

DEPARTMENT OF BUILDING

## **COUNCIL VARIANCE APPLICATION**

## **Department of Building & Zoning Services**

Scott Messer, Director 757 Carolyn Avenue, Columbus, Ohio 43224 Phone: 614-645-7433 • www.bzs.columbus.gov

3	Application Number:	Date Rec	ceived:
OFFICE USE ONLY	Application Accepted by:	Fee:	
33 33	Assigned Planner:		
)FEI	Assigned Familier.		
	TION AND ZONING REQUEST:		
	d Address or Zoning Number: 1179 Jaeger St	rect	Zip: 43206
If the s	application being annexed into the City of Columbus? Select one site is currently pending annexation, Applicant must sit ion of the annexation petition.  Number for Certified Address:  O 10 - 024886		nty Commissioner's
Che	eck here if listing additional parcel numbers on a sepo		
	Zoning District(s): 205-022, Residential,		
Area Co	ommission or Civic Association: Southside Area	Comission	
Propose	ed Use or reason for Councial Variance request:  Change of Use from Auto Repair to	Restaurant W/Pa	atio
Acreage	0.125 Acres	•	
APPLI Name:	Mark Ours	Phone Number: ((614) 571	1-5817 Ext.:
Address	:: MODE Architeds, 174 Thurman Avenue	City/State: Columbus,	Ohio zip.43206
Email A	address: Marke Moderc. com	Fax Number: _ 🙌	A
PROP	ERTY OWNER(S)	operty owners on a separate pag	де
Name:_	David L. Cattee	Phone Number:	Ext.:
Address	506 E. Sycamore Street	City/State: Columbus	Ohio Zip: 4-3206
Email A	ddress:	Fax Number: N/A	
ATTOR	RNEY / AGENT (Check one if applicable): Attorney		
Name:_		Phone Number:	Ext.:
Address	::	_City/State:	Zip:
Email A	ddress:	Fax Number:	
SIGNA'	TURES (All signatures must be provided and signed in <b>blue</b> in	k)	
APPLIC.	ANT SIGNATURE		
PROPEI	RTY OWNER SIGNATURE Land L. Caz	tow	
	NEY / AGENT SIGNATURE		
City staff	iture attests to the fact that the attached application package is compl f review of this application is dependent upon the accuracy of the infor by me/my firm/etc. may delay the review of this application.	ete and accurate to the best of my kn mation provided and that any inacc	nowledge. I understand that the curate or inadequate information



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#### · APPLICATION CHECKLIST

	ne application package must consist of TWO (2) COMPLETE SETS of all items listed below, one of which must contain the			
origin	The Application Form Need Property Owner's Phone/Empl, then Both sign.			
	Statement of Hardship - to do			
	Notarized Affidavit Form and Label Sets (see instructions on the form)			
	Notarized Project Disclosure Statement (see instructions on the form) to do. Need Owner Phone, Hun bign			
	Certified Address or "Zoning Number"  A certified "Zoning Number" can be obtained at the Columbus Department of Public Service, Division of Infrastructure Management; 50 W. Gay Street, 1st floor, Columbus, Ohio 43215, Phone 614-645-5661.			
Legal Description of the Subject Property				
	Current property survey to i intersection of two public application, separate legal must be submitted as an orig	nclude acreage of the subject property and all metes and bounds, referencing the centerline streets. If more than one zoning district or multiple sub-areas are requested in this descriptions must be submitted for each district and/or sub-area. All legal descriptions ginal on 8-1/2" x 11" paper and in digital format on a storage device or via e-mail to staff ord document left justified, no indentations, in Times New Roman font, size 11).		
	Site Plan (required for CPD, PUD and Limited zoning districts committing to a plan)  The site plan must be drawn to Engineer's scale and provide applicable information as itemized on the Zoning Review  Checklist Form or Site Plan Information Required for 1-2-and-3-unit Form available at <a href="http://bzs.columbus.gov">http://bzs.columbus.gov</a> . Each page shall be submitted as a 2' x 3' original scale plan and as an 8-1/2" x 11" reduction included in each set, and in digital format as a TIF or PDF file saved on a storage device or via e-mail to staff in advance of filing.			
M Alu	Approved Annexation petition from County A copy of the approved annexation petition is required for properties that are in annexation status at time of application.			
	Application Fees (Non-Refundable) Checks are to be made payable to: Columbus – City Treasurer.			
Need	1-4 Dwelling Units	\$320.00		
	All Other Variances	\$1,600.00 per acre for the first acre or fraction thereof plus \$160.00 for each additional acre or fraction thereof		
	Concurrent with Rezoning	\$800.00 per acre for the first acre or fraction thereof plus \$80.00 for each additional acre		
		or fraction thereof		
	Maximum Fee	\$7,000,00		



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## STATEMENT OF HARDSHIP Application Number:

Chapter 3307 of the Columbus Zoning Code

#### Section 3307.10 Variances by City Council

- **A.** Permit a variance in the yard, height, or parking requirements of any district only in conjuction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

  Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

  In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

SEE ATTACHED STATEMENT	r of HARDSHIP	
•		
Signature of Applicant	MARK OVES FOR MODE ARCHITECE	Date 8/28/17
. /	MODE ARCHITECT	

#### STATEMENT OF HARDSHIP

## 1179 Jaeger Street

The site is located on the east side of Jaeger between Nursery Lane and Mithoff Street. The site is zoned R2F - Single or Double Family as is most of the area surrouding this property. The existing non-conforming use of the subject property is a vehicle repair shop. The existing commercial building and this use pre-dates the down zoning of this area to R2F. Typical of the commercial mixed use nature of this neighborhood, there are many businesses with limited or no on-site parking. Parking for residents is readily available and accessed from the rear of their premises. This project proposed to remove large existing curb cuts and restore street parking where possible.

Our proposal is to change the non-conforming use of the vehicle repair / service garage into either restaurant, general business, or retail use. The vehicle repair / service garage has been operating continuously in this location for many years. The nature of the vehicle repair use was that many vehicle were stored on the premises, outside and in full visibility of residents. The proposed use change will allow the existing commercial structure to remain and be a viable corner business within Merion Village and contirubute to the vibrant mixed use corrdior happening just to the north of the subject site in German Village.

#### Variance's Required -

#### 1. Chapter 3332.037 - R2F Residential District

A. In an R-2F residential district the following uses are permitted:

- 1. One single-family dwelling;
- 2. One, two-family dwelling;
- 3. An agricultural use, farm, field crops, garden, greenhouse, nursery and a truck garden;
- 4. A religious facility;
- 5. A school;
- 6. A public park, playground and recreation facility;
- 7. A public library:
- 8. A city approved soil conservation and watershed protection project, and water filter bed. reservoir and tower:
- 9. An adult and child day care center as an accessory use when located within a school or religious facility building.

#### Variance Requested

To allow a commercial use - either restaurant, office or retail use in an existing commercial strucuture.

#### 2. Chapter 3332.21 - Building Lines

In the R-2F residential districts and the MHD manufactured home development district the building lines are established per the chart in this section.

#### Variance Requested

Request reduction of building line along Jaeger Street from 25' to 2' (to allow for Dumpster Enclosure and Future Patio).

#### 3. Chapter 3312.49 - Minmimum Parking Spaces Required

The number of off-street parking spaces required for various uses shall be no less than as set forth in the parking requirements tables.

#### Variance Requested

Request reduction of parking requirement from 33 spaces to 0 spaces.

#### 4. Chapter 3332.27 - Rear Yard

Each dwelling, residence or principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area.

#### Variance Requested

Request reduction of the percentage of rear yard coverage from 25% to 0% (to allow for Dumpster Enclosure and Future Building Addition).



August 28, 2017

Mr. Tim Dietrich City of Columbus 757 Carolyn Ave. Columbus OH 43224

#### **RE: Variance Request Sumary for 1179 Jaeger Street**

Dear Mr. Dietrich:

Please accept this letter and the attached drawing as a response to your request for a summary of requested variances for 1179 Jaeger Street.

#### Chapter 3332.037 - R2F Residential District

A. In an R-2F residential district the following uses are permitted:

- 1. One single-family dwelling;
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- 3. An agricultural use, farm, field crops, garden, greenhouse, nursery and a truck garden;
- 4. A religious facility;
- 5. A school;
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Best Regards,

Principal | Registered Architect



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## PROJECT DISCLOSURE STATEMENT

PROJECT DISCLOSURE STATEMENT	
Parties having a 5% or more interest in the project that is the sub	eject of this application.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND	NOTARIZED. Do not indicate 'NONE' in the space provided.
	Application Number:
STATE OF OHIO COUNTY OF FRANKLIN Being first duly cautioned and sworn (NAME) Wark Out	·<
of (COMPLETE ADDRESS) MADE Analytical 174	Thursday Areas Colonbus OH 12206
of (COMPLETE ADDRESS) Nobe Architects, 174 deposes and states that (he/she) is the APPLICANT, AGENT, OR is a list of all persons, other partnerships, corporations or entities this application in the following format:	DULY AUTHORIZED ATTORNEY FOR SAME and the following s having a 5% or more interest in the project which is the subject of
	Name of business or individual Business or individual's address Address of corporate headquarters City, State, Zip Number of Columbus based employees Contact name and number
1. David L. Cattee 506 E. Sycamore Street Columbus, OH 43806	2.
3.	4-
Check here if listing additional property owners on a separa	Ite page.
SIGNATURE OF AFFIANT	
Sworn to before me and signed in my presence thisday	of, in the year
	Notary Seal Here
SIGNATURE OF NOTARY PUBLIC	My Commission Expires



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Scott Messer, Director

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AFFIDAVIT (See instruction sheet)	Application Number:			
STATE OF OHIO COUNTY OF FRANKLIN				
Being first duly cautioned and sworn (1) NAME	ickard Alan Sicker			
of (1) MAILING ADDRESS RAS Civil Engineering, 4254 Tuller Road, Dublin, Ohio 43017				
deposes and states that (he/she) is the applicant, agen	t, or duly authorized attorney for same and the following is a list of the			
name(s) and mailing address(es) of all the owners of r				
(2) per CERTIFIED ADDRESS FOR ZONING PURPO	oses 1179 Jaeger Street (43206)			
for which application for a rezoning, variance, special	permit or graphics plan was filed with the Department of Building and			
Zoning Services, on (3)				
(THIS LII	NE TO BE FILLED OUT BY CITY STAFF)			
SUBJECT PROPERTY OWNERS NAME	(4) David L. Cattee			
AND MAILING ADDRESS	506 E. Sycamore Street			
THE MILITIAL PROPERTY.	Columbus Ohio 43206			
	COTOMOWS, COVID			
APPLICANT'S NAME AND PHONE #	Mark Ours, MODE Architects			
(same as listed on front application)	(614) 571-5817			
	5 Southside Area Commission			
AREA COMMISSION OR CIVIC GROUP	(5)			
AREA COMMISSION ZONING CHAIR	584 E. Moler Street, Cds. oh 43206			
OR CONTACT PERSON AND ADDRESS	584 E. Moler Street, Cds, OH 43206			
and that the attached document (6) is a list of the <b>names</b> and <b>complete mailing addresses</b> , including <b>zip codes</b> , as shown on the <b>County Auditor's Current Tax List or the County Treasurer's Mailing List</b> , of all the <b>owners of record of property within 125 feet</b> of the exterior boundaries of the property for which the application was filed, <b>and</b> all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)				
Check here if listing additional property owners or	n a separate page.			
Bute	alan Siehen			
(8) SIGNATURE OF AFFIANT				
Sworn to before me and signed in my presence this 23 RD day of AUGUST, in the year 2017				
Aulillich -	12/25/2018			
(8) SIGNATURE OF NOTARY PUBLIC	My Commission Expires			
Notary Seal Hort A. Victor M. Lopez  This Africaint Expires six (6) months after the date of notarization.  Notary Public, Sixte of Onio  My Commission Expires 12-25-2018				

#### PROPERTY OWNERS WITHIN 125' OF 1179 JAEGER STREET

- 1) RICHARD T. KIRK & DAWN FALLACARA 169 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 2) JONATHAN C WALLEY & JANE M GREENE 174 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 3) AHTHONY N JUSTICE 202 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 4) DAVID M & CHERYL SCHMITT 168 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 5) NOOTSARA & MATTHEW MAIERS 2553 MOUNT HOLYOKE ROAD, COLUMBUS, OHIO 43221
- 6) CORY A SHAPE 1169 JAEGER STREET, COLUMBUS, OHIO 43206
- 7) RYAN GREGG 1157 JAEGER STREET, COLUMBUS, OHIO 43206
- 8) ERIN M ALTENBURGER & LUKE J FORSTER 179 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 9) MAX E LAMMLEIN 177 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 10) STACY B OBERMAN 185 E MITOFF STREET, COLUMBUS, OHIO 43206
- 11) GEZIM J VELIO 137 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 12) DAVID X NOLTEMEYER 185 NURSERY LANE, COLUMBUS, OHIO 43206
- 13) JOSEPH R & LISA M DELOSS 181 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 14) COLE & LAUREN MOFFATT 301 TAPPAN STREET, COLUMBUS, OHIO 43201
- 15) JULIE R JAVOREK 193 MITHOFF STREET, COLUMBUS, OHIO 43206
- 16) MICHAEL E SNYDER 183 E MITHOFF STREET, COLUMBUS, OHIO 43206

- 17) BRIAN T RUDZIK & ASHLEY M BARTELL 1161 JAEGER STREET, COLUMBUS, OHIO 43206
- 18) JASON ZAKKO 2610 NE 30<sup>TH</sup> AVENUE, FORT LAUDERDALE, FL 33306
- 19) JOHN CHAPMAN 1170 JAEGER STREET, COLUMBUS, OHIO 43206
- 20) RICHARD C LOPEZ 2287 EASTCLEFT DRIVE, COLUMBUS, OHIO 43221
- 21) TIMOTHY L SIMEONE & SIMONIDA Z BOTIC 174 NURSERY LANE, COLUMBUS, OHIO 43206
- 22) CHRISTOPHER MOORE 171 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 23) AARON L GEIBEL 167 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 24) ANDREW BRUSH 1180 JAEGER STREET, COLUMBUS, OHIO 43206
- 25) RYAN F SHARTLE 199 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 26) GREGORY C VERT & BRITTANY J PRICE 195 E MITHOFF STREET, COLUMBUS, OHIO 43206

MARK OURS MODE ARCHITECTS 174 THURMAN AVENUE COLUMBUS, OHIO 43206

KIRK /FALLACARA
Or Current Resident
169 E MITHOFF STREET
COLUMBUS, OHIO 43206

DAVID M & CHERYL SCHMITT Or Current Resident 168 E MITHOFF STREET COLUMBUS, OHIO 43206

RYAN GREGG
Or Current Resident
1157 JAEGER STREET
COLUMBUS, OHIO 43206

STACY B OBERMAN
Or Current Resident
185 E MITOFF STREET
COLUMBUS, OHIO 43206

JOSEPH R & LISA M DELOSS Or Current Resident 181 E MITHOFF STREET COLUMBUS, OHIO 43206

MICHAEL E SNYDER
Or Current Resident
183 E MITHOFF STREET
COLUMBUS, OHIO 43206

JOHN CHAPMAN
Or Current Resident
1170 JAEGER STREET
COLUMBUS, OHIO 43206

CHRISTOPHER MOORE Or Current Resident 171 E MITHOFF STREET COLUMBUS, OHIO 43206

RYAN F SHARTLE Or Current Resident 199 E MITHOFF STREET COLUMBUS, OHIO 43206 DAVID L CATTEE 106 EAST MITHOFF STREET COLUMBUS, OHIO 43206

WALLEY/GREENE
Or Current Resident
174 E MITHOFF STREET
COLUMBUS, OHIO 43206

NOOTSARA & MATTHEW MAIERS
Or Current Resident
2553 MT HOLYOKE ROAD
COLUMBUS, OHIO 43221

ALTENBURGER/FORSTER Or Current Resident 179 E MITHOFF STREET COLUMBUS, OHIO 43206

GEZIM J VELIO
Or Current Resident
137 E MITHOFF STREET
COLUMBUS, OHIO 43206

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AARON L GEIBEL Or Current Resident 167 E MITHOFF STREET COLUMBUS, OHIO 43206

VERT/PRICE
Or Current Resident
195 E MITHOFF STREET
COLUMBUS, OHIO 43206

CURTIS DAVIS – ZONING CHAIR SOUTHSIDE AREA COMMISSION 584 E MOLER STREET COLUMBUS, OHIO 43206

AHTHONY N JUSTICE Or Current Resident 202 E MITHOFF STREET COLUMBUS, OHIO 43206

CORY A SHAPE
Or Current Resident
1169 JAEGER STREET
COLUMBUS, OHIO 43206

MAX E LAMMLEIN Or Current Resident 177 E MITHOFF STREET COLUMBUS, OHIO 43206

DAVID X NOLTEMEYER Or Current Resident 185 NURSERY LANE COLUMBUS, OHIO 43206

JULIE R JAVOREK Or Current Resident 193 MITHOFF STREET COLUMBUS, OHIO 43206

JASON ZAKKO
Or Current Resident
2610 NE 30<sup>TH</sup> AVENUE
FORT LAUDERDALE, FL 33306

SIMEONE/BOTIC
Or Current Resident
174 NURSERY LANE
COLUMBUS, OHIO 43206

ANDREW BRUSH Or Current Resident 1180 JAEGER STREET COLUMBUS, OHIO 43206

# RAS Civil Engineering, LLC

Legal Description
1179 Jaeger Street

4254 Tuller Road ♦ Dublin ♦ Ohio ♦ 43017 614-581-8504 ♦ www.RASCivilEngineering.com

#### Parcel #010-02486 - 0.125 acres:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Lots 66 and 67 of E. T. Mithoff's Addition as is numbered and delineated on the recorded plat thereof, of record in Plat Book 3, Page 371, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

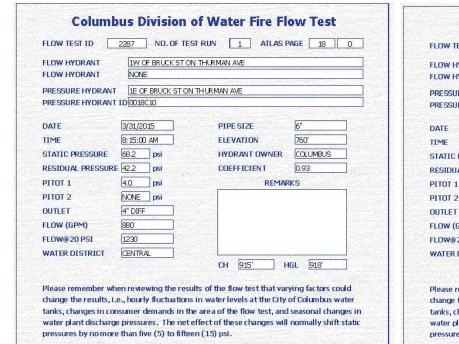
Beginning at a found drill hole at the southeast corner of said lot 67, also being the intersection of the west line of Jaeger Street, 50' feet wide, and the north line of East Mithoff Street, 55 feet wide;

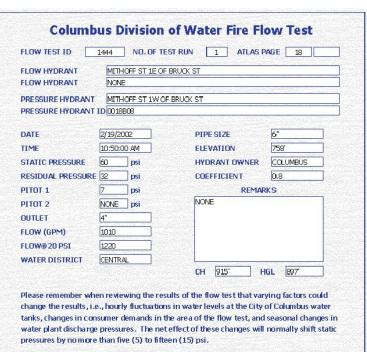
Thence, along the north line of East Mithoff Street and the south lines of Lots 67 and 66, **WEST**, 68.00 feet to a found iron pin at the southwest corner of said Lot 66 and the southeast corner of Lot 65 od said subdivision;

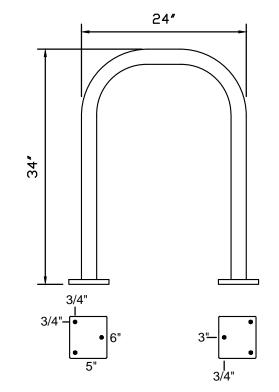
Thence, along part of the west line of said Lot 66 and part of the east line of said Lot 65 parallel with the west line of Jaeger Street, North 00 degrees 14 minutes East, 80.00 feet to a found iron pin;

Thence, across said Lots 66 and 67, parallel with the north line of East Mithoff Street, **EAST**, 68.00 feet to a found P.K. nail in the east line of said Lot 67 and in the west line of Jaeger Street;

Thence, along part of the east line of said Lot 67 and the west line of Jaeger Street, South 00 degrees 14 minutes West, 80.00 feet to the Point of Beginning, **CONTAINING 0.125**ACRES, subject however to all legal easements, restrictions, and rights-of-way of record and of records in the respective utility offices.







## **VARIANCES REQUESTED:**

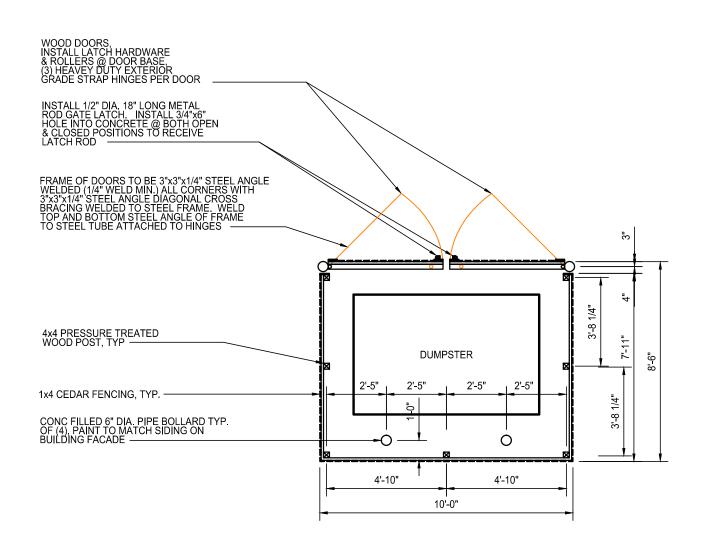
1) VARIANCE FROM <u>CHAPTER 3332.21 - BUILDING</u>
<u>LINES</u>:
REQUEST REDUCTION OF BUILDING LINE ALONG
JAEGER STREET FROM 25' TO 2'.

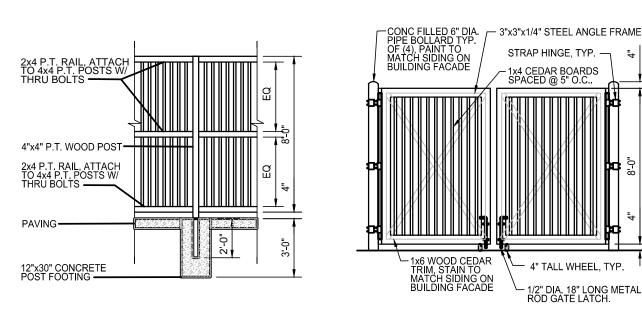
2) VARIANCE FROM <u>CHAPTER 3312.49 - MINIMUM NUMBER OF PARKING SPACES REQUIRED</u>:
REQUEST REDUCTION OF PARKING REQUIREMENT FROM 33 TO 0 SPACES.

3) VARIANCE FROM <u>CHAPTER 3332.27 - REAR YARD</u> REQUEST REDUCTION OF THE PERCENTAGE OF REAR YARD COVERAGE FROM 25% TO 0%.

# **BICYCLE RACK DETAIL**

NO SCALE





# **DUMPSTER SCEENING DETAIL**

NO SCALE

