CITY OF MADISON
ZONING BOARD OF APPEALS
VARIANCE APPLICATION

$500 Filing Fee

Type or legibly print using blue or black ink.

Address of Subject Property: 4809 HILLVIEW TERRACE

Name of Owner: TODD JINDRA

Address of Owner (if different than above):

Daytime Phone: 608 577 6940 Evening Phone: 608 577 6940

Email Address: TKJINDRA67@GMAIL.COM

Name of Applicant (Owner's Representative): TODD JINDRA

Address of Applicant:

Daytime Phone: Evening Phone:

Email Address:

Description of Requested Variance:

- REDUCTION IN SIDEYARD SETBACK FROM 30' TO 20.4'
- CITY APPROACH DOES NOT MATCH WIDTH OF PRIVATE DRIVEWAY.

See reverse side for more instructions.

FOR OFFICE USE ONLY

Amount Paid:	$500.00	Hearing Date:	2-16-23
Receipt:	125972-0007	Published Date:	2-9-23
Filing Date:	1-19-23	Appeal Number:	LNDVAR-2023-00001
Received By:	NJK	GQ:	
Parcel Number:	070929222035	Code Section(s):	28.131(d)
Zoning District:	SR-C1		28.132
Alder District:	11 -Tischler		

Standards for Variances:

The Zoning Board of Appeals shall not grant a variance unless you show, and the Board finds, that your proposed variance meets all the following standards:

1. There are conditions unique to the property of the applicant that do not apply generally to other properties in the district.

2. The variance is not contrary to the spirit, purpose, and intent of the regulations in the zoning district and is not contrary to the public interest.

3. For an area variance, compliance with the strict letter of the ordinance would unreasonably prevent use of the property for a permitted purpose or would render compliance with the ordinance unnecessarily burdensome.

4. The alleged difficulty or hardship is created by the terms of the ordinance rather than by a person who has a present interest in the property.

5. The proposed variance shall not create substantial detriment to adjacent property.

6. The proposed variance shall be compatible with the character of the immediate neighborhood.

Responses to "STANDARDS FOR VARIANCES" questions

1. The combination of the property being a Reverse corner lot and the subsequent setbacks (30' side yard setback); the existing grades; and the mature trees (which we'd like to preserve) both on the property and in the city terrace, limit the usability of the site.
2. The new garage is in character with the existing homes architectural style, matching in height and roof design (flat), window sizes and siding type. It does not block views or project out further towards the property line than the current west elevation of the existing home.
3. To comply with the 30' setback, would result in the removal of a major shade tree on the lot. Pushing the garage easterly would no doubt result in the significant damage to the root system of this tree resulting in the loss of the tree.
4. The terms of the Ordinance create a hardship for the development and usability of a reverse corner lot that has the added challenge of unique grade changes associated with this lot. Well established landscaping (mature tree in rear yard) that is unique to the lot would undoubtedly be lost if Compliance with the Ordinance was followed.
5. The proposed variance would not only "*not create a substantial detriment to the adjacent property*", but it would also allow for an improved view. Currently there is a 6' high solid wood fence that extends all the way to the southwest property corner. That fence is in the same plane as the west wall of the proposed garage. Since the garage is set back 3' off of the south property line, the view from the adjacent property is actually wider as they look out their front window.
6. The garage will be sub-terrarium which is consistent with the current garage design. The architectural style and materials used will match the current home. The roof line will match the existing single story flat roof design. The added retaining wall design will match existing timber retaining wall and screen the location of the previous garage door, thus allowing for additional planting beds. The new driveway approach location will be set even further back from the nearest intersection. The new private driveway will match the current design dimensionally.

Application Requirements

The Zoning Board of Appeals may refer or deny applicants with incomplete applications. Note, the maximum printed size for drawings is 11" x 17." Please provide the following information:

☒	**Pre-application meeting with staff.** Before you submit this application, meet with the Zoning Administrator. Together, you will discuss your proposed project and submission material. Contact Zoning at least one week prior to the application submission deadline to schedule the meeting. Your application will not be accepted unless a pre-application meeting has been held.
☒	**Site plan**, drawn to scale. We recommend a registered survey, but it is not required. On the plan, show the following: ❑ Lot lines. ❑ Existing and proposed structures. Include dimensions and setback distances to all property lines. ❑ Approximate location of structures on properties next to variance. ❑ Major landscape elements, fencing, retaining walls or other relevant site features. ❑ Scale (1" = 20' or 1' = 30' preferred). ❑ North arrow.
☒	**Elevations** from all directions showing existing and proposed. Show the existing structure and proposed addition(s).
☒	**Interior floor plan of existing and proposed structure,** if required. Most additions and expansions will require floor plans.
☒	SIDE **yard variance requests.** Show the front yard setback of all other properties on the same block face.
☐ NA	**Lakefront setback variance requests.** Provide a survey prepared by a registered land surveyor. The survey must show existing setbacks of buildings on adjacent lots.
☐ NA	**Variance requests involving slope, grade, or trees. Show:** ❑ Approximate location and amount of slope. ❑ Direction of drainage. ❑ Location, species and size of trees.
☒	Email **digital** copies of all plans and drawings to: zoning@cityofmadison.com.
☒	**Pay $500 filing fee on or before submission deadline.** Payment may be made in person by appointment at the Zoning counter, by mail to City of Madison Building Inspection, P. O. Box 2984, Madison WI 53701-2984, or placed in the drop box at the Doty Street entrance to the Madison Municipal Building 215 Martin Luther King Jr. Blvd. When mailing or using the drop box, please include a note that payment is for a variance application, state the subject property address and provide your contact information.
☒	**CHECK HERE.** I understand that as part of my variance request, City of Madison staff will need access to my property. Staff will take photographs and do a pre-hearing inspection of the property. I give City Staff permission to enter my property, inspect the property, and take photographs.
☒	**CHECK HERE.** I acknowledge that any statements implied as fact require evidence.

☒ **CHECK HERE.** City of Madison staff has given me a copy of the standards that the Zoning Board of Appeals will use to review variance applications.

Owner's Signature: _____ **Date:** 1/19/23

----------(For Office Use Only)----------

DECISION

The Board, in accordance with its findings of fact, hereby determines that the requested variance for _____ **(does) (does not)** meet all the standards for a variance. Further findings of fact are stated in the minutes of this public hearing.

The Zoning Board of Appeals: ☐ **Approved** ☐ **Denied** ☐ **Conditionally Approved**

Zoning Board of Appeals Chair: **Date:**

tkjindra67@gmail.com

From: tkjindra67@gmail.com
Sent: Monday, December 19, 2022 12:15 PM
To: 'Tucker, Matthew'
Cc: kbannon@cityofmadison.com
Subject: FW: 4809 Hillview Terr Driveway Proposal
Attachments: 4809 Hillview Ter Driveway.JPG

FYI

From: McGlynn, William <WMcGlynn@cityofmadison.com>
Sent: Tuesday, December 13, 2022 1:37 PM
To: 'tkjindra67@gmail.com' <tkjindra67@gmail.com>
Subject: FW: 4809 Hillview Terr Driveway Proposal

Hello Todd,

I am writing as a follow up to a phone conversation we had a couple weeks ago regarding your proposal to alter your driveway entrance/apron configuration at 4809 Hillview Terr. As we discussed, you had been in contact with both Zoning and Forestry to discuss the possibility of creating a new driveway with two entrances on the southern end of your lot, along the Edward St frontage, and then closing/abandoning the existing entrance.

From Engineering's perspective there would not be any construction related issues involved with your proposed improvements within the public right of way. New aprons and curb cuts could be constructed on Edward St without impacting other City facilities (sanitary, storm, or water) in a manner that would comply with our Standard Specifications for Public Works Construction. City Engineering would be OK with your proposed improvements, contingent upon approval from City Forestry to maintain proper clearance around the existing terrace tree, and also approval from Zoning of the site plan that would allow the construction of the garage and driveway portions on private property.

Please keep in mind that a **Street Terrace Permit** would be required to work within the right of way, that any contractor hired to perform the work would need to be prequalified (licensed, insured, bonded), and that an inspection by City Engineering staff would be needed prior to placing any concrete.

If you have additional questions or concerns, or would like to discuss this matter further, please feel free to contact me directly.

Thank You,

Bill McGlynn

Bill McGlynn - Sidewalk Program Supervisor
Department of Public Works - Engineering Division
Larry D. Nelson Engineering Operations Facility
1600 Emil St
Madison, Wisconsin 53713
Off: 608 266 4537 • ***Cell:*** 608 279 0548
Email wmcglynn@cityofmadison.com
Web www.cityofmadison.com

tkjindra67@gmail.com

From: Sly, Brandon M <BSly@cityofmadison.com>
Sent: Monday, December 19, 2022 11:41 AM
To: 'tkjindra67@gmail.com'
Cc: Hofmann, Bradley
Subject: 4809 Hillview Terrace

Todd,

This email is in regards to the proposed design of the driveway around an existing street tree located at 4809 Hillview Terrace.

- From Forestry's perspective, if a distance of 12 feet between driveway aprons is maintained, this will provide sufficient space for tree protection during construction and Forestry would be able to replace the street tree in the future should it die. I have no problem with this design option.
- If the design calls for less than 12 feet in between driveway aprons, the tree will not be replaced in the future, leaving you with two driveways and some grass. If this is the case, removal of the tree to install one driveway is likely the best option.

Thanks,
Brandon Sly

Brandon Sly
West Forestry Specialist
Streets – Forestry Section
1402 Wingra Creek Pkwy
Madison, Wisconsin 53715
Cell: 608.220.0637
Office: 608.266.4892
bsly@cityofmadison.com

In compliance with State public records law, the City of Madison retains copies of ALL e-mail messages to and from this mailbox.
E-mail messages may be released in response to appropriate open record requests.

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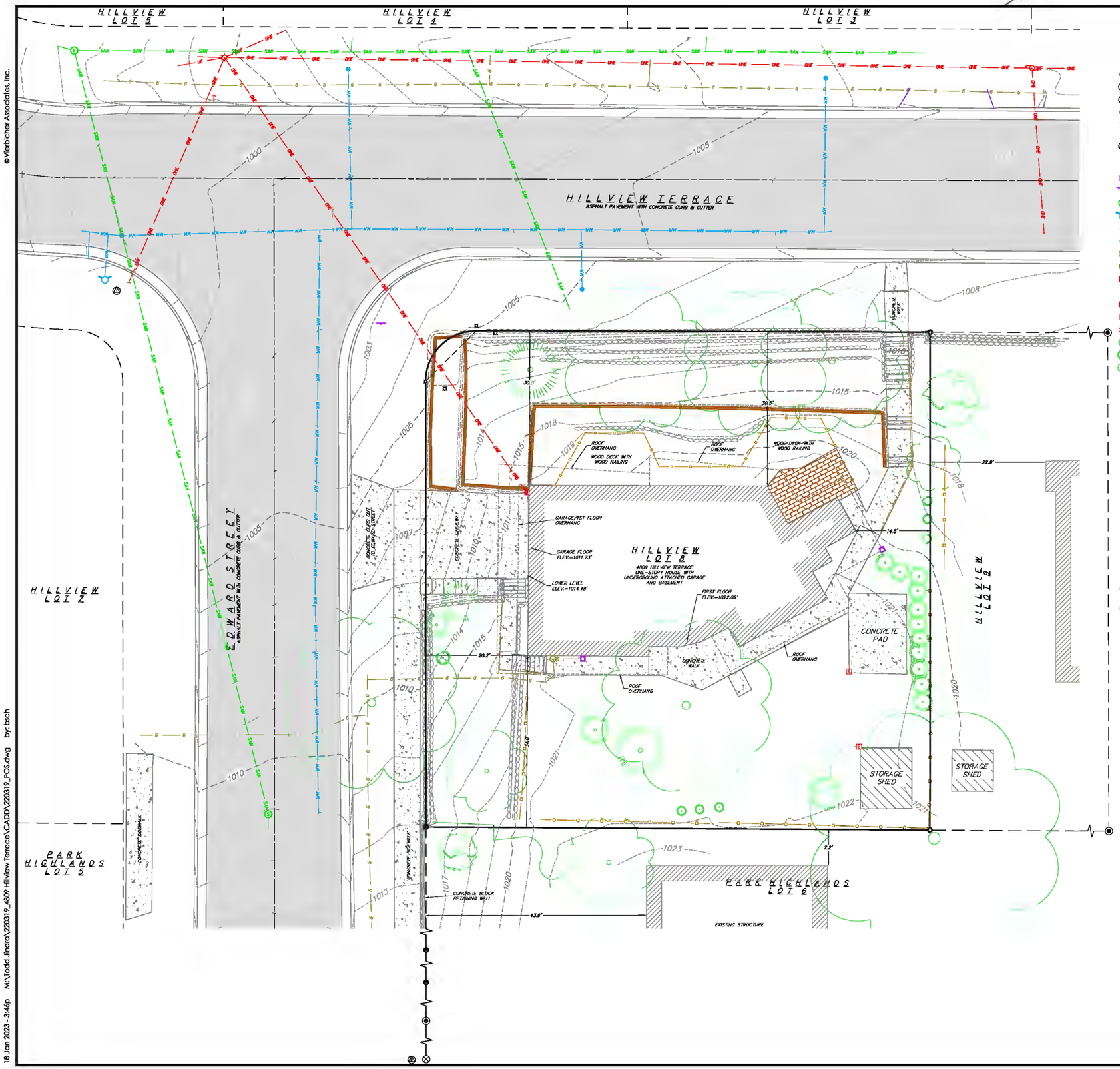

SURVEY LEGEND

- FOUND 1" ø IRON PIPE
- FOUND 1-1/2" ø IRON PIPE
- FOUND 2-1/2" ø IRON PIPE
- FOUND 3/4" ø IRON ROD
- SET 3/4"ø x 18" SOLID IRON MIN. WT. 1.50 lbs./ft.
- BENCHMARK

SYMBOL LEGEND

- EXISTING POST
- EXISTING SIGN
- EXISTING SANITARY MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING WATER MAIN VALVE
- EXISTING CURB STOP
- EXISTING GAS VALVE
- EXISTING GAS METER
- EXISTING AIR CONDITIONING PEDESTAL
- EXISTING DOWN GUY
- EXISTING ELECTRIC PEDESTAL
- EXISTING ELECTRIC METER
- EXISTING LIGHT POLE
- EXISTING SHRUB
- EXISTING CONIFEROUS TREE
- EXISTING DECIDUOUS TREE

BEARINGS ARE BASED UPON THE WISCONSIN COORDINATE SYSTEM, DANE COUNTY, THE EAST LINE OF LOT 8 HILLVIEW WAS ASSIGNED A BEARING NO0°02'46"W.

SCALE: ONE INCH = TEN FEET

LINEWORK LEGEND

- EXISTING BOULDER OR ROCK RETAINING WALL
- EXISTING CONCRETE BLOCK RETAINING WALL
- EXISTING TIMBER/RR TIE RETAINING WALL
- EXISTING CHAIN LINK FENCE
- EXISTING WOOD FENCE OR RAILING FOR DECK
- EXISTING METAL RAILING
- EXISTING GAS LINE
- EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING SANITARY SEWER LINE
- EXISTING WATER MAIN
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING CONCRETE SURFACE
- EXISTING ASPHALT SURFACE
- EXISTING BRICK PAVERS

SURVEYED FOR:
TODD JINDRA
4809 HILLVIEW TERRACE
MADISON, WI 53711

SURVEYED BY:
VIERBICHER ASSOCIATES, INC.
BY: MICHAEL S. MARTY
999 FOURIER DRIVE,
SUITE 201
MADISON, WI 53717
(608)-821-3955
mmart@vierbicher.com

NOTES:

1. The parcel surveyed contains 5.315 acres or 231,546 square feet, more or less.
2. This survey is based upon field survey work performed on November 14, 16, and 18, 2022. Any changes in site conditions after November 18, 2022 are not reflected by this survey.
3. No attempt has been made as a part of this survey to obtain or show data concerning size, condition, or capacity of any utility or municipal/public service facility. For information regarding these utilities contact the appropriate agencies.
4. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, or ownership title evidence.
5. Elevations are based upon the NAVD88 Datum (2012 Geoid).
6. Utility locations were field located based upon substantial, visible, above ground structures, upon maps provided to the surveyor, or upon markings on the ground placed by utility companies and/or their agents. No warranty is given to the utility markings by others or that all underground utilities affecting this property were marked and subsequently located for this survey. A locate request was sent to Digger's Hotline per Digger's Hotline One-Call ticket numbers . Location of buried private utilities are not within the scope of this survey.
7. Existing structures located on 4805 Hillview Terrace and 505 Edward Street are based upon aerial imagery. No survey work was completed to verify distances to property lines.

BENCHMARK TABLE:

BENCHMARK #1 – ELEV. 1001.75': TOP NUT OF FIRE HYDRANT LOCATED IN THE SW QUADRANT OF HILLVIEW TERRACE AND EDWARD STREET.

BENCHMARK #2 – ELEV. 1039.91': TOP NUT OF FIRE HYDRANT LOCATED ON THE EAST SIDE OF EDWARD STREET, 425'± SOUTH OF THE INTERSECTION OF HILLVIEW TERRACE AND EDWARD STREET.

DESCRIPTION FURNISHED:

LOT EIGHT (8), HILLVIEW, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

DIGGERS HOTLINE
Dial 811 or (800) 242-8511
www.DiggersHotline.com

THE LOCATION OF EXISTING UTILITIES, BOTH UNDERGROUND AND OVERHEAD ARE APPROXIMATE ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT, BEFORE COMMENCING WORK, AND SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE CAUSED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES.

CALL DIGGER'S HOTLINE
1-800-242-8511

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Existing Conditions
4809 Hillview Terrace
Madison
Dane County, Wisconsin

REVISIONS		
NO.	DATE	REMARKS

REVISIONS		
NO.	DATE	REMARKS

DATE 01/17/2023
DRAFTER BSCH
CHECKED RKOL
PROJECT NO. 220319

C1.0

18 Jan 2023 - 3:46p M:\Todd Jindra\220319_4809 Hillview Terrace\CADD\220319_POS.dwg by: bsch

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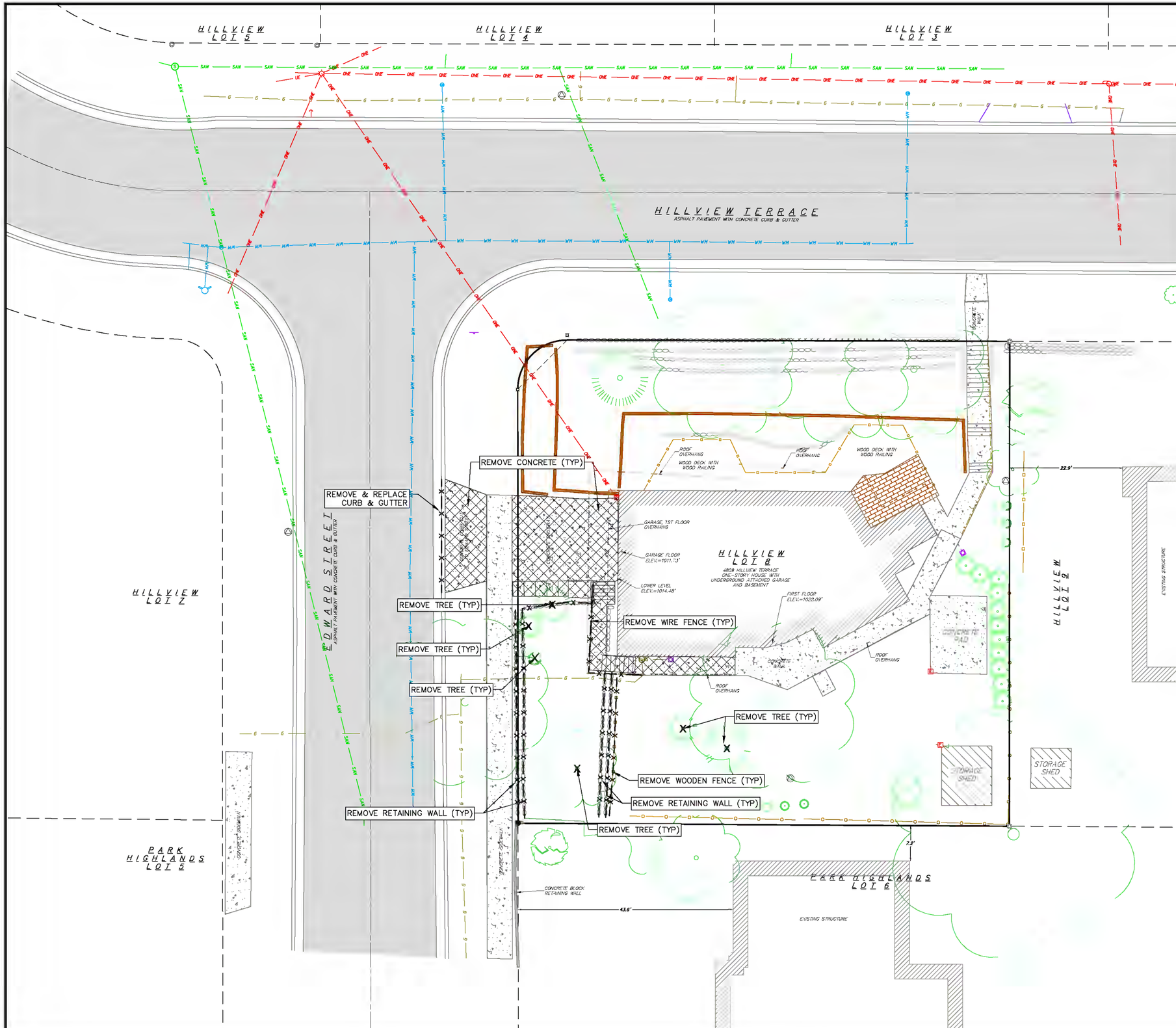

GRAPHIC SCALE FEET
0 5 10 20

TOPOGRAPHIC SYMBOL LEGEND

- EXISTING BOLLARD
- EXISTING POST
- EXISTING SIGN (TYPE NOTED)
- EXISTING SANITARY MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING WATER MAIN VALVE
- EXISTING CURB STOP
- EXISTING GAS METER
- EXISTING ELECTRIC PEDESTAL
- EXISTING ELECTRIC METER
- EXISTING SHRUB
- EXISTING CONIFEROUS TREE
- EXISTING DECIDUOUS TREE

TOPOGRAPHIC LINEWORK LEGEND

- EXISTING RETAINING WALL
- EXISTING CHAIN LINK FENCE
- EXISTING WIRE FENCE
- EXISTING WOOD FENCE
- EXISTING GAS LINE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING SANITARY SEWER LINE
- EXISTING WATER MAIN
- EXISTING CONCRETE SURFACE
- EXISTING ASPHALT SURFACE

DEMOLITION PLAN LEGEND

- RETAINING WALL REMOVAL
- WIRE FENCE REMOVAL
- WOOD FENCE REMOVAL
- CONCRETE REMOVAL
- X TREE REMOVAL

DEMOLITION NOTES:

1. CONTRACTOR SHALL KEEP ALL CITY STREETS FREE AND CLEAR OF CONSTRUCTION RELATED DIRT/DUST/DEBRIS.
2. ALL SAWCUTTING SHALL BE FULL DEPTH TO PROVIDE A CLEAN EDGE TO MATCH NEW CONSTRUCTION. MATCH EXISTING ELEVATIONS AT POINTS OF CONNECTION FOR NEW AND EXISTING PAVEMENT, CURB, SIDEWALKS, ETC. ALL SAWCUT LOCATIONS SHOWN ARE APPROXIMATE AND MAY BE FIELD ADJUSTED TO ACCOMMODATE CONDITIONS, JOINTS, MATERIAL TYPE, ETC. REMOVE MINIMUM AMOUNT NECESSARY FOR INSTALLATION OF PROPOSED IMPROVEMENTS.
3. CONTRACTOR SHALL PROVIDE AND SHALL BE RESPONSIBLE FOR ANY NECESSARY TRAFFIC CONTROL SIGNAGE AND SAFETY MEASURES DURING DEMOLITION AND CONSTRUCTION OPERATIONS WITHIN OR NEAR THE PUBLIC ROADWAY.
4. IF APPLICABLE, PROVIDE TREE PROTECTION FENCING PRIOR TO CONSTRUCTION OPERATIONS. MAINTAIN THROUGHOUT CONSTRUCTION.
5. CONTRACTOR SHALL CLOSE ALL ABANDONED DRIVEWAYS BY REPLACING THE CURB IN FRONT OF THE DRIVEWAYS AND RESTORING THE TERRACE WITH GRASS.
6. ANY DAMAGE TO THE CITY PAVEMENT, INCLUDING DAMAGE RESULTING FROM CURB REPLACEMENT, WILL REQUIRE RESTORATION IN ACCORDANCE WITH THE CITY ENGINEERING PATCHING CRITERIA.
7. ANY SIDEWALK AND CURB & GUTTER ABUTTING THE PROPERTY SHALL BE REPLACED IF IT IS DAMAGED DURING CONSTRUCTION OR IF THE CITY ENGINEERING DEPARTMENT DETERMINES THAT IT IS NOT AT A DESIRABLE GRADE, REGARDLESS OF WHETHER THE CONDITION EXISTED PRIOR TO BEGINNING CONSTRUCTION.

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Demolition Plan
4809 Hillview Terrace
Madison
Dane County, Wisconsin

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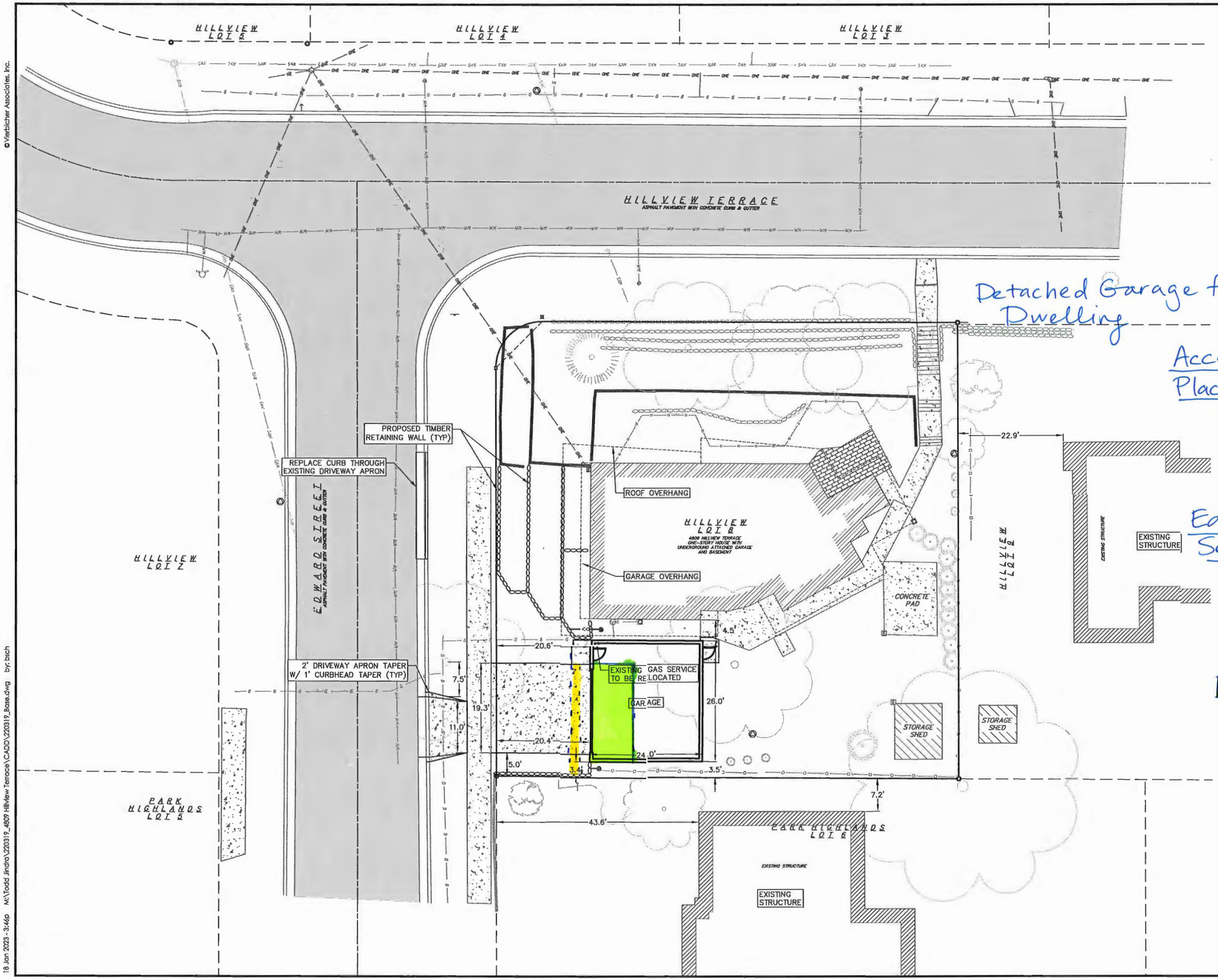

GRAPHIC SCALE FEET
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SITE PLAN LEGEND
- PROPERTY BOUNDARY
- PROPOSED CONCRETE
- PROPOSED RETAINING WALL
- CURB AND GUTTER

Detached Garage for Single-Family Dwelling

Accessory Building Placement Setback
30' required
20.4' proposed
9.6' variance

Eaves + Gutters Setback Encroachment
2' allowed
4' proposed
2' variance

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Site Plan
4809 Hillview Terrace
Madison
Dane County, Wisconsin

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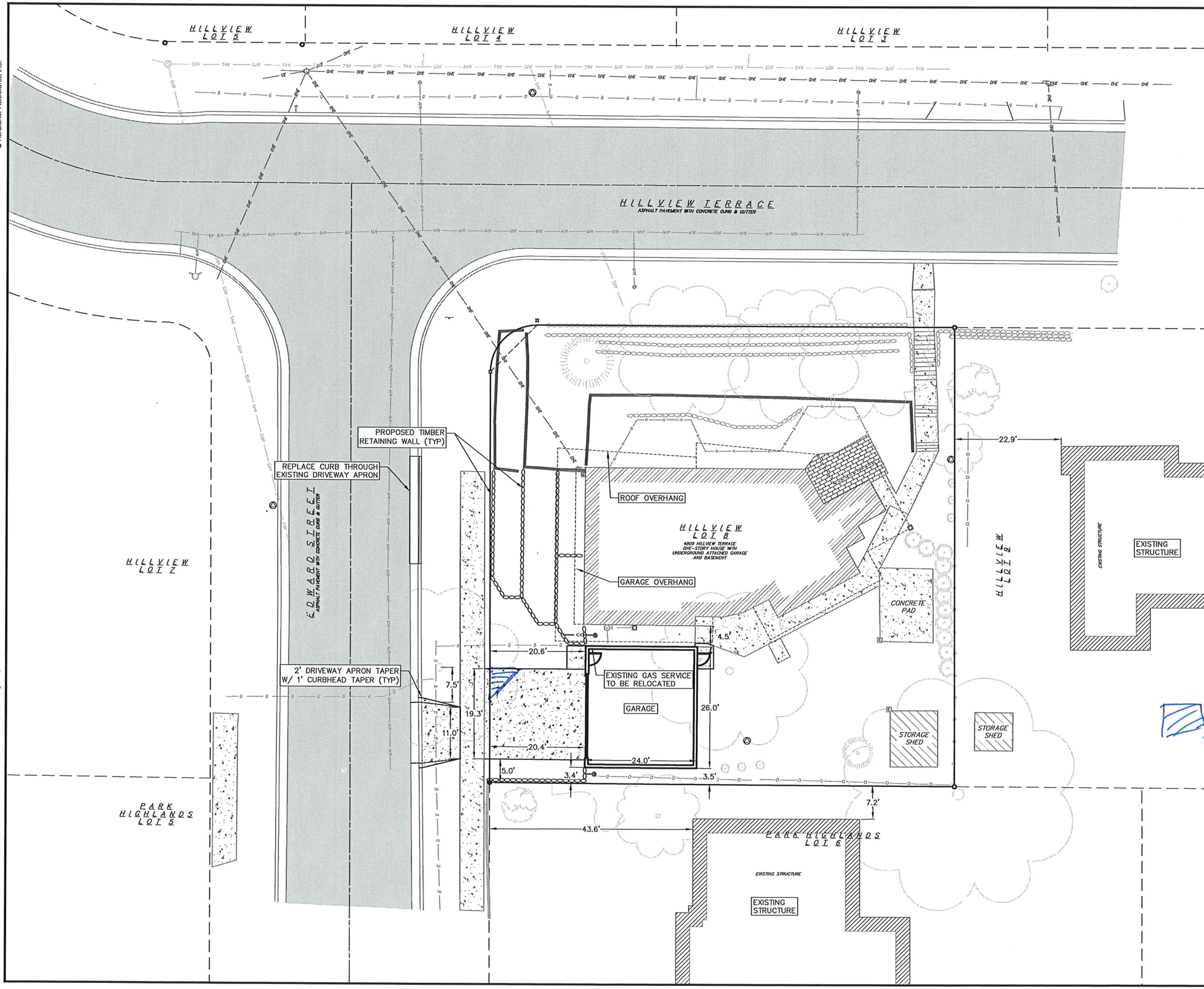

Required 45° transition between driveway approach width and driveway width

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Site Plan
4809 Hillview Terrace
Madison
Dane County, Wisconsin

REVISIONS			
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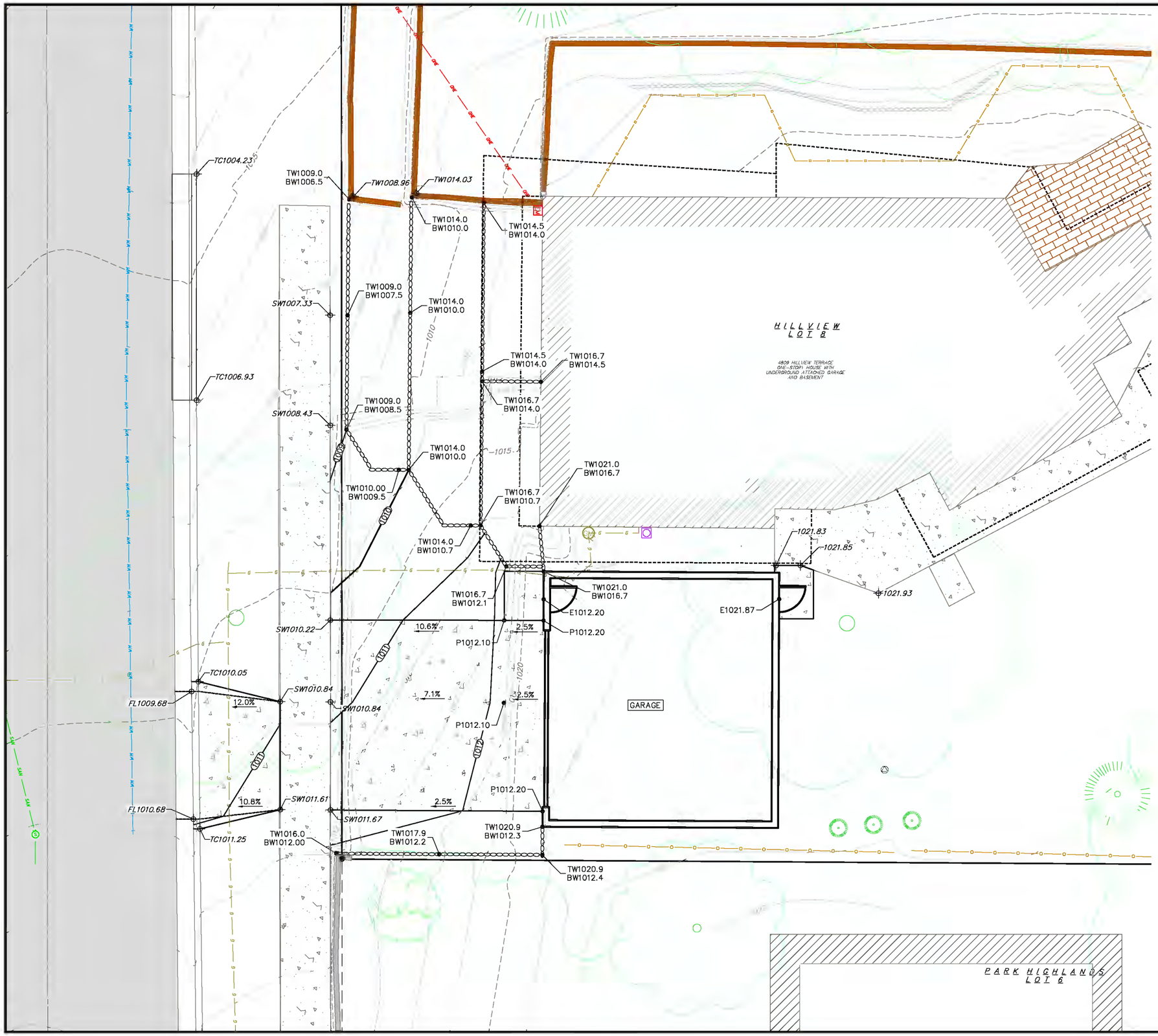

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GRAPHIC SCALE FEET
0 2.5 5 10

GRADING LEGEND

820	EXISTING MAJOR CONTOURS
818	EXISTING MINOR CONTOURS
820	PROPOSED MAJOR CONTOURS
818	PROPOSED MINOR CONTOURS
	DRAINAGE DIRECTION
2.92%	PROPOSED SLOPE ARROWS
1048.61	EXISTING SPOT ELEVATIONS
1048.61	PROPOSED SPOT ELEVATIONS

ABBREVIATIONS

TC – TOP OF CURB
FF – FINISHED FLOOR
FL – FLOW LINE
SW – TOP OF WALK
TW – TOP OF WALL
BW – BOTTOM OF WALL

GRADING NOTES:

1. CONTOURS ARE SHOWN FOR PURPOSES OF INDICATING ROUGH GRADING. FINAL GRADE SHALL BE ESTABLISHED ON PAVED SURFACES BY USING SPOT GRADES ONLY.
2. ALL GRADES SHOWN REFERENCE FINISHED ELEVATIONS.
3. CROSS SLOPE OF SIDEWALKS SHALL BE 1.5% UNLESS OTHERWISE NOTED.
4. NO LAND DISTURBANCE ACTIVITIES SHALL BEGIN UNTIL ALL EROSION CONTROL BMP'S ARE INSTALLED.

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Grading Plan

4809 Hillview Terrace
Madison
Dane County, Wisconsin

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NO.	DATE	REMARKS

REVISIONS		
NO.	DATE	REMARKS

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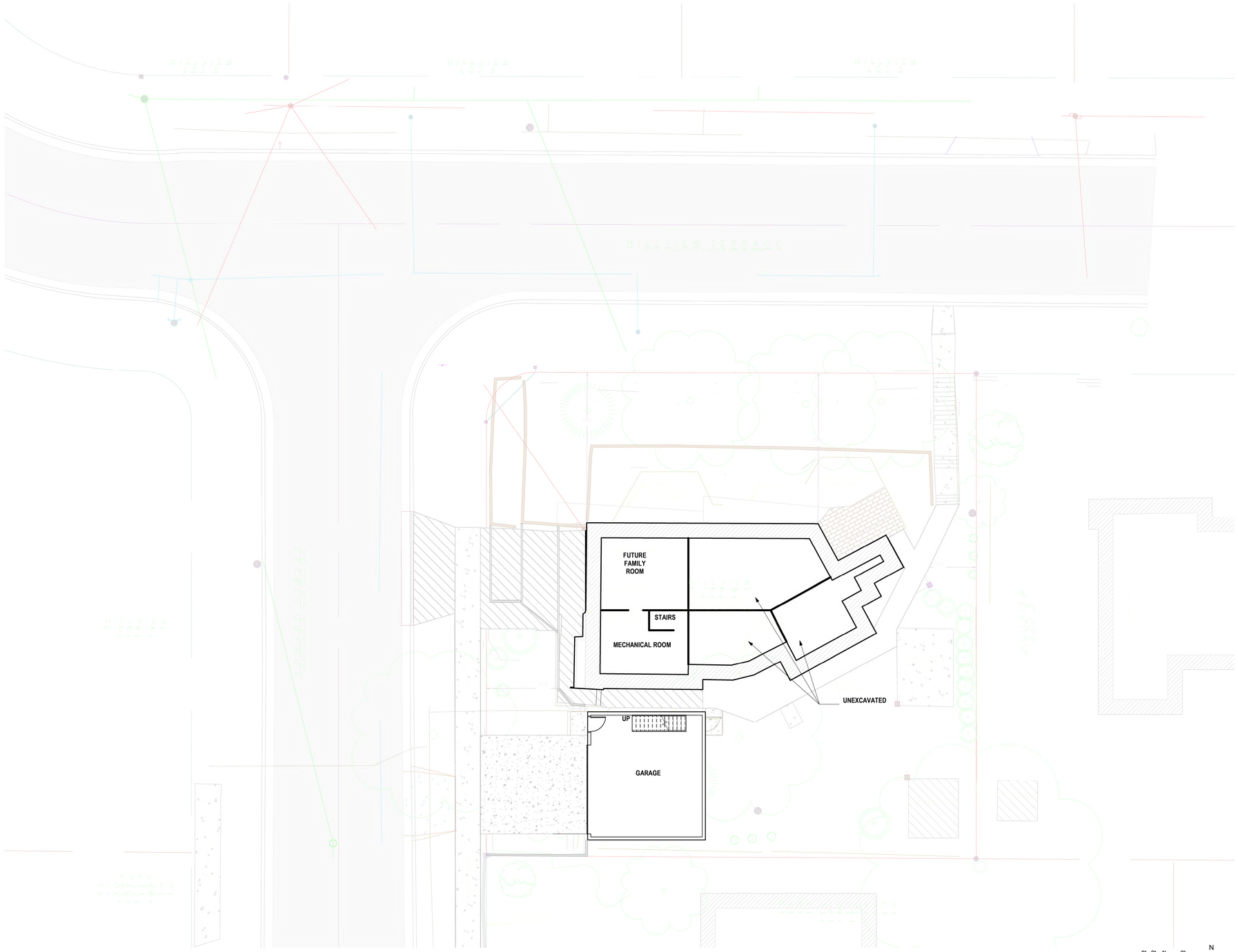

2 **BASEMENT FLOOR PLAN**
3/32" = 1'-0"

0' 2' 4' 8'

N

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Madison Design Group
architecture · interior design · planning
6515 Grand Teton Plaza, Suite 120
Madison, Wisconsin 53719
p608.829.4444 f608.829.4445 dimensionivmadison.com

4809 Hillview Terrace,
Madison, WI

DATE OF ISSUE: 01/18/23

REVISIONS:

PROJECT # 00000

BASEMENT FLOOR PLAN

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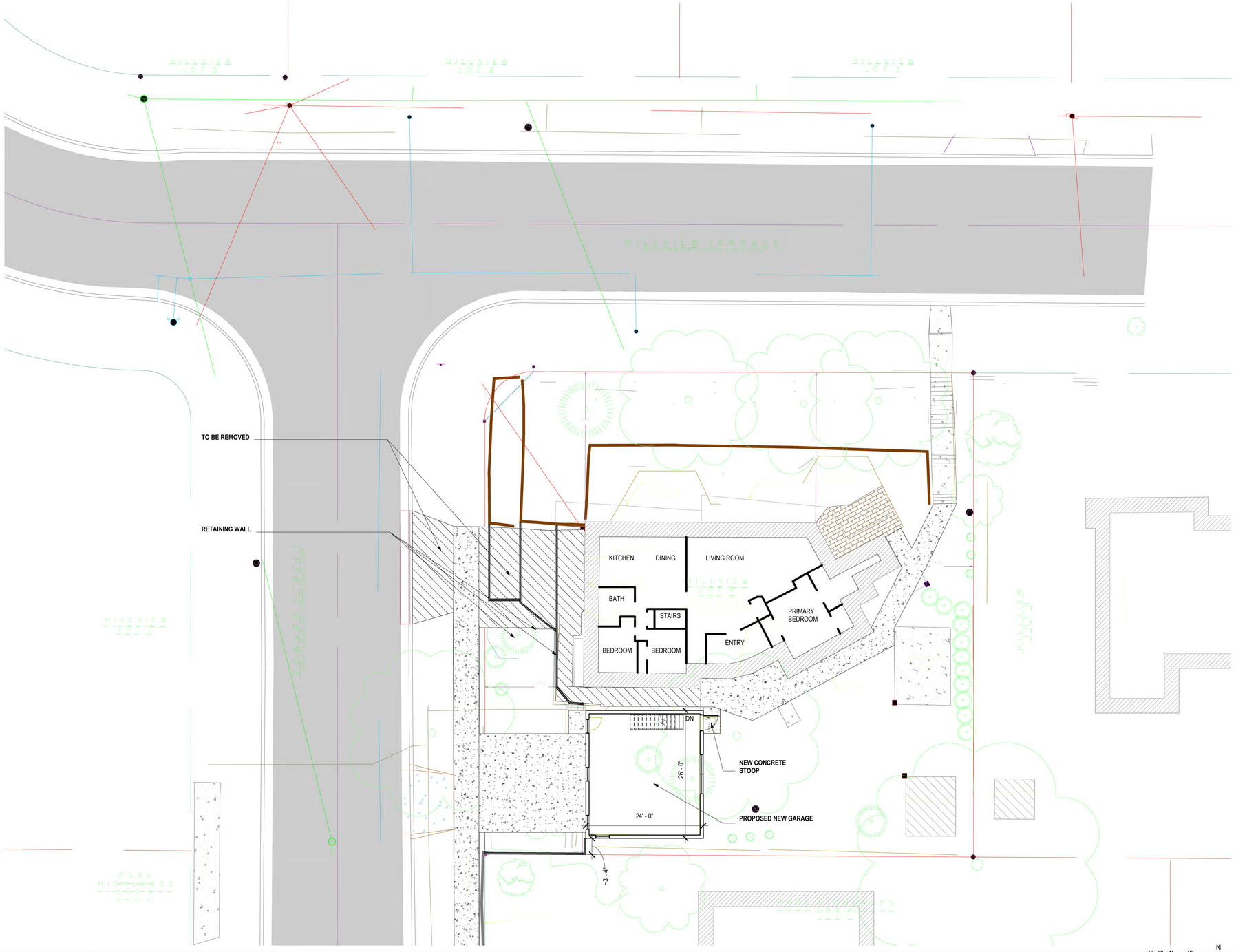

FIRST FLOOR PLAN

3/32" = 1'-0"

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4809 Hillview Terrace,
Madison, WI

DATE OF ISSUE: 01/18/23

REVISIONS:

PROJECT # 00000

FIRST FLOOR PLAN

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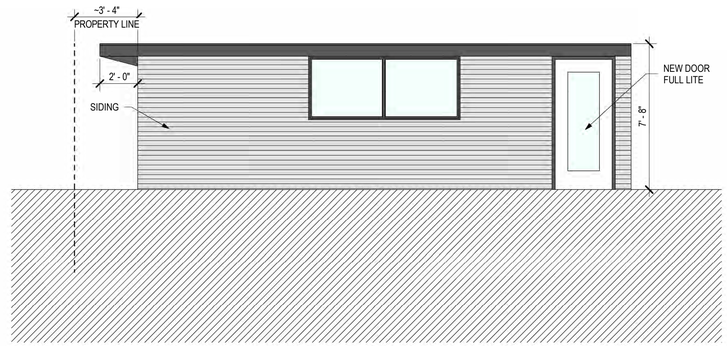
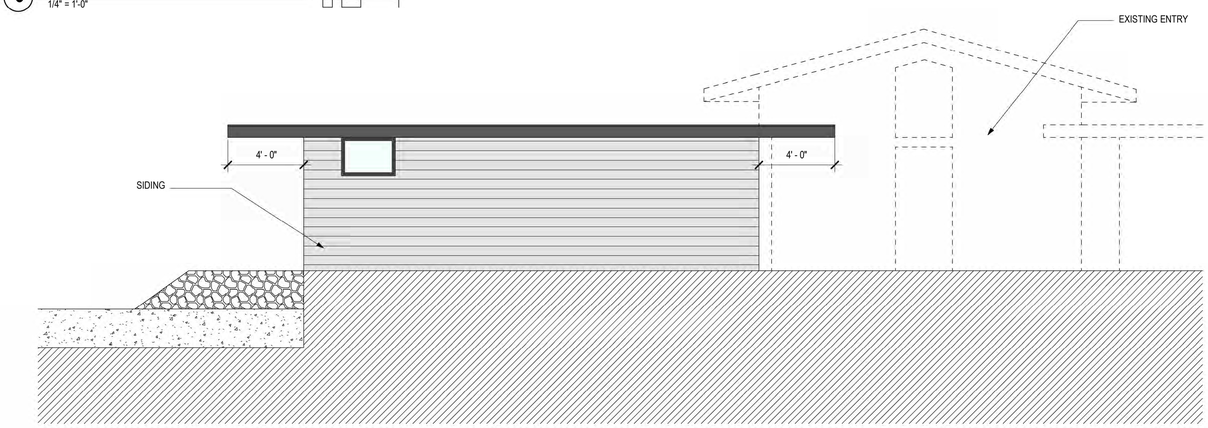


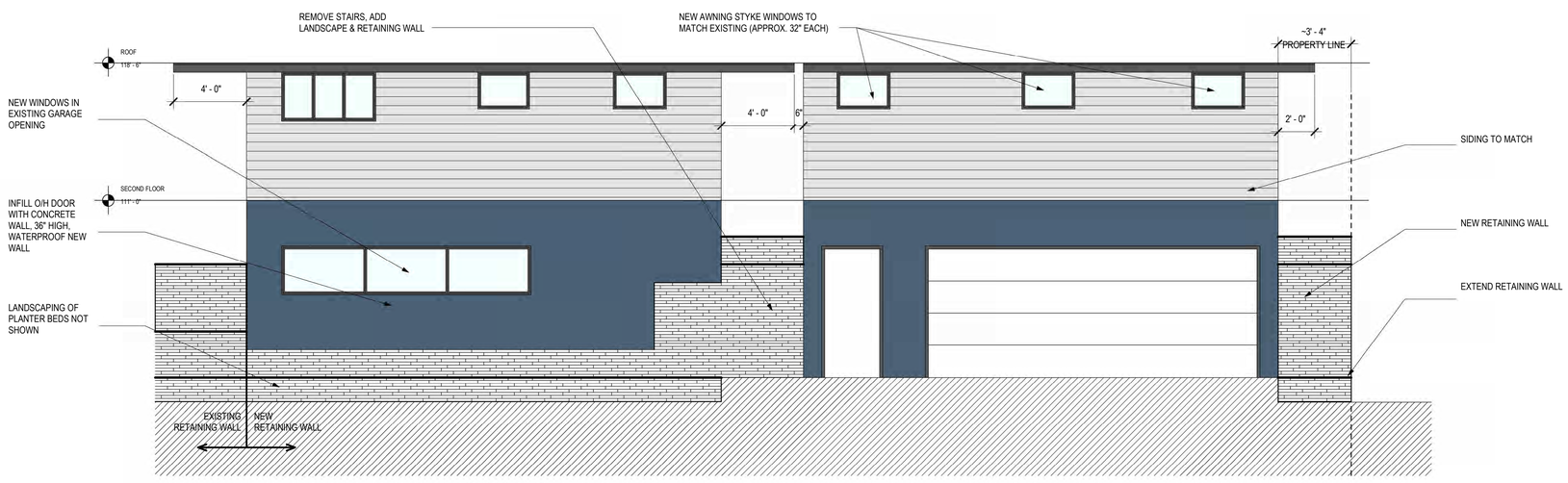
3 **EAST ELEVATION**
1/4" = 1'-0"

0' 1' 2' 4'



2 **SOUTH ELEVATION**
1/4" = 1'-0"

0' 1' 2' 4'



1 **WEST ELEVATION**
1/4" = 1'-0"

0' 1' 2' 4'

DIMENSION IV
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Madison, Wisconsin 53719
p608.829.4444 f608.829.4445 dimensionivmadison.com

4809 Hillview Terrace,
Madison, WI

DATE OF ISSUE: 01/18/23

REVISIONS:

PROJECT # 00000

EXTERIOR
ELEVATIONS

A2.0

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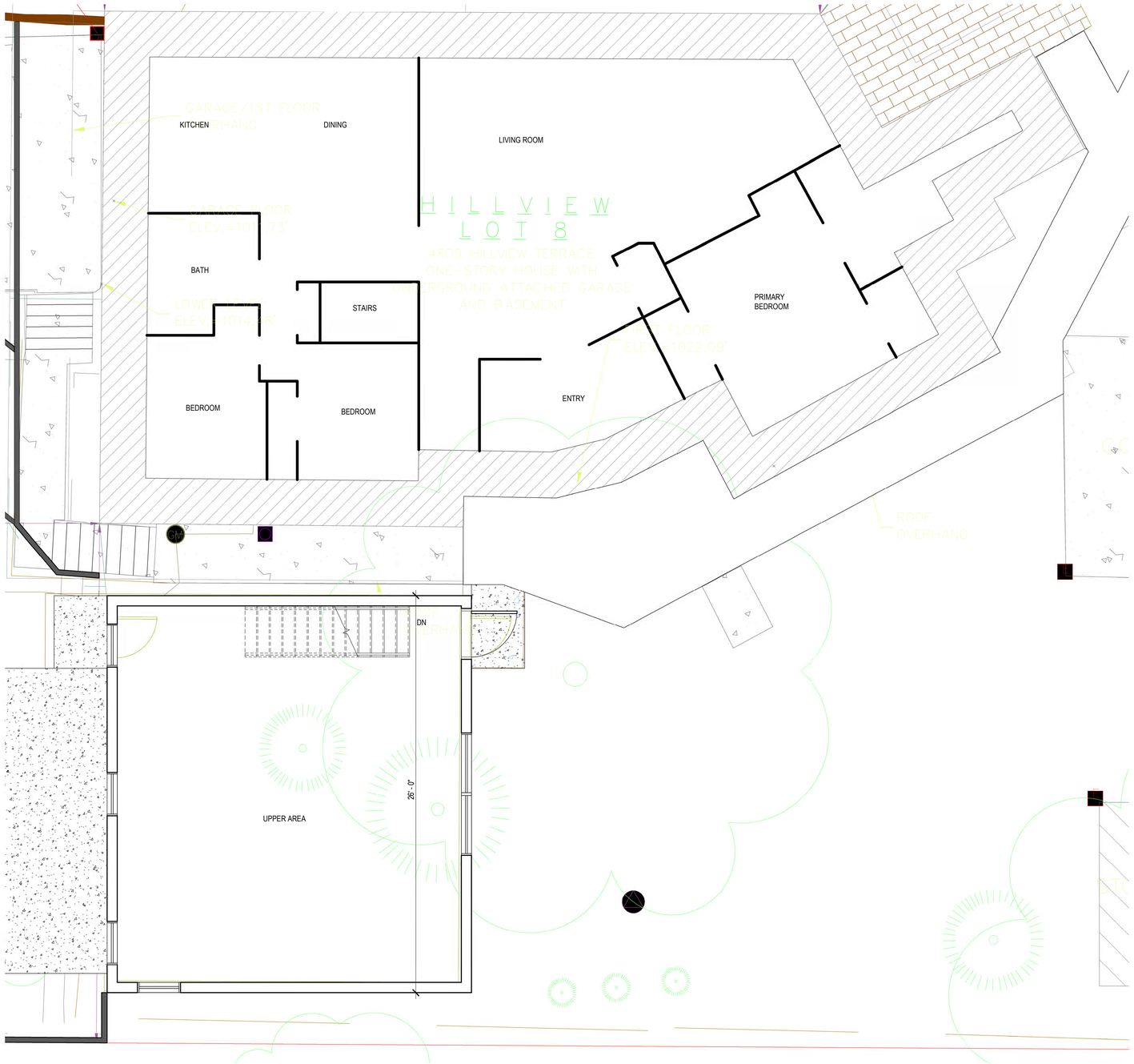

FIRST FLOOR PLAN

1/4" = 1'-0"

0' 1' 2' 4'

N

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ENLARGED FIRST
FLOOR PLAN

A5.0

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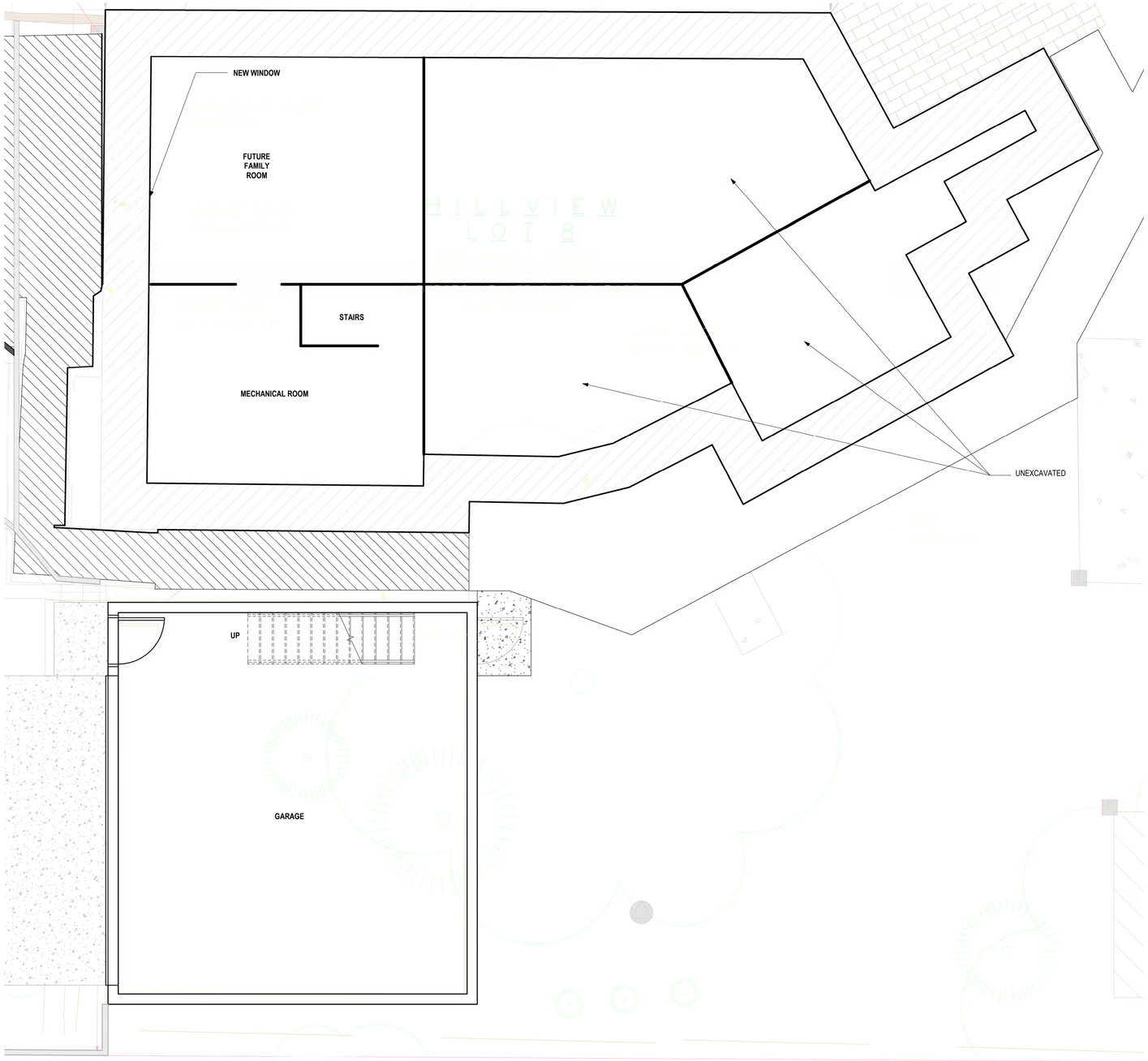

BASEMENT FLOOR PLAN
1/4" = 1'-0"

0' 2' 4' 8'

N

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ENLARGED BASEMENT FLOOR PLAN

A5.1

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Dell
Hillview