Planning and Development Department
Land Use Planning Division

A D M I N I S T R A T I V E U S E P E R M I T

CITY OF BERKELEY ZONING ORDINANCE
Berkeley Municipal Code, Title 23

AUP #12-20000148

Property Address: **1770 SONOMA AVENUE**

Permittee Name: **LYNN FISHER, OGAWA FISHER ARCHITECTS**

Use and/or Construction Permitted: to enlarge an existing 1,674 sq. ft. single family residence by constructing a new 1,144 sq. ft. second story, increasing the average height of the residence from 16'9" to 27'4" pursuant to:

- Section 23D.16.030 to allow a major residential addition exceeding 600 sq. ft.; and
- Section 23D.16.070.C to construct a residential addition exceeding 14' in height.

FINDINGS, CONDITIONS AND APPROVED PLANS ATTACHED

Following the expiration of the mandatory appeal period set forth in Section 23B.28.040 of the Berkeley Municipal Code, with no timely appeal being filed, the Administrative Use Permit described herein has been duly granted by the Zoning Officer on February 1, 2013.

Attest: Terry Blount
Terry Blount, AICP, Principal Planner
For Debbie Sanderson, Zoning Officer

February 1, 2013
Effective Date

2120 Milvia Street, Berkeley, CA 94704 Tel: 510.981.7410 TDD: 510.981.7474 Fax: 510.981.7420
E-mail: planning@ci.berkeley.ca.us

1770 Sonoma Avenue

Administrative Use Permit #12-20000149

To enlarge an existing 1,674 sq. ft. single family residence by constructing a new 1,144 sq. ft. second story, increasing the average height of the residence from 16'9" to 27'4".

CEQA FINDINGS

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities"). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project will not affect any historical resource.

FINDINGS FOR APPROVAL

2. As required by Section 23B.28.050.A of the Zoning Ordinance, the project, under the circumstances of this particular case existing at the time at which the application is granted, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:

- As required under Section 23D.16.030 (Uses Permitted) and 090 (Findings), the proposed addition may exceed 14' in average height and the addition may exceed 600 sq. ft. because the addition and the building's height is found to be non-detrimental. The height of the proposed addition does not create significant impacts to sunlight, air, or views for the following reasons:

  1. Sunlight – The proposed second floor addition is for new bedrooms, bathrooms, and a new laundry area. Due to the mass of the existing structure and existing vegetation, shadows currently exist at the property to the east at 1778 Sonoma and to the west at 1768 Sonoma. The proposed addition is expected to marginally impact the direct sunlight currently experienced at these locations, however this loss is found to be non-detrimental because the loss of sunlight

will occur for a only small portion of the day, in the afternoon in the summer at 1778 Sonoma and in the fall and winter mornings at 1768 Sonoma;

2. Air – Because the proposal satisfies the district standards for minimum side and rear setbacks, it is expected to provide adequate spatial separations between developments on abutting properties, thereby allowing for adequate air circulation;
3. Views – The proposed addition would not significantly block the adjacent neighbor's views of any significant features. The proposed addition will not extend to the full height limit in the R-1 District and the addition will not exceed the maximum number of stories allowed; and
4. Privacy – The proposed addition includes new windows, however the new windows are not expected to create privacy impacts to the immediate neighbors because:

    - The side, front, and rear setbacks will exceed the District minimum and are therefore found to be adequate; and
    - The windows are separated from the adjacent east and west properties by approximately 21' and 14'.

- As required by Section 23D.16.070 (Development Standards), this project is permissible because the subject property satisfies the development standards for lot coverage, maximum residential density, maximum building height, and minimum setback requirements.

- All abutting and confronting neighbors have signed the plan set with no objections.

STANDARD CONDITIONS

The following conditions, as well as all other applicable provisions of the Zoning Ordinance, apply to this Permit:

1. Conditions Shall be Printed on Plans

The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit Conditions'. *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.

2. Applicant Responsible for Compliance with Conditions

The applicant shall ensure compliance with all of the following conditions, including submittal to the project planner of required approval signatures at the times specified. Failure to comply with any condition may result in construction being stopped, issuance of a citation, and/or modification or revocation of the Use Permit.

3. Uses Approved Deemed to Exclude Other Uses (Section 23B.56.010)

A. This Permit authorizes only those uses and activities actually proposed in the application, and excludes other uses and activities.

B. Except as expressly specified herein, this Permit terminates all other uses at the location subject to it.

4. Modification of Permits (Section 23B.56.020)

No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Zoning Officer, except that the Zoning Officer may approve changes that do not expand, intensify, or substantially change the use or building.

5. Plans and Representations Become Conditions (Section 23B.56.030)

Except as specified herein, the site plan, floor plans, building elevations and/or any additional information or representations, whether oral or written, indicating the proposed structure or manner of operation submitted with an application or during the approval process are deemed conditions of approval.

6. Subject to All Applicable Laws and Regulations (Section 23B.56.040)

The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the applicant shall identify and secure all applicable permits from the Building and Safety Division, Public Works Department and other affected City divisions and departments.

7. Exercised Permit for Use Survives Vacancy of Property (Section 23B.56.080)

Once a Permit for a use is exercised and the use is established, that use is legally recognized, even if the property becomes vacant, except as set forth in Standard Condition #8, below.

8. Exercise and Lapse of Permits (Section 23B.56.100)

A. A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the property.

B. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced.

C. A permit may be declared lapsed and of no further force and effect if it is not exercised within one year of its issuance, except that permits for construction or alteration of structures or buildings may not be declared lapsed if the permittee has: (1) applied for a building permit; or, (2) made substantial good faith efforts to obtain a building permit and begin construction, even if a building permit has not been issued and/or construction has not begun.

9. Indemnification Agreement

The applicant shall hold the City of Berkeley and its officers harmless in the event of any legal action related to the granting of this Permit, shall cooperate with the City in defense of such action, and shall indemnify the City for any award of damages or attorneys fees that may result.

ADDITIONAL CONDITIONS IMPOSED BY THE ZONING OFFICER

Pursuant to BMC 23B.28.050.D, the Zoning Officer attaches the following additional conditions to this Permit:

Prior to Submittal of Any Building Permit:

10. The applicant shall provide the project planner with the name and telephone number of the individual empowered to manage construction noise from the project. The individual's name, telephone number, and responsibility for noise management shall be posted at the project site for the duration of construction in a location easily visible to the public. The individual shall record all noise complaints received and actions taken in response, and submit written reports of such complaints and actions to the project planner on a weekly basis. **Individual Responsible for Noise Management**:

❑ Name: _____ Phone: _____

11. The applicant and all persons associated with the project are hereby notified that a Transportation Management Permit (TMP) would be required under any of the following circumstances:

- Alterations, closures, or blockages to sidewalks or pedestrian paths

- Alterations, closures, or blockages to vehicle travel lanes (including bicycle lanes)
- Storage of building materials, dumpsters, debris anywhere in the public ROW
- Provision of exclusive contractor parking on-street
- Significant truck activity.

Contact the Permit Service Center (PSC) at 2120 Milvia Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Public Works Traffic Engineering (981-6400) reviews all submitted TMP requests.

The TMP may include designation of a specific truck haul route. Meter heads (if in the construction area) shall be removed only by City staff. Contact the site inspector 72 hours in advance of required removal so arrangements can be made.

Prior to Issuance of Any Building Permit:

12. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.

During Construction:

13. Construction activity shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. on Monday through Friday, and between 9:00 a.m. and noon on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday.

14. If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department and the Building & Safety Division, and carry out any necessary corrective action to their satisfaction.

15. Subject to approval of the Public Works Department, the applicant shall repair any damage to public streets and/or sidewalks by construction vehicles traveling to or from the project site.

16. All piles of debris, soil, sand, or other loose materials shall be covered at night and during rainy weather with plastic at least one-eighth millimeter in thickness and secured to the ground.

17. All active construction areas shall be watered at least twice daily, and all piles of debris, soil, sand or other loose materials shall be watered or covered.

18. Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.

19. Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.

20. The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way.

21. The applicant shall ensure that all excavation takes into account surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.

22. Any construction during the wet season shall require submittal of a soils report with appropriate measures to minimize erosion and landslides, and the developer shall be responsible for following these and any other measures required by the Building and Safety Division and the Public Works Department.

Prior to Issuance of Occupancy Permit or Final Inspection:

23. All construction at the subject property shall substantially conform to the approved Use Permit drawings or to modifications approved by the Zoning Officer.

24. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated **NOVEMBER 19, 2012.**

At All Times (Operation):

25. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.

26. This permit is subject to review, imposition of additional conditions, or revocation if factual complaint is received by the Zoning Officer that the maintenance or operation of this establishment is violating any of these or other required conditions or is detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

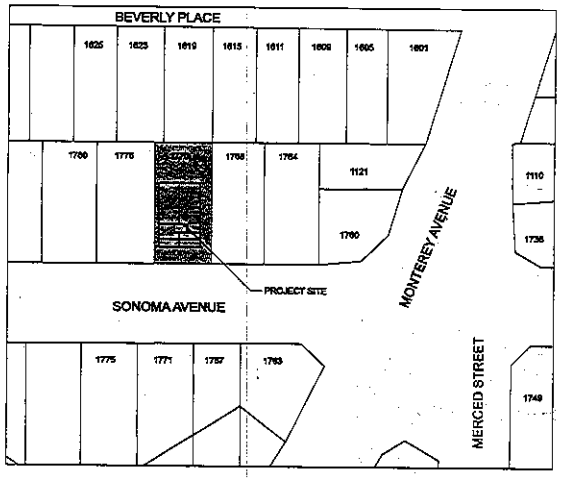
27. Noise and exterior lighting shall be controlled so as to prevent verified complaints from the surrounding neighborhood.

Terry Blount

Terry Blount, Principal Planner for
Debra Sanderson, Zoning Officer

Prepared by: Pamela Johnson

APPROVED PLAN
Jenny Strout 12/27/2012
PLANNING DATE
☐ D.R. Conditions Attached
☒ A.U.P. Conditions Attached
☐ U.P. Conditions Attached



2 A0.0 Vicinity Map
SCALE 1" = 60'

PROJECT GENERAL NOTES

1. IF DRAWING SHEET IS LESS THAN 24"X36" IT HAS BEEN SCALED FROM THE ORIGINAL SIZE.
2. DO NOT SCALE DRAWINGS. IF UNABLE TO LOCATE DIMENSIONS FOR ANY ITEM OF WORK, CONSULT WITH ARCHITECT BEFORE PROCEEDING.
3. VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK. NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY OR VARIATION; DO NOT PROCEED WITH WORK UNTIL DISCREPANCY IS RESOLVED.
4. GRID LINES ARE TO OUTSIDE FACE OF EXTERIOR STUD UNLESS OTHERWISE NOTED.
5. HORIZONTAL DIMENSIONS AND GRID LINES ARE TO FACE OF INTERIOR FINISH, FACE OF CMU, OUTSIDE FACE OF EXTERIOR STUD, OR FACE OF CONCRETE, UNLESS OTHERWISE NOTED.
6. VERTICAL DIMENSIONS ARE MEASURED FROM TOP OF FINISH FLOOR TO EITHER ONE OF:
   A. TOP OF FINISH FLOOR ABOVE
   B. ROOF BEARING ELEVATION
   C. AS NOTED
7. DETAILS SHOWN ON DRAWINGS SHALL BE INCORPORATED INTO THE PROJECT AT ALL APPROPRIATE LOCATIONS WHETHER SPECIFICALLY REFERENCED OR NOT.
8. ANY DISCREPANCIES BETWEEN DRAWINGS, BETWEEN DRAWINGS AND SPECIFICATIONS OR WITHIN THE SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH AFFECTED WORK; DO NOT PROCEED WITH WORK BEFORE DISCREPANCY IS RESOLVED.
9. CONTRACTOR IS RESPONSIBLE TO TAKE PRECAUTIONS AND MEASURES TO PROTECT EXISTING LANDSCAPE, PLANTING AND TREES FROM DAMAGE DURING CONSTRUCTION. CONTRACTOR WILL BE RESPONSIBLE TO MAINTAIN LANDSCAPE IRRIGATION SYSTEM, OR PROVIDE ALTERNATE MEANS FOR IRRIGATION OF LANDSCAPE.
10. CONTRACTOR SHALL KEEP JOBSITE CLEAN AND FREE OF DUST AND DEBRIS DURING NON-WORKING HOURS.
11. ALL DUCT OPENINGS AND RELATED AIR DISTRIBUTION COMPONENTS SHALL BE COVERED AND PROTECTED DURING CONSTRUCTION.
12. CODES USED: 2010 CALIFORNIA RESIDENTIAL CODE (CRC)
    2010 CALIFORNIA MECHANICAL CODE (CMC)
    2010 CALIFORNIA PLUMBING CODE (CPC)
    2010 CALIFORNIA ELECTRICAL CODE (CEC)
    2010 CALIFORNIA ENERGY CODE
    2010 CALIFORNIA FIRE CODE (CFC)
    ALL APPLICABLE LOCAL ORDINANCES & REGS

SHEET INDEX

PROJECT INFORMATION

ADDRESS:	1770 SONOMA AVENUE, BERKELEY, CA		
APN:	061-2606-053		
ZONING:	R-1		
FIRE ZONE:	NO		
FLOOD ZONE (100 YEAR OF 1%):	NO		
LOT AREA:	5,500 SF		
	EXISTING	PROPOSED	ALLOWED/ REQUIRED
OCCUPANCY	R-3	R-3	
CONSTRUCTION TYPE	V-B	V-B	
# OF STORIES	2	3	3
AVERAGE BLDG HEIGHT	15'-9"	27'-4"	28'-0"
MAXIMUM BLDG HEIGHT	20'-9"	31'-0"	N/A
BLDG FOOTPRINT	1,574SF	1,674SF	2,200SF
LOT COVERAGE	30%	30%	40%
SPRINKLERED?	NO	NO	
OFF-STREET PARKING	1 SPACE (DRIVEWAY)	1 SPACE (DRIVEWAY)	1 SPACE

PROJECT SUMMARY

1,144 SF SECOND STORY ADDITION TO (E) HOME AND PARTIAL INTERIOR REMODEL OF (E) FIRST FLOOR, INCLUDING KITCHEN. INCLUDES REPLACEMENT OF SEVERAL (E) WINDOWS AND REAR DECK RECONFIGURATION/ADDITION.

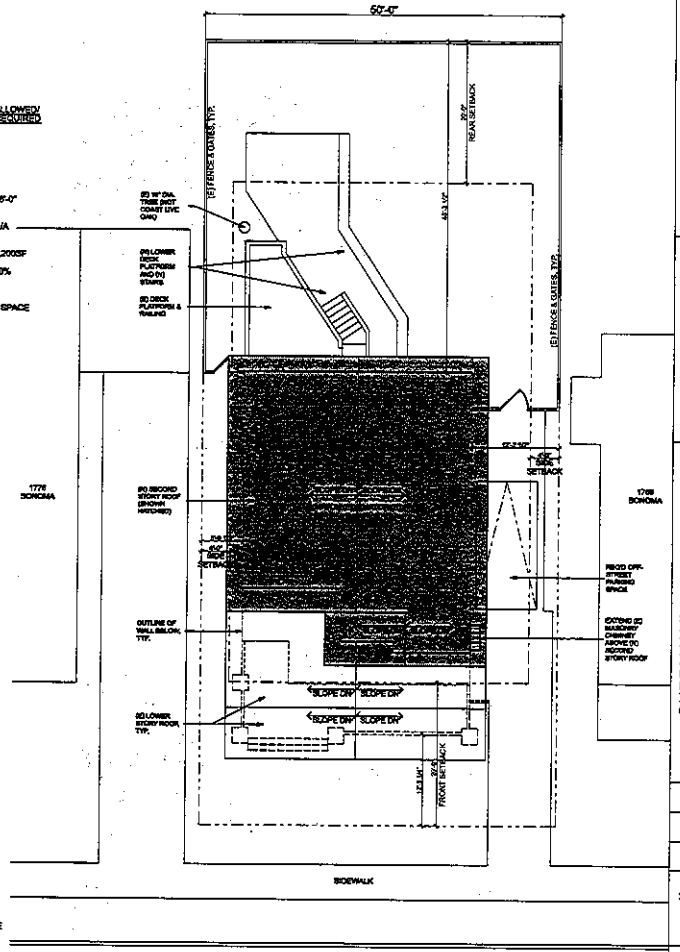
INTERIOR WORK INCLUDES MECHANICAL, ELECTRICAL, AND PLUMBING CHANGES.

JOB DIRECTORY

OWNER — PAMELA BURDMAN, 1770 SONOMA AVENUE, BERKELEY, CA 94707, PH: 415-225-4598

ARCHITECT — HIROMI OGAWA / LYNN FISHER, OGAWA FISHER ARCHITECTS, 2997 WAVERLEY STREET, PALO ALTO, CA 94306, PH: 415-366-0952

STRUCTURAL ENGINEER — SARAH LEONG / BILL HARRISON, SARAH LEONG CONSULTING ENGINEER, 226 PERSIA STREET, SAN FRANCISCO, CA 94112, PH: 415-333-4014



1 A0.0 PROPOSED SITE/ROOF PLAN
SCALE 1/8" = 1'-0"

NOTE: Do not scale drawings

Statement and Neighborhood Signatures

I HAVE REVIEWED THE PLANS FOR A 1,144 SQUARE FOOT RESIDENTIAL ADDITION AT 1770 SONOMA AVE. THE BUILDING HEIGHT WILL INCREASE BY 10'-3". THE AVERAGE BUILDING HEIGHT FOR THE PROPOSED ADDITION IS 27'-4".

NAME (PRINTED)	SIGNATURE	ADDRESS	RENTER OR OWNER	DATE	HAVE NO OBJECTIONS	HAVE OBJECTIONS (PLEASE STATE BRIEFLY)	HAVE NO COMMENT
		1767 SONOMA					
		1768 SONOMA					
		1771 SONOMA					
		1775 SONOMA					
		1776 SONOMA					
		1615 BEVERLY					
		1619 BEVERLY					
		1623 BEVERLY					

ABBREVIATION LIST

NOT INTENDED TO BE EXHAUSTIVE

(N)	NEW	OFCI	OWNER-FURNISHED, CONTRACTOR-INSTALLED
(E)	EXISTING	CFCI	CONTRACTOR-FURNISHED, CONTRACTOR-INSTALLED
TYP.	TYPICAL	GWB/ GYP. BD.	GYPSUM BOARD
SIM.	SIMILAR	DS/RWL	DOWN SPOUT / RAINWATER LEADER
U.N.O./ U.O.N.	UNLESS NOTED OTHERWISE	C.T.	CERAMIC TILE
N.I.C.	NOT IN CONTRACT	WD.	WOOD
CONT.	CONTINUOUS	P.LAM.	PLASTIC LAMINATE
CLR.	CLEAR		
ADJ.	ADJACENT		
T.O.	TOP OF		
B.O.	BOTTOM OF		
E.O.	EDGE OF		

GENERAL ARCHITECTURAL LEGEND

NOT INTENDED TO BE EXHAUSTIVE

- EXISTING WALL
- EXISTING WALL TO BE DEMOLISHED
- NEW WOOD FRAME WALL
- NEW CONCRETE WALL
- DATUM OR WORK POINT
- GRID LINE
- SECTION/ELEVATION REFERENCE
- INTERIOR ELEVATION REFERENCE
- DETAIL REFERENCE
- WINDOW REFERENCE
- DOOR REFERENCE
- PARTITION TYPE REFERENCE

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BURDMAN RESIDENCE REMODEL & ADDITION
1770 Sonoma Avenue
Berkeley, CA 94707
APN: 061 2606 053
OFA job number: 1213

revisions

AUP SUBMITTAL 11/14/12

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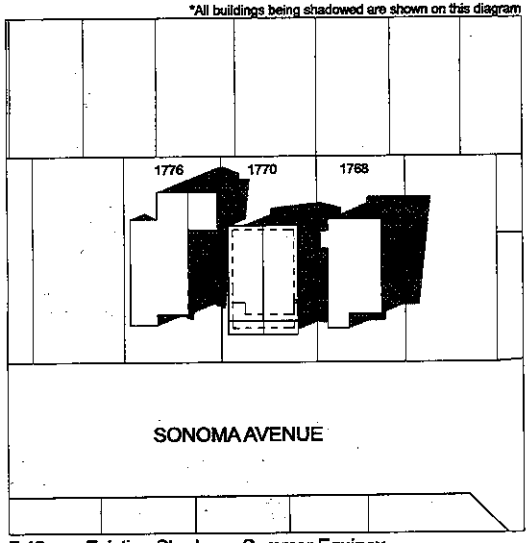
SITE/ROOF PLAN AND PROJECT INFORMATION

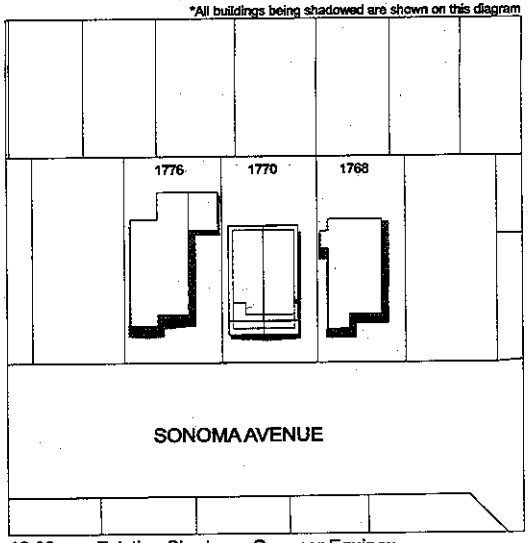
sheet number
A0.0

*All buildings being shadowed are shown on this diagram



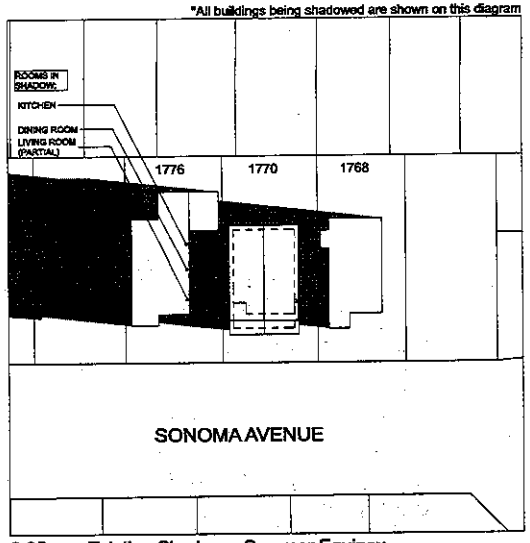
7:48 am; Existing Shadows; Summer Equinox
Scale: 1" = 30'

*All buildings being shadowed are shown on this diagram



12:00 pm; Existing Shadows; Summer Equinox
Scale: 1" = 30'

*All buildings being shadowed are shown on this diagram



6:35 pm; Existing Shadows; Summer Equinox
Scale: 1" = 30'

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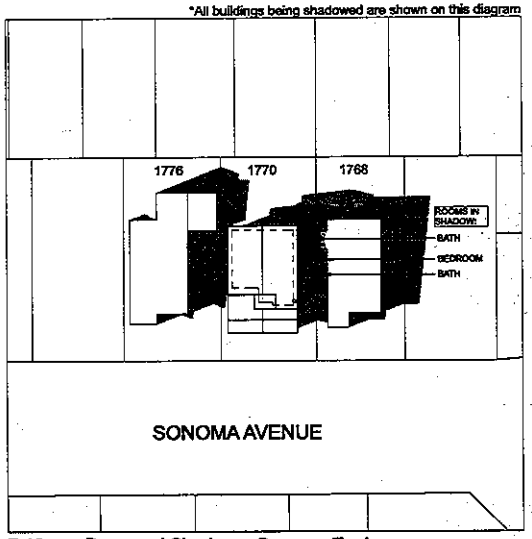
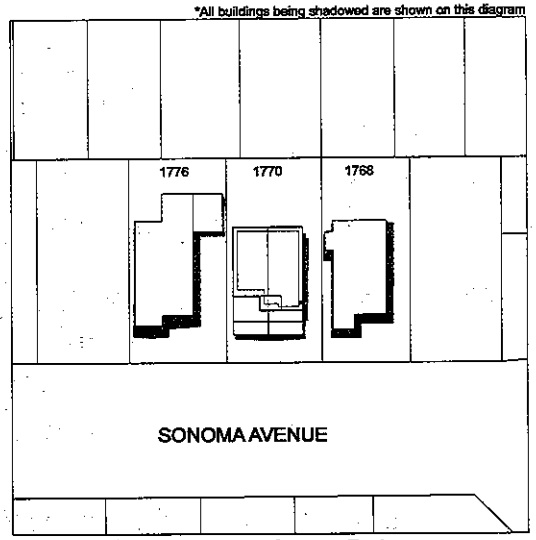


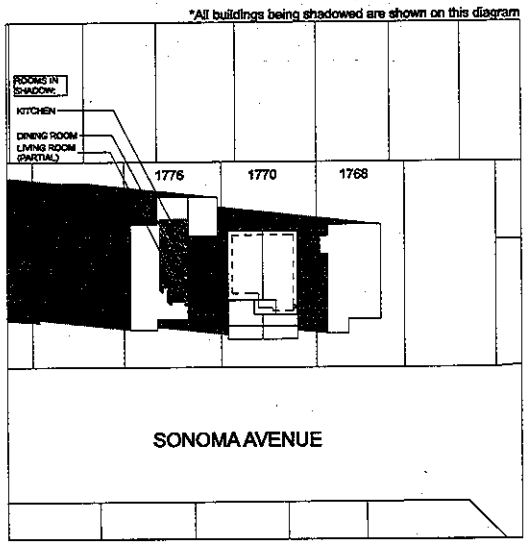
7:48 am; Proposed Shadows; Summer Equinox
Scale: 1" = 30'

*All buildings being shadowed are shown on this diagram



12:00 pm; Proposed Shadows; Summer Equinox
Scale: 1" = 30'

*All buildings being shadowed are shown on this diagram



6:35 pm; Proposed Shadows; Summer Equinox
Scale: 1" = 30'

NOTE: Do not scale drawings

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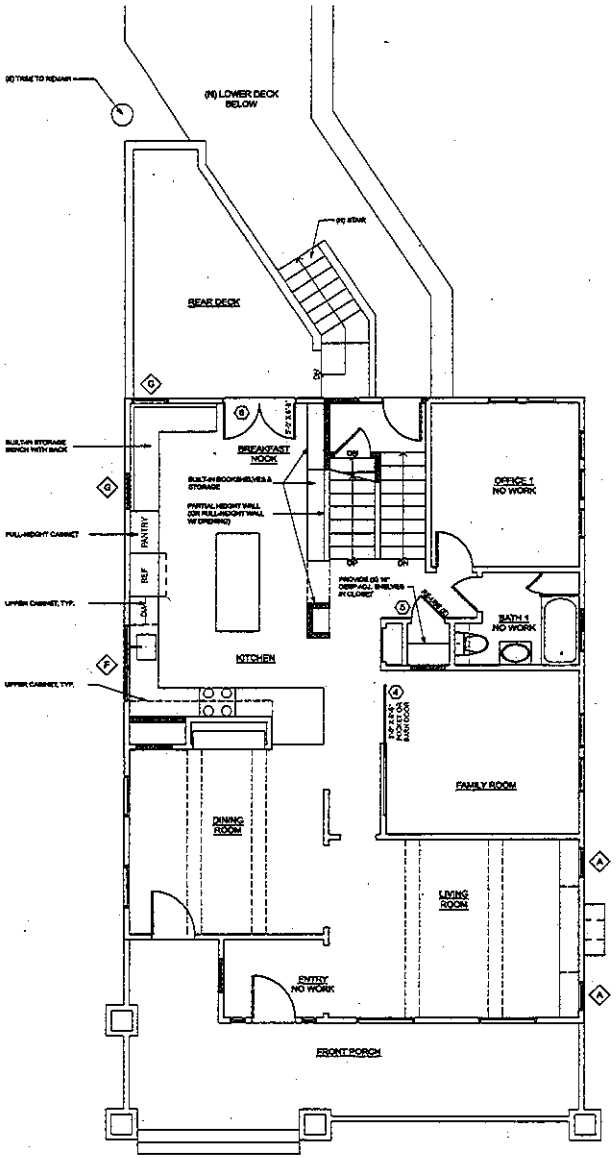
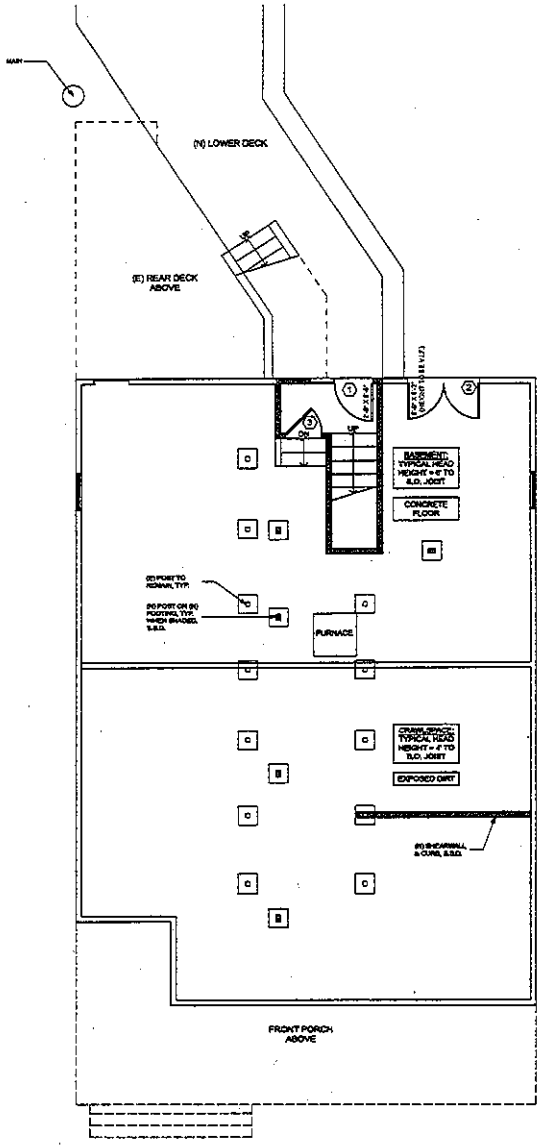
Shadow Study - Summer Equinox

sheet number
A0.1

APPROVED PLAN
Jerry Blount 12/27/2012
PLANNING DATE
☐ D.R. Conditions Attached
☒ A.U.P. Conditions Attached
☐ U.P. Conditions Attached



2 A1.1 Proposed First Floor Plan
SCALE: 1/4" = 1'-0"



1 A1.1 Proposed Crawlspace Plan
SCALE: 1/4" = 1'-0"

SHEET NOTES

1. AT ALL DOOR OPENINGS, LOCATE HINGE SIDE OF DOOR 3" FROM FINISH SURFACE OF ADJACENT WALL U.N.O.
2. PROVIDE BLOCKING, BACKING, FRAMING, HANGERS AND OTHER SUPPORT FOR FIXTURES, SHELVING, CASEWORK, AND BATHROOM ACCESSORIES. CONFIRM LOCATIONS WITH ARCHITECT.
3. PROVIDE FIRE-BLOCKING AT CEILING, FLOORS, FURRED DOWN CEILINGS, SHOWERS, SOFFITS, AND CONCEALED DRAFT OPENINGS, @ 10'-0" O.C. MAX.

NOTE: Do not scale drawings

ogawa fisher architects
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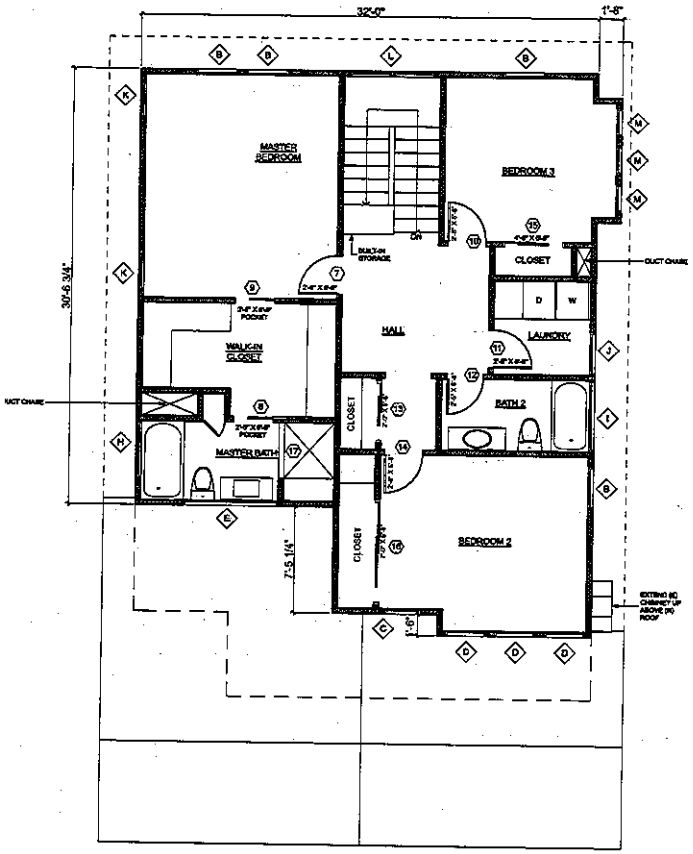
PROPOSED FLOOR PLANS

sheet number
A1.1

APPROVED PLAN
Jerry Blount 12/27/2012
PLANNING DATE
☐ D.R. Conditions Attached
☒ A.U.P. Conditions Attached
☐ U.P. Conditions Attached

SHEET NOTES

1. AT ALL DOOR OPENINGS, LOCATE HINGE SIDE OF DOOR 5" FROM FINISH SURFACE OF ADJACENT WALL, U.N.O.
2. PROVIDE BLOCKING, BACKING, FRAMING, HANGERS AND OTHER SUPPORT FOR FIXTURES, SHELVING, CASEWORK, AND BATHROOM ACCESSORIES. CONFIRM LOCATIONS WITH ARCHITECT.
3. PROVIDE FIRE-BLOCKING AT CEILING, FLOORS, FURRED DOWN CEILINGS, SHOWERS, SOFFITS, AND CONCEALED DRAFT OPENINGS, @ 10'-0" O.C. MAX.



1 / A1.2 Proposed Second Floor Plan
SCALE: 1/4" = 1'-0"

NOTE: Do not scale drawings

ogawa fisher architects
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timeline

AUP SUBMITTAL 11/14/12

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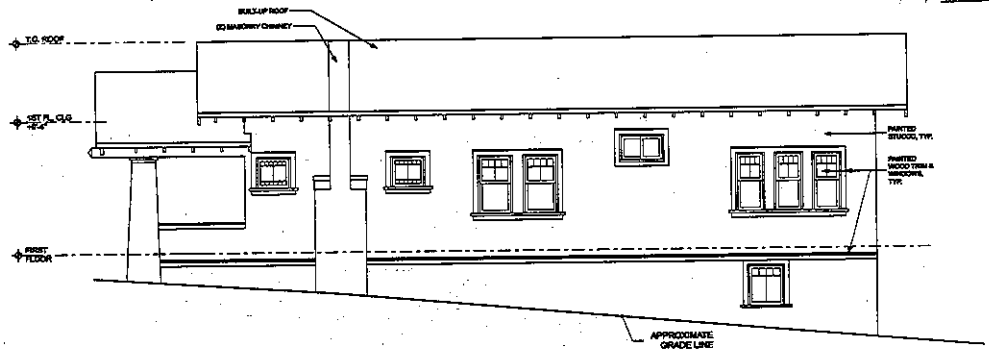
PROPOSED FLOOR PLANS

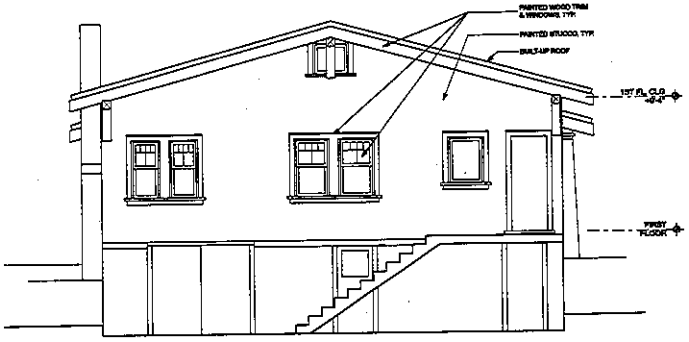
sheet number

A1.2

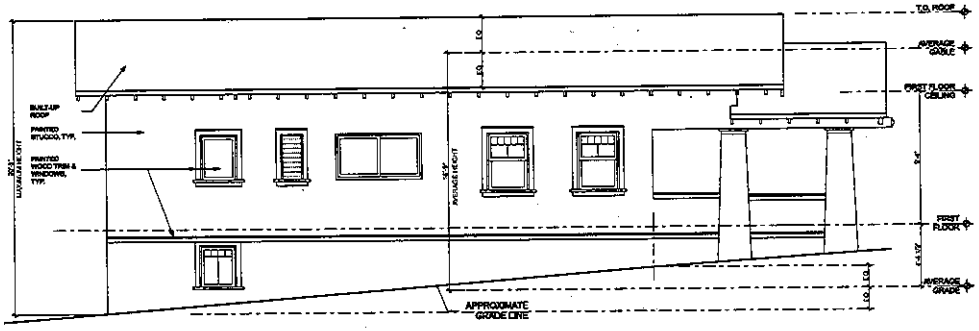
APPROVED PLAN
Jenny Blount 12/27/2012
PLANNING DATE
☐ D.R. Conditions Attached
☒ A.U.P. Conditions Attached
☐ U.P. Conditions Attached



4 A2.0 (E) West Elevation
SCALE: 1/4" = 1'-0"



2 A2.0 (E) South Elevation
SCALE: 1/4" = 1'-0"



3 A2.0 (E) East Elevation
SCALE: 1/4" = 1'-0"

1 A2.0 (E) Front (North) Elevation
SCALE: 1/4" = 1'-0"

NOTE: Do not scale drawings

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OFA Job number: 1213

milestone

AUP SUBMITTAL 11/14/12

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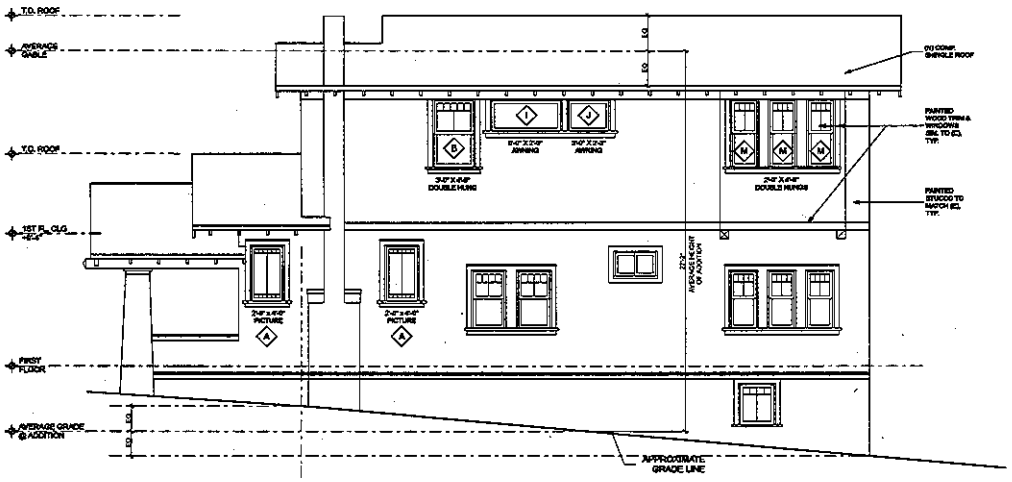
EXISTING EXTERIOR ELEVATIONS

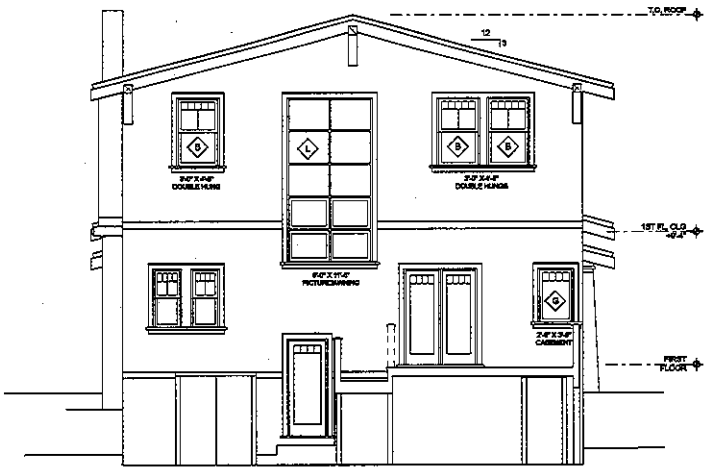
sheet number

A2.0

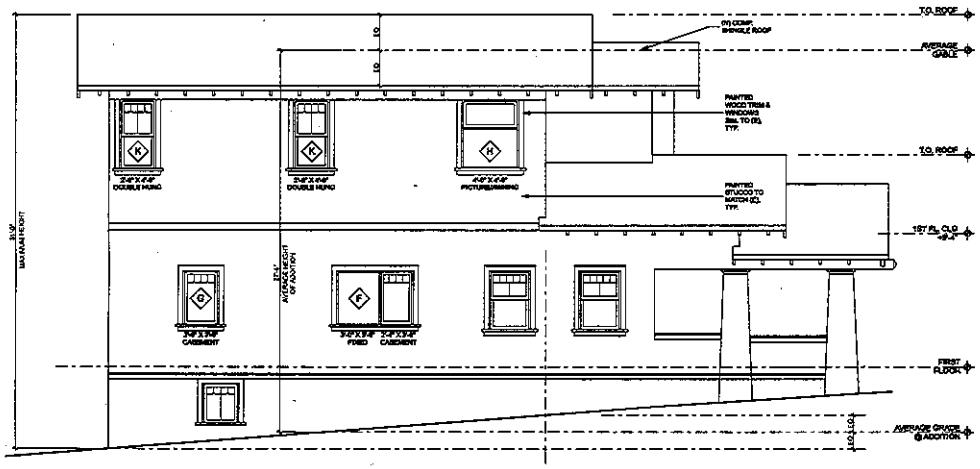
APPROVED PLAN
PLANNING
Jerry Blount 12/2 7/2012
DATE
☐ D.R. Conditions Attached
☒ A.U.P. Conditions Attached
☐ U.P. Conditions Attached



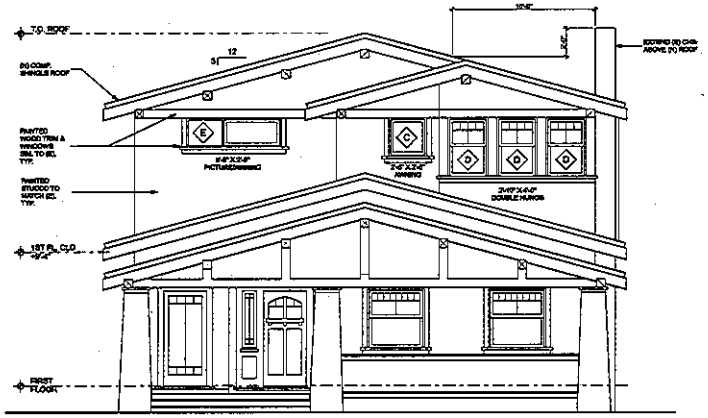
4 A2.1 Proposed West Elevation
SCALE: 1/4" = 1'-0"



2 A2.1 Proposed South Elevation
SCALE: 1/4" = 1'-0"



3 A2.1 Proposed East Elevation
SCALE: 1/4" = 1'-0"



1 A2.1 Proposed Front (North) Elevation
SCALE: 1/4" = 1'-0"

NOTE: Do not scale drawings

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revisions

AUP SUBMITTAL 11/14/12

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PROPOSED EXTERIOR ELEVATIONS

sheet number
A2.1