

COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

Regular Meeting 4200 Springdale Road - Cincinnati, Ohio 45251 **Wednesday, October 26, 2016 – 6:30 p.m.**

- 1. Meeting called to order.
- 2. Pledge of Allegiance.
- 3. Explanation of Procedures.
- 4. Roll Call.
- 5. Swearing in: appellants, attorneys and all speakers in the cases.
- 6. Hearing of Appeals:
 - A. Case No.: BZA 2016-13 Variance request for a variance from the minimum side yard setback

requirement for an attached garage addition. Article 7.3.1

Location: 4800 Stone Mill Road

Applicant/Owner: Jeffery Newby

B. Case No.: BZA2016-21 – Variance from section 15.8.2(D)(2) for a wall sign exceeding the

maximum size height requirements and section 18.8.2(D)(1) for a wall sign

exceeding the overall size requirements.

Location: 12190 East Miami River Rd.

Applicant/Owner: Terry R. Blosser representing Fairfield Church of the Nazarene.

- 7. Resolutions for Adoption: None.
- 8. Unfinished Business: None.
- 9. Approval of Minutes: September 28, 2016 meeting.
- 10. Next Meeting: December 21, 2016 meeting.
- 11. Administrative Matters: None.
- 12. Adjournment.



Staff Report: Board of Zoning Appeals

Case# BZA2016-13

Variance Request: Accessory Building Setback

Location: 4800 Stone Mill Rd. Meeting Date: October 26, 2016

Prepared by: Marty Kohler, Senior Planner

Property owner Jeffery Newby has requested a variance from Section 10.2.1(C)(1)(c) to allow a detached garage to be constructed within the required minimum front yard.

Case History:

This request is a revision from a request for a detached garage/workshop building in the front yard which was reviewed and tabled by the BZA in July. The subject property is located on the north side of Old Stone Mill Rd. just west of the intersection with Kemper Rd. and consists of a single family residence on a 1.2-acre lot. The house was constructed in 1997 and has an attached two-car garage. The lot slopes from the rear to the front with an elevation change of about 40 feet. The site is partially wooded with the exception of the area immediately surrounding the houses which was apparently regraded at the time of construction of the house.

The property to the west contains a single family home located several hundred feet back from the road and has a private common driveway connecting around the north side of the subject property. Across Old Stone Mill to the south is a single family home on a triangular lot bordered by streets on all sides.

Current Proposal

The applicant is proposing to construct an attached garage and workshop wing to the west side of the existing dwelling. The proposed garage would extend into the minimum required side yard setback of 25 feet by 5 feet. Since the building is proposed to be constructed into an existing embankment the height of the building is 23'10" on the house side and 15'3" towards the property line.

Zoning Regulations

With the previous proposal Section 10.2.1(C) requires that all accessory structures be located in the rear yard of a property, however section 10.2.1(C)(1)(b) grants an exception for detached garages which allows them in the side yard behind the building line of the principal structure. Since the house is 90 feet from the street the proposed variance would be 65 feet. The R-2 (Estate Residential District) zone in which this house is located requires a minimum setback for principal buildings to be at least 50 feet.

With the revised proposal the proposed side yard setback falls 5 feet short of the minimum of 25 feet for properties without sanitary sewer service. This property does not have access to sanitary sewer service. In the R-2 district the minimum side yard setback is 15 feet if the property is served by sanitary sewer service, therefore if the

property did have sanitary sewer service there would be no need for a variance for this proposal.

Staff Findings:

- 1. The setback variance requested is substantial since the request is for a 20% reduction of the side yard setback.
- 2. The granting of the variance would grant a consideration that is not available to other property owners in the neighborhood.
- 3. The property in question would likely yield a reasonable return without the variance.
- 4. The granting of the variance would probably not have a negative impact on neighboring property but would create a precedent to allow for other additions within the required minimum side yards if requested by neighboring properties.
- Approval of the setback variance would not affect the delivery of government services.
- 6. While there are some topographic challenges with this site, there are similar topographic conditions in the surrounding area. There are no unusual topographic or site configuration issues related to this property which would prevent the reasonable application of the setback regulations.
- 7. By taking into consideration the benefit to the applicant if the variance is granted, as weighed against the potential detriment to the health, safety and welfare of the neighborhood and broader community, staff finds that substantial justice would be done by not granting the variance for an addition extending into the minimum required side yard.

Staff Recommendation: DENIAL OF THE VARIANCE REQUEST.



MEMO



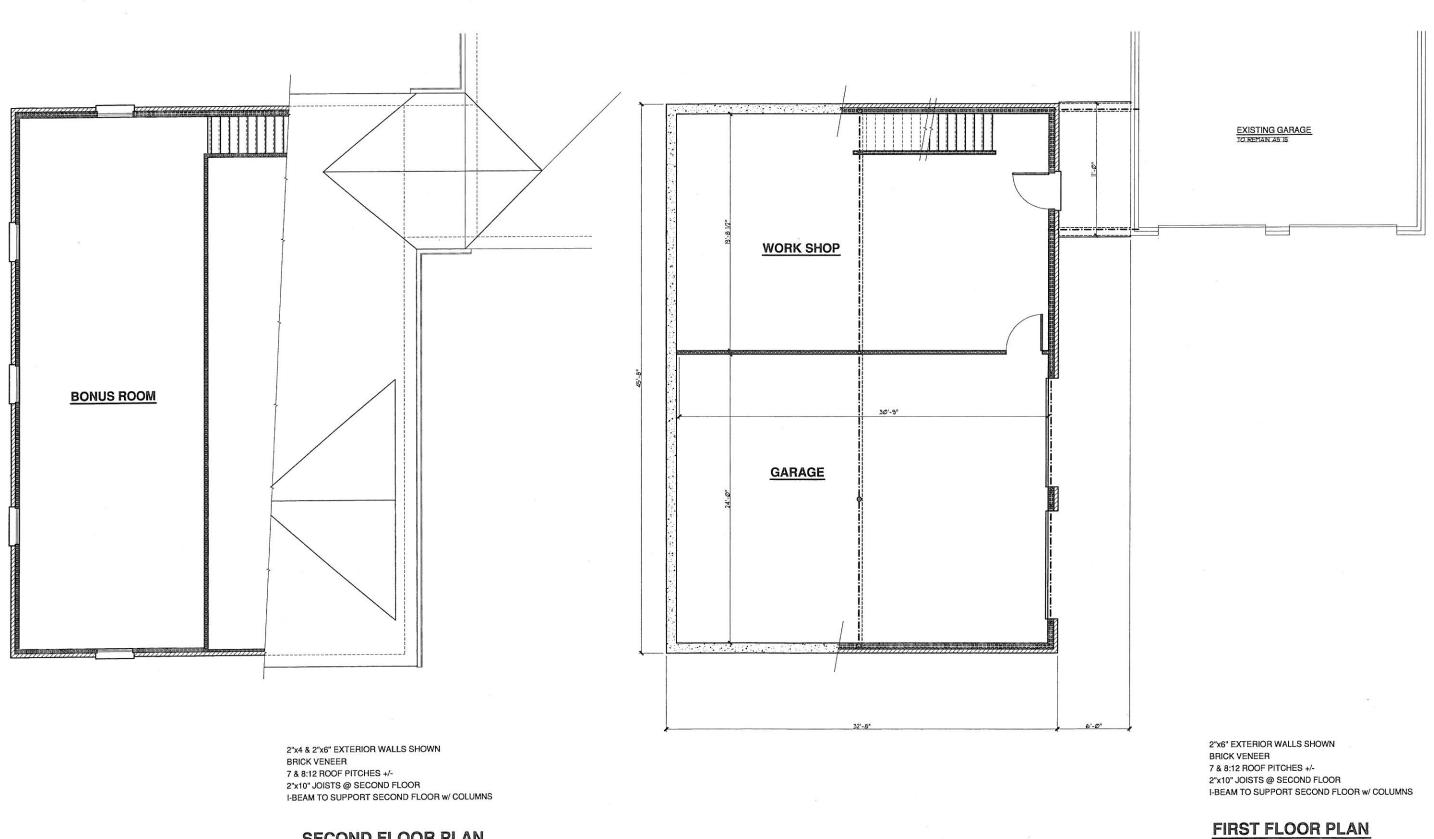
To: Board of Zoning Appeals From: Marty Kohler, Senior Planner

Regarding: Case BZA2016-13, 4800 Old Stone Mill Rd.

Date: September 20, 2016

At the July 27, 2016 BZA meeting a public hearing was held regarding an application by Jeffery Newby for a variance from Section 10.2.1(C)(1)(c) to allow a detached garage/workshop to be constructed within the required minimum front yard of his residence at 4800 Old Stone Mill Rd. After discussion the BZA voted to table the review to the September meeting to give the applicant time to review additional options for the placement of the proposed garage/workshop building.

The applicant has developed a new proposal which was not ready in time to advertise a public hearing for the September meeting, therefore the applicant has requested that the tabling of the application be extended to the October 26, 2016 meeting. **Staff** recommends that the BZA remove this item from the table and vote to extend consideration of this agenda item to the October 26, 2016 meeting.



SCALE 1/4"=1'-0" ON 24"x36" PAPER SIZE SCALE 1/8"=1'-0" ON 11"x17" PAPER SIZE

PROJ. LOC. / OWNER

REVISIONS

SEIM DESIGNS LLC

New Home / Room Additions Drawings Steve Seim

& Construction Services

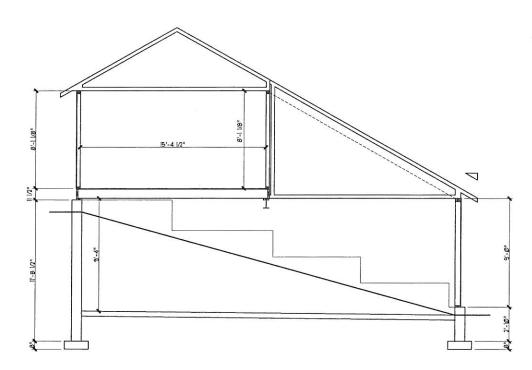
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Drawn By STEVE SEIM

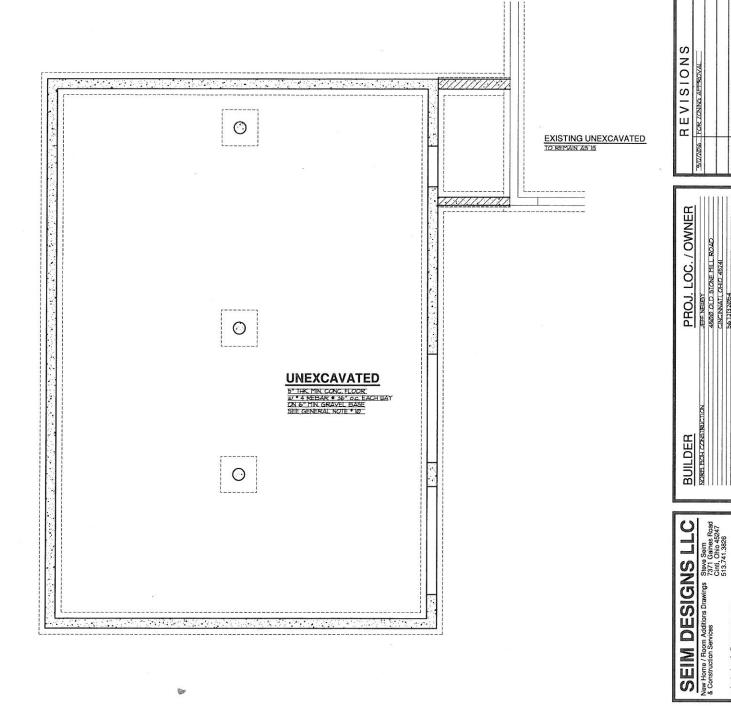
8/25/2016 2016-52

SCALE 1/4"=1'-0" ON 24"x36" PAPER SIZE SCALE 1/8"=1'-0" ON 11"x17" PAPER SIZE



CROSS SECTION

SCALE 1/4"=1"-0" ON 24"x36" PAPER SIZE 1/8"=1"-0" ON 11"x17" PAPER SIZE



FOUNDATION PLAN

SCALE 1/4"=1"-0" ON 24"x36" PAPER SIZE SCALE 1/8"=1"-0" ON 11"x17" PAPER SIZE

Drawn By STEVE SEIM 8/25/2016 2016-52

GENERAL NOTES

- LOWER / CONTRACTOR TO FIELD VERIEY ALL EXISTING 1 OF ENAL GRADE CONDITIONS AND REPORT BACK TO SEMI DESIGNS.

 TETHERE ARE ANY DISCREPANCIES FROM THE DRAWING TO EXISTING.

 CONDITIONS PRIOR TO ANY PROBE CONSTRUCTION 1 FABRICATION IS COMPLETED.
- 2. DIMENSION NOTES: EXTERIOR DIMENSIONS TO FACE OF FOUNDATION, INTERIOR DIMENSIONS
- TO FACE OF STUDS, INTERIOR PARTITIONS 3 1/2" UNLESS NOTED OTHER LIWISE 3. WOOD LINIEL: (UNLESS NOTED OTHERWISE) /"X4" STUD OPENING UP TO 6"-0", USE (7)
 2" X10" 3. OPENING 5 6"-0" I LARGER, USE (7) 2" X12" 3 W / 12" PL'UDOD PL. PROVIDE 3 1//2"3"
 SOLID WOOD BEARING 6 EACH END TO PID "IN WALL OR STEEL BEAM.
- 4. STEEL LINIEL: (UNLESS NOTED OTHERWISE) MASONRY OPENINGS UP TO 4-0" USE 3 1/1"x3 1/1" x/14"

 STL. PLATE OPENINGS 4'-0" TO 6'-0" USE 6'x3 1/2"x3/8" STL. PL. OPENINGS 6'-0" TO 3'-0" USE
 6'x4"x//3" STL. PL. 16'-0" OPENINGS USE 3'x4"x//3" STL. PL.
- 5. UICOD ROCE / FLOOG TRUSSES. APPLICANT SHALL SUBMITTINGS DESIGN DATA FABRICATOR, SHALL PROVIDE LIMBER SPECIES I LIMBER GRADE W/ MANE SEALED DRAWINGS PRIOR TO FRAMING INSPECTION FOR BUILDING DEPARTMENT APPROVAL.

 TRUSSES SHALL BE CONNECTED TO WALL PLATES BY USE OF APPROVED CONNECTORS HAVING AN UPLIF RESISTANCE OF NOT LESS THAN TIE POUNDS AND NEVER LESS THAN THE UPLIF SHOULD THE PRESISTANCE OF ROT LESS DRAWINGS LIVE LOAD FOR ALLS TRUSSES & CELLINGS TO BE = 1.7740
- 6. DESIGN LOADS: (LL) FLOOR LOAD = 40 PSF, STAIR = 100 PSF, ROOF = 25 PSF, ATTIC STORAGE = 10 PSF. (R30)5) DECK = 40 PSF, WIND = 90 MPH. / GARAGE FLOOR = 50 PSF. / MAX ASSUMED SOIL BEARING CAPACITY: 1500 PSF
- T.TUPBER GRADE: ALL FLOOR JOBS 1 ROOF IRISS, HEADER PEPBERS SHALL BE OF 1 KD. SOUHERN YELLOW PINE W F621130 PSI FOR 2"X8" F631600 FOR 2"X10", 1 F631440 PSI FOR 2"X12" 1 F611000000 ALL STUDS 10 BE STUD GRADE SPRICE PINE FIR W F63650 PSI 1 F612000000.

 PARRAL APIS SHALL BE F637800 1 F637000 000.
- 8. MAXIMUN DEFLECTIONS: FLOORS = 1/360, WALLS = 1/240, EXPOSED RAFTERS GREATER THAN 3:17 PITCH = 1/180 of LESS THAN 3:17 1/240
- 3. SMOKE & CARBON MONOXIDE DETECTORS TO BE ULL 15TED: FOR LOCATIONS REFER TO FOUNDATION, FIRST 1 or SECEND FLOOR PLANS ALL DETECTIONS TO BE BE INTERCONNECTED SO JUEN ONE SOUNDS, THEY ALL SOUND DETECTIONS TO BE INSTALLED FER 2008 APENDPENTS TO THE 2013 RESIDENTIAL CODE OF CHIO. THIS DETECTIONS SHALLED FIR ACCH HALLWARD ADJACENT OALL BEDROOMS 1 (I) DETECTION IN EACH BEDROOM NEAR DOOR, 1 (1) MIN. ON EACH LEVEL OF HOME.
- TO CONCRETE: FOOTINGS 4 FOINDATION WALL TO BE \$000 PAI MIN 4.5% to 1% AIR ENTRAINED.

 GARAGE FLOORS, DRIVEWAYS, PATIO'S 4 PORCHES TO BE 4500 PAI MIN 4.5% to 1% AIR ENTRAINED.

 BASEMENT FLOOR TO BE \$0000 PAI MIN.
- IL WALL BRACING: EXTERIOR WOOD FRAMED WALLS SHALL BE BRACED W/METHOD 3 OF R607 103 W/ T/16" THK x 48" WIDE 0.5B W/ AIR INFILTRATION BARRIER
- DOOR IS UITEN A CONNER, PROVIDE ABI MIN OF BUIL SHEFT NEXT TO CHENING, IF 05B/PLYWOOD
 FOR WALLS B-0" HIGH PROVIDE SOLID BLOCKING, 9 ALL HORIZ JOINTS IN SHEATHING EQUAL TO STUD SIZE
 ALL STRUCTURAL SHEATHING EXPOSED TO OUTDOOR APPLICATIONS TO BE EXTERIOR GRADE.
- IZ. EGRESS OFENINGS: ALL SLEEPING ROOMS SHALL HAVE AN OPENING W. MIN. DIMENSIONS OF HEIGHT & 24", WIDTH & 20", AREA SHALL BE S.T. SQUARE HET, SILL HEIGHT TO BE 44" MAX IS PRESSURE TREATED MATERIALS: ALL WOOD FRAMING IN DIRECT CONTACT W MASCARY WALLS 1 OR CONC. H. CORNIALLS SHALL BE OF PRESSURE TREATED MATERIALS.
- 14. MULTIPLE MEMBER BEAMS, WOOD BEAMS OF (3) OR MORE (e.g. 3) 2"xlo"s 1 WOOD BEAMS W STEEL PLATES SHALL BE BOLTED W 1/2" dig. BOLTS W WASHERS ON BOTH SIDES, 16" o.c. STAGGERED THROUGH THE BRITISE LENGTH OF THE BEAM
- 15. STRUCTURAL COLUMNS; STRUCTURAL UCOD (STEEL COLUMNS TO BE CONT. TO, OR PROVIDE SOLID BLOCKING TO CONC. FND'TN WALL OR OTHER STRUCTURAL ELEMENTS BEL'OU
- 16. WINDOW & DOOR GLAZING INSULATION R-VALUES: ALL GLAZING SHALL BE UD : 035 MAX SKYLIGHTS UD : 60 MAX IB. CUITING 4 NOTCHING OF FRAMING MEMBERS: STUDS (EXT.); CUITS/NOTCHES NOT TO EXCEED 75% OF STUD WIDTH (NON BR\$4.) NOT TO EXCEED 40% OF SINGLE STUD WIDTH DRILLED HOLES NO CLOSER THAN 5/8" TO EDGE.

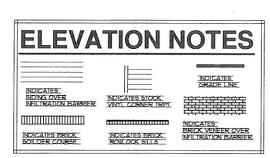
 DBL. STUDS NOT TO EXCEED 60% OF WIDTH JOISTS/RAFTERS; CUTS/NOTCHES IN TOP/ROTT, NOT TO EXCEED.

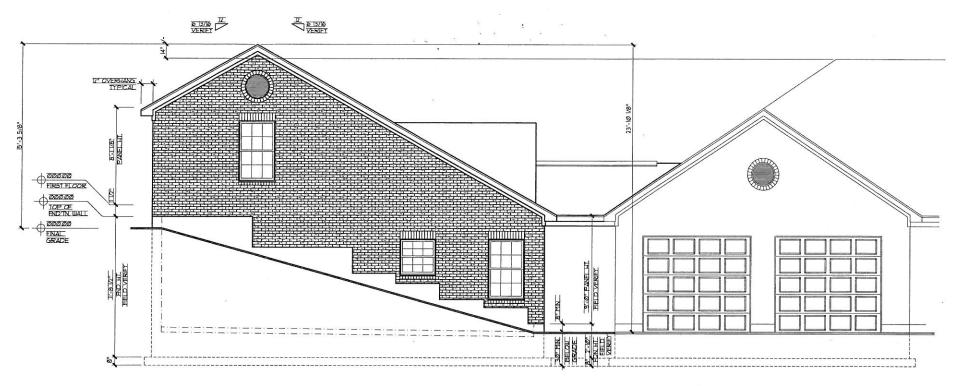
 WE OF DEPTH 1 NOT IN IDID 1/3 OF SPAN DRILLED HOLES NOT TO EXCEED 1/3 THE DEPTH 1 NOT WITHIN 1." OF TOP 1 BOTTOM:

EXTERIOR FEATURES

| ROOF | RAKE TRIM | GUTTER TRIM |
|---------------------------|---------------------------|--------------------------|
| FIBERGLASS SHINGLES | 1"X6" WOOD RAKE BOARD | I"X6" WOOD GUTTER BOARD |
| ON IS ROOF FELT | 1"x4" WOOD SUB RAKE BOARD | "XID" WOOD FACIA BOARD |
| W/ CONT. ALUM. ROOF VENTS | BOTH W/ ALUM, WRAP | BOTH W/ ALUM, WRAP |
| ROOF VENTS TO HAVE | 12" RAKE EXTENSIONS | 12" OVERHANGS W/ |
| 48 SQUARE INCHES PER | W/ VINYL 50FFITS | VINYL VENTED SOFFITS |
| LINER FOOT, SEE ELEVS. | UNLESS NOTED OTHERWISE | CONT. 5" ALUM GUITERS |
| | | W/ 2"x3" ALUM DOWNSFOUTS |
| | | UNLESS NOTED OTHERWISE |

| BRICK VENEER | SIDING |
|--|----------------------|
| BRICK VENEER W/ | HORIZONTAL VINYL |
| BRICK ROULOCK SILLS 6 | SIDING OVER |
| WINDOWS - DOORS | INFILTRATION BARRIER |
| MISC, BRICK TRIM PER BUILDER/ OWNER | |





NORTH ELEVATION

SCALE 1/4"=1'-0" ON 24"x36" PAPER SIZE SCALE 1/8"=1'-0" ON 11"x17" PAPER SIZE



SCALE 1/4"=1'-0" ON 24"x36" PAPER SIZE

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COLERAIN ZONING

SHEET INDEX

| SHT.# | DESCRIPTION |
|-------|---|
| | NORTH 1 WEST ELEVATIONS / GENERAL NOTES |
| | SOUTH (EAST ELEVATIONS |
| . 3 | FOUNDATION PLAN |
| 4 | FIRST (SECOND FLOOR PLANS |
| 6 | SITE PLAN |

| REVISIONS | DIG FOR ZONING APPROVAL | | |
|-----------|-------------------------|--|--|
| | 9/17/20 | | |

| BUILDER | PROJ. LOC. / OWNER |
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| NORB BOH CONSTRUCTION | JEFF NEUBY |
| | 4800 OLD STONE MILL ROAD |
| | CINCINNATI, OHIO 45241 |
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Drawn By STEVE SEIM 8/25/2016

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| BUILDER | PROJ. LOC. / OWNER |
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| NORB BOH CONSTRUCTION | JEFF NEUBY |
| | 4800 OLD STONE MILL ROAD |
| | CINCINNATI, OHIO 45241 |
| | 5612132054 |

| New Home / Room Additions Drawings Steve Seim & Construction Services Cinti, Ohio 45247 513.741.3826 | SEIM | DESIGNS | IS LLC |
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| | New Home / Roon & Construction Se | | Steve Seim 7371 Gaines Road Cinti, Ohio 45247 513.741.3826 |

| Drawn By STEVE SEIM |
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| 2016-52 |

APPLICATION FOR APPEAL COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

4200 Springdale Rd Cincinnati, Ohio 45251 (513) 385-7505; Fax (513) 245-6503

An appeal must be filed within 20 calendar days of the action causing the appeal (ORC 519.15)

| Application number: BZA 2014-2 |
|---|
| Owner: Fairfield Church of the Nazarene Applicant: Terry R. Blosser-contact |
| Property Address: 12190 East Miami River Rd. |
| City: Cincionati State/Zip: OH 45252 |
| Applicant Address: 12190 East Miami River Rd. |
| City: Cincinnat. State Zip OH 45252 |
| Phone: 513-829-3752 |
| Auditor's Book-Page-Parcel Number: 510 OZSO OO3) |
| Zoning Classification: R-Z |
| Appeal to (check one): Refusal to issue Zoning Certificate Citation for Violation |
| Required Documents: |
| Signed, typewritten Justification of Variance statement addressing the items listed on the reverse of this page - 8 copies. Site Plan (surveyor/engineer's seal may be required) and construction drawings - 8 copies. Names and addresses of adjacent property owners (use County Auditor's records) - 2 copies. Plat showing adjacent property owners - 2 copies. Fees. |
| Office use only: Appeal Fee: Legal Notice: Mailing/adjacent Property Owners: Total Amount Paid: |
| An application for appeal will not be accepted until all of the requirements are met. Failure to appear at the scheduled public hearing may result in dismissal of the appeal. |
| Signature of Applicant (if not the Ourser) |
| Signature of Applicant (if not the Owner): RECEIVED |
| (over) SEP 1 4 2016 |
| COLERAIN ZONING |



4200 Springdale Road Colerain Township, OH 45251 Staff Report: Board of Zoning Appeals

Case# BZA2016-21

Variance Request: Wall Sign Size and Height

Variance

Location: 12190 East Miami River Rd.

Meeting Date: October 26, 2016

Prepared by: Marty Kohler Senior Planner

Terry R. Blosser representing property owner Fairfield Church of the Nazarene has requested a variance from Section 15.8.2(D)(2) to allow for a wall sign exceeding the maximum allowable height and Section 15.8.2(D)(1) to allow for a wall sign exceeding the maximum allowable size.

Case History:

The subject property contains a church building constructed in 2007 on about 30 acres located at the southeast corner of US-27 and East Miami River Rd. A conditional use permit was issued by the BZA for the church in 2013 which included the approval of temporary modular classroom buildings. The property is zoned R-2 Estate Residential which allows churches as conditional uses subject to BZA approval.

Current Proposal

The applicant proposes to install a wall sign on the south side of their building facing US-27. The building is located about 400 feet from the northbound lanes of the road. The building is clearly visible from the northbound lanes but is somewhat obscured from sight from the southbound lanes. The only existing sign for the church is a monument sign located at the entrance to the building on East Miami River Road. The church is eligible to have an additional monument sign facing US-27 up to 6 feet in height and 70 square feet in size.

Zoning Regulations

The proposal is for two variances with respect to the same wall sign as follows:

- Sign Height The maximum overall height allowed for any wall sign is 4 feet per section 15.8.2(D)(2). The proposed sign is 4' 10.75" exceeding the maximum by 10.75".
- 2. Sign Size The maximum size of a wall sign is 1.0 square foot for every foot of building frontage with an overall sign maximum of 100 square feet per section 15.8.2(D)(1). The south façade facing US-27 is 94.5 feet in length resulting is a sign area allowance of 94.5 square feet. The proposed sign is 102.23 square feet exceeding the maximum size by 7.73 square feet.

Staff Findings:

- 1. The sign variances requested are substantial since the zoning resolution encourages restrictions on the height and size of signs.
- 2. The granting of the variances would result in an increase in the overall sign area allowed for the property.
- 3. The property in question would likely yield a reasonable return without the variance.
- 4. The granting of the variance would probably not have a negative impact on neighboring property but would create a precedent to allow for more signs and taller signs if requested by neighboring properties. This is particularly important with the pending redevelopment of the adjacent property to the north of the site.
- Approval of the sign variances would not affect the delivery of government services.
- 6. There are no unusual topographic or site configuration issues related to this property which would prevent the reasonable application of the sign regulations.
- 7. By taking into consideration the benefit to the applicant if the variance is granted, as weighed against the potential detriment to the health, safety and welfare of the neighborhood and broader community, staff finds that substantial justice would be done by not granting the variance for additional free standing sign height. The flexibility for the placement of the wall sign would enhance visibility of the customer entrance on the south side of the building.

Staff Recommendation: <u>DENIAL</u> OF THE WALL SIGN SIZE AND HEIGHT VARIANCE REQUEST.



Justification of Variance

- We are requesting permission to place a wall sign which is 58 inches high. According to Section 15.8.2 D2, the height cannot exceed 4 feet.
- The use requested is allowed by owner due to the Conditional Use Certificate it was issued on July 25, 2013.
- 3. The sign will be placed on the US 27 side of our primary structure. This structure is approximately 635 feet from the highway. Therefore, it should not ill-effect or be obnoxious to those driving by or who live in the area.
- 4. We desire to keep our current logo when placing this sign. Due to the way it is configured if it was kept at the 4 feet requirement it would be difficult to read from the highway due to the placement of the structure on our property.

5. The need for this variance is not a result of the owner's actions.

Daniel Burris Senior Pastor

Fairfield Church of the Nazarene

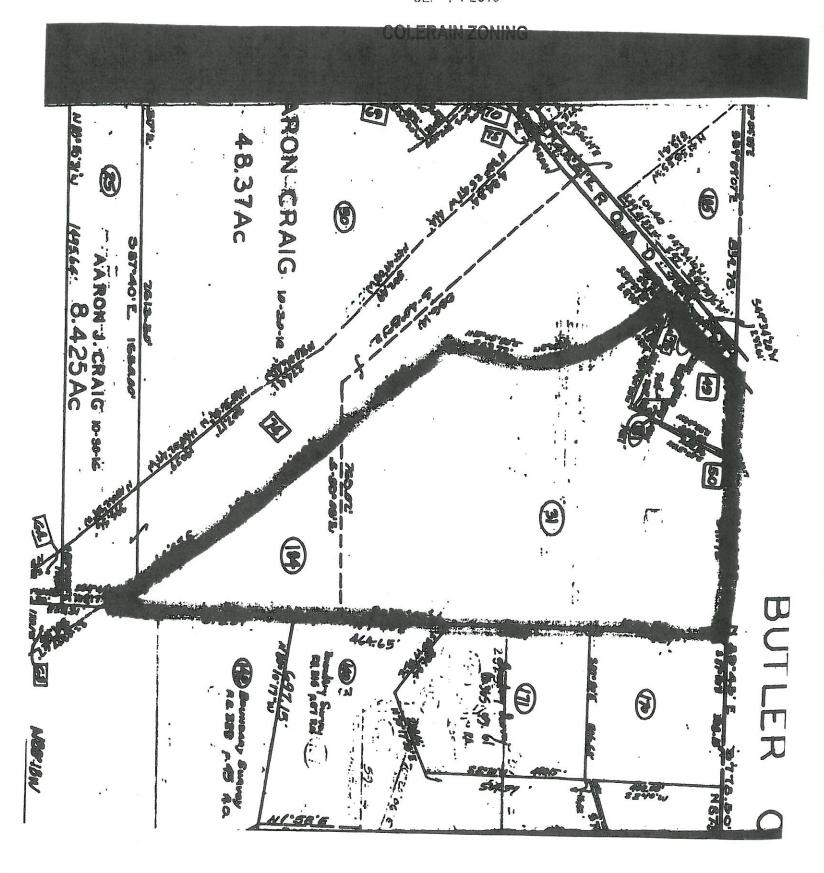
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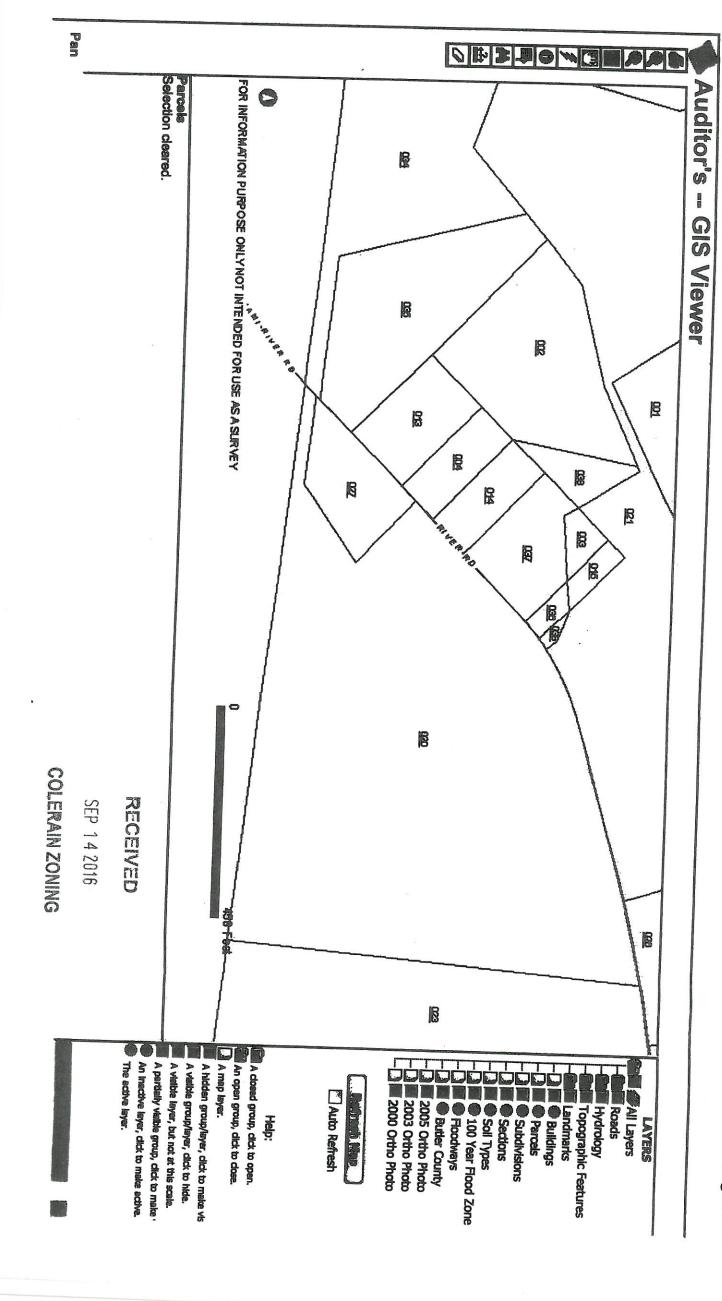
COLERAIN ZONING

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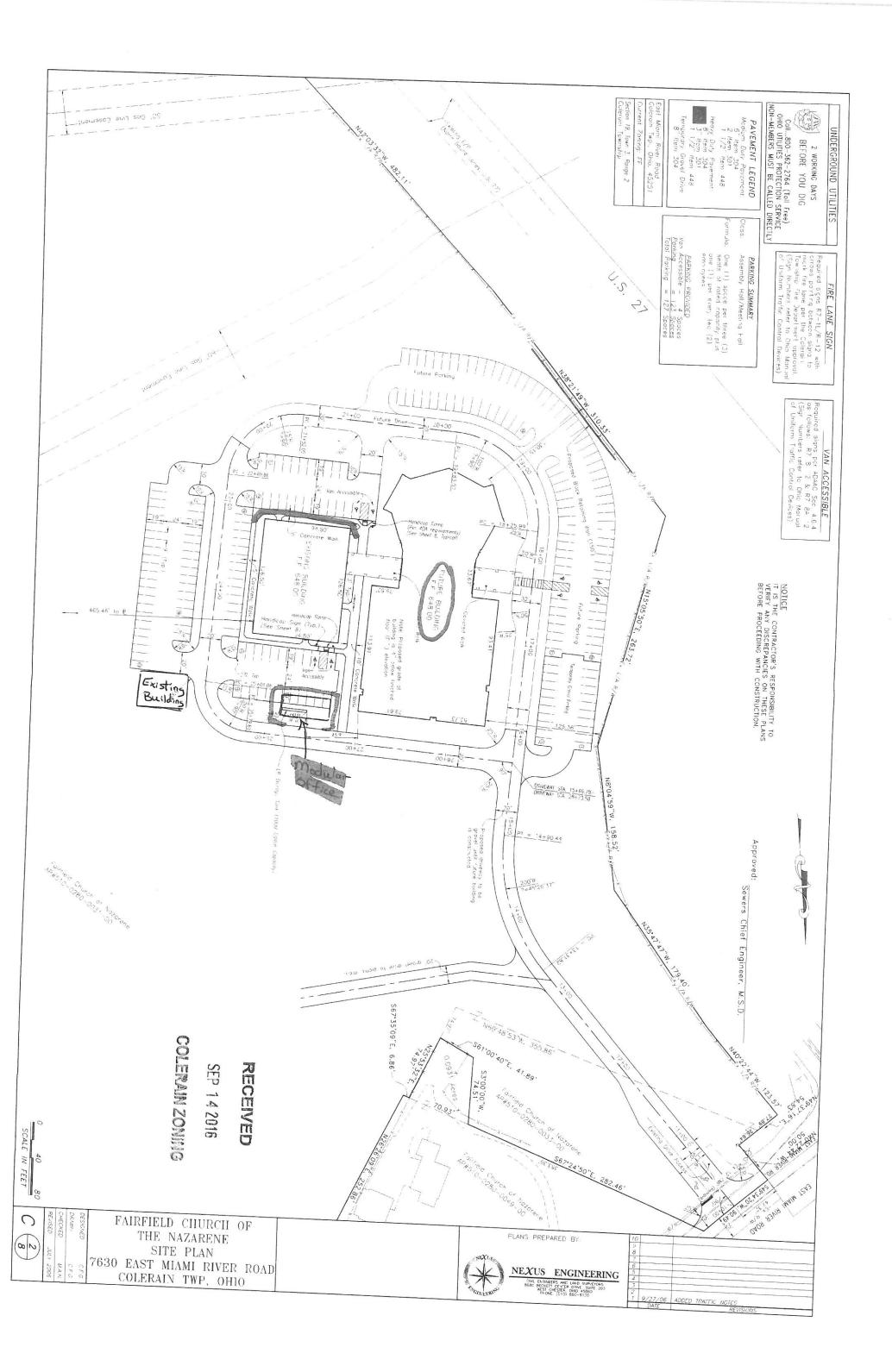
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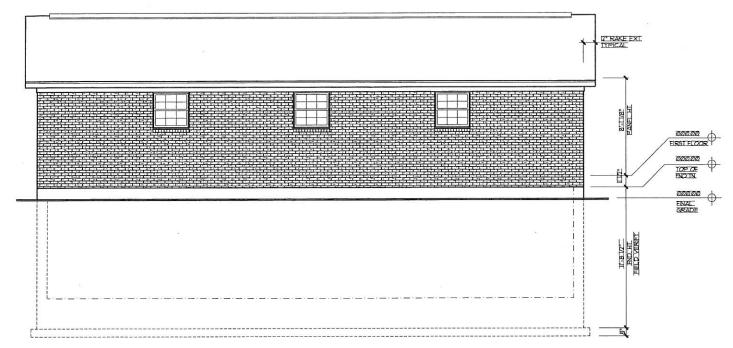






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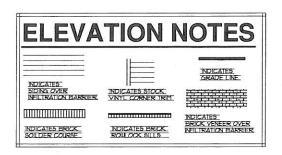




EXTERIOR FEATURES

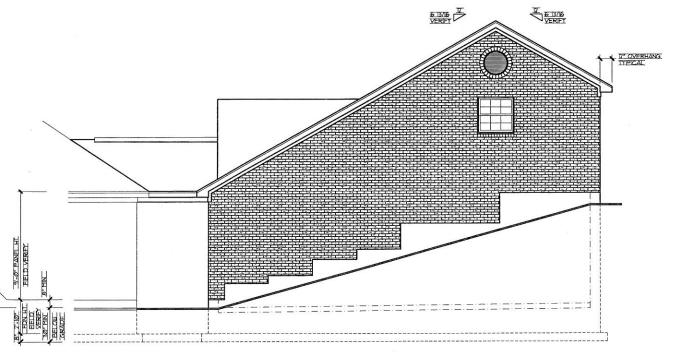
| RAKE TRIM | GUTTER TRIM |
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| I"X6" WOOD RAKE BOARD | I"x6" WOOD GUTTER BOARD |
| 1"x4" WOOD SUB RAKE BOARD | I"XIØ" WOOD FACIA BOARD |
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| w/ VINYL SOFFITS | VINYL VENTED SOFFITS |
| UNLESS NOTED OTHERWISE | CONT. 5" ALUM GUTTERS |
| | W/ 2"x3" ALUM DOUNSPOUTS |
| | UNLESS NOTED OTHERWISE |
| | I"X6" WOOD RAKE BOARD I"X4" WOOD SUB RAKE BOARD BOTH W ALUTH WRAP 12" RAKE EXTENSIONS W/ VINYL SCHITTS |

| BRICK VENEER | SIDING |
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| WINDOWS • DOORS MISC, BRICK TRIM PER | INFILIRATION BARR |



TOP OF ENDIN WALL GRADE GRAGE

SCALE 1/4"=1"-0" ON 24"x36" PAPER SIZE SCALE 1/8"=1"-0" ON 11"x17" PAPER SIZE



EAST ELEVATION

SCALE 1/4"=1"-0" ON 24"x36" PAPER SIZE SCALE 1/8"=1"-0" ON 11"x17" PAPER SIZE

PROJ. LOC. / OWNER BUILDER NORB BOH CONST

SEIM DESIGNS LLC
Now Home / Room Additions Drawings Sleve Seim
R. Construction Services
3771 Callaines Read

Drawn By STEVE SEIM 8/25/2016 2016-52