vacant and underutilized commercial and industrial buildings and sites should be targeted for reuse and redevelopment. The targeted sites usually have negative environmental issues, are older structures, or are land-locked and are found in mixed-use neighborhoods. Future development of these sites will be costly since environmental remediation and perhaps, clearance would be required. After identifying key properties, the City will review local codes and move to modify them if need be to encourage redevelopment and reuse of such sites. The City should also be looking toward the use of Clean Ohio funding to address environmental issues within buildings or vacant sites, and should modify local codes to encourage adaptive reuse of older obsolete commercial and industrial buildings."

## SECTION 1139.07 AMENDMENTS TO CHANGE ZONING DISTRICTS

When a proposed amendment results in a change of zoning classification, the report of the Planning Commission shall contain statements as to the present classification, the proposed classification under the amendment, the reason(s) for seeking such reclassification, and determinations as to the following items:

(a) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

*Rezoning inlots 6518, 1216, and 1217 from M-2, Light Industrial, to the OR-1 Office-Residential District appears to be consistent with the intent and purpose of the Comprehensive Plan and the current Zoning Code. This owner wishes to reuse the old warehouse building with a mix of office and residential uses, all of which are permitted within in the OR-1 zoning district. The industrial district does not permit residential use, or offices.*

(b) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

*The proposed rezoning is necessary to allow for the reuse of the old industrial building. The location and age of the building is limits to the uses permitted in the M-2 Light-Industrial District.*

(c) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity. The Planning Commission may suggest conditions and restrictions on the uses that would be permitted on the property if it were reclassified in order to attain compatibility with the uses permitted on other property in the immediate vicinity.

*The area for the proposed rezoning was developed and used as industrial building because of the location near the railroad tracks. As previously mentioned, this property housed a warehouse for the Hobart Corporation to house the company's product lines. The property is surrounded by a mix of industrial and residential uses and is being rezoned to a less intensive use, which will act as a buffer between the industrial uses and residential uses. The rezoning and poses no negative threat to surrounding properties.*

(d) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

*Public utilities are available and currently serve the development.*

(e) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and

any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

*There is not any vacant office-residential land located in the Southeast section of the City. The Comprehensive Plan shows this area as a mix of industrial, commercial, and residential uses. The proposed Office-Residential use and future plans for this property will complement the current surrounding zoning districts. Therefore, no other vacant land in the vicinity is available for this use.*

(f) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

*No error of the current zoning code would be corrected; however the rezoning is consistent with Chapter 12 "Visioning" of the Comprehensive Plan as stated in Economic Development goal #4 while respecting the Zoning Code.*

**Recommendation of Public Hearing:**

Staff recommends that the Planning Commission not hold a public hearing for this rezoning because of the straightforward nature and existing development of this property. Furthermore, the proposed rezoning is a less intensive use than the current zoning district.

**Recommendation of Rezoning:**

Staff recommends that Planning Commission recommend approval of the proposed rezoning from the M-2, Light Industrial District to the OR-1 Office-Residential District to City Council for the following reasons:

- o The proposed uses of the property would be in compliance with the permitted uses of the City of Troy Zoning Code.
- o The OR-1 Zoning District will act as a buffer from the surrounding industrial zoning district to the residential zoning districts.
- o The rezoning is consistent with the City's Comprehensive Plan efforts to maximize reuse potentials for older industrial properties.

Date Requested: \_\_\_\_\_  
Applicant(s) scheduled on the agenda will be notified

Date Filed 10-10-11  
Accepted by TRP  
Filing Fee Pd. \$150.00  
Receipt # 5068

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

## APPLICATION FOR ZONING AMENDMENT CITY OF TROY PLANNING COMMISSION

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTIONS 1000.14300 THROUGH 1000.1442 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at (62#) SOUTH CLAY STREET

(Street Address)

being lot number(s) IL 6518, 1216 & 1217 from M-2 LT INDUSTRIAL to OR-1 OFFICE RES.

(Parcel Identification Number)

(Existing Zoning Classification)

(Proposed Zoning Classification)

### OWNER

### APPLICANT

Name TAMMY O. FORENT LLC  
ROBERT COLE

Name STEPHEN J KALMAR

Address 1100 WAYNE AVE

Address 436 MIAMI STREET

City TROY

City TROY

State OHIO

State OHIO

Zip Code 45373

Zip Code 45373

Phone No. 239-5696

Phone No. (937) 335-6141

Fax No. \_\_\_\_\_

Fax No. (937) 335-4028

Email \_\_\_\_\_

Email SKALMAR@wob.vr.com

The applicant is the CONSULTANT of the property, which is subject to this application.  
(State the interest of the applicant)

### PLEASE PROVIDE THE FOLLOWING:

- ✓ 1. The reasons for seeking a change in the zoning classification or zoning text: Attach as EXHIBIT "A".
- ✓ 2. The legal description of the land proposed to be reclassified: Attach as EXHIBIT "B".
- ✓ 3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
  - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as EXHIBIT "C".
  - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as EXHIBIT "D".
  - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as EXHIBIT "E"
    - i. Include one (1) copy of County Tax Maps
    - ii. Include two (2) sets of mailing labels
- ✓ 4. Fifteen (15) complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
- 5. Filing Fee of \$150.00 made payable to the City of Troy

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HEREWITH ARE TRUE.

[Signature]  
(Applicant Signature)

Subscribed and sworn to before me this 11 day of October, 2003

My Commission Expires January 2011  
(Month/ Date/Year)

[Signature]  
(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

**REQUIRED DOCUMENTS:**

- EXHIBIT A Reasons for Zoning Reclassification
  - EXHIBIT B Legal Description
  - EXHIBIT C Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses
  - EXHIBIT D Site Map with Zoning & Owners within 250 feet of parcel
  - EXHIBIT E Property Owners List within 250 feet of parcel
  - Labels Two (2) Sets of Mailing Labels of Property Owners
  - Copies Two (2) Complete Sets in a reproducible format 11"x17"
  - Map(s) One (1) County Tax Map(s)
  - Filing Fee Check issued to City of Troy for \$100.00
- Additional Documentation (List):

**PLANNING COMMISSION DISPOSITION:**

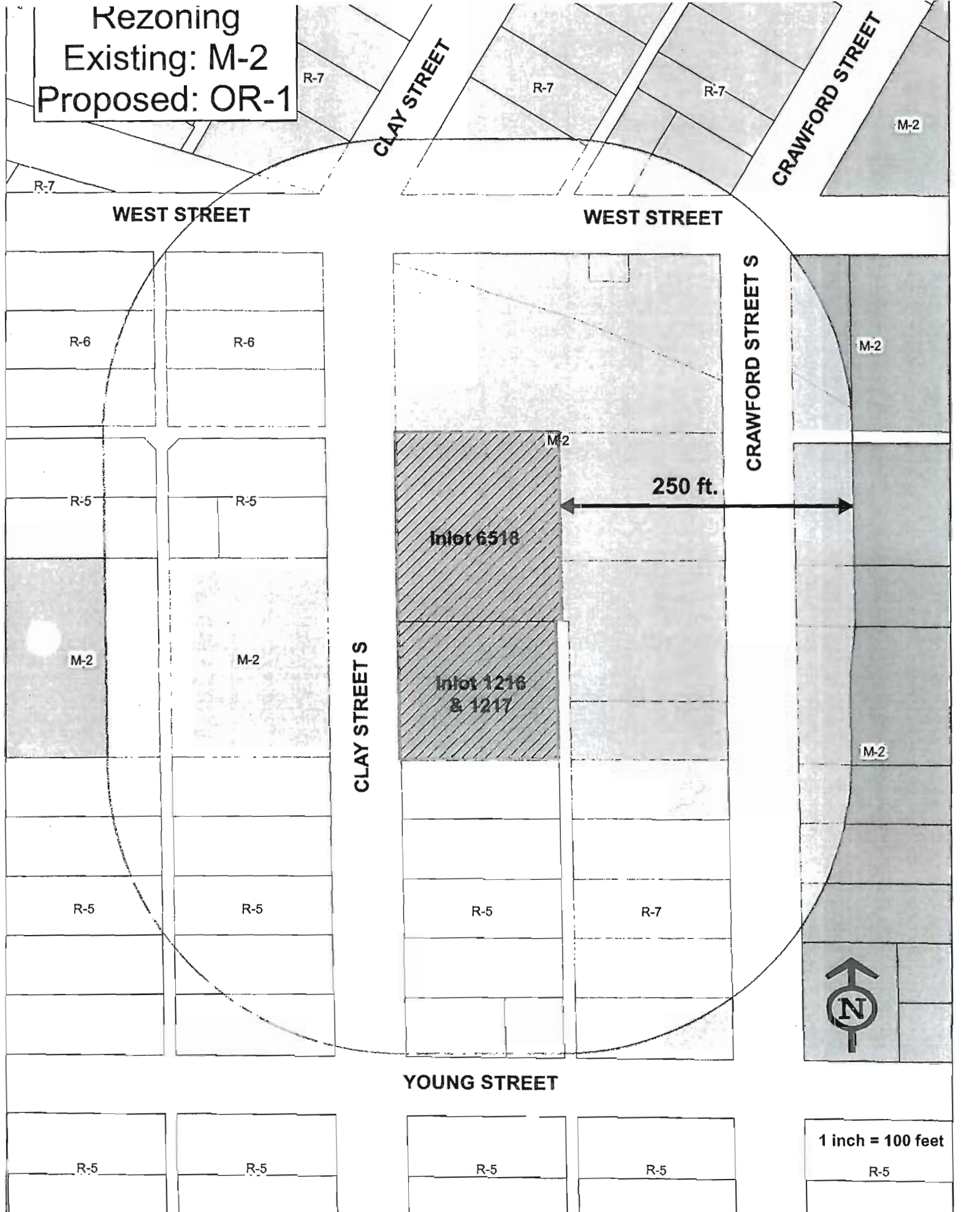
\_\_\_\_\_ PUBLIC HEARING DATE  
\_\_\_\_\_ RECOMMENDATION TO CITY COUNCIL

**CITY COUNCIL DISPOSITION:**

1<sup>st</sup> Reading: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ 3<sup>rd</sup>: \_\_\_\_\_ PUBLIC HEARING DATE  
\_\_\_\_\_ COUNCIL COMMITTEE RECOMMENDATION  
Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ CITY COUNCIL ACTION  
Ordinance Number: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

Revised 1/13/03

Rezoning  
Existing: M-2  
Proposed: OR-1



1 inch = 100 feet

R-5

**EXHIBIT "A"**

**TO:** The Troy Planning Commission  
**FROM:** Stephen J. Kalmar, Consultant to Property Owners  
**SUBJECT:** Change of zoning at 62<sup>3</sup> South Clay Street  
**DATE:** October 7, 2011

The subject property owned jointly by Tammy & Brent LLC and Robert Cole consists of three jointly connected buildings formerly owned by the Hobart Corporation and used as warehouse facilities for the company's product line(s). The building(s) were sold to Mr. Cole as a result of changes in corporate direction and a recognition of the facility's obsolescence. The facility no longer fit the company's needs – Troy.

The building is one of several facilities located in the city's light industrial areas classified as M-2. All located in the city's southeast area and, while sturdy and serviceable, are not considered important in today's industrial or warehousing climate. They do not market well because they are simply "old".

As a result, it is necessary to seek an alternative (zoning) classification. Mr Cole, after consultation, has chosen the city's OR-1, Office Residential classification, that will permit the greatest flexibility in the reuse of the property, while permitting a range of uses to be developed. In addition, the intensity of the current land use will be reduced, thus reducing the impact on adjacent residential properties fronting Clay Street.



## Related Initiatives

Related initiatives include efforts from the Troy Development Council and transportation-related improvements discussed in Chapter 14. Planning efforts include land acquisition, utility expansions of water, sewer, power and communication, infrastructure requirements, emergency services, facility planning, engineering services, intergovernmental relations, etc. Other efforts should include recruitment of adequate workforce, so that skills match future jobs.

## Output Measures

The number of acres of available industrial property, amount of property zoned with incentive programs in place and the necessary utilities. Look into economic cooperative agreements with adjacent townships to promote industrial development. Create a Growth Development Policy reflecting the Future Land Use and Thoroughfare Plan (See Chapter 14). Recruit new business and industry that will provide long-term, quality employment opportunities.

**#3 Goal: Economic Development** Capture economic development opportunities via local business expansions and recruitment of new businesses.

## Strategies/Policies

As the local employment base grows, there is greater potential to capture local business expansions and recruitment of new businesses. Greater local emphasis will be placed on this as a key part of the City's local economic development strategy. With this, the City will strengthen its array of economic development incentives and programs to spur business expansions and for new business recruitment.

## Related Initiative

Perform an inventory of large, medium, and small size businesses and industries. Solicit industry suppliers to increase local industry type such as automotive, plastics and technology. Continue to network Troy as an economic leader by conducting trade missions with European and Asian industries, and participating with local and regional economic development organizations. Encourage further partnership efforts with the Troy Development Council.

## Output Measures

Compare with the number and percentage attributed from the increased investment value of new businesses and industry expansions.

**#4 Goal: Economic Development** Use or reuse vacant or underutilized commercial and industrial structures.

## Strategies/Policies

Along with the development of greenfield sites, current vacant and underutilized commercial and industrial buildings and sites should be targeted for reuse and redevelopment.

The targeted sites usually have negative environmental issues, are older structures, or are land-locked and are found in mixed-use neighborhoods. Future development of these sites will be costly since environmental remediation and perhaps, clearance would be required. After identifying key properties, the City will review local codes and move to modify them if need be to encourage redevelopment and reuse of such sites. The City should also be looking toward the use of Clean Ohio funding to address environmental issues within buildings or vacant sites, and should modify local codes to encourage adaptive reuse of older obsolete commercial and industrial buildings.

## Related Initiative

Pursuit of Clean Ohio funds for cleanup of sites with environmental issues. Perform an Inventory of the total number of functional obsolete buildings. Determine the feasibility of a business incubator leveraging local and federal funds.

## Output Measures

Using acceptable inventory results and obtaining the total number of functionally obsolete buildings, reduce list by a minimum of one building a year.

**#5 Goal: Economic Development** Ensure an adequate supply of viable industrial land for both small and large companies.

## Strategies/Policies

According to Table 9-1, 2002 Industrial Land Use, Troy has an approximate 700 total acres of undeveloped, industrial zoned land. About one-half of this number is unlikely to ever reach built out. The current industrial user is looking for unencumbered rectangular blocks of land with close proximity to state highways and the interstate. Using the annual absorption rate of 38 acres of land developed each year, (See Tables 9-1 & 9-2), it is estimated that between 300-400 acres of viable industrial land is available for development. These developable areas are primarily found in the northwest part of Troy along West and South Stanfield, Corporate Drive, and Experiment Farm Roads. With future growth of the City, adequate land supply is needed to provide space for new and expanding industries.

## Related Initiative

Following the Future Land Use and Thoroughfare Plan, ascertain costs and procedures necessary to secure land for future industrial development. Compile cost of public services, pricing from utility companies and for design build-to-suite applications. Have Troy Development Council seek options, costs, and the legal steps necessary for future industrial growth. Make policies of existing undeveloped industrial zoned areas inside the City corporation limit, and define future developable areas outside the City. Industrial undeveloped land, when adjacent to residential districts, shall be planned under an Industrial Planned Development requiring adequate buffer when adjacent to a residential district (See Chapter 14).





## ITEMS OF INTEREST

**TO:** Mayor Beamish  
Mrs. Baker, President of Council  
Council Members

**FROM:** Patrick E. J. Titterington, Director of Public Service and Safety

A handwritten signature in black ink, appearing to read "P. Titterington".

**DATE:** November 18, 2011

We are providing the following for your information:

- The following the bid openings were held:
  - November 10 - Pre-owned Boom Truck – One bid was received in the amount of \$83,015.00. Council authorized \$100,000 for this purchase. However, the sole bidder has declined to complete the legally required bidding forms, so the Director of Law has determined that the bid is not valid and we can not issue a contract.
  - November 16 - West Main Street Curb and Sidewalk Over I-75 Phase 1 – seven bids were received with amounts ranging from \$163,157.30 to \$191,868.35. Council authorized \$185,000 for this project. Staff will review the bids and make a recommendation to the Board of Control for award of the contract.
- The City's Aa1 Bond Rating was reaffirmed by Moodys! This was done ahead of refunding of the bonds recently approved by Council.
- The second round of the annual leaf collection program began on Monday, November 7 and is progressing on schedule. Round three will begin on December 2. A copy of the News Release is attached.
- As a reminder, the Grand Illumination Parade will be take place on Friday, November 25, starting at approximately 6:30 p.m. The parade will be led by Mayor and Mrs. Beamish along with other elected officials, the Mayor's Youth Council, Mrs. Claus and Santa Claus. Mayor Beamish will read "Twas the Month Before Christmas" just prior to the lighting of the Christmas Tree.

- As a reminder, City Offices will be closed on Thursday and Friday, November 24 and 25, for the Thanksgiving holiday. Trash collection will be delayed one day beginning Thursday, November 24. Recycling will follow the same schedule as regular trash pick up. Trash pick up will be back on regular schedule on Monday, November 28.
- The last day for the Dye Mill Road facility to be open this season will be Monday November 28.
- Miami Valley Lighting is having the streetlight poles painted green on North Market Street. Because of the time required for the paint to fully dry and cure, the Christmas wreaths will have to be placed and lighted sometime after the November 25 tree ceremony.
- Ken Siler, Recreation Director reported that the REO Speedwagon concert at Hobart Arena on November 11 had over 2,600 people in attendance. This event was successful and staff did a great job.
- Other information provided by City departments is attached.

**Upcoming Events at Hobart Arena**

December 3, 4, 10 & 11, 2011	Silver Sticks Hockey Tournament
December 17, 2011	Hobart Brothers Family Holiday Skating Party
December 18, 2011	Conagra Foods Family Holiday Skating Party
January 13, 2012	Hotel California – Concert
January 14, 2012	All American Youth Activities Cheer Competition
February 12, 2012	Midwest Cheer Expo
February 17, 2012	Casting Crowns - Concert

**Calendar of Meetings**

November 21, 2011	7:00 p.m.	Council	City Hall Council Chambers
November 22, 2011	5:30 p.m.	Council Committee	City Hall Lower Level Meeting Room
December 5, 2011	7:00 p.m.	Council	City Hall Council Chambers

If you have any questions, please do not hesitate to contact this office.

Enclosure

cc: Department Heads



**NEWS RELEASE**  
**CITY OF TROY, OHIO**  
**2011 LEAF SCHEDULE – ROUND THREE**

On Friday, December 2, the City of Troy will commence the third and final round of the scheduled annual leaf pick-up for 2011.

Residents are asked to comply with this schedule so we can finalize the 2011 leaf collection. Citizens who still have leaves after this final pick-up may dispose of them by purchasing "T-Bags" for \$1.25 each from the Billing & Collection Office, 1<sup>st</sup> floor City Hall.

As with the previous collections, the leaf pick-up will be by zones. The description of the zones and dates for each area as follows:

**ZONE 1:** The area bound on the east by the Corporation line and Ridge Avenue, on the north and west by the Corporation line and on the south by West Main Street, south on I-75 and the Corporation line. Pick-up scheduled for Friday, Dec. 2.

**ZONE 2:** Area bound by Ridge Ave. and Peters Road on the East, to include Pleasant View and Premwood; to the South Corporation line and West Corporation line to include Willowcreek. Pick-up scheduled for Monday, Dec. 5.

**ZONE 3:** Area between Ridge Ave. on the West, Peters Road on the South, South Market Street, Canal Street, Monroe Street and Miami River on the East and the Corporation line on the north. Pick-up scheduled for Tuesday, Dec. 6.

**ZONE 4:** Area between South Market and CSX Railroad, south of Canal St. to include Southview. Pick-up scheduled for Wednesday, Dec. 7.

**ZONE 5:** Remainder of East end of town, from CSX Railroad east. Pick-up scheduled for Thursday, Dec. 8.

**ZONE 6:** Sherwood area and Culbertson Heights area. Pick-up scheduled for Friday, Dec. 9.

**ZONE 7:** Remaining sections of Northeast Troy--Meadow Lawn, Heritage Hills, Gaslight Village and Northbrook. Pick-up scheduled for Monday, Dec. 12.

**DOWNTOWN AREA:** Leaves in this area will be picked up intermittently as time permits.

Where possible, residents are asked to rake leaves one foot out of the gutter onto the street to allow drainage in the gutter. Vehicles should be removed from the streets during collection dates. Residents are reminded that foreign objects, limbs, etc. should be kept out of the leaves since they will damage collection equipment and slow the collection process.

This schedule is to be considered tentative, subject to weather and equipment delays.

If there are questions on the leaf collection schedule, please call the City of Troy Central Maintenance & Service Facility at 335-1914 between the hours of 7:00 am – 3:30 pm. Monday through Friday.



**Operations**  
**Items of Interest**  
November 18, 2011

**Street – Including Solid Waste – Jerry Mullins, Foreman**

- Collected and transported 242 tons of residential waste for disposal since the last report of 236 tons transported.
- Delivered recycling bins.
- Repaired 29 road areas and alleyways with Dura-Patcher.
- Asphalted 9 main breaks and 12 areas marked for repair.
- Mowed rights-of-way and ditches.
- Picked up brush.
- Assisted the sign shop in making and replacing signs in various parts of town.
- Crack-sealed manholes and patches.
- Began the second round of leaf collection.
- Picked up T-bags.
- Swept the streets according to schedule and route.

**Electrical – Brian Ferree, Foreman**

- Worked on preparing the downtown for Christmas.
- We completed Ohio Utilities Protection Service tickets as needed.
- Replaced a circulating pump motor in the heating system and installed a new 400 watt metal halide light at Hobart Arena.
- Replaced a fuse on the controls to the clear well sump pump at the Water Treatment Plant.
- A blower motor was found to be defective at the Waste Water Sewer Plant and it was sent out for repairs.
- Repaired a tower light at the Barnhart Water Tower.
- Replaced a fan in the men's restroom at Fire Station #3.
- Repaired a street light in the downtown area.

**Scott Walter's quote: "The plans of the diligent lead to profit, as surely as haste leads to poverty."**

**Maintenance Shop – Jeff Sweigart**

- Scheduled the programming for the salt spreader computer on a Street Division dump truck.
- Performed daily police vehicle safety inspections.
- Completed repairs to the fuel dispensing system.
- Repaired the leaf removal equipment as needed.
- Prepared the snow removal equipment for the upcoming season.
- Repaired and maintained city vehicles and equipment.

**Water Distribution/Sewer Maintenance – Tom Parsons, Utilities Foreman**

- Installed new water services on West Simpson Street and on Lake Street.
- Installed an 8" Inserta-valve at West Race Street and South Mulberry Street and also at Kirk Lane and North market Street.
- Completed non-pay shut-offs and reconnects.

- Completed a number of work orders for Billing and Collection.
- TV'd the sewer line on East Franklin Street from Walnut Street to Counts Street as part of the EPA inspection.
- Rebuilt meters and spanners.
- Marked numerous Ohio Utilities Protection Service tickets.
- Investigated numerous high consumption alerts.
- Repaired numerous broken valve boxes damaged by snow plows.
- Repaired an 8" main break on Merry Robin Road.
- Investigated numerous calls of slow draining sewer lines.

#### **Water Treatment Plant – Tim Ray**

- WTP and City Staff have met with the contractor to establish practices for final completion of the cleaning of the West Lime Sludge lagoon.
- Completed the seasonal grounds maintenance at the WTP, the well fields, the booster station and the tower sites. This maintenance equipment has been thoroughly cleaned, serviced and put away for the winter.
- Completed the bi-annual preventive maintenance and calibration/certification of chlorine feed equipment.
- Maintenance staff has begun concentrating on their compiled list of inside maintenance items, including replacing some grouting in the pump room, distribution pump preventive maintenance, and other building and equipment maintenance items.
- Staff continues to work with the consultant regarding information requested for the Piqua-Troy joint water venture financial feasibility study.

#### **Waste Water Treatment Plant – Tim Snider**

- Staff cleaned leaves and debris from pump inlets at the Race Drive storm water pump station and from the discharge at the Madison Street storm water pump station.
- OEPA conducted onsite Municipal-Industrial Pretreatment Program (MIPP) compliance inspection and audit.
- Staff conducted the MIPP annual compliance inspections at the permitted industrial facilities.
- Staff completed local limit calculations to be submitted to OEPA by the December 1 deadline. This was completed in house and represents an approximate \$10,000 savings over the contracted price from 5 years ago.
- Maintenance staff re-plumbed the sump well in the basement of the disinfection building.
- Maintenance staff re-built the drive units on sludge gravity thickeners #1 and #2.
- Blower motor #1 and sludge gravity thickener #2 motor was sent to vendor for repair.
- James Boyd, Operator 2, took the OEPA Class 3 Wastewater Operator's exam in Columbus and we are awaiting the results.
- Completed the required preventive maintenance work orders.

Items of Interest	
Engineering Department and Planning Department	
November 16, 2011	
Project	Status
<b>ACTIVE PROJECTS</b>	
Adams Street Bridge	City staff continues to photograph the work on this project.
Boyer Park Recreational Trail Connector	Work is complete and final costs have come in at \$63,740.51, well below the estimated cost of \$130,000. As this is funded with a CDBG grant we will spend some of the grant money to add landscaping along this segment of the path.
Complete Streets	Staff has been working with MVRPC to develop a policy for Complete Streets. This would encourage access on new projects receiving federal funding to look at pedestrian, bicycle, and handicap access on all projects. Once adopted by MVRPC the City will be asked to adopt our own policy.
Dye Mill Road Improvements	Phases I, II, III, and V are complete. The base work on Phase IV is complete; however, some paving has been added in the amount of approximately \$130,000.
Maplecrest Bridge Deck	Staff is working to improve the watertightness of several bridges.
Sidewalk Program 6B	Work is now complete and final measurements are being prepared.
Sidewalk Program 7	Property Owners have obtained permits and Council has authorized bidding. Bids were opened, the contract was awarded to LJ DeWeese, and work has started on Ohio Avenue.
Sidewalk Program 7B	Work will begin the week after Thanksgiving.
Sidewalk, Sewer, and Sump Inspections	Inspections are continuing to be completed when requested.
ODOT Paving	Staff is working with ODOT for the paving along SR 55 on the west side of town as well as the traffic circle. Work is expected in SFY 2014 with the City's estimated share at \$78,201.20.
OPWC projects	Staff is working to get the notification for funding of the N. Market Street project. Staff is reviewing proposals from consultants and expects to complete this selection process in order to have a recommendation to Council soon.
Sidewalks along SR 41 at I-75	Bids were opened with an apparent low bid of \$163,157.30, which is below the estimated \$185,000.
SCADA at WWTP	We will be executing the design contract for this project as soon as allowed. Design work will begin in November.
2012 Budget	Staff submitted information for the 2012 budget.

Items of Interest	
Engineering Department and Planning Department	
November 16, 2011	
Project	Status
Westbrook Sewers	Staff has submitted all paperwork to close out this project.
SR 55 at Archer/Dorset	Consultants were interviewed and a selection will be made before the end of the week so that negotiations can begin on the costs of this design proejct. It is anticipated that we will have a contract ready in December.
SR41 Traffic Signal Interconnect	Staff is preparing an RFP for this project that is funded in part with a grant from MVRPC. The City is responsible for completing the design as part of that process. This project will be included in 2012 Budget so that we can execute a contract for design in January.
N. Market Street	Consultants will be interviewed this week and a selection will be made as soon as possible so that a contract can be ready for council authorization in December.
OTHER PROJECTS	
Bicycle Friendly Community	Troy was again named as an Honorable Mention Community. While we were hoping for better recognition, this is a great accomplishment.
General Specifications and Information	A draft of the revision has been submitted to the Service Director's Office.
GPS Data Collection	This outdoor work continues as time and weather permit.
Cemetery Sidewalk	Staff has investigated the idea of installing a sidewalk ramp to provide handicap accessibility to buildings. CDBG funds are anticipated to fund this project.
Long Range Planning with MVRPC	Staff is working with MVRPC to put together Longe Range transportation plans up to 2040.
SUBDIVISION STATUS	
Nottingham 5	Construction activities are complete until final asphalt.
Nottingham 6	City Council has approved this plat.
Hawk's Nest Section 2	The plat has been approved. Construction has not yet begun.
Pleasantview Estates Section 4	This plat has been approved. Construction has not yet begun.
Stonebridge Meadows PD	City Council approved the Planned Development.

## MEMO

To: Patrick Titterington, Director of Public Service and Safety

From: Tim Davis, Planning & Zoning Manager

Date: November 16, 2011

Subject: Planning Division Update

I have attached two reports which summarize concerns that are being addressed by the Planning Division from October 27, 2011 to November 16, 2011. The first report shows all permits that were issued by the Planning Division. The report contains the address and type of permit and separates the information by each ward. There were 18 permits issued during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going issues. Both open and closed concerns are listed and are separated by each ward.

As in the past, all costs associated with the removal of trash and elimination of noxious weeds will be passed on to the property owner. If the property owner does not pay the bill, the cost will be assessed to the property taxes.

CITY OF TROY  
 PERMIT WORK TYPE STATISTICS REPORT  
 10/27/2011 TO 11/16/2011

PRNTWKTP  
 11/16/2011  
 10:22 AM

SUBTOTALS	PERMITS	FEES	EST. COST
F FENCE	5	60.00	0
OC RETAIL	2	100.00	0
OC SERVICE	2	75.00	0
S CANOPY/AWNING	1	31.00	0
S REFACE	1	25.00	0
S WALL SIGN	2	82.00	0
Z ADDITION COMMERCIAL	1	110.00	0
Z DRIVEWAY	1	25.00	0
Z SHED	1	25.00	0
Z SINGLE FAMILY RESIDENCE	1	84.06	0
Z SINGLE FAMILY W/BASMNT	1	91.15	0
=====			
GRAND TOTAL	18	\$708.21	

CITY OF TROY - Ward One  
 PERMIT REPORT  
 10/27/2011 TO 11/16/2011

11/16/2011  
 10:08 AM

-----  
 2011139Z 11/14/2011 607 MICHIGAN AVE METZGER, WILLIAM & STACI 0  
 DRIVEWAY D08028160 607 MICHIGAN AVE 25.00  
 N/A LV 0  
 CONCRETE DRIVE EXTENSION - 11/2/11 TROY, OH 45373- NL 0  
 CULBERTSON HEIGHTS 0/ 0.00/ BA 0  
 /

CITY OF TROY - Ward Two  
 PERMIT REPORT  
 10/27/2011 TO 11/16/2011

11/16/2011  
 10:08 AM

-----  
 2011138Z 11/8/2011 1563 BANBURY RD HUNT, DANIEL & DIANE 0  
 SHED D08057463 1563 BANBURY RD 25.00  
 N/A LV 0  
 SHED - 11/7/11 TROY, OH 45373- NL 64  
 WESTBROOK 11 0/ 0.00/ BA 0  
 /

-----  
 2011090F 11/11/2011 1538 BEEKMAN DR WELBORN, JUDY 0  
 FENCE D08101970 1538 BEEKMAN DR 10.00  
 N/A LV 0  
 FENCE - 11/10/11 TROY, OH 45373- NL 0  
 BROOK PARK NORTH 6 0/ 0.00/ BA 0  
 /

-----  
 2011089F 11/11/2011 866 CROSSBOW LN SCOTT INVESTMENTS OF TROY, LLC 0 KEYSTONE HOMES  
 FENCE N/A P. O. BOX 980 10.00 PO BOX 980  
 10303 LV 0 TROY, OH 45373-  
 FENCE - 11/8/11 TROY, OH 45373- NL 0 937-332-8669  
 N/A 0/ 0.00/ BA 0  
 /

-----  
 2011087F 11/1/2011 1303 FLEET RD SHIREY, ANDREW & ELAINE 0  
 FENCE D08036340 1303 FLEET RD 10.00  
 N/A LV 0  
 FENCE - 10/27/11 TROY, OH 45373- NL 0  
 WESTBROOK 3 0/ 0.00/ BA 0  
 /

-----  
 2011083S 10/27/2011 21 KINGS CHAPEL DR N ASSC TY LLC 0  
 CANOPY/AWNING D08058000 7410 JAGER CT 31.00  
 N/A LV 0  
 EXTRA SPACE STORAGE-CANOPY-7/19/11 CINCINNATI, OH 45230- NL 0  
 KINGS CHAPEL 1 0/ 0.00/ BA 0  
 /

2011082S	10/27/2011	21 KINGS CHAPEL DR N	ASSC TY LLC		0
REFACE		D08058000	7410 JAGER CT		25.00
		N/A		LV	0
		EXTRA SPACE STORAGE-REFACE-7/18/11	CINCINNATI, OH 45230-	NL	0
		KINGS CHAPEL 1	0/ 0.00/	BA	0

20110430C	11/15/2011	2301 MAIN ST W	EAST TROY, LLC		0
SERVICE		N/A	2301-23 W MAIN S305 W MAIN		50.00
		N/A		LV	1400
		POSH HAIR SALON (OC) 11/9/11	TROY, OH 45373-	NL	0
			0/ 0.00/	BA	0

2011084S	11/15/2011	2301 MAIN ST W	EAST TROY, LLC	0 KAP SIGNS	
WALL SIGN		N/A	2301-23 W MAIN S305 W MAIN	43.00 1608 KUNTZ RD	
		N/A		LV	0 DAYTON, OH 45404-
		POSH HAIR SALON - WALL SIGN - 11/9/11	TROY, OH 45373-	NL	0 937-223-2155
			0/ 0.00/	BA	0

CITY OF TROY - Ward Three  
 PERMIT REPORT  
 10/27/2011 TO 11/16/2011

11/16/2011  
 10:08 AM

20110410C	11/2/2011	12 MAIN ST W	BEHN, PARKER		0
RETAIL		N/A	628 CRAWFORD ST S		50.00
		N/A		LV	0
		FAMILY BIKE SHOP-(OC)-10/27/2011	TROY, OH 45373-	NL	0
			0/ 0.00/	BA	0

20110400C	10/27/2011	120 MAIN ST W	AD ASTRA LLC		0
RETAIL		N/A	124 MAIN ST W		50.00
		N/A		LV	800
		ASHLEY'S BOUTIQUE (OC) 10/19/11	TROY, OH 45373-	NL	0
			0/ 0.00/	BA	0

2011137Z	11/2/2011	2834 STONEBRIDGE DR	HARLOW BUILDERS, INC.	0 HARLOW BUILDERS	
SINGLE FAMILY RESIDENCE		NA	405 PETERS AVE	84.06 405 PETERS AVE	
		10188		LV	2510 TROY, OH 45373-
		SGL FAMILY RES - 10/20/11	TROY, OH 45373-	NL	896 937-339-9944
		STONEBRIDGE ESTATES FIVE	0/ 0.00/	BA	0

CITY OF TROY - Ward Four  
 PERMIT REPORT  
 10/27/2011 TO 11/16/2011

11/16/2011  
 10:08 AM

2011042OC	11/15/2011	315 FRANKLIN ST W	NOBLE, MARY	0
SERVICE		D08-002040	315 FRANKLIN ST W	25.00
		N/A		LV 240
		VIBRATIONAL RADIANCE (OC) 11/9/11	TROY, OH 45373-	NL 0
		N/A	0/ 0.00/	BA 0
/				
2011081S	10/27/2011	12 MARKET ST S	FOUR SONS DEVELOPMENT LLC	0
WALL SIGN		N/A	2570 TROY SIDNEY RD	39.00
		N/A		LV 0
		UP AND RUNNING (WALL SIGN) 10/19/11	TROY, OH 45373-	NL 0
			0/ 0.00/	BA 0
/				
2011088F	11/2/2011	960 MARKET ST S	GRISE, TERRY & BETTY	0
FENCE		D08-044850	960 MARKET ST S	10.00
		N/A		LV 0
		FENCE - 10/31/11	TROY, OH 45373-	NL 0
		N/A	0/ 0.00/	BA 0
/				
2011091F	11/11/2011	725 SCOTT ST	KILPATRICK, LEWIS & DOROTHY	0
FENCE		D08023140	725 SCOTT ST	20.00
		N/A		LV 0
		FENCE - 11/4/11	TROY, OH 45373-	NL 0
			0/ 0.00/	BA 0
/				
2011136Z	11/2/2011	2651 SHADY TREE DR	DENLINGER & SONS BUILDERS, INC	0 DENLINGER & SONS
SINGLE FAMILY W/BASMNT		N/A	1291 ARCHER DR	91.15 1291 ARCHER DRIVE
		10263		LV 1780 TROY, OH 45373-
		SGL FAM W/BASEMENT - 10/25/11	TROY, OH 45373-	NL 2335 937-335-9096
		N/A	0/ 0.00/	BA 1415
/				
2011135Z	11/2/2011	101 WACO ST	GOODRICH CORP.	0 BRUNS GENERAL CONTRACTING
ADDITION COMMERCIAL		N/A	101 WACO ST	110.00 3050 TIPP COWLESVILLE RD
		N/A		LV 1000 TIPP CITY, OH 45371-
		GOODRICH-COMMERCIAL ADDITION-10/26/11	TROY, OH 45373-	NL 0 937-339-2300
			0/ 0.00/	BA 0
/				

CITY OF TROY - Ward One  
VIOLATIONS BY REASON CODE  
10/27/2011 TO 11/16/2011

11/16/2011  
10:24:58 AM

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20111518 11/4/2011 1741 PARADISE TRAIL  
TRASH & DEBRIS COMPLETED  
HUNTERS RIDGE TWO  
9-22-11 td Brush on lot. Certified  
9-26-11 sb Green card dated 9-26-11. Follow up 9-27-11  
11-4-11 sb Limbs still there send to OZ. Close.

---

20111506 10/27/2011 813 MARKET ST N  
JUNK VEHICLE VEHICLE MOVED

10-27-11 sb Car on grass "for sale". Certified, follow up  
11-7-11  
11-2-11 sb Green card dated 10-31-11, follow up 11-7-11  
11-7-11 sb Car gone. Close.

---

20111522 11/7/2011 510 MIAMI ST  
JUNK VEHICLE  
MEADOWLAWN 2A  
11-7-11 sb Boat on grass. Certified, follow up 11-16-11  
11-14-11 sb Green card dated 11-9-11, follow up 11-16-11

CITY OF TROY - Ward Two  
VIOLATIONS BY REASON CODE  
10/27/2011 TO 11/16/2011

11/16/2011  
10:24:58 AM

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20111511 10/28/2011 937 FOUNTAIN ST  
JUNK VEHICLE VEHICLE MOVED  
N/A  
EUP9880 car parked on grass.  
Green card (owner) signed 10/29/11. Tenant said car will be  
moved by 11/4/11. Check next Monday 11/7/11. Vehicle removed.

---

20111512 10/28/2011 21 KINGS CHAPEL DR N  
SIGN VIOLATIONS COMPLETED  
KINGS CHAPEL 1  
Two "Managers Special" Banners on fence without permit.  
Manager called 12/28/11 to know how to get a permit and was  
informed. Banner removed.

---

20111514 11/1/2011 938 ATLANTIC ST  
TRASH & DEBRIS TRASH REMOVED

Trash on alley side by detached garage.  
Habitat home. Removed swimming pool and stored it  
inside of detached garage for the winter season.

---

20111526 11/7/2011

1213 YORK LN

JUNK VEHICLE

N/A

Complaint on too many business related cars, some without tags on street, trailer with construction debris and people gathering before and after business hours at this address going to construction site. 11/7/11 Sent to Police and sent a letter to the owner. Owner requested until 11/18/11 to rent a space for the materials. Reinspect 11/18/11.

20111537 11/14/2011

10 MARKET ST N

ZONING PROBLEMS

N/A

Castle Bond moved in on part of the building owned by Clark, Schaffer & Hackett without any occupancy permit. Window sign seen from street. No one was at the office but the owners next door was given verbal notice to get an occupancy permit and that the fees will be doubled as they were there without a permit.

20111539 11/15/2011

18 MARKET ST N

PROPERTY MAINTENANCE

In September the owner applied to Planning Commission to have chimney removed from building because it is unsafe, however, Planning Commission denied application. Two months has past and the owner has not secured the chimney. 11/15/11 Order sent to the owner to have the chimney repaired within 30 days or submit a repair plan. Reinspect 12/15/11.

CITY OF TROY - Ward Three

VIOLATIONS BY REASON CODE

10/27/2011 TO 11/16/2011

11/16/2011

10:24:58 AM

20111515 11/2/2011

1345 IMPERIAL CT

JUNK VEHICLE

VEHICLE MOVED

N/A

11-2-11 sb blue Pontiac Grand Am, right tire flat and run off of rim. Comes back to Thomas McNickle, 45400 St Rt 160, Ewington, OH 45686. Certified and copy McNickle. Follow up 11-14-11  
11-4-11 sb Thomas McNickle tel. His son goes to Hobart and was using the car while here. His last day of school is today and he is leaving for home after school today and car should be gone then.

11-14-11 sb Car gone. Close.

20111521 11/7/2011

1415 HENLEY RD

TRASH & DEBRIS

11-7-11 sb Bunch of trash overflowing out of Dumpster. Certified, follow up 11-17-11.

20111523 11/7/2011 502 PENNSYLVANIA AVE  
TRASH & DEBRIS TRASH REMOVED  
N/A  
11-7-11 sb Trash in rear by alley. Certified, follow up 11-14-11  
11-14-11 sb Green card dated 11-9-11.  
11-14-11 sb Trash gone. Close.  
follow up 11-28-11.

---

20111545 11/15/2011 52 WESTHAVEN DR  
TRASH & DEBRIS  
N/A  
11-15-11 sb Bed frame in ROW. Certified, follow up 11-22-11.

---

20111544 11/15/2011 418 LAKE ST  
TRASH & DEBRIS  
  
11-15-11 sb Tarp in ROW. Certified, follow up 11-22-11.

---

20111543 11/15/2011 410 LAKE ST  
TRASH & DEBRIS  
  
11-15-11 sb Couch & love seat in ROW. Certificate, follow up  
11-21-11.

---

20111547 11/15/2011 2524 FOXCHASE CT W  
JUNK VEHICLE  
KINGS CHAPEL 2  
11-15-11 sb Trailer on grass. Certified, follow up 11-28-11.

---

20111546 11/15/2011 175 WESTHAVEN DR  
JUNK VEHICLE  
  
11-15-11 sb Blue Crown Vic with expired tags 5/11. Certified, follow up  
11-21-11.

CITY OF TROY - Ward Four  
VIOLATIONS BY REASON CODE 11/16/2011  
10/27/2011 TO 11/16/2011 10:24:58 AM

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20111508 10/28/2011 1281 DORSET RD S  
SIGN VIOLATIONS  
N/A  
"For lease" sign obsolete as all space has now been rented.  
Green Card signed 10-31-11.  
11-15-11 left voice mail to Steve sperenza twice on his office  
and cell. He called back and left a voice mail that theu  
contacted Haas sign who forgot to remove it and will do so in  
two days. Check 11/18/11.

---

20111509 10/28/2011 607 WALNUT ST S  
TRASH & DEBRIS TRASH REMOVED

Special trash on curb side two week early.  
Green card signed 10-29-11.  
Tenant moving out, trash removed.

-----  
20111510 10/28/2011 624 CLAY ST S  
TRASH & DEBRIS TRASH REMOVED

Complaint on a bunch of trash on front porch. Letter sent 10/28/11. Items removed.

-----  
20111517 11/2/2011 254 UNION ST S  
TRASH & DEBRIS NO VIOLATION

N/A  
Complaint that several trash bags are left on the alley side and trash has not been taken out for four weeks or so. inspection showed a row of about 4 containers but no special trash scattered in rear yard. No violation noted at this time.

-----  
20111525 11/7/2011 10 ELMWOOD AVE  
TRASH & DEBRIS NO VIOLATION

ELMWOOD  
Complaint that constant display of building material at the corner lot. Letter sent 11/7/11. Owners removed items from property. Close.

-----  
20111528 11/8/2011 708 CRAWFORD ST S  
TRASH & DEBRIS NO VIOLATION

N/A  
Compliant about trash blocking the entrance to property on the alley side. Sent notice to 708 Crawford. Owner called and said they recently bought the house and the trash was there when they moved in plus the trash was not really on their proeprty but on the neighbor's. Reinspected with Tim and send a revised letttr to the complainant as trash and stacks of tires are on his property. If it was left by unspecified people he is still responsible for clean up.

-----  
20111533 11/9/2011 928 MULBERRY ST S  
TRASH & DEBRIS TRASH REMOVED

N/A  
Complaint that colapsed swimming pool and a lot of other stuff in the back yard. Letter sent to the owner 11/9/11. Trash removed.

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20111536 11/11/2011 920 CRAWFORD ST S  
FENCE PROBLEMS

N/A  
Complaint from 1002 S Crawford that across the street a 6' privacy fence has been erected at the property line on street side when they were told that they cannot do the same. Thompsons applied for a fence permit in March of 2011 and after initial on site inspection they were told that they cannot construct a 6' privacy fence on the property line because it is a corner lot. The lady was rude and requested her application and money back and we returned it and voided the request (see permit record.) Complainant said the fence was erected about three days ago 7th or 8th of November 2011.

Letter sent describing the history with an order to remove, right to appeal and possible court case 11/11/11. Owners are applying to the BZA for a variance from the fence regulations.

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20111538 11/14/2011 1471 MARKET ST S  
SIGN VIOLATIONS  
N/A

Temp sign for the new hair salon close to the street. Stopped by and request the new business to remove sign and follow the sign permit procedure before installing sign. Gave them a permit application and will charge them double.

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20111540 11/15/2011 714 CRAWFORD ST S  
JUNK VEHICLE VEHICLE MOVED  
N/A

Expired license car parked on grass. Spoke to owner to removed vehicle. Vehicle removed.

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20111541 11/15/2011 926 FRANKLIN ST E  
TRASH & DEBRIS  
N/A

Complaint about a mattress on front lawn. Letter sent to the owner on 11/15/11. Reinspect 11/22/11.

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20111542 11/15/2011 930 FRANKLIN ST E  
TRASH & DEBRIS

Furniture and other trash on alley side of property. Letter sent 11/15/11. Reinspect 11/22/11.

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20111524 11/7/2011 300 MARKET ST W  
ZONING PROBLEMS NO VIOLATION

Tammy Piercy from 300 W market called to complain that if the neighbor to her rear is planning to erect a 6' privacy fence that would block her view of the alley where she backs out to get out on Peters. Her neighbors received all info on fence permit but has not applied yet.

Checked with Debbie on if this will be allowed by Eng. and Debbie's response that there is no zoning code violation to erect the fence and Eng. will not have any objection either. Left a voice mail to Tammy at 335-7255 along with the suggestion that this could be a court issue and the zoning dept. has no objection to the fence.