

City of Columbus, Ohio • Department of Building & Zoning Services 757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

ONLY	Application Number: $\frac{(V13-036/13315-00000-0047)}{1/2/13}$				
SEC	Application Accepted By: 5. Pine Fee: \$3840				
OFFICE USE ONLY	Comments: Assigned to Shannon Rine, 645-2208, spine Columbus, go				
	LOCATION AND ZONING REQUEST:				
	Certified Address (for Zoning Purposes) 3790 W. Broad Street  Is this property currently being annexed into the City of Columbus  If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.  Parcel Number for Certified Address: 570132278  Check here if listing additional parcel numbers on a separate page.				
	Current Zoning District(s): Commercial, C4				
	Civic Association or Area Commission: Greater Hilltop Area Commission  Proposed use or reason for Council Variance request: Indoor and outdoor self-storage; boat and RV storage  Acreage: 14.985				
	APPLICANT: Name DealPoint Merrill, LLC				
	Address 22817 Ventura Boulevard, Suite 310 City/State Woodland Hills, CA Zip 91364				
	Phone # _(818) 887-9797				
	PROPERTY OWNER(S): Name West Chris Realty LLC				
	Address 135 Jericho Turnpike City/State Old Westbury, NY Zip 11568				
	Phone # _(516) 334-9730 Fax # _(513) 579-6457 Email: <u>kpkreider@kmklaw.com</u>				
	Check here if listing additional property owners on a separate page.				
	ATTORNEY / AGENT				
	Name Donald B. Leach, Jr., Esq. and Ryan P. Aiello, Esq Dinsmore & Shohl LLP				
	Address 191 W. Nationwide Blvd., Suite 300 City/State Columbus, OH Zip 43215				
	Phone # _(614) 227-4262 Fax # _(614) 628-6890 Email: _donald.leach@dinsmore.com				
	SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)				
	APPLICANT SIGNATURE MINING OF CONTROL OF MENTILL LEC				
	PROPERTY OWNER SIGNATURE MANN TO THE MASS CONTROLLED TO THE SIGNATURE MANN TO THE MASS CONTROLLED TO THE SIGNATURE MANN TO THE SIGNA				
	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.



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CV13-030

#### STATEMENT OF HARDSHIP

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 conjunction 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.

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 requested a	is detailed below:
(See attached.)	
Signature of Applicant	1 al Com behalf of Darlpoint Date 7/2/2019

CV13-030

# Council Variance Application – 3790 W. Broad Street, Columbus, Ohio Applicant: DealPoint Merrill, LLC

#### **STATEMENT OF HARDSHIP**

This statement of hardship is submitted in support of Applicant's request for indoor and outdoor self-storage and boat and RV storage use variances in connection with the property located at 3790 W. Broad Street, Columbus, Ohio. As outlined below, the requested use variances will not adversely affect the surrounding property or neighborhood, but will instead allow the property to be adapted and re-used in a manner that will enhance the neighborhood, while preserving the underlying zoning. Retaining the underlying zoning will serve the long term goals of the zoning code and Greater Hilltop Plan Amendment.

The property is a former retail facility that has been vacant and in a state of great disrepair for many years. Applicant believes that at this time and in the foreseeable future, there is and will be absolutely no market or demand for traditional retail or other commercial use at the property. Instead, the highest and best use of the property is to refurbish and convert the existing retail structure such that a large portion of it can be used for climate-controlled indoor self-storage. A portion of the existing building will remain retail use, which most likely would be complimentary in nature to the self-storage component (business center with overnight shipping, moving supply sales, etc.). In addition, the project will include a high-end RV park component in the middle of the site (which is a permitted use under the property's current zoning), as well as outdoor self-storage and RV and boat storage at the rear of the site. As shown on the site plan, there are plans for extensive screening (both trees/landscape and high-quality fencing) to shield the outdoor self-storage and RV and boat storage components. Additionally, the site plan allows for future commercial development at the front of the site, which would further shield the proposed self-storage and RV and boat storage areas and is consistent with the desired long term development in the area.

Due to the property's location within the Greater Hilltop Plan Amendment, a variance allowing the indoor and outdoor self-storage and boat and RV storage uses is an appropriate request at this time, as compared to a complete rezoning of the property. The requested uses will allow the property to adapt to the changing needs of the neighborhood without a change to the existing zoning, as many of the other proposed uses are currently permitted under the current zoning. Additionally, the requested use variances will not conflict with the uses of the neighborhood, parcels or the feel of the neighborhood; instead, the project will greatly enhance the neighborhood, through the introduction of trees and additional landscaping and screening features as shown on the proposed site plan. The granting of the requested variances will not adversely impact the surrounding property owners in any way, nor will it impact the delivery of governmental services.

Applicant strongly believes that the proposed development is the only viable use of the site, and thus requests that the requested use variances be approved.

Respectfully submitted,

Donald B. Leach, Jr., Esq.

Ryan P. Aiello, Esq. Dinsmore & Shohl LLP

on behalf of DealPoint Merrill, LLC



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#### **AFFIDAVIT**

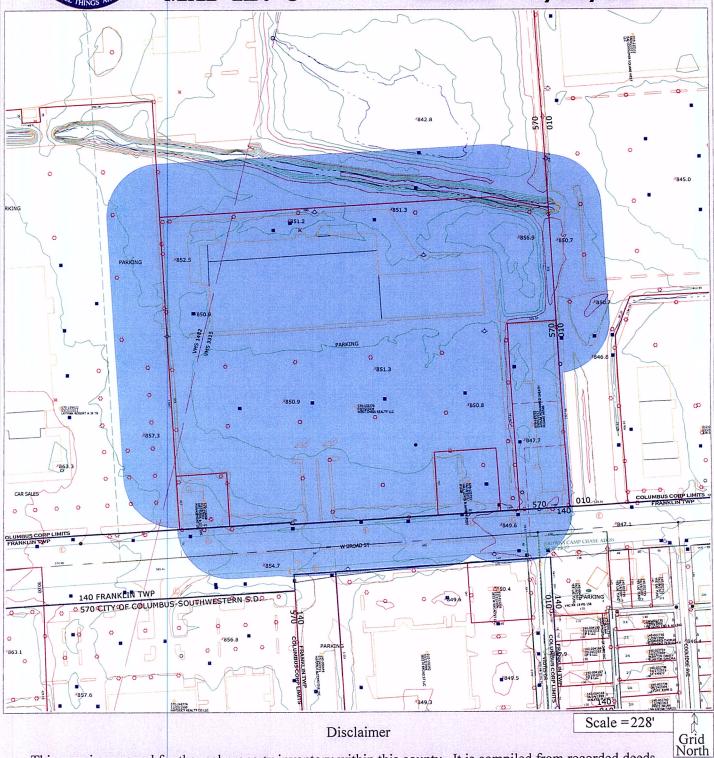
(See next	page	for	instruct	tions)
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		APPLICATION #_(	CV13-030		
STATE OF OHIO					
COUNTY OF FRANKLIN					
Being first duly cautioned and sworn (1) NAME Ryan P. Aiello, Esq.					
of (1) MAILING ADDRESS <u>c/o Dinsmore &amp; Shohl LLP, 191 W. Nationwide Blvd.</u> , Suite 300, Columbus, OH 4321 deposed 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 CERTIFIED ADDR	ESS FOR ZONING PURPOS	ES 3790 W. Broad Stre	et		
for which the application fo	r a rezoning, variance, special	permit or graphics plan wa	s filed with the Department of Building		
and Zoning Services, on (3)	)(THIS	7 a 3	V CTAFE)		
	(THIS	S LINE TO BE FILLED OUT BY CIT	1 STAFF)		
SUBJECT PROPERTY OV		(4) West Chris Rea			
AND MAILING ADDRES	S	135 Jericho Tu			
		Old Westbury,	NY 11508		
APPLICANT'S NAME AN		DealPoint Merri			
(same as listed on front of a	pplication)	(818) 887-9797			
AREA COMMISSION OR	CIVIC GROUP	(5) Greater Hilltop	Area Commission		
AREA COMMISSION OR		Mr. Greg Larg			
CONTACT PERSON AND			52, Columbus, OH 43228		
and that the attached document (6) is a list of the names and complete mailing addresses, including zip coor shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the own record of property within 125 feet of the exterior boundaries of the property for which the application was file all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant the property owner owns the property contiguous to the subject property(7)					
(7) Check here if listing	additional property owners or	n a separate page.			
		M1	(b. )		
SIGNATURE OF AFFIANT		8) ////CM / (	lus		
Subscribed to me in my pres	`	/	$l_{V}$ in the year $20/3$		
		aron	14, in the year 2013		
SIGNATURE OF NOTARY	PUBLIC (	o) ponje s	) //www.		
My Commission Expires:	-	A P William			
Notary Seal Here			SONYA G. FREEMAN NOTARY PUBLIC, STATE OF ONIO MY COMMISSION EXPIRES MAY 8, 2016		
			•		



### CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C DATE: 6/26/13



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

DealPoint Merrill, LLC 22817 Ventura Boulevard, Suite 310 Woodland Hills, California 91364

3833 W Broad Street LLC 433 N. Camden Drive, Suite 800 Beverly Hills, California 90210

Lewis B. Hall AmVets Post 1928 3780 W. Broad Street Columbus, Ohio 43228

Big Lots Stores Inc. c/o Consolidated Stores Corp. Attn: Tax Department 300 Phillipi Road Columbus, Ohio 43228 West Chris Realty LLC 135 Jericho Turnpike Old Westbury, New York 11568

Greater Hilltop Area Commission Mr. Greg Lange Post Office Box 28052 Columbus, Ohio 43228

BAI Consumer Square West LLC c/o Corelogic Commercial 1 Corelogic Drive 4-3-389 Westlake, Texas 76262

Mohammed Ghiath Ammar and Arfan Midani 6143 Dublin Road Dublin, Ohio 43017 Donald B. Leach, Jr., Esq. Dinsmore & Shohl LLP 191 W. Nationwide Boulevard, Suite 300 Columbus, Ohio 43215

Brothers & Sisters Management Inc. 2740 Patrick Henry Avenue Columbus, Ohio 43207

Robert A. Layman, Jr., Trustee c/o Bobby Layman Chevrolet 3900 W. Broad Street Columbus, Ohio 43228



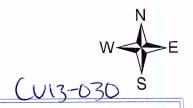
City of Columbus, Ohio • Department of Building & Zoning Services 757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

#### PROJECT DISCLOSURE STATEMENT

	MPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.
STATE OF OHIO COUNTY O	APPLICATION# <u>CV13-030</u> F FRANKLIN
Being first duly ca	utioned and sworn [NAME] Ryan P. Aiello, Esq.
deposes and state FOR SAME and	ADDRESS] <u>c/o Dinsmore &amp; Shohl LLP, 191 W. Nationwide Blvd., Suite 300, Colum</u> bus, OH 432 tes that [he/she] is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY the following is a list of all persons, other partnerships, corporations or entities having terest in the project which is the subject of this application in the following formats
	Name of business or individual
	Business or individual's address Address of corporate headquarters
	City, Sate, Zip
	Number of Columbus based employees Contact name and number
DealPoint Merrill, LLC     22817 Ventura Boulev     Woodland Hills, CA 9     0 Columbus based em     David Frank, Esq CE	1364 ployees
3.	4.
Check here if la	isting additional parties on a separate page.
SIGNATURE OF A Subscribed to me in my p	AFFIANT Man Classification of Suly, in the year 2013
SIGNATURE OF NOTA	
My Commission Expires	
Notary Seal Here	SONYA G. FREEMAN NOTARY PUBLIC, STATE OF OHIO MY COMMISSION EXPIRES MAY 8, 2016
This Project Disclosure S	tatement expires six months after the or notarization.



# City of Columbus Zoning Plat



## **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: 570132278

Zoning Number: 3790

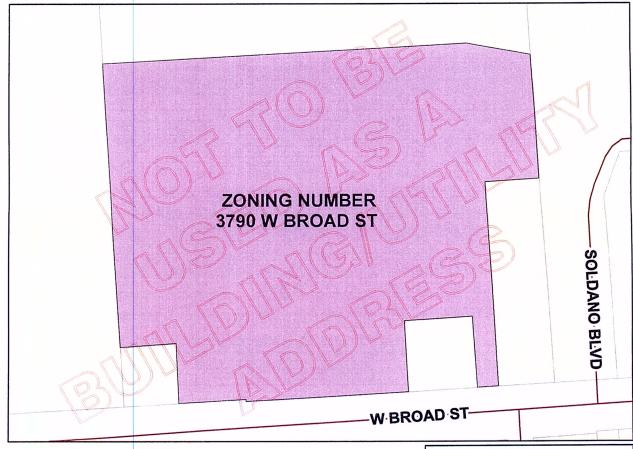
Street Name: W BROAD ST

Lot Number: N/A

Subdivision: N/A

Requested By: DINSMORE & SHOHL LLP

Issued By: \_\_\_\_\_ Date: 6/21/2013



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 13802

#### CU13-030

#### 3790 W. BROAD STREET, COLUMBUS, OH

#### **LEGAL DESCRIPTION**

Situated in the City of Columbus, County of Franklin, State of Ohio, described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, CONTAINING 15.502 ACRES OF LAND, MORE OR LESS, SAID 15.502 ACRES BEING OUT OF THAT 15.86 ACRE TRACT OF LAND DESCRIBED IN A DEED TO FIRST WEST BROAD ASSOCIATES, OF RECORD IN DEED VOLUME 2547, PAGE 610, ALL REFERENCES BEING TO RECORDS OF THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID 15.86 ACRE TRACT IN THE ORIGINAL CENTERLINE OF WEST BROAD STREET (U.S. ROUTE 40 - NATIONAL ROAD), SAID CORNER ALSO BEING THE SOUTHWESTERLY CORNER OF THAT 0.929 ACRE TRACT OF LAND DESCRIBED IN A DEED TO RUTH WIEFEL, OF RECORD IN DEED VOLUME 1787, PAGE 167;

THENCE, SOUTH 86 DEG 09' 36" WEST, WITH THE SOUTHERLY LINE OF SAID 15.86 ACRE TRACT AND WITH SAID ORIGINAL CENTERLINE OF WEST BROAD STREET, A DISTANCE OF 800.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID 15.86 ACRE TRACT;

THENCE, NORTH 04 DEG 09' 29" WEST, WITH THE WESTERLY LINE OF SAID 15.86 ACRE TRACT, A DISTANCE OF 70.00 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEST BROAD STREET AT THE SOUTHWESTERLY CORNER OF THAT 0.358 ACRE TRACT OF LAND DESCRIBED IN A DEED TO THE KFC NATIONAL MANAGEMENT CORPORATION OF RECORD IN DEED VOLUME 3591, PAGE 40;

THENCE, NORTH 86 DEG 09' 36" EAST, WITH SAID NORTHERLY RIGHT-OF-WAY LINE OF WEST BROAD STREET, THE SAME BEING PARALLEL WITH AND 70.00 FEET NORTHERLY FROM, AS MEASURED AT RIGHT ANGLES, THE SOUTHERLY LINE OF SAID 15.86 ACRE TRACT AND WITH THE SOUTHERLY LINE OF SAID 0.358 ACRE TRACT;

THENCE, NORTH 04 DEG 09' 29" WEST, PARALLEL WITH AND 120.00 FEET EASTERLY FROM, AS MEASURED AT RIGHT ANGLES, THE WESTERLY LINE OF SAID 15.86 ACRE TRACT AND WITH THE EASTERLY LINE OF SAID 0.358 ACRE TRACT, A DISTANCE OF 130.00 FEET TO THE NORTHEASTERLY CORNER OF SAID 0.358 ACRE TRACT;

THENCE, SOUTH 86 DEG 09' 36" WEST, PARALLEL WITH AND 130.00 FEET NORTHERLY FROM, AS MEASURED AT RIGHT ANGLES, THE NORTHERLY RIGHT-OF-WAY LINE OF WEST BROAD STREET AND WITH THE NORTHERLY LINE OF SAID 0.358 ACRE TRACT, A DISTANCE OF 120.00 FEET TO THE NORTHWESTERLY CORNER OF SAID 0.358 ACRE TRACT IN THE WESTERLY LINE OF SAID 15.86 ACRE TRACT;

THENCE, NORTH 04 DEG 09' 29" WEST, WITH THE WESTERLY LINE OF SAID 15.86 ACRE TRACT, A DISTANCE OF 620.00 FEET TO THE NORTHWESTERLY CORNER OF SAID 15.86 ACRE TRACT;

THENCE, NORTH 86 DEG 09' 36" EAST, WITH A NORTHERLY LINE OF SAID 15.86 ACRE TRACT, A DISTANCE OF 790.00 FEET TO AN ANGLE POINT IN THE NORTHERLY BOUNDARY OF SAID 15.86 ACRE TRACT;

THENCE, SOUTH 80 DEG 55' 40" EAST, WITH A NORTHERLY LINE OF SAID 15.86 ACRE TRACT, A DISTANCE OF 136.00 FEET TO THE NORTHEASTERLY CORNER OF SAID 15.86 ACRE TRACT, THE SAME BEING IN THE WESTERLY LINE OF THAT 16.192 ACRE TRACT OF LAND DESCRIBED IN A DEED TO CHAKERES-COLUMBUS, INC., OF RECORD IN DEED VOLUME 3076, PAGE 427;

THENCE, SOUTH 03 DEG 59' 03" EAST, WITH THE EASTERNMOST LINE OF SAID 15.86 ACRE TRACT WITH THE WESTERLY LINE OF SAID 16.192 ACRE TRACT, A DISTANCE OF 272.00 FEET TO A SOUTHEASTERLY CORNER OF SAID 15.86 ACRE TRACT, THE SAME BEING THE NORTHEASTERLY CORNER OF SAID 0.929 ACRE TRACT;

THENCE, SOUTH 86 DEG 09' 36" WEST, WITH A SOUTHERLY LINE OF SAID 15.86 ACRE TRACT AND WITH THE NORTHERLY LINE OF SAID 0.929 ACRE TRACT, A DISTANCE OF 121.57 FEET TO A CORNER OF SAID 15.86 ACRE TRACT, THE SAME BEING THE NORTHWESTERLY CORNER OF SAID 0.929 ACRE TRACT;

THENCE, SOUTH 04 DEG 09' 29" EAST, WITH AN EASTERLY LINE OF SAID 15.86 ACRE TRACT AND WITH THE WESTERLY LINE OF SAID 0.929 ACRE TRACT, A DISTANCE OF 517.61 FEET TO THE POINT OF BEGINNING, AND CONTAINING 15.502 ACRES OF LAND, MORE OR LESS;

EXCEPTING THEREFROM THE FOLLOWING 0.517 ACRE TRACT OF LAND:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, CONTAINING 0.517 ACRE OF LAND, MORE OR LESS, SAID 0.517 ACRE BEING ALL OF THAT TRACT OF LAND DESCRIBED IN A DEED TO THE REAL ESTATE TEN CO., OF RECORD IN DEED VOLUME 3601, PAGE 211, SAID 0.517 ACRE BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING, FOR REFERENCE, AT THE SOUTHEASTERLY CORNER OF SAID 15.86 ACRE TRACT IN THE ORIGINAL CENTERLINE OF WEST BROAD STREET (US ROUTE #40 - NATIONAL ROAD), SAID CORNER ALSO BEING THE SOUTHWESTERLY CORNER OF THAT 0.929 ACRE TRACT OF LAND DESCRIBED IN A DEED TO RUTH WIEFEL, OF RECORD IN DEED VOLUME 1787, PAGE 167;

THENCE, FROM SAID REFERENCE POINT OF BEGINNING, NORTH 04 DEG 09' 29" WEST, WITH AN EASTERLY LINE OF SAID 15.86 ACRE TRACT AND WITH THE WESTERLY LINE OF SAID 0.929 ACRE TRACT, A DISTANCE OF 70.00 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF WEST BROAD STREET;

THENCE, SOUTH 86 DEG 09' 36" WEST, WITH SAID NORTHERLY RIGHT-OF-WAY LINE OF WEST BROAD STREET, THE SAME BEING PARALLEL WITH AND 70.00 FEET NORTHERLY FROM, AS MEASURED AT RIGHT ANGLES, THE SOUTHERLY LINE OF SAID 15.86 ACRE TRACT, A DISTANCE OF 43.00 FEET TO THE TRUE POINT OF BEGINNING, AT THE SOUTHEASTERLY CORNER OF SAID 0.517 ACRE TRACT;

THENCE FROM SAID POINT OF BEGINNING, SOUTH 86 DEG 09' 36" WEST, WITH SAID NORTHERLY RIGHT-OF-WAY LINE OF WEST BROAD STREET, THE SAME BEING PARALLEL WITH AND 70.00 FEET NORTHERLY FROM, AS MEASURED AT RIGHT ANGLES, THE SOUTHERLY LINE OF SAID 15.16 ACRE TRACT, A DISTANCE OF 150.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID 0.517 ACRE TRACT;

THENCE, NORTH 04 DEG 09' 29" WEST, PARALLEL WITH AND 193.00 FEET WESTERLY FROM, AS MEASURED AT RIGHT ANGLES, AN EASTERLY LINE OF SAID 15.86 ACRE TRACT, A DISTANCE OF 150.00 FEET TO THE NORTHWESTERLY CORNER OF SAID 0.517 ACRE TRACT;

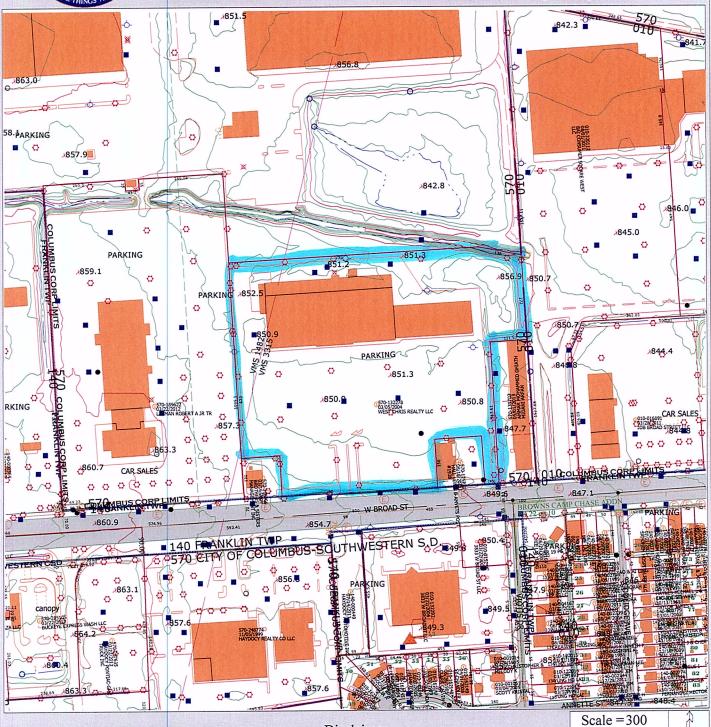
THENCE, NORTH 86 DEG 09' 36" EAST, PARALLEL WITH AND 150.00 FEET NORTHERLY FROM, AS MEASURED AT RIGHT ANGLES, THE SAID NORTHERLY RIGHT-OF-WAY LINE OF WEST BROAD STREET, A DISTANCE OF 150.00 FEET TO THE NORTHEASTERLY CORNER OF SAID 0.517 ACRE TRACT;

THENCE, SOUTH 04 DEG 09' 29" EAST, PARALLEL WITH AND 43.00 FEET WESTERLY FROM, AS MEASURED AT RIGHT ANGLES, AN EASTERLY LINE OF SAID 15.86 ACRE TRACT, A DISTANCE OF 150.00 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 0.517 ACRE OF LAND, MORE OR LESS.



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C DATE: 6/26/13



Disclaimer

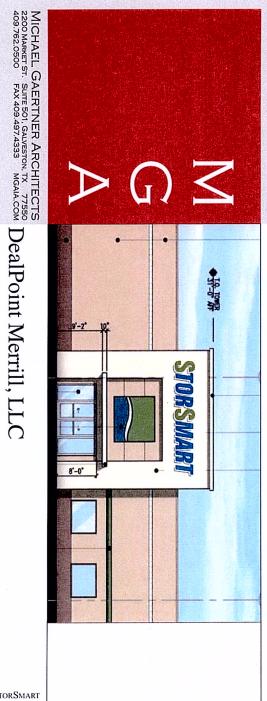
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Real Estate / GIS Department

Grid North

# **STORSMART**

3784 to 3800 West Broad Adaptive Re-use and Renovation Columbus, Ohio



22817 Ventura Boulevard

Woodland Hills, CA 91364

Suite 310

Project Name: STORSMART Project Number

C 2013 Michael D. Gaertner, Sr., Architect This document dated 6/30/13 and authorized by Michael D. Gaertner, Sr. approval, permit or construction. incomplete. Do not use for regulatory Architect (Texas Reg. No. 9342) is

CV13-030

CN13-030

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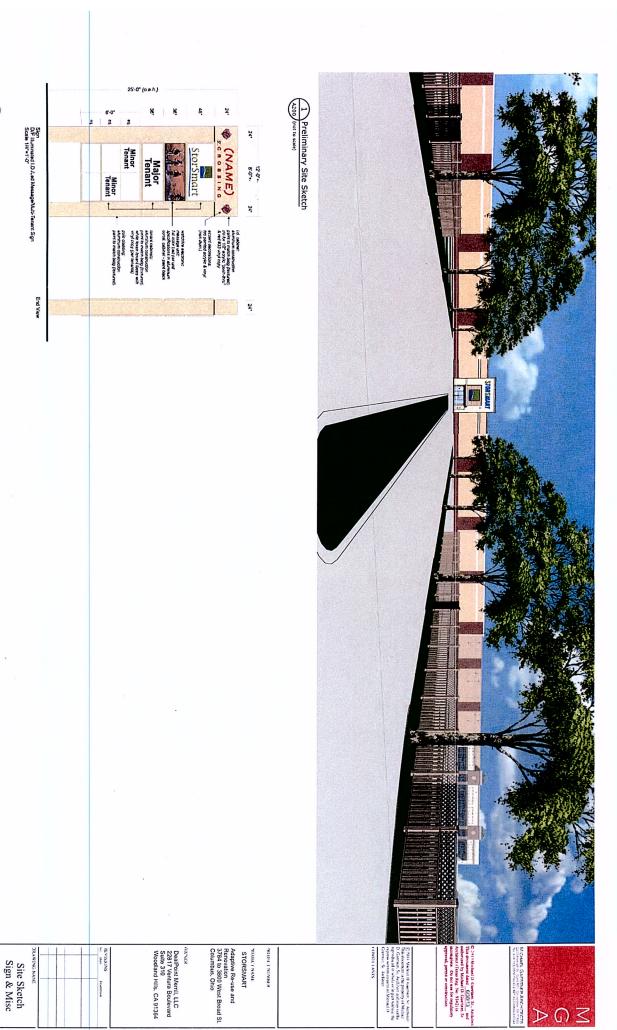


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2 Preliminary Sign Design

