

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

OFFICE USE ONLY

Application Number: CN15-043 Date Received: 7/6/15
Application Accepted by: BT Fee: \$2080
Comments: _____

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 3771 Trabue Road Zip: 43204

Is this application being annexed into the City of Columbus? Select one: YES NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 140-004316; 140-004031; 140-004066; 140-004069

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): Rural

Area Commission or Civic Association: None

Proposed Use or reason for Council Variance request:
Redevelopment of site for multi-family use.

Acreage: 16.3 +/- acres

APPLICANT:

Name: Metro Development LLC Phone Number: 614-540-2400 Ext.: _____

Address: 470 Olde Worthington Road City/State: Westerville, OH Zip: 43082

Email Address: c/o drcook@vorys.com Fax Number: 614-719-5135

PROPERTY OWNER(S) Check here if listing additional property owners on a separate page

Name: Estate of Irene Jayz and D&S Investments of Powell LLC Phone Number: 614-464-6349 Ext.: _____

Address: 3775 and 3747 Trabue Road City/State: Columbus, OH Zip: 43204

Email Address: c/o drcook@vorys.com Fax Number: 614-719-5135

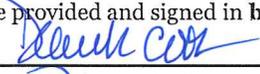
ATTORNEY / AGENT (Check one if applicable): Attorney Agent

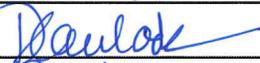
Name: Deanna R. Cook Phone Number: 614-464-6349 Ext.: _____

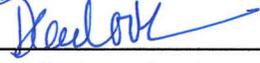
Address: 52 East Gay Street City/State: Columbus, OH Zip: 43215

Email Address: drcook@vorys.com Fax Number: 614-719-5135

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE 

PROPERTY OWNER SIGNATURE 

ATTORNEY / AGENT SIGNATURE 

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer

CV15-043

Exhibit A

STATEMENT OF HARDSHIP

The subject site is 16.3+/- acres located on Trabue Road (the "Site"), which is being annexed to the City of Columbus and was approved for annexation by the Franklin County Commissioners on April 14, 2015. The Site is the subject of an application filed with the City of Columbus to rezone the Site to L-AR-12 to allow for the construction of a multi-family apartment project (Zoning Application Z15-026).

To the north is the Wilson Road Golf Course and Raymond Memorial Golf Course; to the west and south is a single family residential development zoned LR-2; and to the east along Trabue Road are primarily commercial properties located in Franklin Township; and also to the east of the Site along Britton Avenue (a Franklin Township dead-end road), are residential Franklin Township properties.

In connection with the rezoning of the Site, the applicant has submitted a site plan (the "Zoning Site Plan"), and in connection with this Council Variance Application, the applicant has submitted an additional site plan (the "Variance Site Plan"). The Variance Site Plan differs from the Zoning Site Plan in that it includes a 10 foot building setback along Trabue Road and shows the locations of buildings, garages, parking surfaces and a detention pond on the Site.

The applicant intends to commit to the Zoning Site Plan, which includes, to the extent set forth in the Limitation Overlay Text filed in connection with the Zoning Application, a preservation of existing trees and preservation of a stream corridor protection zone,. The applicant also intends to commit to the Variance Site Plan, which includes the location of buildings and parking areas (both garages and surface parking), as well as a detention pond on the Site in a manner designed to protect and preserve natural features on the Site, in particular and to the extent set forth in the Limitation Overlay Text filed in connection with the Zoning Application, certain existing trees and a stream corridor protection zone. The Site shall be developed in general conformance with the Zoning Site Plan and the Variance Site Plan, which may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any minor adjustment to the Zoning Site Plan or Variance Site Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

The applicant requests a variance to allow buildings within the 50 foot building setback along Trabue Road, specifically the applicant seeks a variance from Section 3333.17 and Section 3333.18 of the City of Columbus Zoning Code. The building set back, as shown on the Variance Site Plan, shall be 10 feet from the proposed Trabue Road right-of-way.

The requested variance is intended to: (1) accommodate the construction of improvements on the Site, including buildings and parking areas, in such a way as to protect the stream corridor protection zone and certain existing trees, by ensuring that buildings and improvements are located primarily to the north and center of the property; and (2) to

accommodate recommendations in the Trabue Roberts Area Plan that front elevations of buildings be orientated to address Trabue Road and that parking areas be hidden by locating parking to the rear or sides of buildings; and (3) to accommodate the Trabue Roberts Area Plan which recommends the location of apartment buildings and parking areas (including garages) be focused near and along Trabue Road, outside of the stream corridor protection zone and north of the area in the Trabue Roberts Area Plan identified as low density residential; and (4) to accommodate the Trabue Roberts Area Plan which recommends open space on and along the western boundary of the Site .

The variance is necessary due to the limited amount of acreage available for development on the Site because of the stream corridor protection zone, the preservation of existing trees on Site, and because of the recommendations of the Trabue Roberts Area Plan as set forth above.

The requested variance will not impair an adequate supply of light and air to the adjacent properties, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, morals or welfare of the City of Columbus.

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

AFFIDAVIT (See instruction sheet)

Application Number: CV15-643

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Deanna R. Cook
of (1) MAILING ADDRESS 52 East Gay Street, Columbus, OH 43215

deposes and states that (he/she) is the applicant, agent, 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 record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 3771 Trabue Road

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 5/4/15 7/6/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Estate of Irene Jayz D&S Investments of Powell LLC
3775 Trabue Road 3747 Trabue Road
Columbus, OH 43204 Columbus, OH 43204

APPLICANT'S NAME AND PHONE #
(same as listed on front application)

Metro Development LLC
614-540-2400

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5) None

and that the attached document (6) is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List** or the **County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** 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)

(7) Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 2nd day of July, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC [Signature]

My Commission Expires 7-15-2018



TORPY L. YATES
Notary Public, State of Ohio
My Commission Expires
07-15-2018
This commission expires six (6) months after the date of notarization.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer

CVLS 543

City of Columbus
c/o Real Estate Management
90 West Broad Street, Room 425
Columbus, Ohio 43215-9000

D & S Investments of Powell LLC
3747 Trabue Road
Columbus, Ohio 43228-9393

Brandon M. Johnson and
Karen K. Clark
2319 Heathchase Drive
Hilliard, Ohio 43026

Brandon M. Johnson and
Karen K. Clark
1512 Bendelow Drive
Columbus, Ohio 43228

Nancy R. Vanfossen
1518 Bendelow Drive
Columbus, Ohio 43228

Judith S. Miller
1524 Bendelow Drive
Columbus, Ohio 43228

Douglas K. Eagle and
Stephanie B. Eagle
5840 Paint Creek Way
Hilliard, Ohio 43026

Douglas K. Eagle and
Stephanie B. Eagle
1530 Bendelow Drive
Columbus, Ohio 43228

Daniel L. Davis and Vickie J. Murphy
1536 Bendelow Drive
Columbus, Ohio 43228

Jillian Hall and Joseph Hall
1542 Bendelow Drive
Columbus, Ohio 43228

Terry Walczak
1548 Bendelow Drive
Columbus, Ohio 43228

Kerry V. Roberts
1554 Bendelow Drive
Columbus, Ohio 43228

Donald W. Search
3492 Aaron Drive
Columbus, Ohio 43228

Bruce A. Murray and
Kimberly S. Murray
3500 Aaron Drive
Columbus, Ohio 43228

Robert P. Grinch and Anita A. Ruiz
3506 Aaron Drive
Columbus, Ohio 43228

Kennon Wissinger and
Traci R. White
3512 Aaron Drive
Columbus, Ohio 43228

Freddy W. Dutton and Terry L. Dutton
1700 Hale Court
Columbus, Ohio 43228

David R. Bird and Jeannette J. D. Bird
1708 Hale Court
Columbus, Ohio 43228

Jennifer L. Dowler
1716 Hale Court
Columbus, Ohio 43228

Charles D. Mann and Emily T. Mann
1715 Hale Court
Columbus, Ohio 43228

Herbert N. Dillow and Kathy Dillow
1707 Hale Court
Columbus, Ohio 43228

Paul A. Bork and Patty Black
1699 Hale Court
Columbus, Ohio 43228

Kevin M. O'Rourke and
Elizabeth A. O'Rourke
1708 Sarazen Court
Columbus, Ohio 43228

Michael T. Purcell and
Patricia J. Purcell
1714 Sarazen Court
Columbus, Ohio 43228

Brandon A. Borgmann
1720 Sarazen Court
Columbus, Ohio 43228

Jon A. Christensen, Executor
E/O Irene Jasy
5756 County Road 77
Mount Gilead, Ohio 43338

Janet M. Zumrick
1506 Bendelow Drive
Columbus, Ohio 43228

Kenneth V. Kray, Trustee
1500 Bendelow Drive
Columbus, Ohio 43228

Sara Lynn Cole
1800 Gerrard Avenue
Columbus, Ohio 43212



CV 15-043

Sara Lynn Cole
1494 Bendelow Drive
Columbus, Ohio 43228

Catherine L. Deal
3418 Littler Lane
Columbus, Ohio 43228

Richard W. Basinger and
Harry C. Swanberg, Jr.
3412 Littler Lane
Columbus, Ohio 43228

W. Charles Alexander and
Virginia L. Alexander
3406 Littler Lane
Columbus, Ohio 43228

Sarine Saiyoeun
3400 Littler Lane
Columbus, Ohio 43228

Robert N. Swigart
3394 Littler Lane
Columbus, Ohio 43228

Yan Li, Ling Ling Sun and Boen Ling
3388 Littler Lane
Columbus, Ohio 43228

Melvin A. Pascall
3382 Littler Lane
Columbus, Ohio 43228

Mazeika S.P. Sullivan and
Gabriela H. Sullivan
3376 Littler Lane
Columbus, Ohio 43228

Serguei Chtcherbitch
Svitlana Istomina
1684 Hale Court
Columbus, Ohio 43228

Stephen Rigden
1692 Hale Court
Columbus, Ohio 43228

Michael D. Trettel
3709 Britton Avenue
Columbus, Ohio 43204

Janet S. Knab
1120 Regency Drive
Columbus, Ohio 43220

Janet Knab, et. al.
2208 Fairfax Road
Columbus, Ohio 43221 Janet Knab, et. al.
2208 Fairfax Road
Columbus, Ohio 43221

Janie Beth Dehn, Tr.
10355 Riverside Drive
Powell, Ohio 43065

Antonio Lombardi and
Julie A. Lombardi, Trustees
6055 Springburn Drive
Dublin, Ohio 43017

Lloyd D. Dalin and Dianne Dalin
3695 Britton Avenue
Columbus, Ohio 43204

Garshar Asset Management LLC
3729 Trabue Road
Columbus, Ohio 43228

Vorys, Sater, Seymour and Pease, LLP
c/o Jill S. Tangeman, Esq.
52 East Gay Street
Columbus, Ohio 43215



Council Variance Application

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

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # CV15-043

STATE OF OHIO
COUNTY OF FRANKLIN

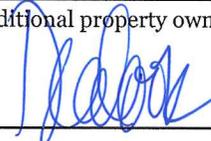
Being first duly cautioned and sworn (NAME) Deanna R. Cook
of (COMPLETE ADDRESS) 52 East Gay Street, Columbus, OH 43215

deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

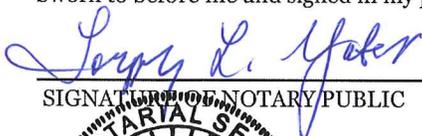
Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

<p>1. Metro Development LLC 470 Olde Worthington Road 0 Columbus employees c/o Joe Thomas #614-540-2400</p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 2nd day of July, in the year 2015


SIGNATURE OF NOTARY PUBLIC

07-15-2018
My Commission Expires

Notary Seal Here



TORPY L. YATES
Notary Public, State of Ohio
My Commission Expires

his Project Commission expires six (6) months after the date of notarization.

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Please make checks payable to the Columbus City Treasurer



City of Columbus Zoning Plat



CW15-043

ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 140004316,140004066,140004031,140004069

Zoning Number: 3771

Street Name: TRABUE RD

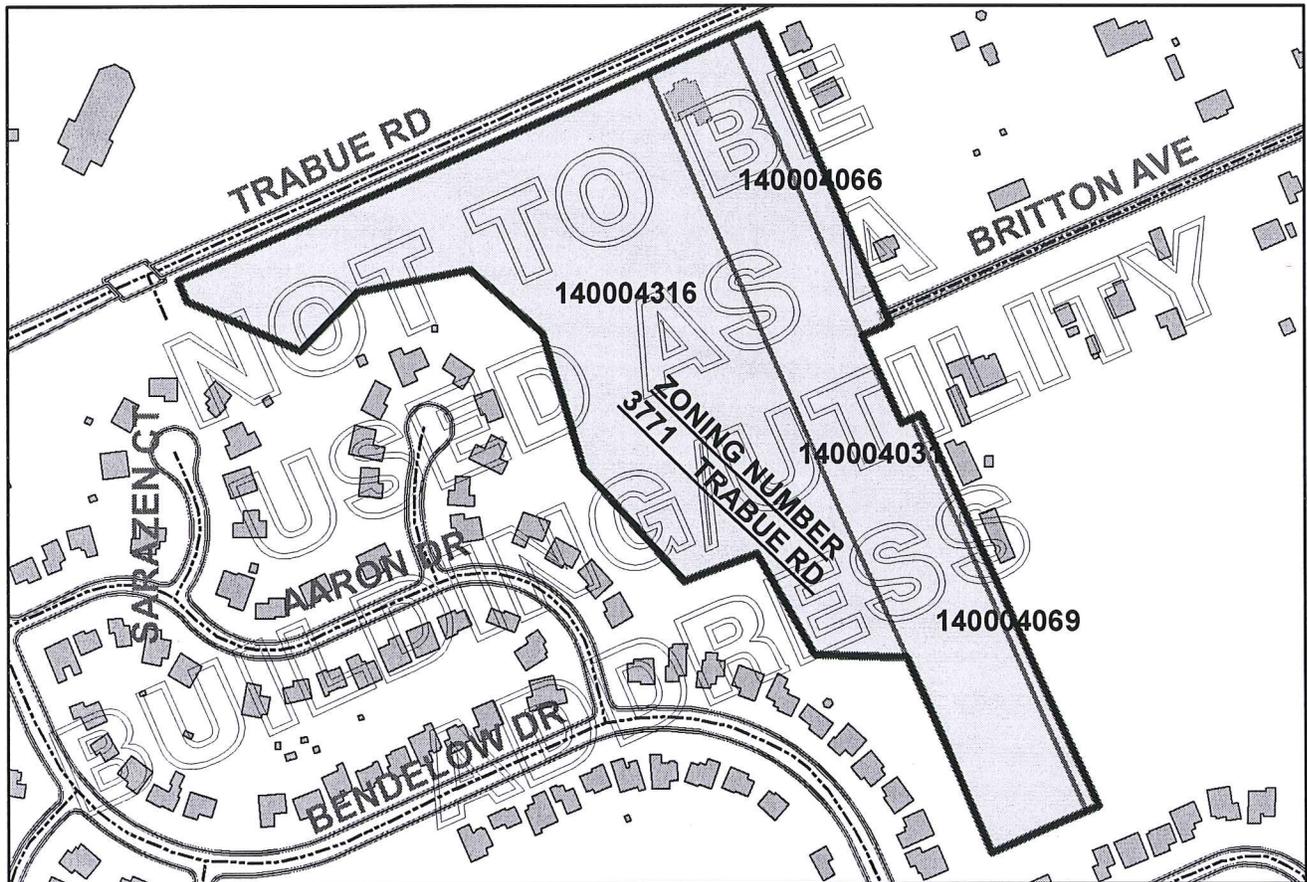
Lot Number : N/A

Subdivision: N/A

Requested By: VORY, SATER, SEYMORE & PEASE (JILL TANGEMAN)

Issued By: *Adriana Williams*

Date: 4/28/2015



SCALE: 1 inch = 300 feet

JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

GIS FILE NUMBER: 32446



CV15-043

**DESCRIPTION OF 16.3 ACRES LOCATED IN
FRANKLIN AND NORWICH TOWNSHIPS
TO BE ANNEXED TO THE CITY OF COLUMBUS
EXPEDITED TYPE I ANNEXATION UNDER ORC §709.021 AND §709.023**

-1-

Situated in the State of Ohio, County of Franklin, Townships of Franklin and Norwich, Survey Nos. 544 and 875 of the Virginia Military Survey, and being all of that 8.115 acre tract of land as conveyed to Irene Jasys of record in Official Record 10405E16 (A.P.N. 140-004316), all of a 5.595 acre tract conveyed to D & S Investments of Powell, LLC of record in Instrument Number 201405220063596 (A.P.N. 140-004031, A.P.N. 140-004066 and A.P.N. 140-004069), all of a 0.0395 acre tract of land (2WD) as conveyed to the Franklin County Commissioners of record in Official Record 982J03, a portion of a 0.1665 acre tract of land (1WD) as conveyed to the Franklin County Commissioners of record in Official Record 1078I19, a portion of a 1.563 acre tract of land as conveyed to the City of Columbus, Ohio of record in Official Record 12785I20, a portion of a 1.306 acre tract of land (38WD) as conveyed to the Franklin County Commissioners of record in Instrument Number 199807080170990 and a portion of an Original 219.748 acre tract of land as conveyed to City of Columbus (Raymond Memorial Golf Course) (A.P.N. 560-154646) of record in Deed Book 1507, Page 396, some of which is a portion of Trabue Road and described as follows:

Beginning at the northeast corner of an existing City of Columbus Corporation Line (Case No. 38-00, Ord. No. 2112-00, I.N. 200011150231301, Parcel No. 2), said corner being in the north right-of-way line of said Trabue Road;

Thence **Northeasterly**, along said City of Corporation Line, being said north right-of-way line, about **2241 feet** to the northeast corner of said D & S Investment tract;

Thence **Southeasterly, Southwesterly and Northeasterly**, along the east line of said D & S Investment tract, the following courses;

about **569 feet** to corner thereof;

about **48 feet** to corner thereof;

about **149 feet** to corner thereof;

about **32 feet** to corner thereof;

about **668 feet** to the southeast corner of said D & S Investment tract, being the northwest line of a Subdivision "Scioto Woods Section 4" of record in Plat Book 73, Page 72 and being an existing City of Columbus Corporation Line (Case No. 14-69, Ord. No. 1155-69, M.R. 148, Pg. 229);

Thence **Southwesterly**, along the southeasterly line of said D & S Investment tract, being the northwesterly line of said "Scioto Woods Section 4" and being the northwesterly line of said City of Columbus Corporation Line (Case No. 14-69, Ord. No. 1155-69, M.R. 148, Pg. 229), about **180 feet** to the southeast corner of a Subdivision "Scioto Woods Section 2" of record in Plat Book 73, Page 12 and being the southeast corner of a City of Columbus Corporation Line (Case No. 34-71, Ord. No. 1843-71, M.R. 155, Pg. 52);

Thence **Northwesterly, Southwesterly and Westerly**, along the westerly lines of said Jasys tract, being the easterly lines of said existing City of Columbus Corporation Line (Case No. 34-71, Ord. No. 1843-71, M.R. 155, Pg. 52), being easterly lines and northerly lines of a said "Scioto Woods Section 2" and a northeast line of a Subdivision "Scioto Woods Section 1" of record in Plat Book 71, Page 70, the following courses;

about **145 feet** to an angle point;

about **181 feet** to an angle point;

about **121 feet** to an angle point;

**DESCRIPTION OF 16.3 ACRES LOCATED IN
FRANKLIN AND NORWICH TOWNSHIPS
TO BE ANNEXED TO THE CITY OF COLUMBUS
EXPEDITED TYPE I ANNEXATION UNDER ORC §709.021 AND §709.023**

-2-

about **238 feet** to an angle point;

about **221 feet** to an angle point;

about **150 feet** to an angle point;

about **180 feet** to an angle point;

about **130 feet** to an angle point;

about **235 feet** to an angle point;

Thence **Southwesterly**, continuing along the north line of said existing City of Columbus Corporation Line (Case No. 34-71, Ord. No. 1843-71, M.R. 155, Pg. 52), being the north line of said "Scioto Woods Section 1", about **1215 feet** to a southeast corner of said existing City of Columbus Corporation Line (Case No. 38-00, Ord. No. 2112-00, I.N. 200011150231301, Parcel No. 2);

Thence **Northwesterly**, along an east line of said existing City of Columbus Corporation Line (Case No. 38-00, Ord. No. 2112-00, I.N. 200011150231301, Parcel No. 2), about **60 feet** to the **Point of Beginning**. Containing approximately **16.3 acres** of land, more or less, (14.8 acres being in Franklin Township and 1.5 acres being in Norwich Township). The above description was prepared by Advanced Civil Design, Inc. on December 3, 2014. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 7093 feet, of which about 5627 feet are contiguous with existing City of Columbus Corporation Lines, being 79% contiguous. This annexation does not create any islands of township property.

This description was written for annexation purposes only and was not intended to be used in the transfer of lands.

ADVANCED CIVIL DESIGN, INC.

Douglas R. Hock, P.S. 7661

Date:

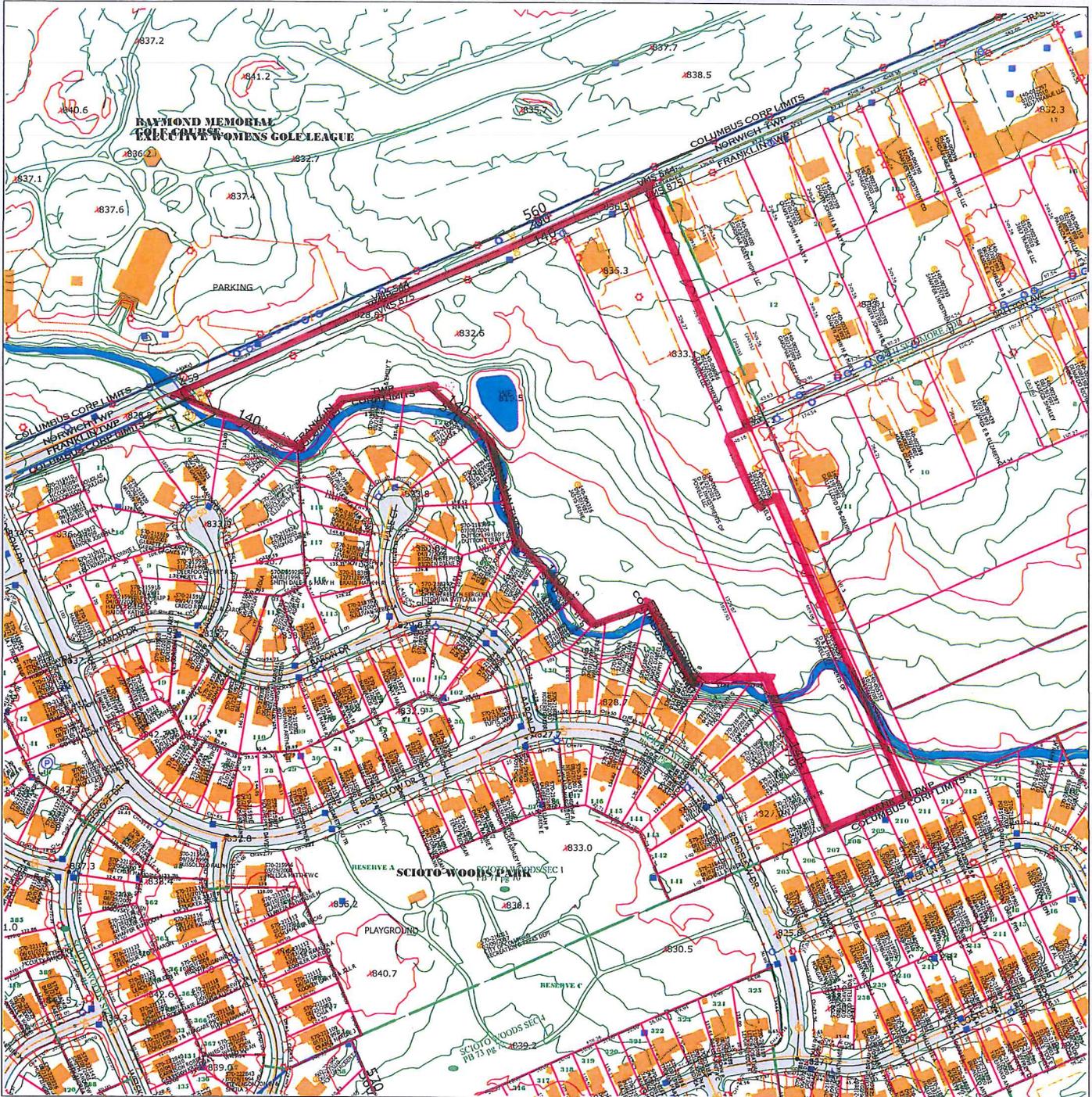
CV15-043



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 7/2/15



Disclaimer

Scale = 300



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

CV15-043



SITE DATA

TOTAL ACRES	+/- 13.9 ACRES
TOTAL UNITS	144
DENSITY	+/- 10.35 D.U./AC.
REQUIRED PARKING RESIDENTIAL	216
PARKING PROVIDED	259 (1.8/UNIT)
GARAGE/SURFACE PARKING	25/234

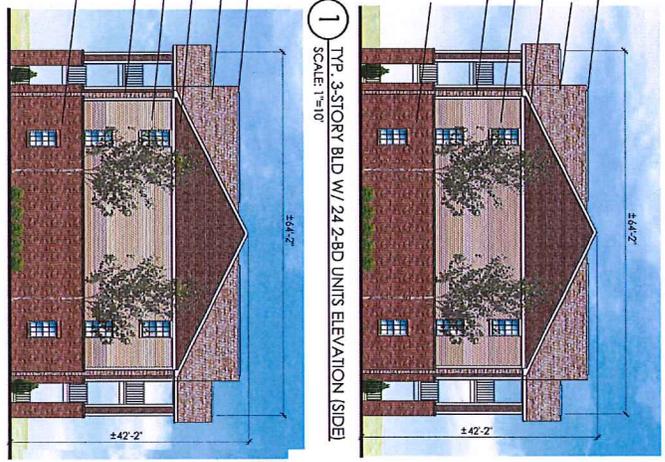
CV 15-043



3 TYP. 3-STORY BLD W/ 24 2-BD UNITS ELEVATION (FRONT AND REAR MATERIALS TO MATCH)
SCALE: 1"=10'



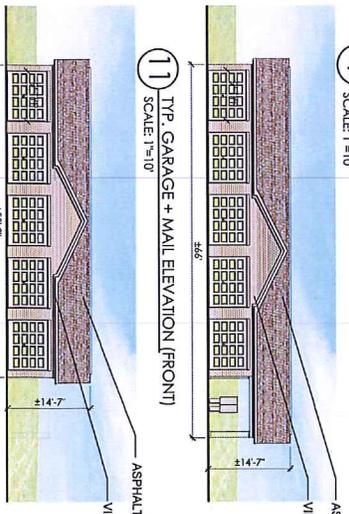
4 TYP. 3-STORY BLD W/ 12 1-BD & 12 2-BD UNITS ELEVATION (FRONT AND REAR MATERIALS TO MATCH)
SCALE: 1"=10'



1 TYP. 3-STORY BLD W/ 12 1-BD & 12 2-BD UNITS ELEVATION (SIDE)
SCALE: 1"=10'

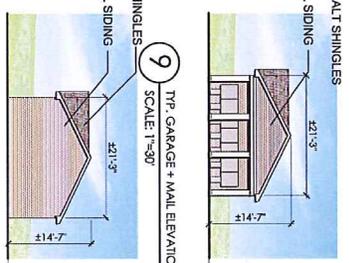


2 TYP. 3-STORY BLD W/ 12 1-BD & 12 2-BD UNITS ELEVATION (SIDE)
SCALE: 1"=10'



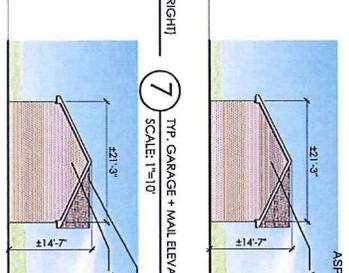
11 TYP. GARAGE + MAIL ELEVATION (FRONT)
SCALE: 1"=10'

12 TYP. GARAGE ELEVATION (FRONT)
SCALE: 1"=10'



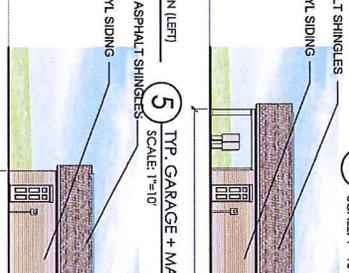
9 TYP. GARAGE + MAIL ELEVATION (RIGHT)
SCALE: 1"=30'

10 TYP. GARAGE ELEVATION (RIGHT)
SCALE: 1"=30'



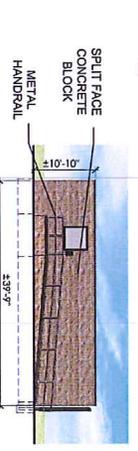
7 TYP. GARAGE + MAIL ELEVATION (LEFT)
SCALE: 1"=10'

8 TYP. GARAGE ELEVATION (LEFT)
SCALE: 1"=10'

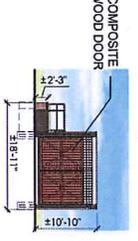


5 TYP. GARAGE + MAIL ELEVATION (REAR)
SCALE: 1"=10'

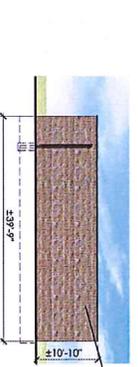
6 TYP. GARAGE ELEVATION (REAR)
SCALE: 1"=10'



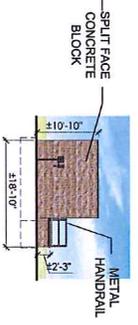
16 TRASH COMPACTOR ELEVATION (LEFT)
SCALE: 1"=10'



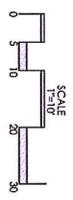
15 TRASH COMPACTOR ELEVATION (FRONT)
SCALE: 1"=10'



14 TRASH COMPACTOR ELEVATION (RIGHT)
SCALE: 1"=10'



13 TRASH COMPACTOR ELEVATION (REAR)
SCALE: 1"=10'



REVISIONS	

DATE	7/21/2015
PROJECT	
SHEET	T-1

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BUILDING, GARAGE, AND COMPACTOR ELEVATIONS	