



2019 Board of Variance Notice of Appeal Form

OFFICE OF THE CITY CLERK

Burnaby City Hall, 4949 Canada Way, Burnaby BC, V5G 1M2, Phone: 604-294-7290 Email: clerks@burnaby.ca

Applicant

Name of Applicant

VICTURENC

Mailing Address

15 E. 3rd Avenue

City/Town

Vancouver Postal Code V5T 1C5

Phone Number(s)

(H) 604-677-0021 (C) _____

Email

permits@victurenC.com

Property

Name of Owner

Bakhshish Haylat

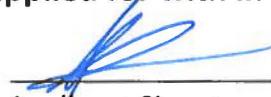
Civic Address of Property

7038 Mawhinney Close

I hereby declare that the information submitted in support of this application is, to the best of my knowledge, true and correct in all aspects, and further that my plans have no conflict with municipal bylaws other than those applied for with in this application.

August 6 2019

Date



Applicant Signature

Office Use Only

Appeal Date

Sept. 5 2019

Appeal Number BV#

Required Documents:

- Fee Application Receipt
- Building Department Referral Letter
- Hardship Letter from Applicant
- Site Plan of Subject Property

Any documents submitted in support of this Board of Variance Appeal will be made available to the Public

August 6, 2019

Board of Variance
City of Burnaby,
4949 Canada Way

Re: 7038 Mawhinney Close - Appeal For Relaxation of Building Height

Dear Board of Variance members,

We would like to tender a request for a building height relaxation to the associated Building Permit which has already been approved.

With the receipt of the Building Permit the construction process was set to begin. The Surveyor proceeded to site to set reference pins for the corners of the building and garage. It was at this time that the Surveyor notified the design and construction team that the garage was being set within the boundaries of a BC Hydro Right of Way (ROW). In July 2018, we tried to negotiate with BC Hydro to see if they would allow the garage to remain in this Right of Way but we were not successful. Our email communication has been appended for your reference. Due to the constraints of the ROW on this site the only viable option to maintain the existence of a garage and have it clear of this ROW was to attach it to the building. Viable driveway access to the garage has now triggered a non-compliance situation pertaining to the maximum allowed building height for this site. The maximum allowed building height is at a geodetic elevation of 159.10' and we would like an increase to 163.60'.

The presence of the ROW has significantly reduced the buildable area for this site which has resulted in the imposition of a very difficult series of hardships to the design and the solution. Complete Zoning Bylaw compliance is not viable due to these hardships. As such, the design has attempted to respond to this in the best way it can.

The house has a 2-storey frontage, as is typical of single family homes, and a visible basement located to the rear of the house. The intent of this massing is to minimize any obstructions to any neighboring properties. Due to the ROW restriction and garage relocation it became very difficult to simultaneously not trigger bylaw non-compliance building height (set by the lowest average natural grade) while also providing code compliant driveway access to the attached garage. This site is also quite steep, so location and design of the driveway is a highly sensitive item and should not be subject to change.

There was an effort to balance these items with additional design iterations, but while the City of Burnaby Housing Department would approve the plan, BC Hydro would reject it due to forced encroachment of the design solution of which the design demanded. The opposite was also true during this design exercise. While BC Hydro had a series of criteria they would allow, those items would then be in-conflict with the zoning bylaw. This quickly turned into a no-win situation for the Owner which has resulted in significant financial hardship for the Owner.

A rejection of the requested increase to building height would result in the loss of the entire upper storey of the house because the current maximum height limit would make the upper storey ceiling height non-compliant with the Building Code. This would make the entirety of this design unviable.

We have the support of the Housing Department and Planner to proceed with this design and they can attest to our efforts and hardships of through this design process. We trust that the Board can see we have no other option given this hardship and that we have minimized any impacts to neighbours.

Thank you for your time and consideration.

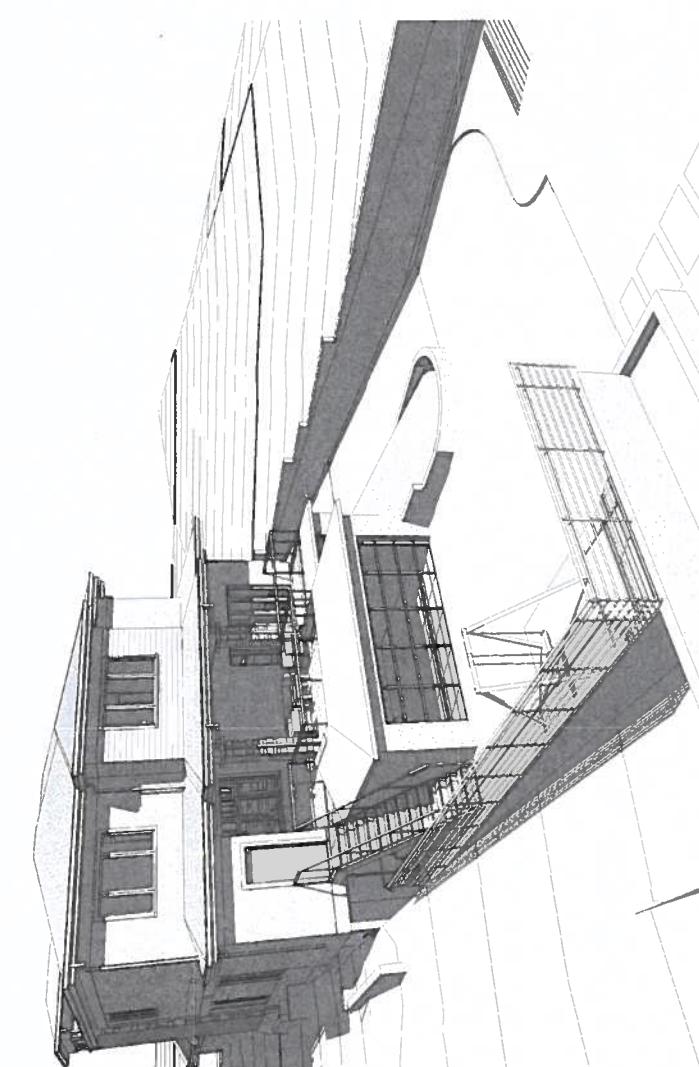
Regards,



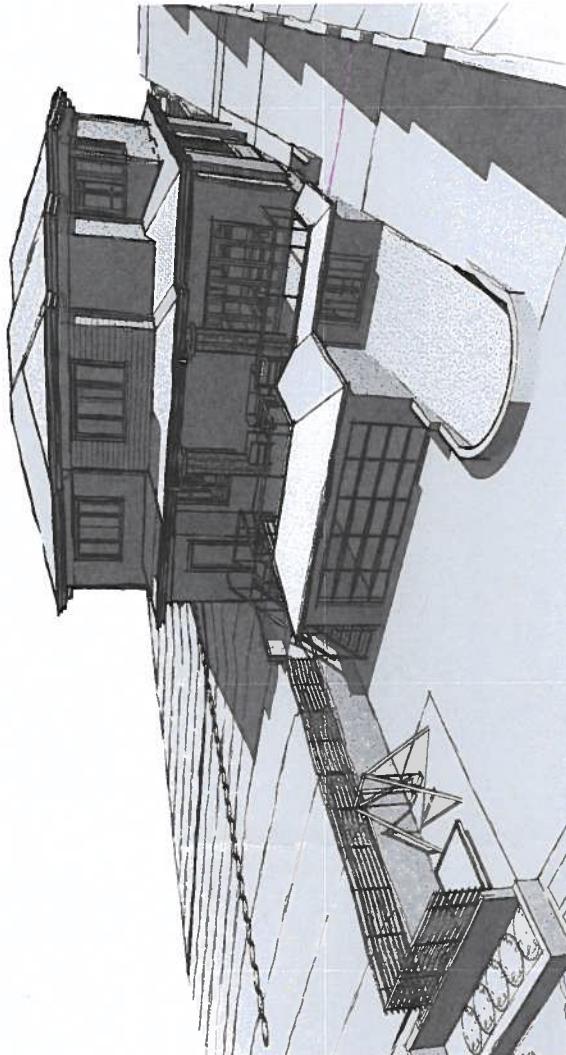
Eric Lee
VICTORERIC DESIGN GROUP

T. 604.677.0021
F. 604.677.0178
www.victoreric.com

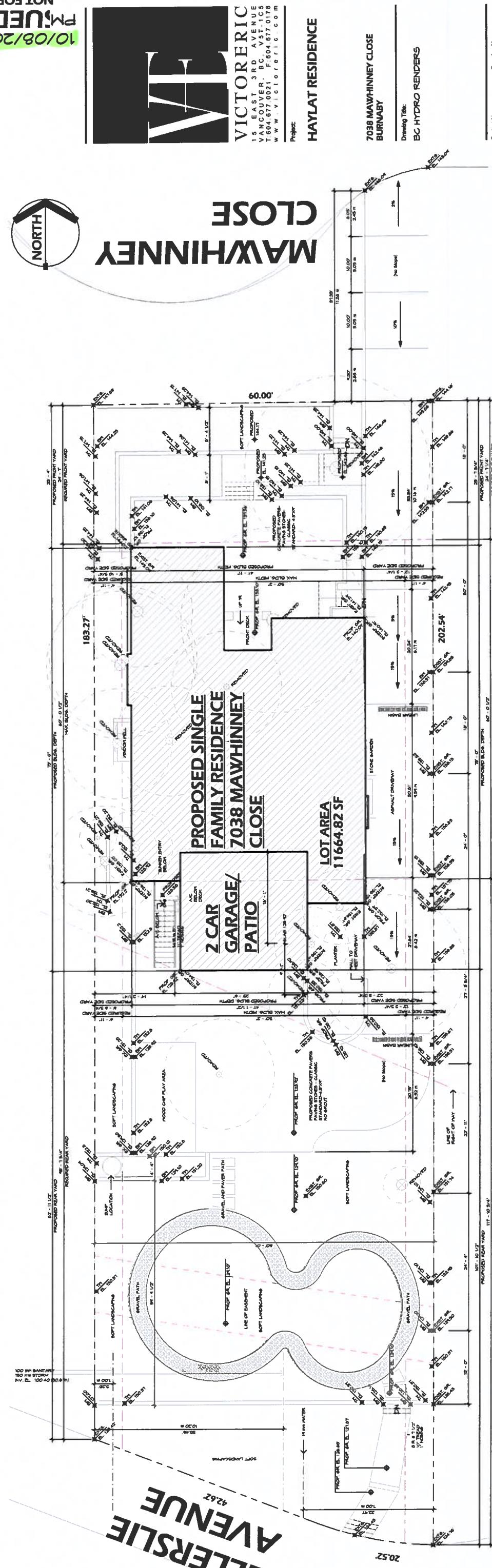
#207 - 33 E. 8th Ave.
Vancouver, BC
V5T 1R5



BC HYDRO 3D LEFT



BC HYDRO RENDER RIGHT





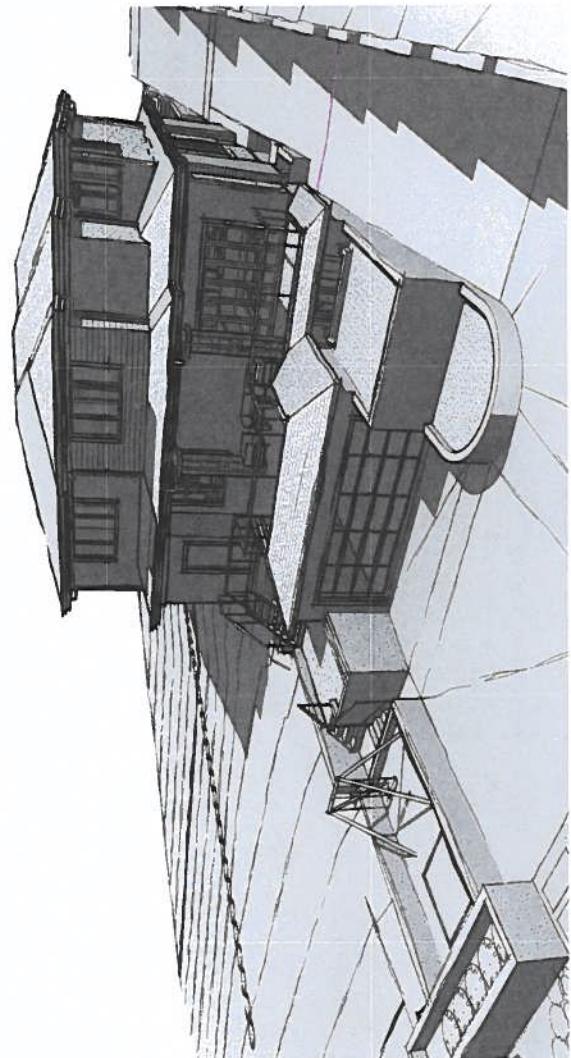
VICTORERIC
15 EAST 3RD AVENUE
VANCOUVER, BC V5T 1C5
T 604 877 0021 F 604 877 0178
www.victoreric.com

Project:

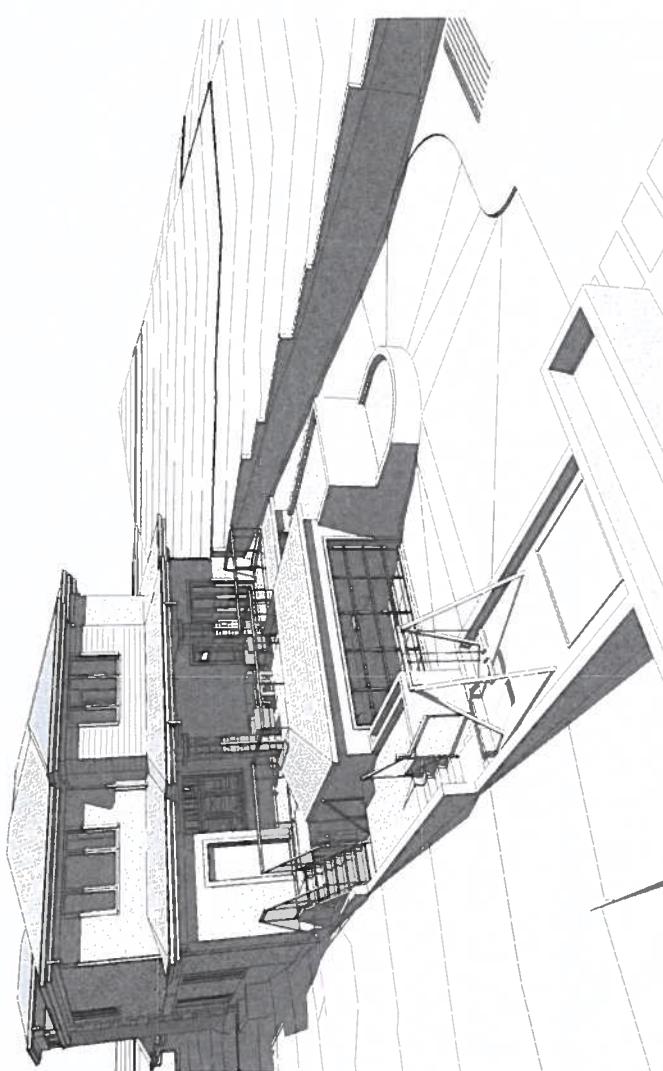
HAYLAT RESIDENCE

Drawing Title:
7038 MAWHINNEY CLOSE
BURNABY
BC HYDRO RENDERS

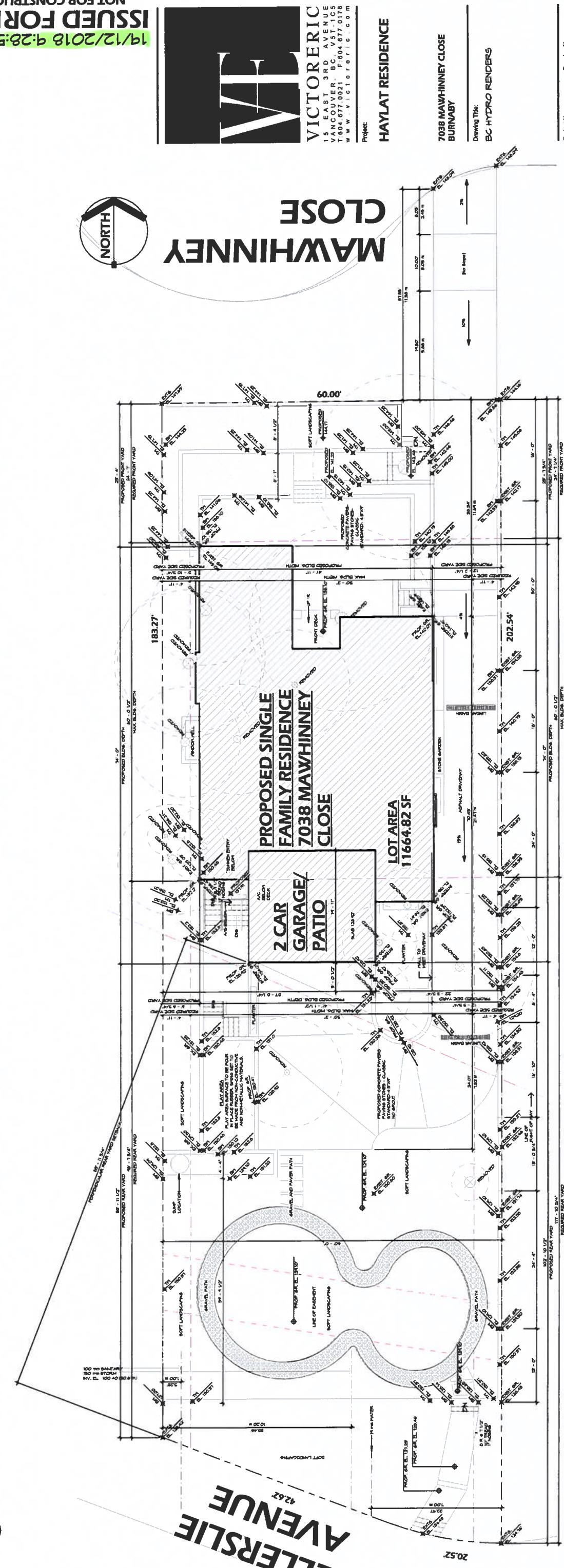
Project No.: DD13
Drawing No.: 17007
Drawn By: _____
Designer: _____
Approved By: _____

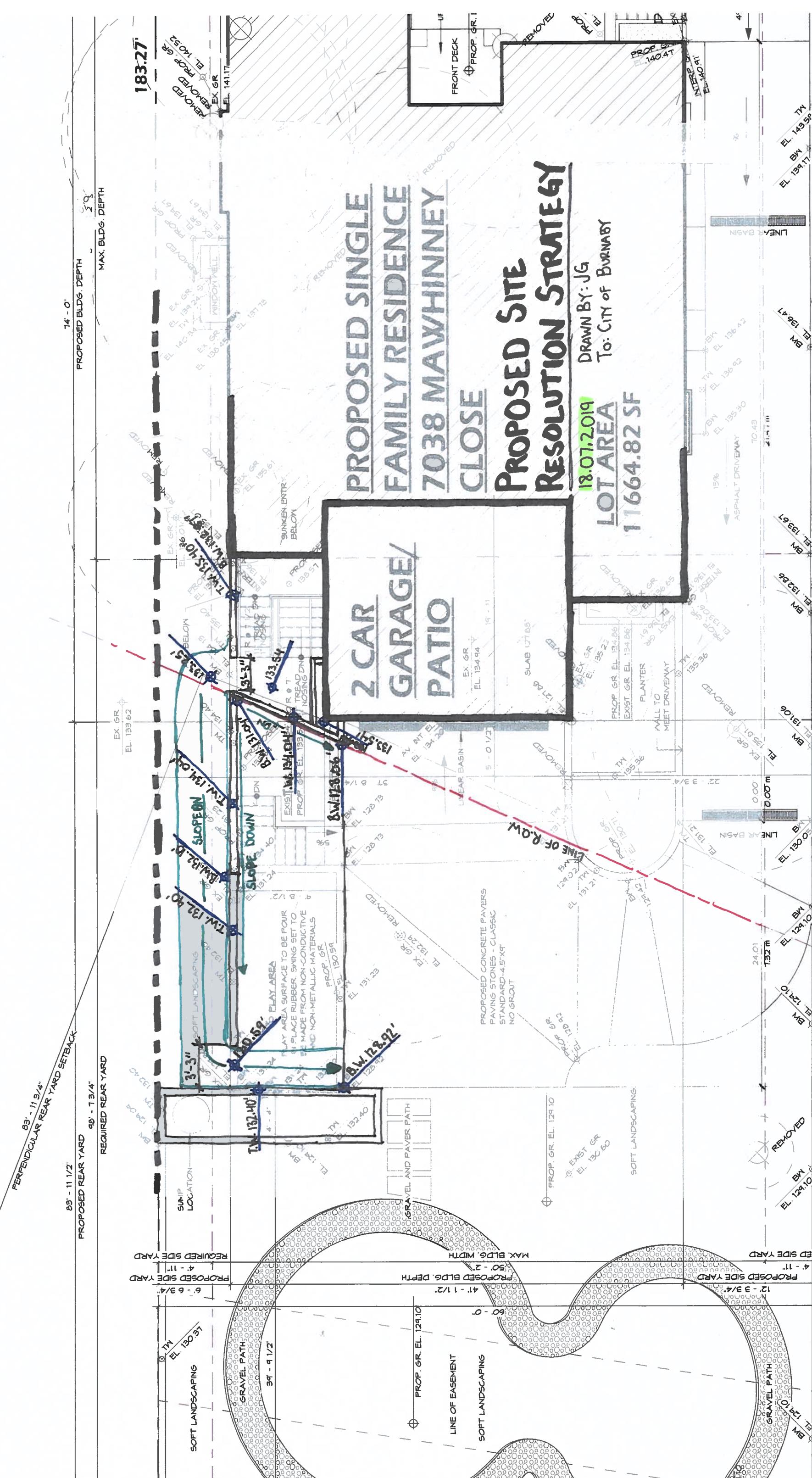


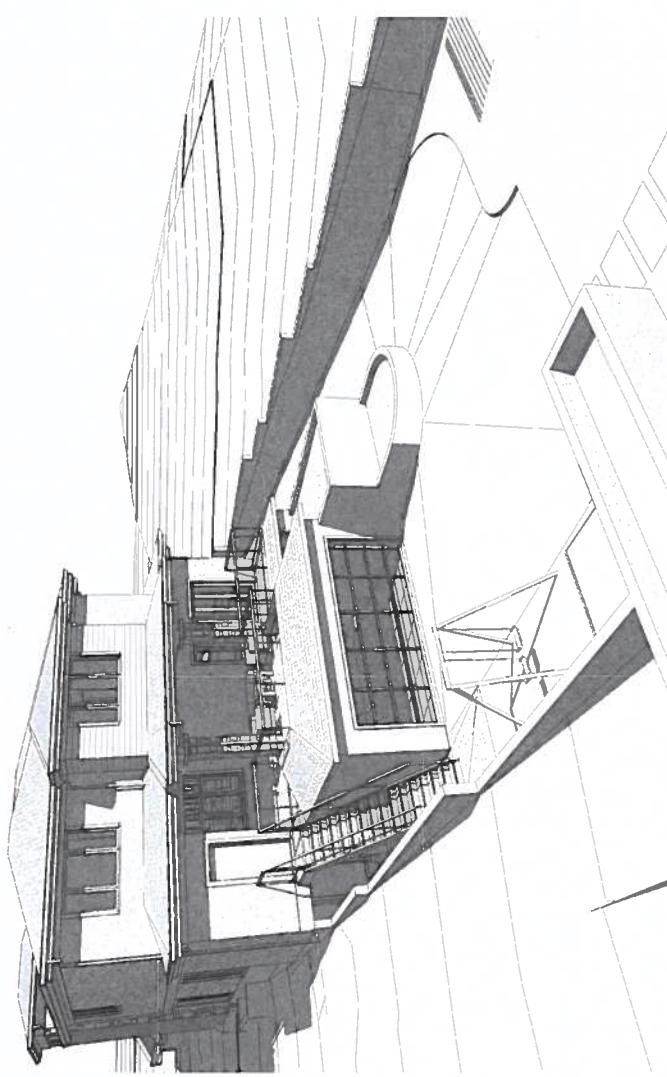
1 BC HYDRO RENDER RIGHT



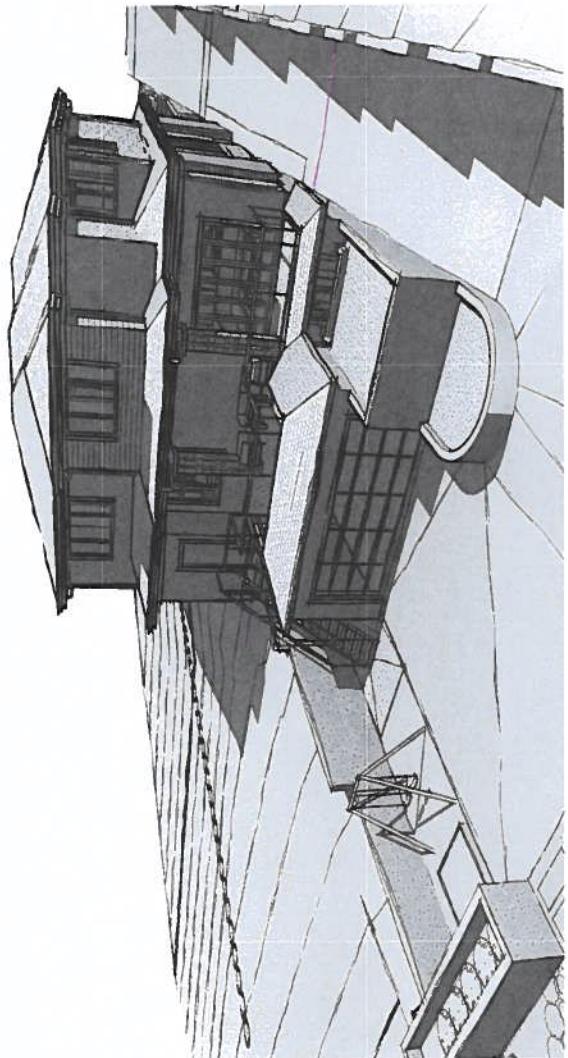
3 BC HYDRO 3D LEFT

2 SITE PLAN BC HYDRO
1/8" = 1'-0"

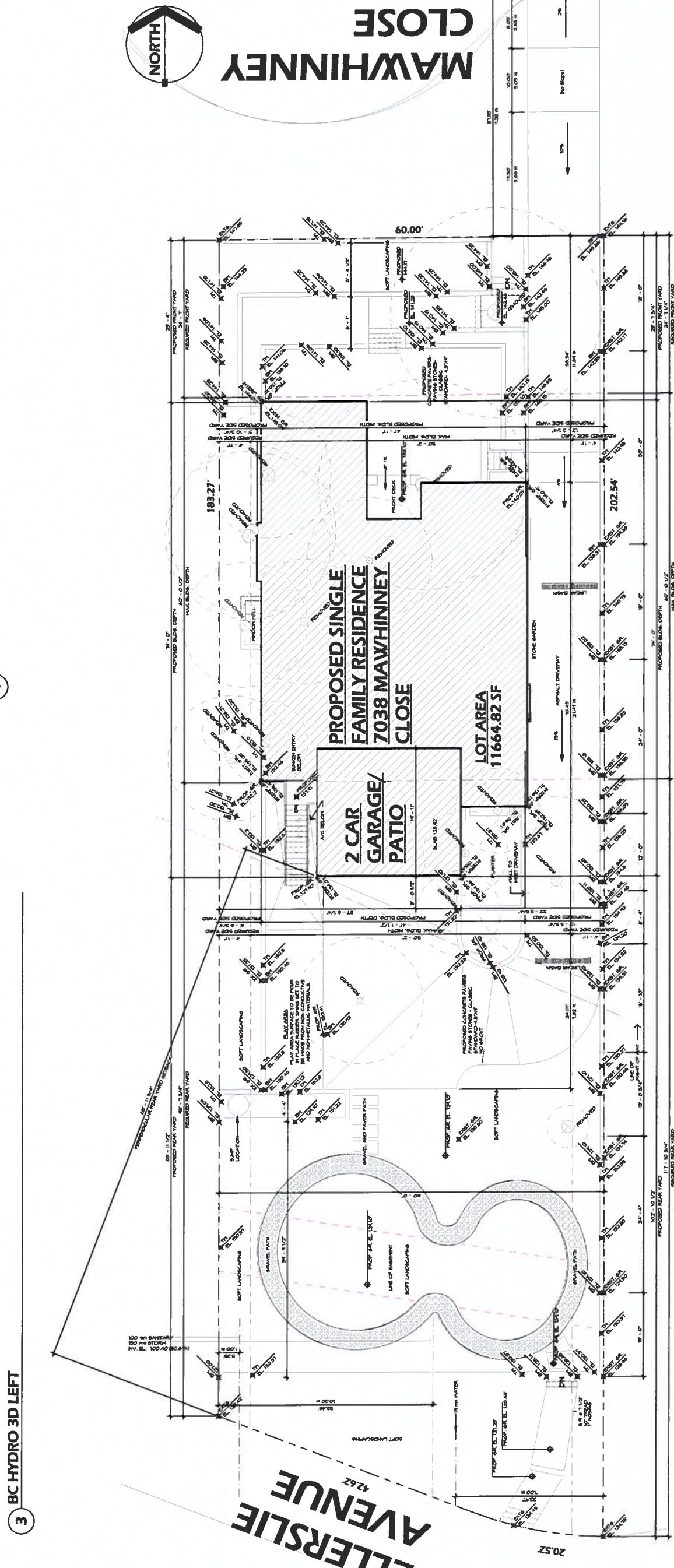




③ BC HYDRO 3D LEFT



① BC HYDRO RENDER RIGHT





BOARD OF VARIANCE REFERRAL LETTER

DATE: August 6, 2019	<i>This is <u>not</u> an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i>		
DEADLINE: August, 6, 2019 for the September 05, 2019 hearing.			
APPLICANT NAME: VictorEric			
APPLICANT ADDRESS: 15 E 3 rd Ave, Vancouver, B.C., V5T 1C5			
TELEPHONE: 604-677-0021			
PROJECT			
DESCRIPTION: New Single Family Dwelling with secondary suite and attached garage			
ADDRESS: 7038 Mawhinney Close			
LEGAL DESCRIPTION:	LOT: A	DL: 78	PLAN: EPP39700

Building Permit application BLD17-10003 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Sections 102.6(1)(a)

COMMENTS:

The applicant currently has a building permit for a new single family dwelling with secondary suite and detached garage and proposed to have a new single family dwelling with secondary suite and attached garage. In order to allow the Building Permit application to proceed, the applicant requests that the following variances be granted:

- 1) To vary section 102.6(1)(a) – “Height of Principal Building” of the Zoning Bylaw requirement for the maximum building height from 9.0 m (29.50 feet) to 10.36 m (34.00 feet) measured from the rear average grade for the proposed single family dwelling with a sloping roof.

Note: A previous Board of Variance (B.V. 6337) denied an appeal requesting: a) a principal building height of 10.6 m (34.81 feet) (sloping roof) measured from the rear average, but allowed an appeal requesting: b) a building depth of 22.56 m (74.00 feet)

Notes:

1. *The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.*
2. *The applicability of these variances, if granted, are limited to the scope of the proposal shown on the attached plans.*
3. *All new principal building projections into the resulting required yards will conform to the requirements of Section 6.12.*
4. *Fences and retaining walls will conform to the requirements of Section 6.14.*

LM

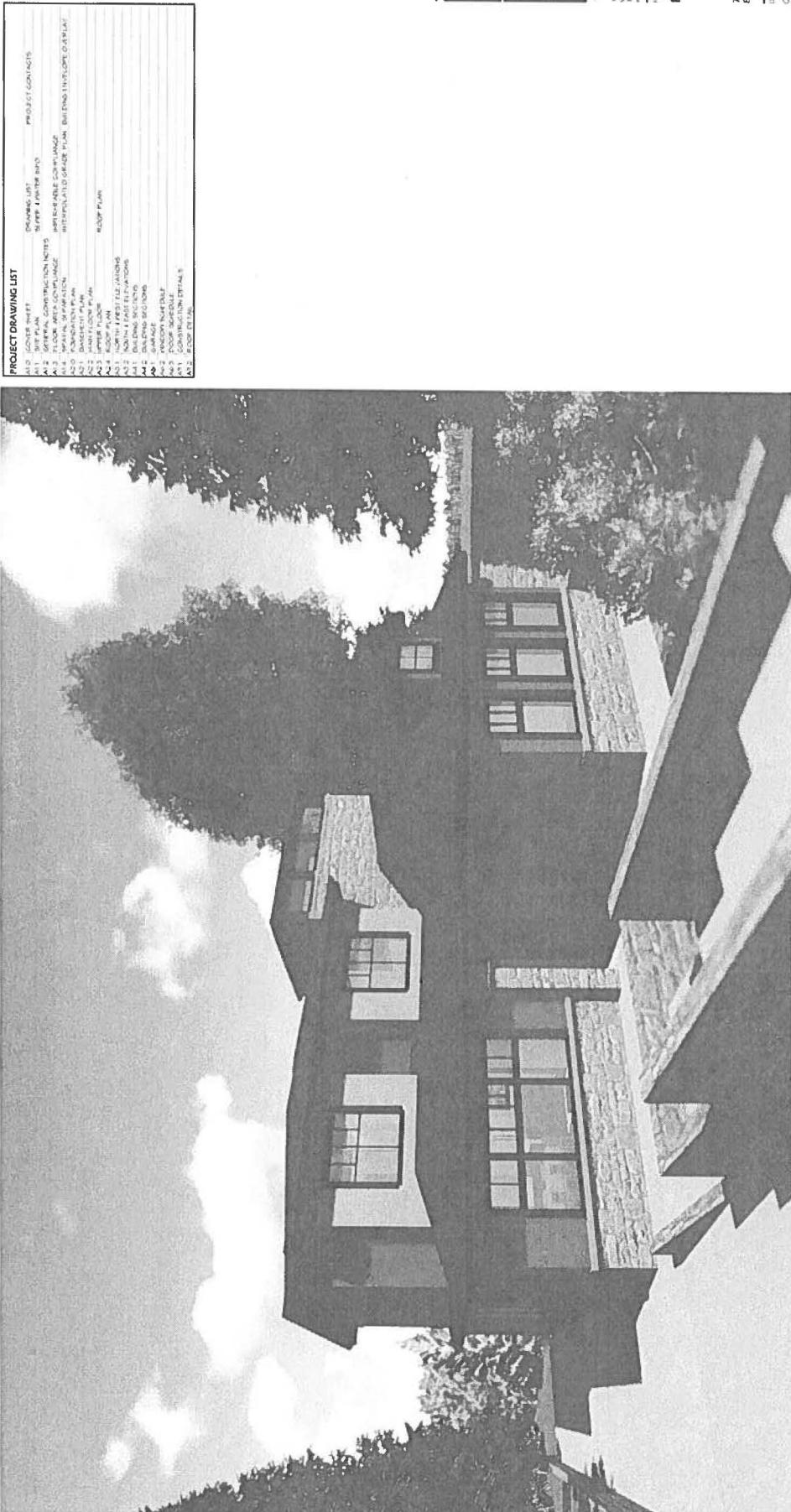


Gloria Grill
Building Code Engineer

HAYLAT RESIDENCE

7038 MAWHINNEY CLOSE
BURNABY

**7038 MAW/HINNEY CLOSE
BURNABY**



THE IMAGE(S) DO/C NOT REFLECT THE FINISHED STATE OF THE BUILDING & MATERIALS MAY APPEAR DIFFERENTLY IN REALITY

PROJECT CONTACTS

ପ୍ରକାଶନ କମିଶନ ଓ ପ୍ରକାଶକ
ପାତାଳ ପାତାଳ ପାତାଳ ପାତାଳ

Project No. 17607
Down by T.M.

GERMAN CONFERENCE
HOTEL DORINT
CONFERENCE & HOTEL
TODI HAMBURG CITY
DEBENHAUER STR.
D-2000 HAMBURG 13
TEL. 040-30 00 00 00
FAX 040-30 00 00 01
E-mail: info@todi.de

INTERCULTURAL DESIGN GROUP
1000 13TH AVENUE
VANCOUVER, BC
V6E 4T9
(604) 542-0021

A1

	Date	Outcome
1	2015-04-07	REMOVED
2	2015-02-17	REMOVED
3	2015-01-16	DEPRESSED
4	2015-01-08	DEPRESSED

DATE:
CHECKED BY:

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW
12/13/2014 /30/2014

LVI

VICTOR ERIC
151 - PARK VENDÔME
VANCOUVER B.C., V1C 1A3
604-542-0027 FAX 604-542-0027
E-mail: v-erickson@vancouver.ca

HAYLAT RESIDENCE

7038 MAWHINNEY CLOSE
BURNABY

COVER SHEET
DRAWING LIST
THE PROJECT CONTACT

A10

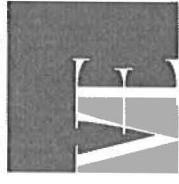
GENERAL CONSTRUCTION NOTES - B.C.B.C.

Section	Description	Notes
Structural:	1. All columns and beams are to be cast in place using a concrete mix of 5000 psi strength. Column sizes will be determined by structural engineer.	
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	3. All columns and beams are to be cast in place using a concrete mix of 5000 psi strength. Column sizes will be determined by structural engineer.	
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	9. All columns and beams are to be cast in place using a concrete mix of 5000 psi strength. Column sizes will be determined by structural engineer.	
	10. All columns and beams are to be cast in place using a concrete mix of 5000 psi strength. Column sizes will be determined by structural engineer.	
Architectural:	1. All exterior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	2. All interior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	3. All exterior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	4. All interior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	5. All exterior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	6. All interior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	7. All exterior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	8. All interior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	9. All exterior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	10. All interior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
Mechanical:	1. All HVAC ductwork is to be made of galvanized steel. Duct sizes will be determined by HVAC engineer.	
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Electrical:	1. All electrical wiring is to be done in accordance with the National Electrical Code (NEC).	
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	10. All electrical wiring is to be done in accordance with the National Electrical Code (NEC).	
Plumbing:	1. All plumbing fixtures are to be made of stainless steel. Fixtures will be determined by plumbing engineer.	
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	10. All plumbing fixtures are to be made of stainless steel. Fixtures will be determined by plumbing engineer.	
Landscaping:	1. Landscaping is to be done in accordance with the local zoning laws and regulations.	
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	9. Landscaping is to be done in accordance with the local zoning laws and regulations.	
	10. Landscaping is to be done in accordance with the local zoning laws and regulations.	
Interior:	1. Interior walls are to be finished with drywall. Thickness: 1/2 inch.	
	2. Interior walls are to be finished with drywall. Thickness: 1/2 inch.	
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	10. Interior walls are to be finished with drywall. Thickness: 1/2 inch.	
Exterior:	1. Exterior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
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	9. Exterior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	
	10. Exterior walls are to be finished with a smooth, light-colored stucco. Color: #F0E68C.	

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW

DATE:
1/30/2019 12:13:22 PM
CHECKED BY:

VICTORERIC



HAYLAT RESIDENCE

7038 MAWHINNEY CLOSE

BURNABY

Project No.: 17007

Design No.: 17007

Date: 01/30/2019

Page No.: 1

PLEASE ENSURE THAT ALL CONSTRUCTION NOTES ARE REVIEWED PRIOR TO CONSTRUCTION & ALL ITEMS ARE EXECUTED. REPORT ANY DISCREPANCES AND/OR QUESTIONS TO THE DESIGNER IMMEDIATELY.

A1.2

Copyright Theorum		Date	Details	Cr	Dr
1	2015-04-01	10000 POKI DR	PKI		
2	2015-02-21	10000 PAYMENT	PKI		
3	2015-02-16	10000 PAYMENT	PKI		
4	2015-02-09	10000 PAYMENT	PKI		
5	2014-09-30	10000 POKI DR	PKI		
6	2014-09-30	10000 POKI DR	PKI		

CKED BY:

ISSUED FOR REVIEW
7/30/2019 12:13:24 PM
NOT FOR CONSTRUCTION

HAYLAT RESIDENCE

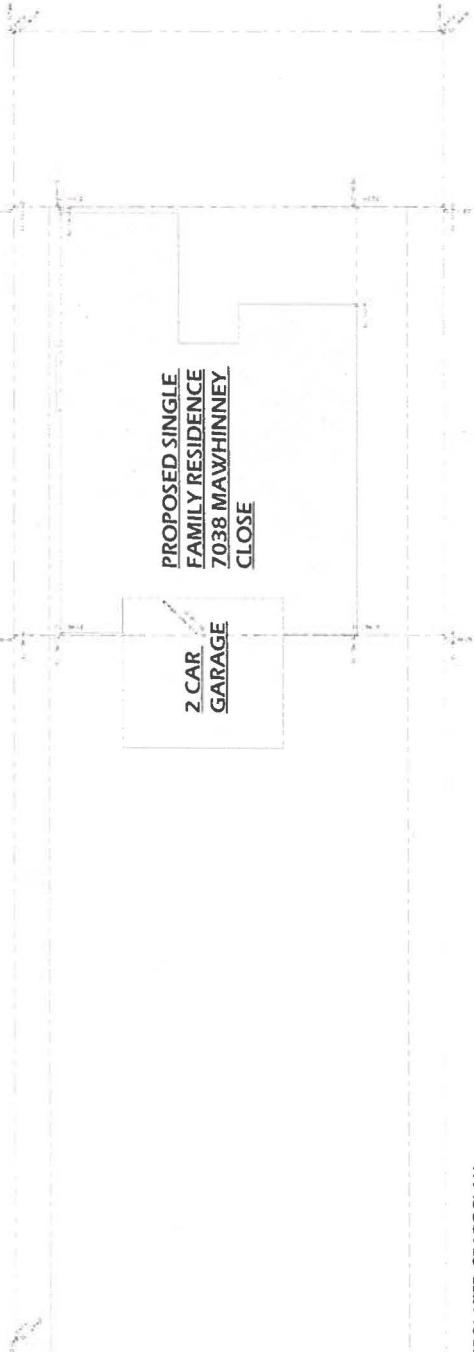
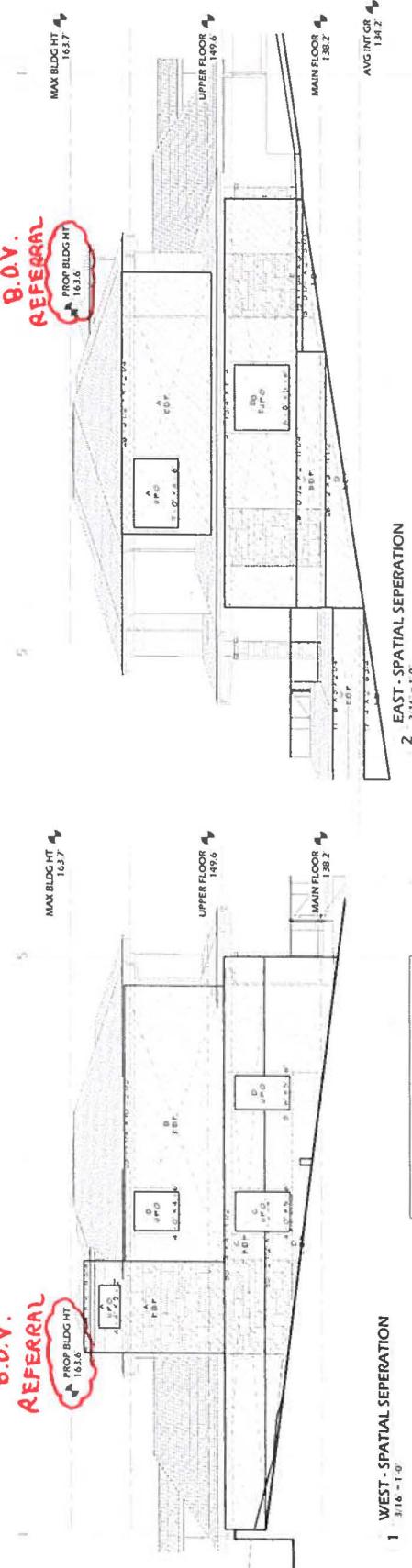
**70-30 MAWHINNEY CLOSE
BURNABY**

Drawing 10a
Spatiotemporal Separation
Interpolated Grade Plan
Building Envelope
Overlay

A1.4

A red rectangular stamp with the words "B.O.V. REFERRAL" in red, all-caps, sans-serif font. It is overlaid on a blue rectangular stamp that contains the text "PROPR BLDG HT" and "163.6".

B.O.V.
REFERRAL
PROP BLDG HT
1636



PROPOSED SINGLE
FAMILY RESIDENCE
7038 MAWHINNEY
CLOSE

INTERPOLATED GRADE PLAN

Copyright Reserved
Digitized by srujanika@gmail.com

Issue Date	Date of Birth	Age
1	2017-09-01	14
2	2015-02-27	14
3	2015-02-27	14
4	2015-02-24	14
5	2014-04-10	15
6	2014-07-09	15

Revisions

DATE:
ISSUED FOR REVIEW
CHECKED BY:

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130/2019 12:13:28 PM

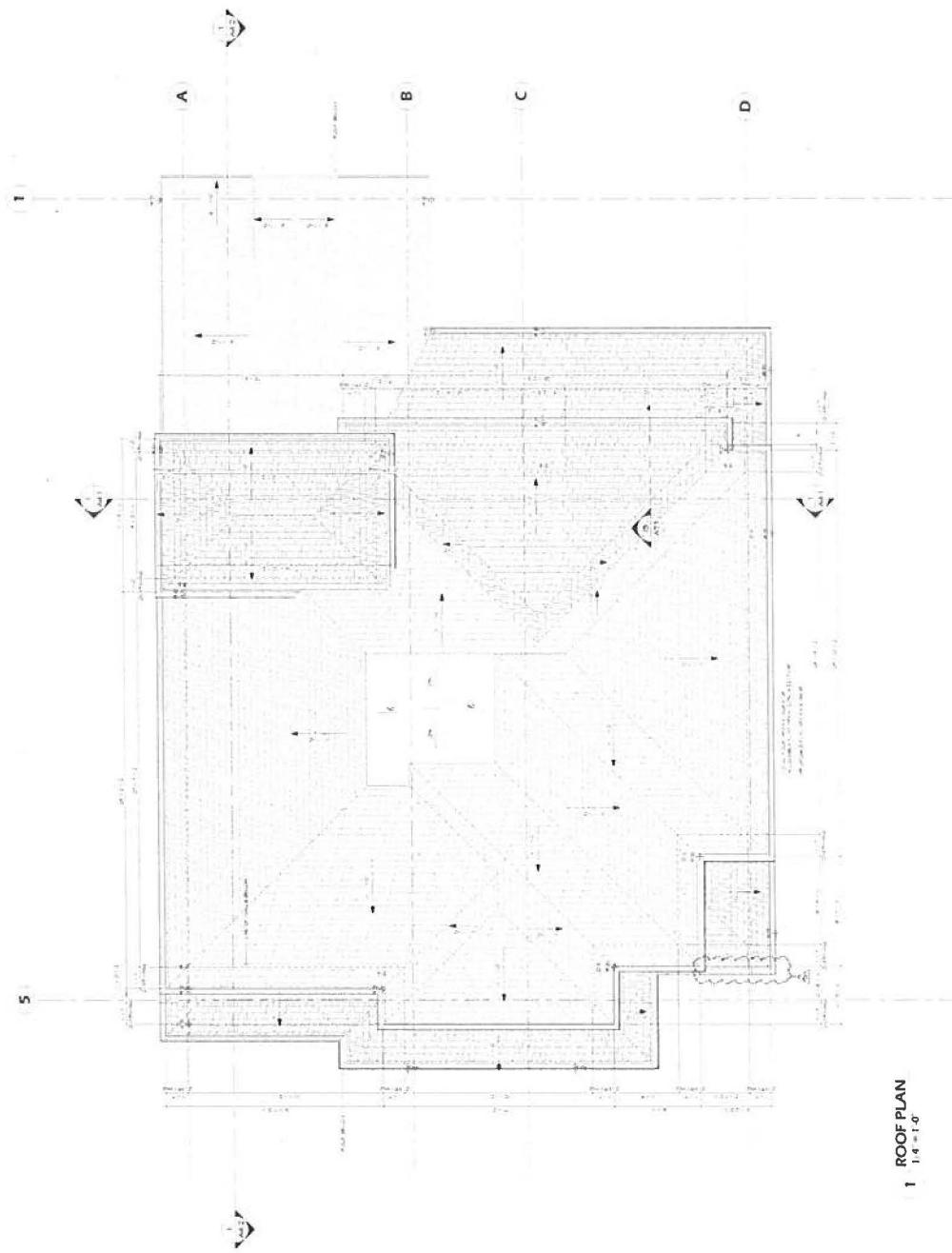


VICTOR ERIC
130 MAYHINNEY CLOSE
BURNABY
V5A 5G1
PHONE: 604-877-0521
FAX: 604-877-0518
E-MAIL: veric.vic@shaw.ca
www.veric.vic.ca

HAYLAT RESIDENCE

7038 MAYHINNEY CLOSE
BURNABY
Directed By
Approved By
E-MAIL

Project No:
130/2019
Drawn By
F.
Approved By
A2.4
E-mail



1 ROOF PLAN
1:4 = 1'-0"

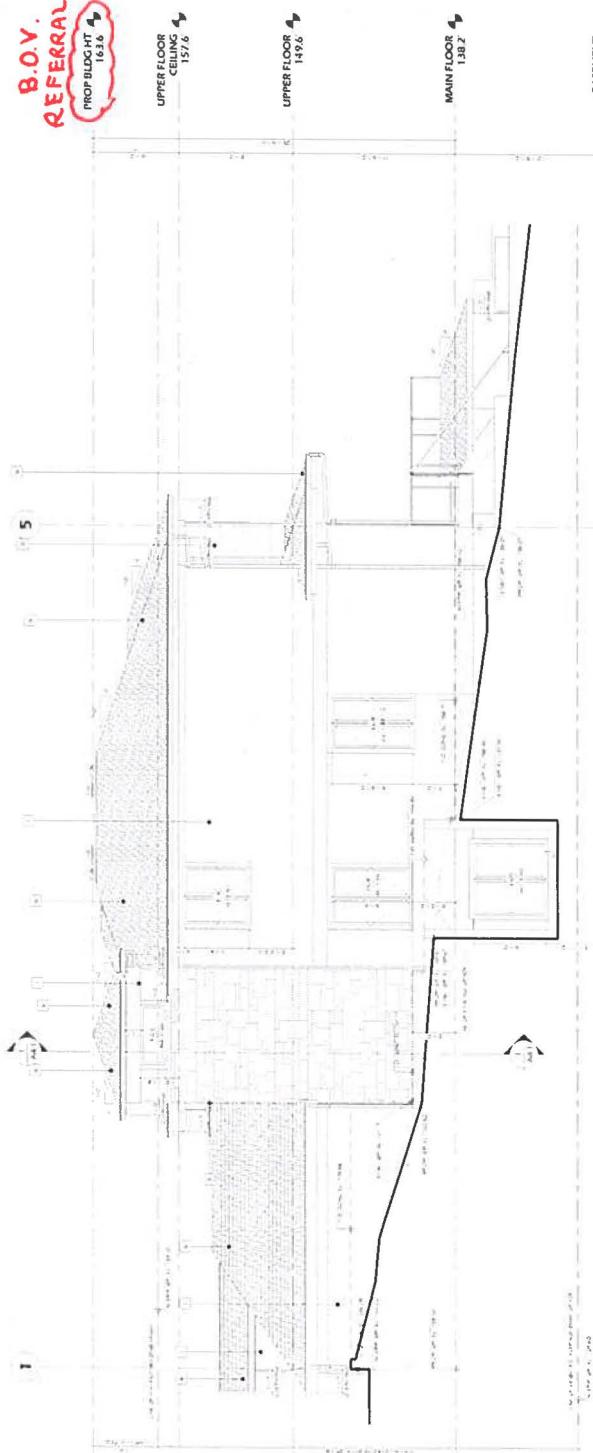
DATE:
CHECKED BY:

1/30/2019 12:13:30 PM
SUSPENDED FOR REVIEW
NOT FOR CONSTRUCTION

Vol. 11, No. 1

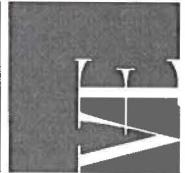
Date	Debtors	Debtors Name	Debtors Address
2011-01-01	1	DRYVANAY	PERM
2015-02-17	2	REVISIONAY	PERM
2010-03-09	3	GARABE DON	EL
2014-05-30	4	MAKADU HAN BOOR	AL

B.O.V.
REFERRAL
PROP BLDGHT 4
1636



WEST ELEVATION

SPATIAL SEPARATION SUMMARY	
2002-2003 RELEASE	1000 m
LARGE DEPTHS (400 m)	1000 m
UP TO DEPTHS (100 m)	1000 m
AVAILABLE PREDATOR ANNUALLY DEFENSED	1000 m
AVAILABLE DEFENSED ANNUALLY	1000 m
MINIMUM DISTANCE OF UNDEFENDED PREDATOR	1000 m

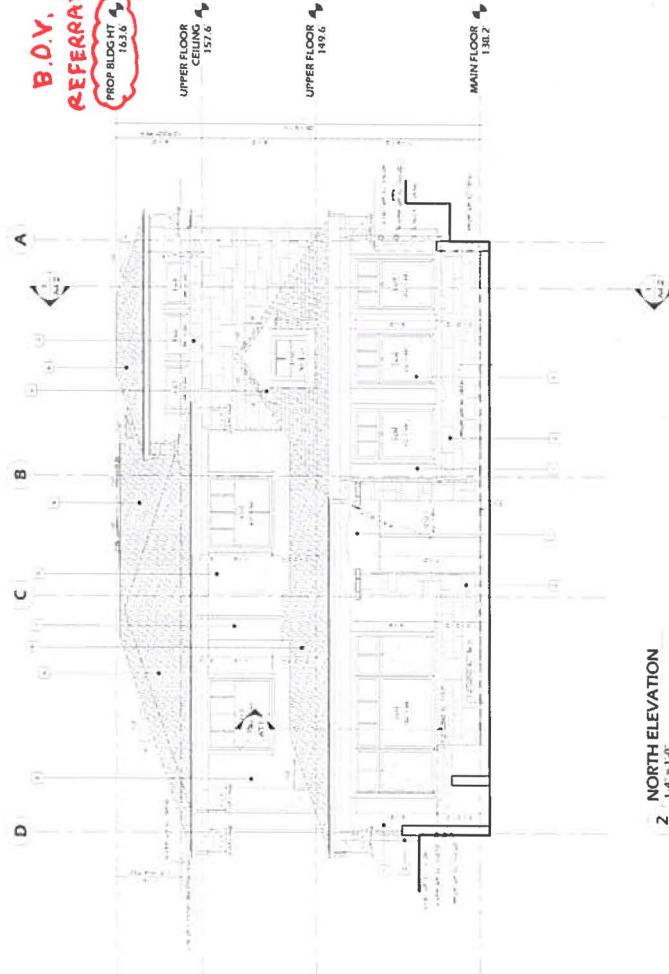


WICTOR ERIC
115 EAST 1^{MD} AVENUE
VANCOUVER B.C. V5T 1C5
TEL 604-677-0021 FAX 604-677-0021
E-mail: wictoreric@teluslink.ca

HAYLAT RESIDENCE

7038 MAWHINNEY CLOSE
BURNABY

A3.1



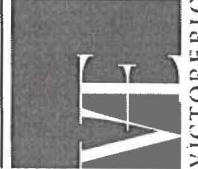
NORTH ELEVATION

Captain's Bill Reserved
Copyright Reserved
Printed by Captain's Bill
Printed on 12/30/2019 at 12:13:33 PM

No.	Date	Debtors	Ex.
1	2011-09-01	PAUL RAY	P
2	2012-02-27	PAUL RAY	P
3	2012-03-18	DEBORAH C.	P
4	2013-02-08	ROBERT D.	P
5	2014-02-09	ROBERT D.	P
6	2014-02-09	ROBERT D.	P
7	2014-02-09	ROBERT D.	P
8	2014-02-09	ROBERT D.	P

Printers:

ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
CHECKED BY:
DATE: 1/30/2019 12:13:33 PM



VICTOR ERIC
LAST NAME: ERIC
ADDRESS: 100, VILLE DES
BOIS, 677-021,
PHONE: 03 88 01 01 8
E-MAIL: veric@v
Project:

JOB MAWHINNEY CLOSE
BOUNDARY
Drawing No.:
Drawing Title:
SOUTH ELEVATIONS

Print No.: Drawing No.:
Date: 1/30/2019
Drawing Title:
SOUTH ELEVATION
Approved By:
El:

A3.2

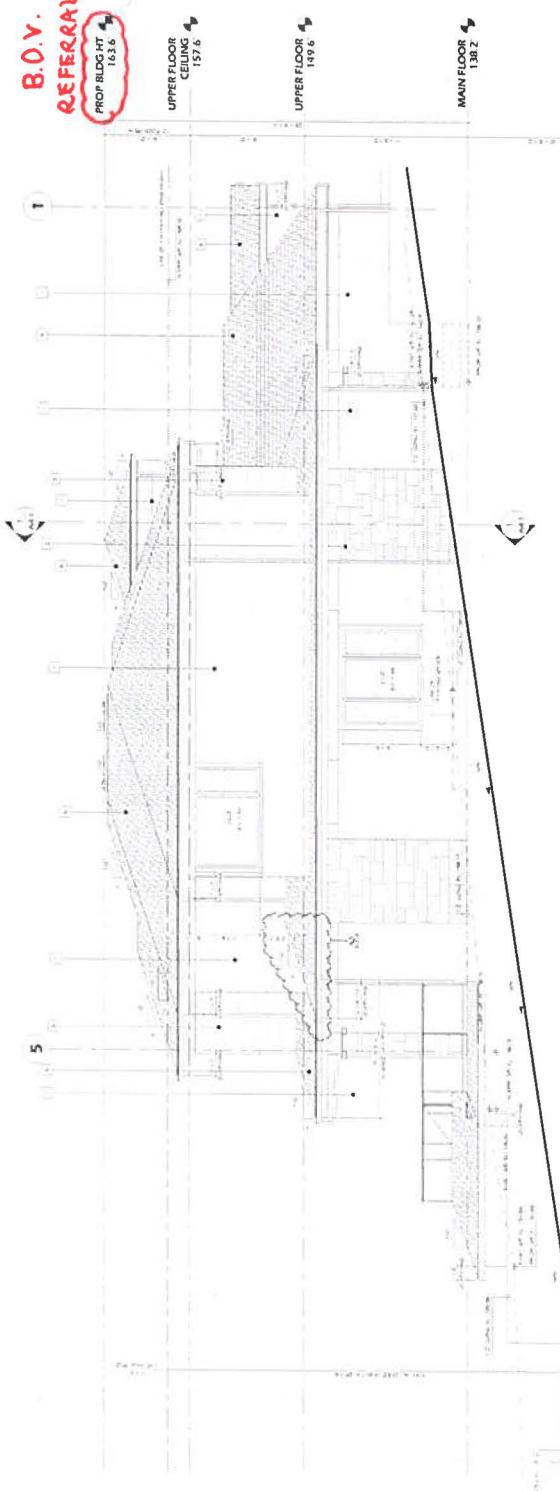
**B.O.V.
REFERRAL**

PROP BLOCK AFT 163.6

UPPER FLOOR
CEILING 149.6

MAIN FLOOR
CEILING 138.2

BASEMENT 4
127.9



EAST ELEVATION
1 1.4 - 1.0

**B.O.V.
REFERRAL**

PROP BLOCK AFT 163.6

MAIN FLOOR
CEILING 138.2

SOUTH ELEVATION
2 1.4 - 1.0

GARAGE
127.9

BASEMENT 4
127.9

SPATIAL SEPARATION SUMMARY		COLOUR
2.2m	2.2m	White
L1 to L2	1.4m	White
L1 to L3	1.4m	White
L1 to L4	1.4m	White
L1 to L5	1.4m	White
L1 to L6	1.4m	White
L1 to L7	1.4m	White
L1 to L8	1.4m	White
L1 to L9	1.4m	White
L1 to L10	1.4m	White
L1 to L11	1.4m	White
L1 to L12	1.4m	White
L1 to L13	1.4m	White
L1 to L14	1.4m	White
L1 to L15	1.4m	White
L1 to L16	1.4m	White
L1 to L17	1.4m	White
L1 to L18	1.4m	White
L1 to L19	1.4m	White
L1 to L20	1.4m	White
L1 to L21	1.4m	White
L1 to L22	1.4m	White
L1 to L23	1.4m	White
L1 to L24	1.4m	White
L1 to L25	1.4m	White
L1 to L26	1.4m	White
L1 to L27	1.4m	White
L1 to L28	1.4m	White
L1 to L29	1.4m	White
L1 to L30	1.4m	White
L1 to L31	1.4m	White
L1 to L32	1.4m	White
L1 to L33	1.4m	White
L1 to L34	1.4m	White
L1 to L35	1.4m	White
L1 to L36	1.4m	White
L1 to L37	1.4m	White
L1 to L38	1.4m	White
L1 to L39	1.4m	White
L1 to L40	1.4m	White
L1 to L41	1.4m	White
L1 to L42	1.4m	White
L1 to L43	1.4m	White
L1 to L44	1.4m	White
L1 to L45	1.4m	White
L1 to L46	1.4m	White
L1 to L47	1.4m	White
L1 to L48	1.4m	White
L1 to L49	1.4m	White
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L1 to L51	1.4m	White
L1 to L52	1.4m	White
L1 to L53	1.4m	White
L1 to L54	1.4m	White
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L1 to L57	1.4m	White
L1 to L58	1.4m	White
L1 to L59	1.4m	White
L1 to L60	1.4m	White
L1 to L61	1.4m	White
L1 to L62	1.4m	White
L1 to L63	1.4m	White
L1 to L64	1.4m	White
L1 to L65	1.4m	White
L1 to L66	1.4m	White
L1 to L67	1.4m	White
L1 to L68	1.4m	White
L1 to L69	1.4m	White
L1 to L70	1.4m	White
L1 to L71	1.4m	White
L1 to L72	1.4m	White
L1 to L73	1.4m	White
L1 to L74	1.4m	White
L1 to L75	1.4m	White
L1 to L76	1.4m	White
L1 to L77	1.4m	White
L1 to L78	1.4m	White
L1 to L79	1.4m	White
L1 to L80	1.4m	White
L1 to L81	1.4m	White
L1 to L82	1.4m	White
L1 to L83	1.4m	White
L1 to L84	1.4m	White
L1 to L85	1.4m	White
L1 to L86	1.4m	White
L1 to L87	1.4m	White
L1 to L88	1.4m	White
L1 to L89	1.4m	White
L1 to L90	1.4m	White
L1 to L91	1.4m	White
L1 to L92	1.4m	White
L1 to L93	1.4m	White
L1 to L94	1.4m	White
L1 to L95	1.4m	White
L1 to L96	1.4m	White
L1 to L97	1.4m	White
L1 to L98	1.4m	White
L1 to L99	1.4m	White
L1 to L100	1.4m	White
L1 to L101	1.4m	White
L1 to L102	1.4m	White
L1 to L103	1.4m	White
L1 to L104	1.4m	White
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L1 to L106	1.4m	White
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L1 to L108	1.4m	White
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L1 to L110	1.4m	White
L1 to L111	1.4m	White
L1 to L112	1.4m	White
L1 to L113	1.4m	White
L1 to L114	1.4m	White
L1 to L115	1.4m	White
L1 to L116	1.4m	White
L1 to L117	1.4m	White
L1 to L118	1.4m	White
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L1 to L315	1.4m	White
L1 to L316	1.4m	White
L1 to L317	1.4m	White
L1 to L318	1.4m	White
L1 to L319	1.4m	White
L1 to L320	1.4m	White
L1 to L321	1.4m	White
L1 to L322	1.4m	White
L1 to L323</		

ISSUED FOR REVIEW
1/30/2019 12:13:39 PM
NOT FOR CONSTRUCTION
CHECKED BY:

Victor Eric
Project No: 150071
Drawing No: A7.1
Date: 1/30/2019
Reviewed by: [Signature]

HAYLAT RESIDENCE
Project No: 150071
Drawing No: A7.1
Date: 1/30/2019
Reviewed by: [Signature]

203B MAWHINNEY CLOSE
Project No: 150071
Drawing No: A7.1
Date: 1/30/2019
Reviewed by: [Signature]

CONSTRUCTION DETAILS

A7.1

1 TYP. EXTERIOR STUD WALL 1 1/2" - 1'-0" **2 TYP. EXTERIOR CONC. FURRED WALL** 1 1/2" - 1'-0" **3 TYP. BASEMENT WALL SECT.** 1 1/2" - 1'-0" **4 TYP. EXTERIOR WALL PIPE PENETRATION** 1 1/2" - 1'-0" **5 TYP. EXTERIOR ELECT. FIXTURES** 1 1/2" - 1'-0" **6 TYP. RAILING ATTACHMENT** 1 1/2" - 1'-0" **7 TYP. WINDOW JAMB** 1 1/2" - 1'-0" **8 TYP. WINDOW SILL** 1 1/2" - 1'-0" **9 TYP. WINDOW HEAD** 1 1/2" - 1'-0" **10 TYP. PARTY WALL @ GROUND SLAB** 1 1/2" - 1'-0" **11 TYP. PARTY WALL @ ROOF** 1 1/2" - 1'-0" **12 TYP. WALL VENT** 1 1/2" - 1'-0" **13 TYP. PARTY WALL @ UPPER FLOOR** 1 1/2" - 1'-0" **14 TYP. EXTERIOR PATIO** 1 1/2" - 1'-0" **15 WINDOW BENCH DETAIL** 1 1/2" - 1'-0" **16 VENEER WRAPPED COLUMN PLAN** 1 1/2" - 1'-0" **17 VENEER WRAPPED COLUMN** 1 1/2" - 1'-0"

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DATE:
1. 2012-07-01 PENDING FOR APPROVAL
2. 2012-07-16 PENDING FOR APPROVAL
3. 2012-07-16 PENDING FOR APPROVAL
4. 2012-07-16 PENDING FOR APPROVAL
5. 2012-07-16 PENDING FOR APPROVAL
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17. 2012-07-16 PENDING FOR APPROVAL