CITY OF PATASKALA BOARD OF ZONING APPEALS

City Hall, Council Chambers
621 West Broad Street
Pataskala, Ohio 43062

STAFF REPORT

June 13, 2017

Variance Application VA-17-011

Applicant:	Eddie Urdak
Owner:	Eddie Urdak
Location:	303 Aberdeen Rd. SW
Acreage:	2 acres
Zoning:	R-87 – Medium-Low Density Residential
Request:	Requesting a variance from Section 1221.05(B)(1) of the Pataskala Code to allow for the construction of an accessory building addition that would exceed the maximum size requirement.

Description of the Request:
The applicant is seeking a variance to construct a 38 foot x 34 foot (1,292-square foot) addition to the existing 24 foot x 30 foot (720-square foot) detached garage that would exceed the maximum permitted size by at least 692 square feet.

Staff Summary:
The property currently contains an existing 3,066 square foot home built in 1998 as well as a detached garage built in 2002. According to the applicant, the garage is 24 feet x 30 feet (720 square feet); however, the Licking County Auditor lists the garage as 960 square feet with no dimensions provided. The Auditor's property record card is attached. Furthermore, the acreage indicated on the application is two (2) acres; however, the plat for Kylemore Phase I indicates that Lot 1 is 1.97 acres. A copy of the plat is attached.

The applicant is proposing to construct a 1,292 square foot addition to the existing detached garage. According to the applicant, the addition will be used to house his RV to keep it out of the weather and remove it as an "eyesore" to the neighbors.

Based upon the lot size information provided by the applicant, the maximum permitted square footage for accessory buildings would be 1,320 square feet. The information provided by the applicant for the size of the existing garage indicates the addition would exceed the maximum permitted size by 692 square feet or 52 percent.

Based upon the information provided by the Licking County Auditor and the Kylemore Phase I plat, the maximum permitted square footage for accessory buildings would be 1,302 square feet. The information

provided by the Licking County Auditor and the Kylemore Phase I plat indicates the addition would exceed the maximum permitted size by 950 square feet or 73 percent.

Due to the discrepancy in lot size and the size of the existing detached garage, the variance request would be, at a minimum, for 692 square feet (52 percent) or, at a maximum, for 950 square feet (73 percent).

Staff Review:

The following review does not constitute recommendations but merely conclusions and suggestions based on the summary

The applicant did not indicate why an addition to the detached garage of 1,292 square feet is needed to store an RV.

Staff has received a comment from the City Engineer stating that the property owner shall take care to not disturb the existing drainage pattern of the site. A possible supplementary condition has been provided to address the comment.

Surrounding Area:

Direction	Zoning	Land Use
North	R-87 – Medium-Low Density Residential	Single Family Home
East	R-87 – Medium-Low Density Residential	Single Family Home
South	R-87 – Medium-Low Density Residential	Single Family Home
West	R-87 – Medium-Low Density Residential	Single Family Home

Variance Requirements:

According to Section 1211.07(1) of the Pataskala Code, the Board of Zoning appeals shall consider the following factors when determining if an area variance is warranted:

a) *Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property;*
b) *Whether there are unique physical circumstances or conditions that prohibit the property being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property;*
c) *Whether the variance requested is substantial;*
d) *Whether the essential character of the neighborhood would be substantially altered or the adjoining properties would suffer a substantial detriment as a result of the variance;*
e) *Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;*
f) *Whether the variance, if granted, will be detrimental to the public welfare;*
g) *Whether the variance, if granted, would adversely affect the delivery of government services;*

h) Whether the property owner purchased the subject property with knowledge of the zoning restriction;
i) Whether the property owner's predicament con be obviated through some other method than variance;
j) Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,
k) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Furthermore, Section 1211.07(2) allows other factors to be considered, including comments from City staff, when determining if an area variance is warranted. The following factors from Section 1211.07(2) are applicable to Variance Application VA-17-011:

h) To increase the maximum gross floor area of any use so limited by the applicable regulation (it is suggested that the same should not be increased by more than 25%)

- As proposed, the increase would be between 53 and 73 percent.

Department and Agency Review

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – See attached
- Health Department – No comments
- Police Department – No comments
- West Licking Joint Fire District – No comments
- Licking Heights School District – No comments

Supplementary Conditions:
Should the Board choose to approve the applicant's request, the following supplementary conditions may be considered:

1. The applicant shall construct the accessory building as submitted within one (1) year of the date of approval.
2. The applicant shall obtain all necessary permits from the City of Pataskala and Licking County Building Department prior to constructing the accessory building.
3. The addition to the detached garage shall not create drainage issues.

Resolution:
For your convenience, the following resolution may be considered by the Board of Zoning Appeals when making a motion:

"I move to (approve/disapprove) variance from Section 1221.05(B)(1) of the Pataskala Code for variance application VA-17-011 ("with the following supplementary conditions" if supplementary conditions are to be placed on the approval)."

Michael L. Smith
Auditor, Licking County, Ohio

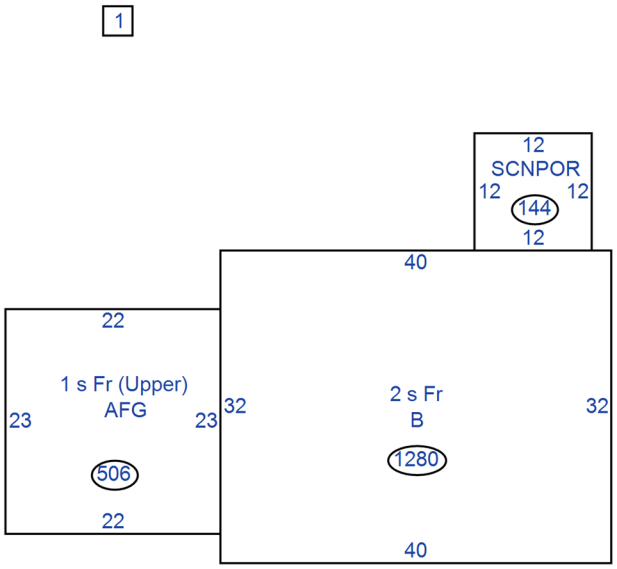
URDAK EDDIE LEE & HUDSON KAREN J
303 ABERDEEN DR PAT

Parcel #: 063-140736-00.004
Rt #: 063-092.21-011.000

Tax District:	063 - PATASKALA LK HGHTS LSD-WLJFD
School District:	LICKING HEIGHTS LSD
Neighborhood:	07501 Pataskala-Kylemore
Classification:	510 Single family platted lot
Acreage:	
Property Desc:	KYLEMORE PHASE I LOT 1

ATTRIBUTES

Story Height:	2
Exterior Wall:	Frame
Heating:	Central Warm Air
Cooling:	Central
Basement:	Pt Basement
Attic:	None
Total Rooms:	6.0
Bedrooms:	3.0
Family Rooms:	
Dining Rooms:	0.0
Full Baths:	2.0
Half Baths:	1.0
Other Fixtures:	2.0
Year Built:	1998
Finished Living Area:	3,066
Fireplace Openings:	0.0
Fireplace Stacks:	0.0
Basement Garage(s):	0.0
Basement Finished:	No



AREA

First Floor:	1,280
Upper Floor:	1,786
Attic:	0
Half Story:	0
Crawl:	0
Basement:	1,280

CURRENT VALUES

	Land	Improvement	Total
Market	38,200	200,200	238,400
CAUV	0	0	0

SALES HISTORY

	Pcl #	Instrument Type	Sale Price	Conv #	V	LO	Previous Owner
08/11/1998	1	JS - JOINT SURVIVORSHIP	36700.00	02512	Y	Y	DEHLENDORF & COMPANY
07/16/1997	1	UN - UNKNOWN	0.00	44444	N	Y	Refer to deed

IMPROVEMENTS

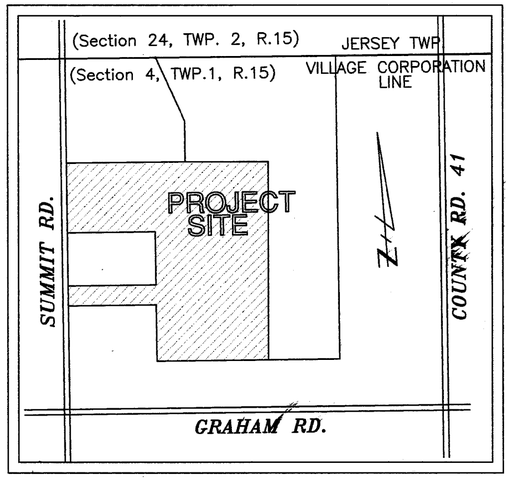
	Description	Yr Built	SqFt	Value
1	DFG - Det Fr Garage	2002	960	16,110

Public information data is furnished by this office, and must be accepted and used by the recipient with the understanding that this office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this data. Furthermore, this office assumes no liability whatsoever associated with the use or misuse of such data.

KYLEMORE PHASE I

BEING A PART OF NORTHWEST QUARTER OF SECTION 4, LOCATED IN QUARTER TOWNSHIP 2, TOWNSHIP–1–N, RANGE–15–W, UNITED STATES MILITARY LANDS, VILLAGE OF PATASKALA, LICKING COUNTY, OHIO

Instr:200502160004561 02/16/2005
Pages:3 F:$0.00 2:41PM
Bryan A. Long T20050004221
Licking County Recorder FL



LOCATION MAP
NOT TO SCALE

DEDICATION

Situated in the Northwest Quarter of Section 4, Township–1–North, Range–15–West, United States Military Lands, Village of Pataskala, Licking County, Ohio, containing 50.98 acres and being the same tract as conveyed to Dehlendorf & Company and described in the deed recorded in Official Record Volume 829 Page 601 of the Licking County Recorder's Office.

The undersigned, Michael B. Dehlendorf, Vice President/Treasurer and Matthew C. Dehlendorf, Vice President of Development hereby certify that the attached plat correctly represents their KYLEMORE PHASE I, a subdivision of Lots 1 to 18, inclusive, do hereby accept this plat of same and dedicate to public use as such all or parts of the roads, boulevards, cul–de–sacs, and easements shown herein and not heretofore dedicated.

The undersigned further agrees that any use of improvements made to this land shall be in conformity with all existing valid zoning, platting, health, or other lawful rules and regulations including the applicable off–street parking and loading requirements of the Village of Pataskala, Ohio, for the benefit of themselves and all others and subsequent owners or assigns taking title from, under, or through the undersigned.

In Witness thereof 16 day of July, 1997.

Witness _____ Signed _____
MICHAEL A. DEHLENDORF
Michael B. Dehlendorf
Vice President/Treasurer
Dehlendorf & Company

Witness _____ Signed _____
Matthew C. Dehlendorf
Vice President of Development
Dehlendorf & Company

ACKNOWLEDGMENT

STATE OF OHIO
VILLAGE OF PATASKALA

Before me a Notary Public in and for said Village personally came Michael B. Dehlendorf, Vice President/Treasurer and Matthew C. Dehlendorf, Vice President of Development, of Dehlendorf & Company who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the purposes therein expressed.

In witness whereof I have hereunto set my hand and affixed my official seal this 16th day of July, 1997

By: _____
JUDITH Y. BAIRD
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES MARCH 29, 2000

SURVEYOR'S CERTIFICATE

We do hereby certify that we have surveyed the premises and prepared the attached plat and that said plat is correct. All dimensions are in feet and decimal parts thereof.

STATE OF OHIO
LAWRENCE E. BALL 6878 REGISTERED SURVEYOR

By: _____ Date: August 20th, 1996.
LAWRENCE E. BALL P.S. 6878

DESCRIPTION APPROVED
TIM LOLLO
LICKING COUNTY ENGINEER
TAX MAP DRAWING NO. 92-26 APPROVED BY:

JOBES HENDERSON & ASSOCIATES INC.
CIVIL ENGINEERING & LAND SURVEYING
1627 BRYN MAWR DRIVE
NEWARK, OHIO 43055
TEL. (614)344–5451
FAX (614)344–5746

Approved this 13 day of Sept., 1996 — David E. Penrod
Chairman, Board of Public Affairs, Pataskala, Ohio

Approved this 4th day of September, 1996 — Richard Boggs
Chairman, Planning and Zoning Commission, Pataskala, Ohio

Approved this 3rd day of Sept., 1996 — Stuart Wilms
Village Engineer, Pataskala, Ohio

Approved and accepted this 9 day of Sept., 1996, by Ordinance No. _____ wherein all or parts of Warrenpoint Lane, Edenderry Lane, Killarney Lane, Aberdeen Drive, and Kilkenny Court shown dedicated hereon are accepted as such by the Council for the Village of Pataskala, Ohio.

Kula Preston
Village Clerk, Pataskala, Ohio

Bruce J. Baird
Mayor, Pataskala, Ohio

Accepted for platting this 16th day of July, 1997 — George W Buchanan
Auditor, Licking County, Ohio

99732

Filed for record this 16th day of July, 1997

Recorded this 16th day of July, 1997 — Robert E. Wise
AT 10:25 o'clock A M
Recorder, Licking County, Ohio

Fee $ 64.80

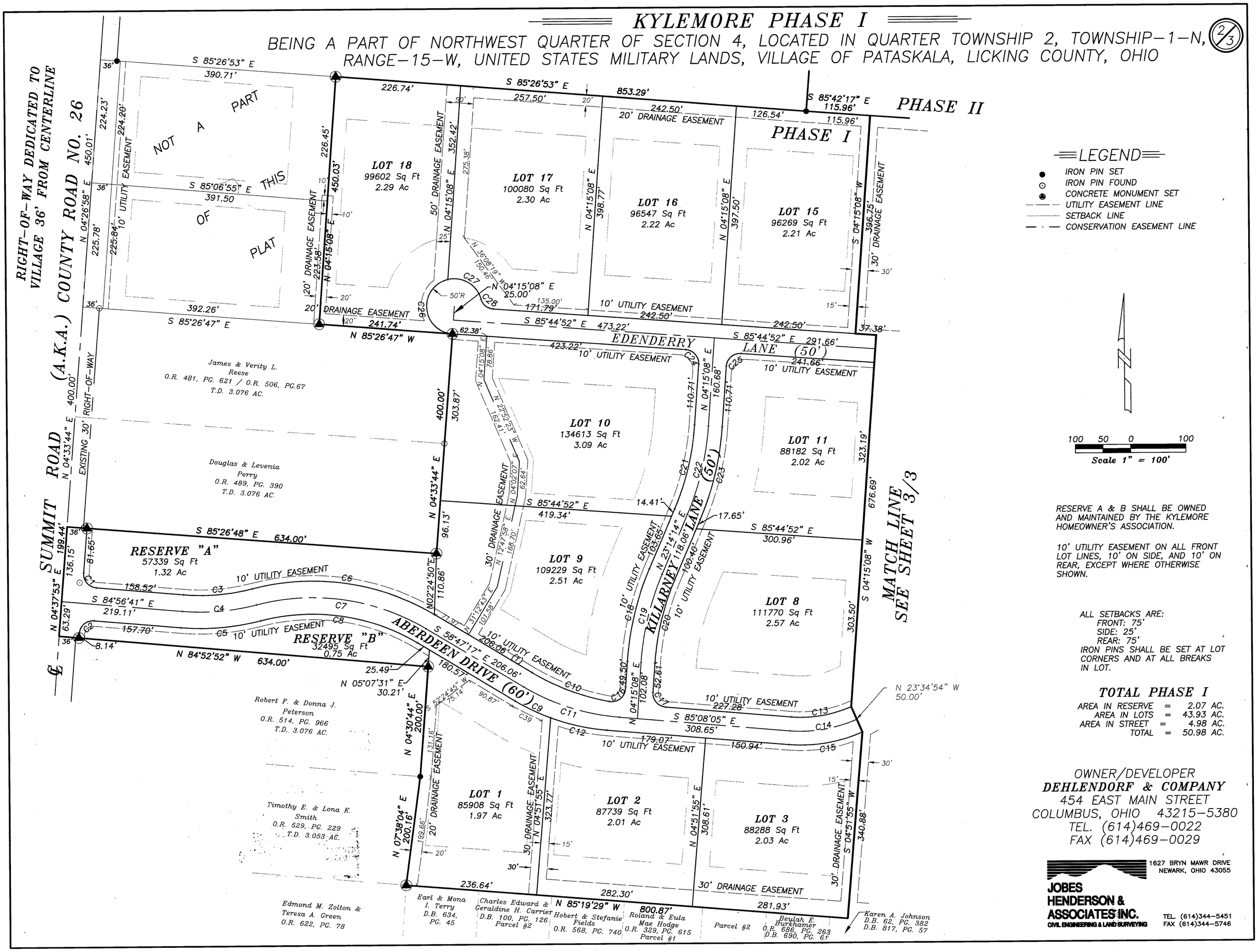
Plat Book 15 Page 356-357-358
Restrictions Filed OR 923-216

OWNER/DEVELOPER
DEHLENDORF & COMPANY
454 EAST MAIN STREET
COLUMBUS, OHIO 43215–5380
TEL. (614)469–0022
FAX (614)469–0029

KYLEMORE PHASE I

BEING A PART OF NORTHWEST QUARTER OF SECTION 4, LOCATED IN QUARTER TOWNSHIP 2, TOWNSHIP-1-N, RANGE-15-W, UNITED STATES MILITARY LANDS, VILLAGE OF PATASKALA, LICKING COUNTY, OHIO

2/3



RESERVE A & B SHALL BE OWNED AND MAINTAINED BY THE KYLEMORE HOMEOWNER'S ASSOCIATION.

10' UTILITY EASEMENT ON ALL FRONT LOT LINES, 10' ON SIDE, AND 10' ON REAR, EXCEPT WHERE OTHERWISE SHOWN.

ALL SETBACKS ARE:
FRONT: 75'
SIDE: 25'
REAR: 75'
IRON PINS SHALL BE SET AT LOT CORNERS AND AT ALL BREAKS IN LOT.

TOTAL PHASE I

AREA IN RESERVE	=	2.07 AC.
AREA IN LOTS	=	43.93 AC.
AREA IN STREET	=	4.98 AC.
TOTAL	=	50.98 AC.

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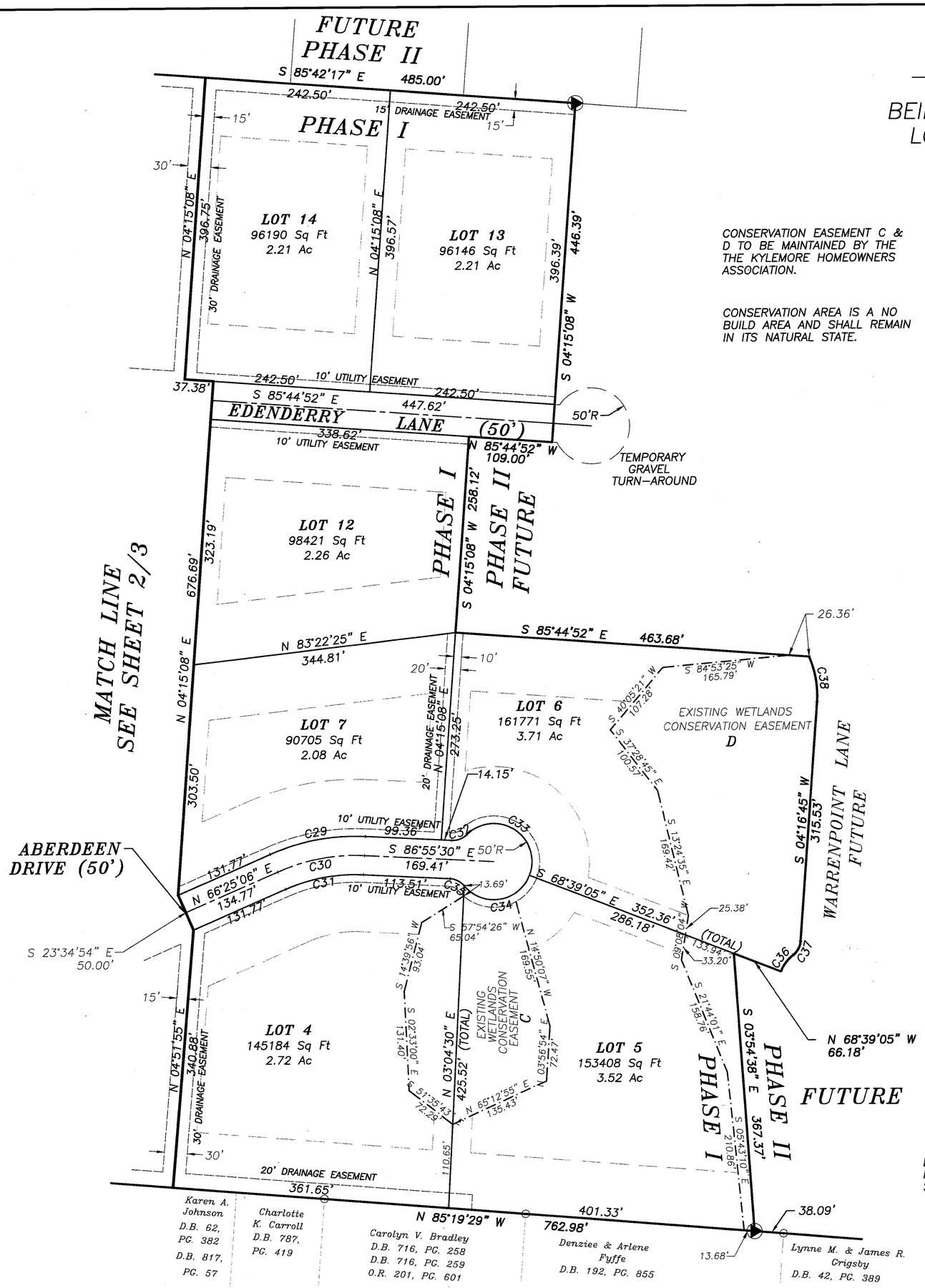

CONSERVATION EASEMENT C & D TO BE MAINTAINED BY THE THE KYLEMORE HOMEOWNERS ASSOCIATION.

CONSERVATION AREA IS A NO BUILD AREA AND SHALL REMAIN IN ITS NATURAL STATE.

CURVE DATA

NUMBER	DELTA ANGLE	CHORD BEARING	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH
C1	89°34'34"	N 40°09'24" W	25.00	24.82	39.08	35.22
C2	90°25'24"	N 49°50'37" E	25.00	25.19	39.45	35.49
C3	19°22'33"	N 85°22'02" E	370.00	63.17	125.12	124.53
C4	19°22'33"	N 85°22'02" E	400.00	68.29	135.27	134.63
C5	19°22'33"	N 85°22'02" E	430.00	73.41	145.41	144.72
C6	45°31'57"	N 81°33'16" W	430.00	180.46	341.72	332.80
C7	45°31'57"	N 81°33'16" W	400.00	167.87	317.88	309.58
C8	45°31'57"	N 81°33'16" W	370.00	155.28	294.04	286.36
C9	10°39'48"	N 64°07'11" W	381.86	35.64	71.07	70.97
C10	20°30'12"	N 69°02'23" W	418.13	75.62	149.63	148.83
C11	26°20'48"	N 71°57'41" W	400.00	93.62	183.93	182.32
C12	15°41'00"	N 77°17'35" W	381.86	52.59	104.53	104.20
C13	28°26'48"	N 80°38'31" E	225.00	57.03	111.71	110.57
C14	28°26'48"	N 80°38'31" E	250.00	63.37	124.12	122.85
C15	28°26'48"	N 80°38'31" E	275.00	69.71	136.53	135.14
C16	96°27'23"	N 52°28'50" E	25.00	27.99	42.09	37.29
C17	89°23'13"	N 40°26'29" W	25.00	24.73	39.00	35.17
C18	18°59'06"	N 13°44'41" E	525.00	87.78	173.96	173.16
C19	18°59'06"	N 13°44'41" E	500.00	83.60	165.68	164.92
C20	18°59'06"	N 13°44'41" E	475.00	79.42	157.39	156.67
C21	18°59'06"	N 13°44'41" E	475.00	79.42	157.39	156.67
C22	18°59'06"	N 13°44'41" E	500.00	83.60	165.68	164.92
C23	18°59'06"	N 13°44'41" E	525.00	87.78	173.96	173.16
C24	90°00'00"	N 40°44'52" W	25.00	25.00	39.27	35.36
C25	90°00'00"	N 49°15'08" E	25.00	25.00	39.27	35.36
C26	162°32'33"	N 04°28'36" W	50.00	325.66	141.84	98.84
C27	87°59'11"	S 59°12'44" E	50.00	48.27	76.78	69.46
C28	70°31'44"	S 50°29'00" E	25.00	17.68	30.77	28.87
C29	26°39'24"	N 79°44'48" E	275.00	65.15	127.94	126.79
C30	26°39'24"	N 79°44'48" E	250.00	59.23	116.31	115.27
C31	26°39'24"	N 79°44'48" E	225.00	53.31	104.68	103.74
C32	48°11'23"	N 68°58'49" E	25.00	11.18	21.03	20.41
C33	156°27'48"	S 56°52'59" E	50.00	240.00	136.54	97.90
C34	119°54'58"	N 81°18'24" E	50.00	86.46	104.65	86.57
C35	48°11'23"	S 62°49'48" E	25.00	11.18	21.03	20.41
C36	31°07'13"	S 36°54'31" W	50.00	13.92	27.16	26.82
C37	48°11'23"	S 28°22'26" W	25.00	11.18	21.03	20.41
C38	27°49'24"	S 09°37'57" E	125.00	30.96	60.70	60.11
C39	08°47'13"	N 63°10'54" W	391.86	30.11	60.10	60.04

LEGEND

- IRON PIN SET
- IRON PIN FOUND
- CONCRETE MONUMENT SET
- UTILITY EASEMENT LINE
- SETBACK LINE
- CONSERVATION EASEMENT LINE

ALL SETBACKS ARE:
FRONT: 75'
SIDE: 25'
REAR: 75'
IRON PINS SHALL BE SET AT LOT CORNERS AND AT ALL BREAKS IN LOT.

10' UTILITY EASEMENT ON ALL FRONT LOT LINES, 10' ON SIDE, AND 10' ON REAR, EXCEPT WHERE OTHERWISE SHOWN.

100 50 0 100
Scale 1" = 100'

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From: Jim Roberts
To: Zachary Cowan
Cc: Alan Haines; Scott Fulton; Scott Haines; Lisa Paxton
Subject: Review of June 13 BZA Agenda
Date: Friday, May 19, 2017 7:38:20 AM

Zack, per the request of the City of Pataskala, Jobes Henderson & Associates, Inc. has reviewed the agenda items for the June 13 Board of Zoning Appeals hearing. We offer the following engineering related comments:

- Case VA-17-010
  - We have no engineering comments on this application
- Case VA-17-011
  - This case is located within the Kylemore Subdivision, which has been identified as an area with drainage problems. Therefore, our only comment is this project cannot contribute to or add to any drainage issues in the area.
- Case VA-17-012
  - This is a new development that JHA has reviewed the engineering plans for already. We do not take exception to this reduced centerline radius for this roadway.
- Case VA-17-013
  - We do not have any engineering comments on this section. Our only observation would be to consider a possible Lot Combination to eliminate the issue.
- Case VA-17-014
  - Because the existing property is a church, parking should be adequate for this use.
  - Traffic to this facility will be during normal peak hour traffic (as opposed to the peak traffic time for the church operations). Therefore, the city needs to ensure no traffic or safety issues will occur as a result of this variance.
- Case VA-17-015 and VA-17-016
  - If the circumstances described are accurate, we do not take exception to this request from the engineering perspective.
  - The city should confirm the hardship tied to the setback request.
  - The city should require that drainage from the new structure be approved by the Service Director to ensure no future problems are created.
- Case VA-17-008
  - It appears the site will have adequate space for parking. However, how will parking be defined and will there be parking accommodations for ADA compliance?
  - While traffic to the facility may not be heavy, the city needs assurance that no safety issues will occur with heavier traffic flow into this driveway.

Please let us know if you have any questions or we can assist in any other way. We appreciate

the opportunity to work with the city on this issue.

Jim

James G. Roberts, P.E.
PRESIDENT

Jobes Henderson
A HULL COMPANY

59 Grant Street | Newark, Oh 43055
PH: (740) 344-5451 x 225 | FAX: (740) 344-8659
jroberts@hullinc.com
www.jobeshenderson.com
www.hullinc.com

CITY OF PATASKALA BOARD OF ZONING APPEALS

City Hall, Council Chambers
621 West Broad Street
Pataskala, Ohio 43062

VARIANCE APPLICATION

(Pataskala Codified Ordinances Chapter 1211)

Property Information		
Address: 303 ABERDEEN RD SW		
Parcel Number: 063-140736-00.004		
Zoning: R-87	Acres: 2	
Water Supply:		
☐ City of Pataskala	☐ South West Licking	☒ On Site
Wastewater Treatment:		
☐ City of Pataskala	☐ South West Licking	☒ On Site

Staff Use
Application Number: VA-17-011
Fee: $300-
Filing Date: 5-8-17
Hearing Date: 6-13-17

Applicant Information		
Name: EDDIE URDAK		
Address: 303 ABERDEEN RD SW		
City: PATASKALA	State: OH	Zip: 43062
Phone: 614-206-4457	Email: EDDIE URDAK@GMAIL.com	

Documents
☑ Application
☑ Fee
☑ Narrative
☑ Site Plan
☑ Deed
☑ Address List
☑ Area Map

Owner Information		
Name: SAME		
Address:		
City:	State:	Zip:
Phone:	Email:	

Variance Information
Request (Include Section of Code):
I WILL BE OVER ALOWABLE SQ FT
Describe the Project:
ADD ON TO GARAGE TO PARK RV

Documents to Submit

Variance Application: Submit 1 copy of the variance application.

Narrative Statement: Submit 1 copy of a narrative statement explaining the following:

- The reason the variance is necessary
- The specific reasons why the variance is justified as it pertains to Section 1211.07 of the Pataskala Code:
  - *a) Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property without the variance;*
  - *b) Whether there are unique physical circumstances or conditions that prohibit the property from being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property;*
  - *c) Whether the variance requested is substantial;*
  - *d) Whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance;*
  - *e) Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;*
  - *f) Whether the variance, if granted, will be detrimental to the public welfare;*
  - *g) Whether the variance, if granted, would adversely affect the delivery of governmental services;*
  - *h) Whether the property owner purchased the subject property with knowledge of the zoning restriction;*
  - *i) Whether the property owner's predicament can be obviated through some other method than variance;*
  - *j) Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,*
  - *k) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.*

Site Plan: Submit 1 copy of a site plan to scale of the subject property indicating the following:

- All property lines and dimensions
- All existing and proposed buildings and structures.
- Setbacks from property lines for all existing and proposed buildings, structures and additions
- Easements and rights-of-way
- Driveways
- Floodplain areas
- Location of existing wells and septic/aerator systems.
- Any other information deemed necessary for the variance request

Deed: Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained at www.lcounty.com/rec.

Address List: Submit 1 copy of a list of all property owners and addresses of those owning property within 200 feet or two parcels from any point on the subject property line, whichever creates more property owners. This list must be in accordance with the Licking County Auditor's current tax list and must be submitted on mailing labels.

Area Map: Submit 1 copy of an area map from the Licking County Engineer's office showing the area encompassed by the address list. Area maps can be obtained at www.lcounty.com/taxparcelviewer/default.

Signatures

I certify the facts, statements and information provided on and attached to this application are true and correct to the best of my knowledge. Also, I authorize City of Pataskala staff to conduct site visits and photograph the property as necessary as it pertains to this variance request.

Applicant: Eddie Urdak	Date: 5-8-17
Owner: Eddie Urdak	Date: 5-8-17

TO WHOM IT MAY CONCERN

5-8-17

I AM ASKING FOR A VARIANCE FOR MY PROPERITY LOCATED AT 303 ABERDEEN RD SW TO ADD ON TO MY EXISTING GARAGE SO I CAN PARK MY RV INSIDE WILL NOT ONLY HELP ME TO KEEP OUT OF THE WEATER IT WILL REMOVE THE EYESORE FROM MY NEIBORS

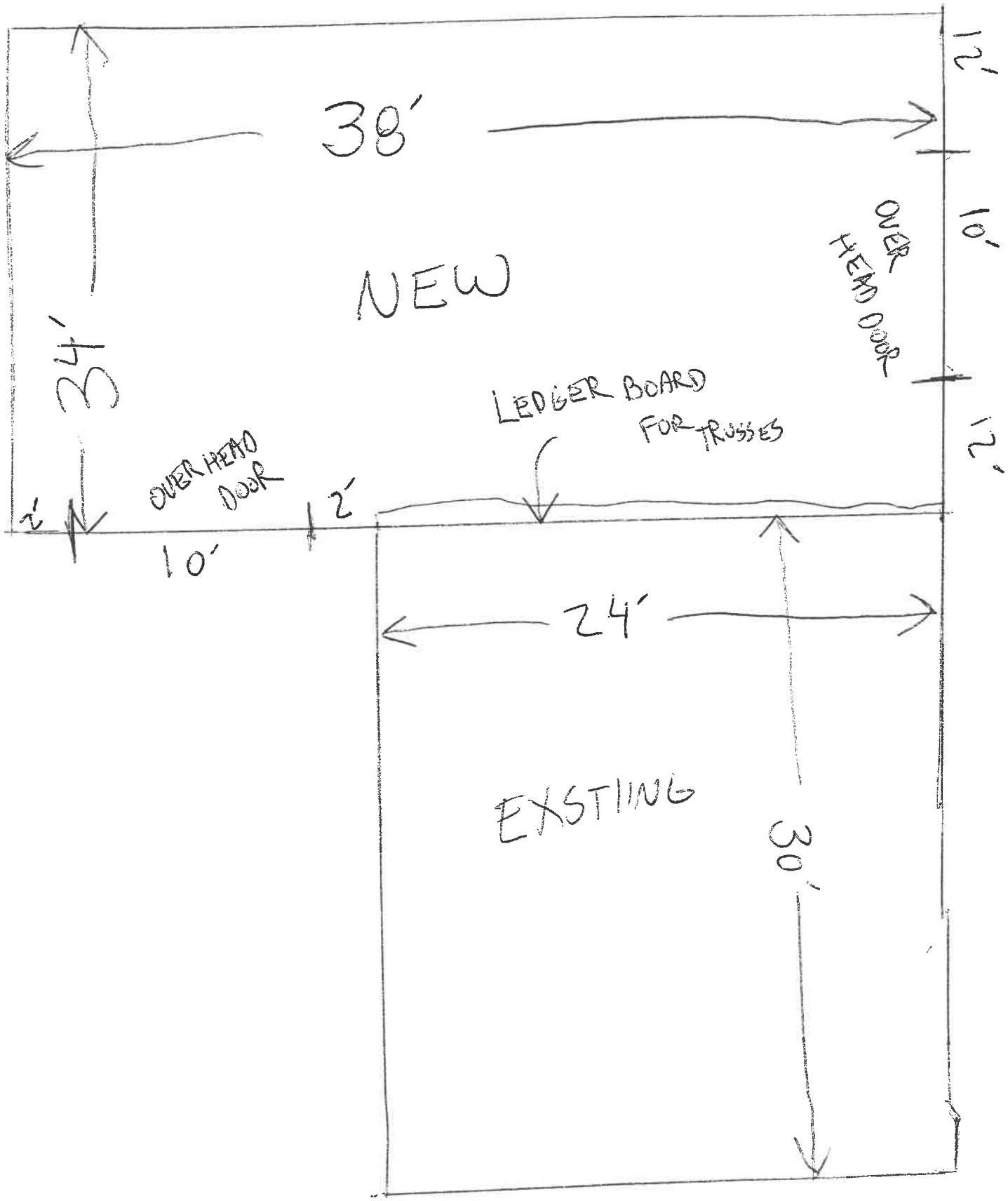
THANK YOU
EDDIE UROAK
Eddie Uroak

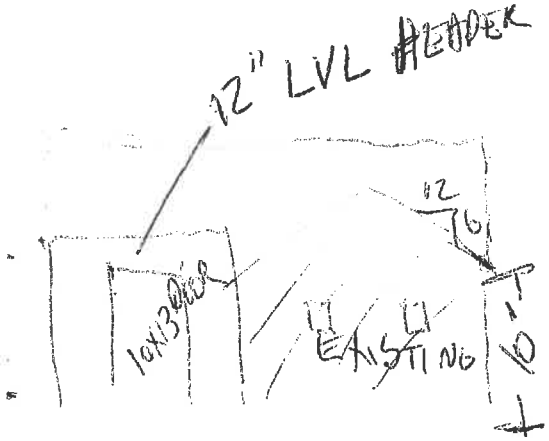
A. NO
B. NO
C YES
D NO I WILL BUILD TO MATCH EXISTING GARAGE
E NO
F NO
G NO
H NO
I NO
J YES
K YES

LickingCounty
lcounty.com: Your Link to Licking County Services
Licking County

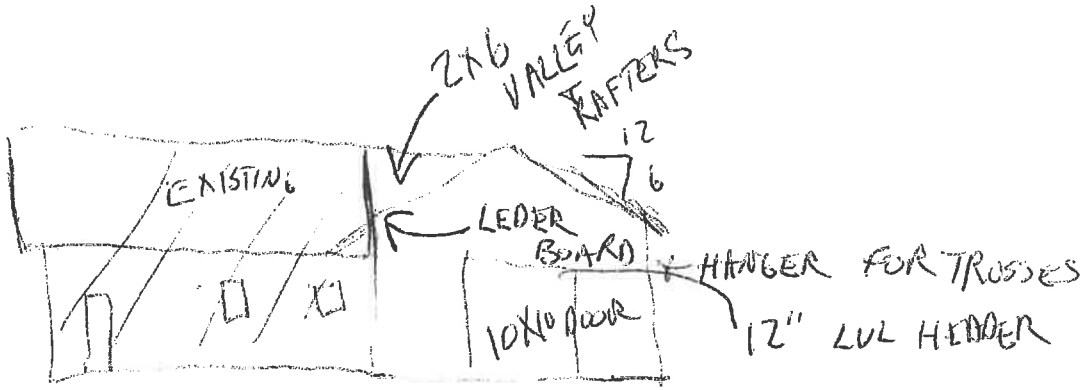
Licking County Tax
Parcel Viewer

LickingCounty

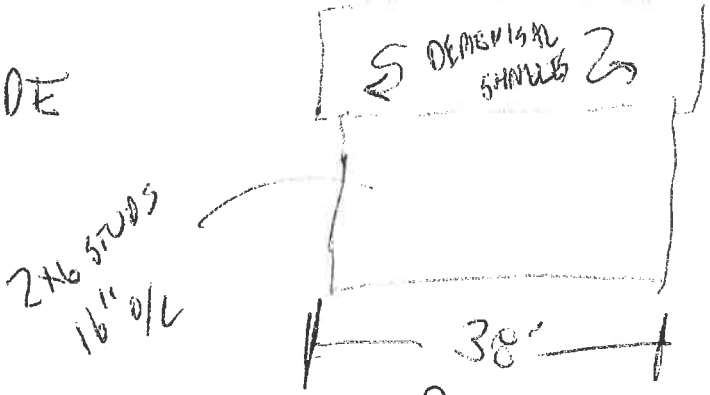

38'
12'
10'
OVER HEAD DOOR
NEW
24'
LEDGER BOARD FOR TRUSSES
12'
OVER HEAD DOOR
2'
2'
10'
24'
EXSTING
30'



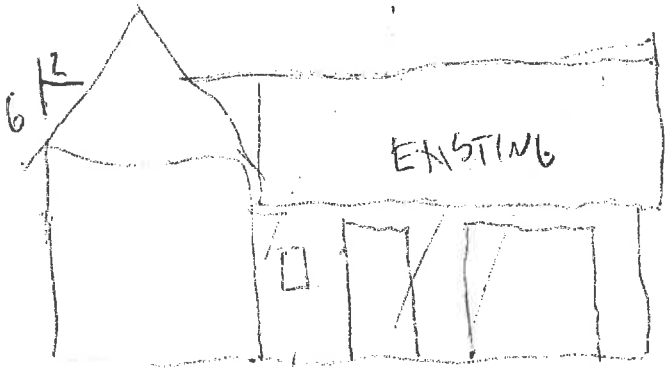
FROONT



WEST SIDE



REAR



34' EAST SIDE

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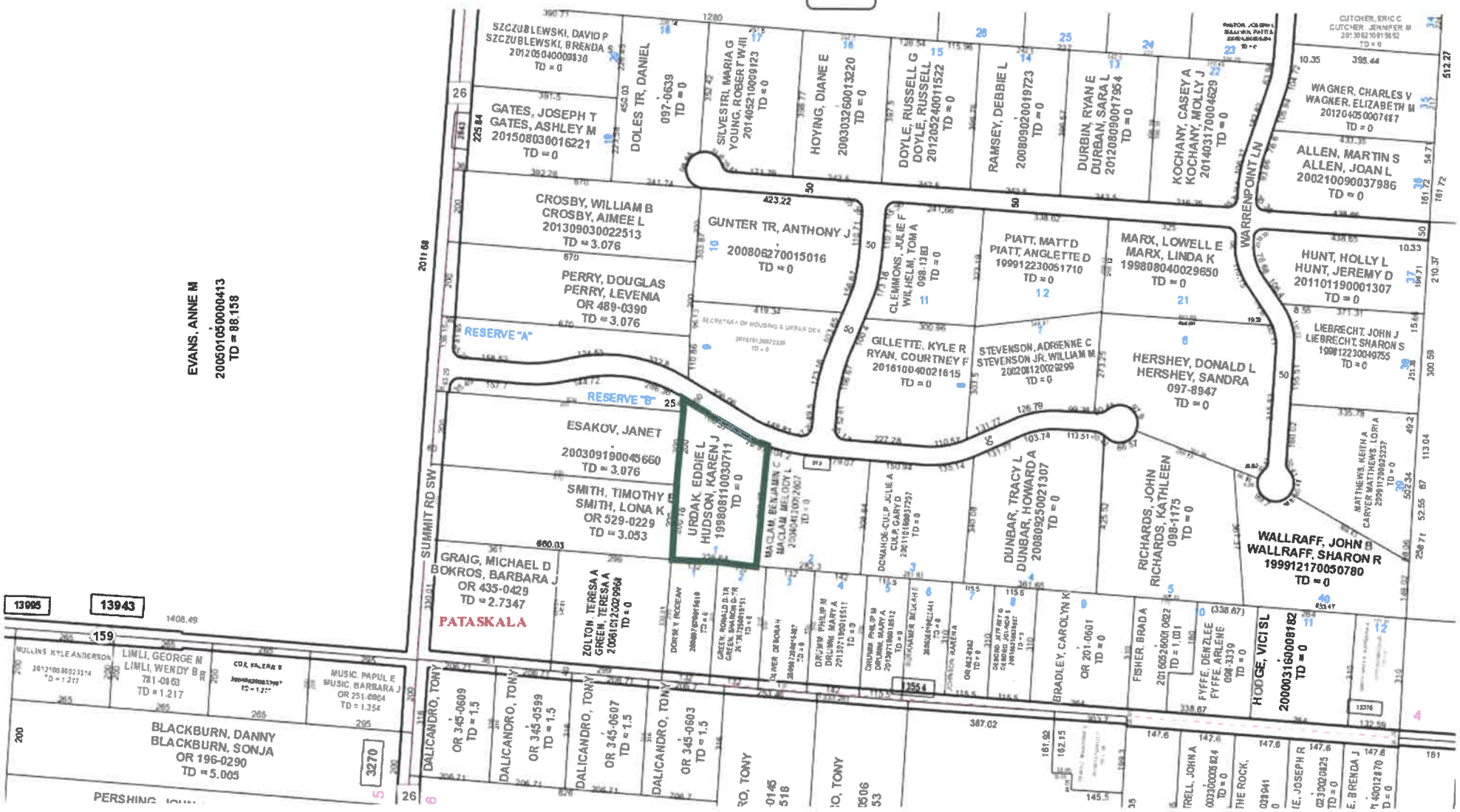
Licking Loading...
County