

CITY OF GLOUCESTER ZONING BOARD OF APPEALS

Time Stamp by City Clerk's Office

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

NOTE FOR CLERK: DO NOT STAMP WITHOUT BUILDING INSPECTOR'S APPROVAL

NOTE TO APPLICANTS:

No case will be scheduled for a ZBA hearing until your application has been approved as to completeness by the Building Inspector, has been time-stamped by the City Clerk's office, and has been returned to the Building Department. The City Clerk's office will not time-stamp your application without Certification by the Building Inspector that your application is complete.

If you have questions about this application or the permitting process, please contact the Building Department, either in person or by phone-Inspectors are available during the following hours only:

Monday through Thursday: 8:30 to 9:30 a.m. and 1:00 to 2:00 p.m.

Friday: 8:30 to 9:30 a.m.

The Building Department is located at the City Hall Annex - 3 Pond Road, (2nd floor of the CATA building).

Telephone 978-281-9774 Fax 978-282-3036

12 NOON IS THE CUT-OFF TIME FOR SUBMISSION ON THE DEADLINE DATE PLEASE ALLOW 48 HOURS BEFORE DEADLINE DATE FOR REVIEW

710	
For Office Use Only CERTIFICATE OF COMPLETENESS	For Office Use Only
Must be signed by a Building Inspector prior City Clerk Time Stamp	5 88 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5
Must be signed by a Building hispector prior City Clerk Time Stamp	Building Permit Denied by
· ·	Reason Denied
	Date Denied
	Date Initial ZBA Application Received
Building Inspector Signature Date	Inspector Reviewing Initial Application
Danding inspector signature Date	1 Original Time Stamped by City Clerk, includes
	Certified Abutters List & 2 sets of Plans to scale
0000 00 1 000 100 100 100 100 100 100 1	Plus 5 Copies of Complete Packet including reduced plans
\$250.00 APPLICATION FEE	(Total of 6 complete packets received).
	1 Electronic Version of Complete Packet
	In PDF Format CD or Flash Drive
	\$250 Application Fee Check #
PART A: NAME AND ADDRESS OF PROPERTY O	
	Strain Section And Section 2018
PROPERTY ADDRESS <u>8 Aileen Terrace</u>	MAP <u># 137</u> LOT <u># 5</u>
PROPERTY OWNERS MAILING ADDRESS <u>c/o Front</u>	tiero Law Office, 46 Middle St, Gloucester, MA 01930
PROPERTY OWNER'S TELEPHONE NUMBER Day (978) 283-2850 Evening <u>Same</u>
PROPERTY OWNER'S E-MAIL sal@frontierolaw.com	n

PART B: NAME OF APPLICANT, IF	DIFFERENT FI	ROM OWNER	
NAMENot applicable			
RELATIONSHIP TO PROPERTY OWNE	R (for example, sp	oouse, attorney, architect, et	tc.)
APPLICANT'S MAILING ADDRESS			
APPLICANT'S TELEPHONE NUMBER			
APPLICANT'S E-MAIL			
DADT C. ADDI ICANESC CEDEVINA	T.O.V.		
PART C: APPLICANT'S CERTIFICAT	TION VNER AUTHOR	RIZATION	
		er's Agent Applies	
Ι,	, as (Person's N	Owner of the subject proposition of the subject proposition. It is a subject proposition and the subject proposition of the subject proposition.	erty hereby authorize
to this application.		to det on my denan i	in an matters relative
	Signature of Own	nor	Date
OWNER OR AU		ENT DECLARATION	Date
I, <u>Salvatore J. Frontiero</u> , Esq_, as Owner or statements and information on the foregoing a information and belief.	application are true	er or Authorized Agent	f my knowledge, 9/17/17 Date
PART D: USE AND ZONING OF THE	PROPERTY		
Current use of property X 1-family Proposed use of property X 1-family	□ 2-family □ mul 2-family □ multi-	ti-family (# of units) family (# of units)	□ otherother
Zoning district in which property is loca			
property? If so, please attach a copy of of	each.	s) from Zoning Board of Appers - Zone: <u>AE elev. 15</u>	eals regarding this
PART E: TYPE OF RELIEF REQUES 1. Special Permits to alter/expand a non-conforming s for a new use or change in use to allow lesser number of off-street to allow home occupation X to exceed maximum allowable buil Other special permit [specify]:	tructure or use	essory structure)	

 Variances (see further information reversion of the Variance from dimensional requirement(s) □ Front yard setback □ Lot area per dwelling unit □ Lot from the Percentage of vegetative cover □ Die Frontage width to principal building 	of the Zoning Ordinance tback □ Rear yard setback ontage □ Lot coverage □ I	Distance between buildings
Variance from other requirement(s) of the Z	Zoning Ordinance [specify] _	
PART F: BRIEF DESCRIPTION OF THE	E PROPOSED WORK	
(A BRIEF description MUST be stated in		neet for detailed description if needed)
Petitioners propose to construct 27.1' x 27.	1' detached two-story, two-ca	r garage with second floor space for
exercise room with half-bath. Structure wil		
average proposed height is 25.5, which exce		
exception.		
PART G: REASONS IN SUPPORT OF RE Note to applicants – please see instructions support of your request for relief	QUESTED RELIEF (use s s at the end of this application	eparate sheet if needed) n as to the evidence you must submit in
The shape of the lot, together with (1) the ju	xtaposition of the current stru	cture, (2) location of existing ledge
outcroppings, (3) location of the septic system		
with the primary structure setbacks impraction		
be substantially more detrimental to the neig		
neighboring properties or otherwise impair i		
consistent with the neighborhood character of		
PART H: LETTERS, IF REQUIRED, FROM		
Board of Health (required if property is on a sep	□ Letter attached	X N/A
Conservation Commission	□ Letter attached	X N/A
Engineering Department Other	□ Letter attached□ Letter attached	X N/A X N/A

PART I: SUPPORTING DOCUMENTATION REQUIRED FOR ALL APPLICATIONS

A Building Inspector will generate the Certified Assessors map and list of abutters which must be included with application.

FORM 001: DIMENSIONAL RE Note: only the dimensional relief reque				
ZBA hearing it appears that further relivour case rescheduled.				
your case rescheduled.	A. Required	B. Dim	ensions	
VARIANCES	Dimension	Existing	Proposed	
Lot Area (SF)				
Lot Area per Dwelling (SF)				
Lot Width				
Lot Frontage	10.7			
Front Yard				
Left Side Yard				
Right Side Yard				
Rear Yard				
% of Vegetative Coverage				V
Distance between Buildings				
Distance from Accessory Building to Street				
Lot Coverage (%)				
Frontage Width to Principal Building				
SPECIAL PERMITS				
Maximum Building Height (accessory)	12'	NA	25.5'	13.5'

PART J: PROJECT PLANS REQUIRED FOR ALL APPLICATIONS

Unless otherwise directed by the Building Inspector, this application shall be accompanied by:

- (a) SITE OR PLOT PLAN-two full size sets and five copies (no larger than 11"x 17") drawn to a scale of not less than one inch equals 20 feet and showing:
 - a north arrow
 - the name of the owner(s) and the street address of the property
 - the name and address of person preparing the plan, if different from owner, and the date of the plan
 - all bordering street names
 - the dimensions of the property lines and lot area (in square feet) of the lot to be built upon
 - the locations and dimensions (including the square footage) of all existing and proposed buildings and other structures on the lot
 - the distance to the nearest property line(s) from all buildings and other structures on the lot
 - the distance between all buildings and other structures on the lot
 - percentage of lot coverage of all existing and proposed buildings and other structures on the lot;
 - all required setback distances
 - · all existing and proposed entrances and exits to both the lot and the buildings on the lot
 - if required, the location and dimensions of off-street parking areas and loading spaces
 - the location of the subsurface disposal system, if any
 - · the location of all topographical features affecting the siting of buildings and structures on the lot
 - the location of all buildings and structures on all adjoining lots and their distance, estimated if necessary, from the property lines of the applicant's lot
 - ALL OF THE PROPOSED WORK MUST BE HIGHLIGHTED IN RED

(b) BUILDING PLANS, ELEVATIONS OR SKETCHES- two full size sets and five copies (no larger than 11"x 17") drawn to not less than a ¼" scale and showing:

- ✓ a north arrow
- ✓ the name of the owner(s) and the street address of the property
- ✓ the name and address of person preparing the plan, if different from owner, and the date of the plan
- ✓ the exterior elevations (including windows, doors, porches, steps and other architectural features) of
 - —the proposed building or structure or
 - —the existing building or structure and the proposed addition or expansion or
 - —the existing building or structure and its proposed replacement
- ✓ floor to ceiling and eave to roof ridge line dimensions of all proposed work
- the distance between existing undisturbed grades (i.e., prior to construction) and the highest point of each corner of the proposed building or addition
- ✓ the height of the proposed building or addition, as determined by the method set forth at Section VI of the Zoning Ordinance, definition of "Building Height"
- ✓ the data and calculations used to determine the height of the proposed building or addition
- ✓ the foundation length and height above undisturbed grade of the proposed building or addition
- ✓ ALL OF THE PROPOSED WORK MUST BE HIGHLIGHTED IN RED

The Final Packet Submitted must include all documents listed below (#1-6)

- 1. Original application, certified by Building Inspector for Completeness and Time-Stamped by City Clerk's Office, which includes a Certified Abutters List generated by a Building Inspector
- 2. Two (2) full size sets of original site or plot plans (as stated in Section a) and building plans, elevations or sketches (as stated in Section b).
- 3. Five (5) copies of complete Application, including Certified Abutters List, 5 sets of reduced plans, etc. as stated in Section a & b
- 4. An Electronic Version of Complete Application including Plans in PDF Format on a CD or Flash Drive
- 5. Photograph of subject property/structure, if available.
- (A total of 6 complete packets (1 original & 5 copies) plus an Electronic Version in PDF Format)
- 6. \$250.00 Application Fee Check or Cash only

4. 5.

> 6. 7

GUIDANCE FOR APPLICANTS

The Building Inspector can help you in filling out your application and getting your case placed on the ZBA's hearing docket. The following guidance refers to the steps that come after your application has been filed.

Step 1: Public Notice

All hearings before the ZBA are open to the public, and notice must be given to both the general public and your neighbors. The Building Department will publish notice of your hearing twice in the Gloucester Daily Times, and the clerk of the ZBA will post notice in City Hall and send out the letters to all of your abutters, as well as all abutters to your abutters whose property is closer than 300 feet of your property lines. The ZBA also encourages applicants to speak to their neighbors directly, so that the proposed work is fully understood prior to the hearing.

Step 2: The Site Visit

During the two weeks prior to your hearing most ZBA board members will visit your property, either individually or in groups. You do not have to be home for these visits, but it is absolutely essential that your house or building prominently display its street number. Similarly, all vacant lots must be flagged or otherwise marked for ready identification. If board members have not been able to locate your property, the hearing will have to be rescheduled.

Step 3: The Hearing

This section of the Guidance has two parts: hearing procedures and the standard that the ZBA will apply in judging your application.

A. Hearing Procedures

When your case is called, approach the podium and state your name and address. Explain your project, paying close attention to the criteria spelled out below. You can expect to be asked questions by Board members in the course of your presentation.

After you have spoken, the Chairman will ask for testimony from those who are in support of your project. Following that, the Chairman will invite those opposed to the project to speak, and then will allow you a brief rebuttal to those who spoke in opposition.

The Chairman will then close the hearing, and the board members will discuss among themselves the issues in your case. The Board will then vote on your application. By law, the affirmative votes of four out of the Board's five members are necessary to approve your application. If only four Board members are present, then all four must vote in favor of your application.

B. The Standards Applied by the ZBA

The three most common applications that come before the ZBA are for variances, special permits to alter or expand a nonconforming structure, and special permits for certain uses. The standards by which the ZBA judges each of these applications are set forth below; if your application is for a different kind of relief, please consult with the Building Inspector as to the standard that the ZBA will be applying.

Variance

In order to grant a variance, the ZBA must find that each of the following factors is present:

- 1. strict enforcement of the Zoning Ordinance in your case would cause you a substantial hardship, financial or otherwise, and
- 2. this hardship is due to one of three factors: the soil conditions, shape or topography of your property, and the factor that has given rise to your hardship is unique to your property, and is not generally found in other properties throughout your zoning district, and
- 3. the variance you have requested may be granted without substantial harm to the public good, and the variance may be granted without substantially undercutting the intent and purpose of the Zoning Ordinance.

Special Permit to Alter or Expand a Non-Conforming Structure

In order to grant a special permit to alter or expand a non-conforming structure or use, the ZBA must find that the structure or use that you propose will not be substantially more detrimental to your neighborhood than the existing structure or use.

There is, however, a special procedure for one and two-family dwellings. In such cases, the ZBA must first determine whether the proposed alteration or expansion increases the non-conforming nature of the dwelling. (If, for example, a proposed addition to your home will be in compliance with all setbacks and other zoning requirements, it would not be deemed to increase the nonconforming nature of your existing house.) If the proposed alteration or expansion will not increase the non-conforming nature of a one and two-family dwelling, then no special permit is required and the Building Inspector may issue a building permit without further action of the Board. If, on the other hand, the proposed alteration or expansion will increase the nonconforming nature of the dwelling, the Board may issue a special permit only if it finds that the dwelling, as expanded, will not be substantially more detrimental to the neighborhood than the existing dwelling.

Special Use Permit

Under Section 2.3 of the Gloucester Zoning Ordinance, certain uses are only allowed if authorized by a special permit from the ZBA. In order to grant such a permit, the ZBA must find that the proposed use will not have adverse effects that outweigh its beneficial effects, taking into consideration both the neighborhood and the city.

In making this determination, the ZBA is required to consider the following factors:

- 1. social, economic, or community needs served by the proposal
- 2. traffic flow and safety
- 3. adequacy of utilities and other public services
- 4. neighborhood character and social structure
- 5. qualities of the natural environment
- 6. potential fiscal impact.

ATTACHMENT G PETITION OF TINA SNIDER, TRUST 8 AILEEN TERRACE

The Site plan reveals that the Site is triangular in shape with a large single-family structure located on the southerly side of the parcel. The primary structure is presently under substantial renovation. The plan also shows several large ledge outcroppings, an existing driveway and the existing septic system. These elements taken together leave little remaining space to locate an accessory garage that will match the existing home in both size and character. Therefore, Petitioners are left with an area in the northerly portion of the lot that complies with accessory structure setbacks, but not the required thirty-foot setback that is necessary for an accessory structure exceeding twelve feet in height.

As to impairment of views, no existing ocean view corridors are affected by the proposed height of the garage as it relates to the property most affected, being 7 Aileen Terrace. The existing primary structure on the Site, which is higher than the proposed garage, already blocks any views of the ocean from 7 Aileen Terrace when viewed toward the direction of the proposed garage. This is readily apparent when viewing the location of the house on 7 Aileen Terrace, the proposed garage location and the location of the existing home on the Site, all as shown on the site plan. Moreover, the property at 7 Aileen Terrace is located approximately three feet higher in ground elevation and benefits from a 6' 4" height special permit issued by the City Council, thereby maximizing their present ocean views.

Due to the distance between the garage and the buildings at 7 Aileen Terrace, it is clear that there will be no overshadowing caused by the proposed garage. Also, there is an existing vegetative buffer between the location of the garage and the neighboring property at 7 Aileen Terrace. Petitioners plan to install denser and taller vegetation in this area, thereby creating even better screening from the neighboring property. Accordingly, no privacy concerns are implicated relative to 7 Aileen Terrace. Moreover, it is worthy of note that 7 Aileen Terrace already contains a detached garage with a dwelling on the second floor that is located a similar distance away from the primary structure on that property as this garage would be located. That separate dwelling building would implicate far more privacy concerns than the second floor of the proposed garage, which will not be used as a dwelling.

As to neighborhood character, there are several properties in the Eastern Point neighborhood with one or more accessory structures, many of which are used as accessory dwellings of similar size and height, including the detached garage with dwelling at 7 Aileen Terrace. Petitioners proposed garage and the use thereof fits into the neighborhood physically and the use of the garage will be less intense than the use of other accessory structures in the neighborhood. The other immediate neighbor is the Eastern Point Yaht Club, which is not a residential use and which will be unaffected by the proposed.

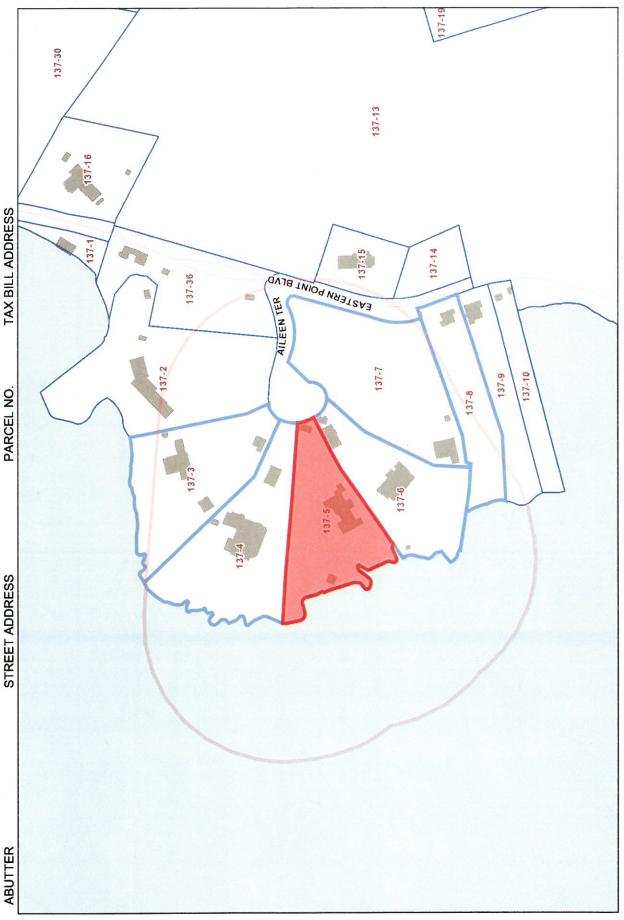
Lastly, there will no impact on utilities as the garage does not affect the septic system capacity. Petitioner is unaware of any other adverse impacts. Accordingly, Petitioners submit that the existence of the proposed garage at a height of 25.5 feet will not be substantially more detrimental to the neighborhood than the existing site conditions.

(City of Gloucester Abutters Report

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiveing the notification and not the homeowner as required. Please be sure you are complying with notification requirements. Gloucester Board of Assessors.

Abutters to Parcel: Map-Lot-Unit 137-5

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 137 Lot 5 as further shown on the attached map dated 9/6/2017.



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 137-5

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SNIDER TINA S TR TINA SNIDER REVOCABLE TRUST 5 WINTHROP ST WINCHESTER, MA 01890 125 EASTERN POINT BV GLOUCESTER, MA 01930 0000 **EASTERN POINT YACHT CLUB** 125 EASTERN POINT BV GLOUCESTER, MA 01930 0000 **EASTERN POINT YACHT CLUB** DANIELS ARTHUR A JR TR 5 AILEEN TR GLOUCESTER, MA 01930 7 AILEEN TR GLOUCESTER, MA 01930 174 LOWELL ST ANDOVER, MA 01810 TAX BILL ADDRESS HALEY JOHN F JR ALVAREZ JAMES PARCEL NO. 137-3 137-5 137-6 137-8 137-4 137-7 125A EASTERN POINT BV 125 EASTERN POINT BV 127 EASTERN POINT BV STREET ADDRESS **5 AILEEN TR** 7 AILEEN TR **8 AILEEN TR** 137-5 SNIDER TINA S TR TINA SNIDER REVOCABLE TRUST 137-7 EASTERN POINT YACHT CLUB 137-6 EASTERN POINT YACHT CLUB 137-8 DANIELS ARTHUR A JR TR 137-3 HALEY JOHN F JR 137-4 ALVAREZ JAMES **ABUTTER**

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiveing the notification and not the homeowner as required. Please be sure you are complying with notification requirements. Please be sure you are complying with Gloucester Board of Assessors.

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ABUTTER STREET ADDRESS

PARCEL NO.

TAX BILL ADDRESS

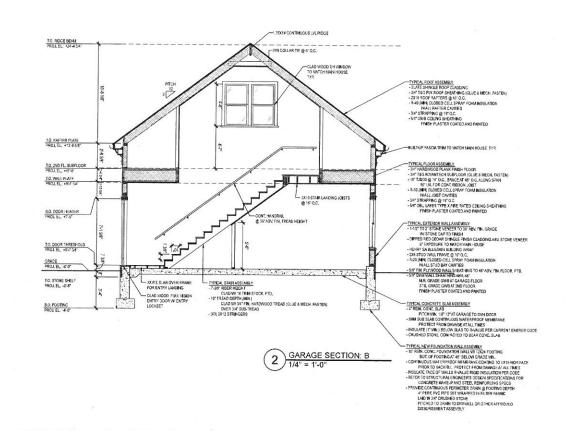
recent tax list of the assessed owner of record and the mailing information of the parties in interest as defined within and required by the law and therefore The Gloucester Board of Assessors certifies that the Abutters Report program written to create a list of the names and addresses of property owners from the applicable tax list has been reviewed. To the best of our knowledge and belief the Abutters Report program generates an accurate list from the most the within document constitutes a certified abutters list.

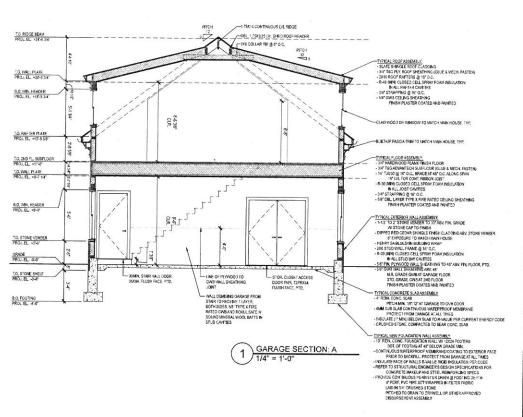
Nancy A. Papows, MAA Gary I. Johnstone, MAA Bethann B. Godinho, MAA GLOUCESTER BOARD OF ASSESSORS City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930

9/6/2017

TYPICAL ROOF ASSEMBLY. TO, RIDGE BEAM PROJ. EL: +24'-4'3'4" 8.0. BAY HEADEN PROJ. EL. +20-7 58" B.O. WIN. HEADER PROJ. EL: +20-3 5/8" TO, WIN, ROUGH SILL PROJ. EL. +15'-5'34" -BUILT-UP FASCIA TRIM TO MATCH MAIN HOUSE, TYP. (O. 2ND FL. SUBFLOOR PROJ. EL. +11'-0" TO, WALL PLATE TO, WALL PLATE PROJ. EL: +9'-7 1/4" PROJ. EL. -7-7 1/4" PROJ. EL: -0-0" TYPICAL CONCRETE SLAB ASSEMBLY TYPICAL NEW FOUNDATION WALL ASSEMBLY

3 GARAGE SECTION: C





PRIVATE RESIDENCE

8 AILEEN TERR. GLOUCESTER, MA 01930

Daniel H Reynolds Design Collaborative IIc

Fort Hill Infrastructure LLC Thomas Galligan, PE

David Clough Construction LLC

GC TO ENSURE ALL CONSTRUCTION TO COMPLY WITH CURRENT CODE REGULATIONS.

G 9 P T 1 9 1 1
THE DRAWING AND ALL OF THE IDEAS,
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THEREBY SHALL BE UTILIZED BY ANY PERSON THE
OR CORPORATION FOR ANY PURPOSE. EXCEPT
WITH SPECIFIC WRITTEN PERSONS OF THE FIRM
DANIEL R. REYNOLDS DESIGN COLLABORATIVE LLC.

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Orawing Information: молестнонава 2016-09

phases JRK оезини ОНВ 1/4" = 1 -0"

> GARAGE SECTIONS

G300

BUILT-UP BORAL WINDOW/DOOR TRIN MATCH MAIN HOUSE ASSEMBLY PTD TYP

GARAGE ELEVATION: LEFT

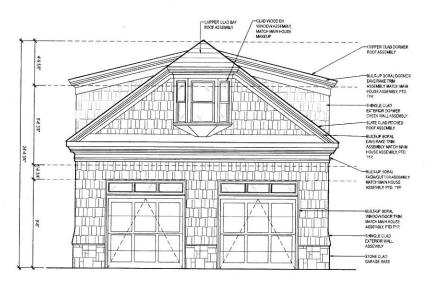
1/4" = 1'-0"



2 GARAGE ELEVATION: RIGHT



3 GARAGE ELEVATION: REAR



1 GARAGE ELEVATION: FRONT

PRIVATE RESIDENCE

8 AILEEN TERR. GLOUCESTER, MA 01930

Daniel H Reynolds Design Collaborative IIc.

Consultants Struc, Ena.

Fort Hill Infrastructure LLC Thomas Galligan, PE 54 Canal St., Boston MA 92114 M. 617-648-1407 O 617-253-6430 E. tjalligan@fortnilintrastructure.com

Contractor: David Clough Construction LLC

PG Box 424 Manchester, MA 01344 M: 508-843-0245 O: 978-468-4045 F: 888-259-8301 E: 10tu ld @gmail.com

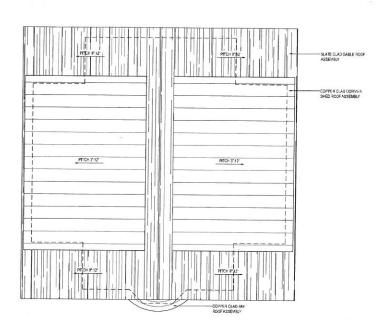
GC TO ENSURE ALL CONSTRUCTION TO COMPLY WITH CURRENT CODE REGULATIONS.

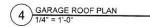
Drawing Information:

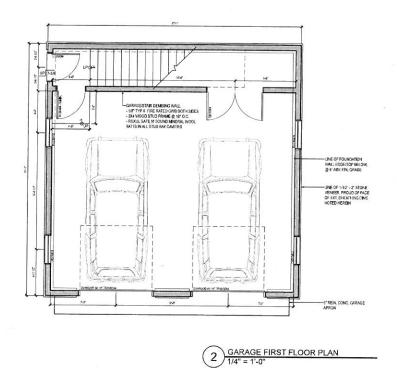
MOJECT NAMES. 2015-09 owners DHR see 67/03/17

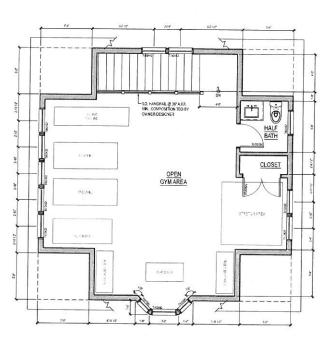
> GARAGE ELEVATIONS

> > G200

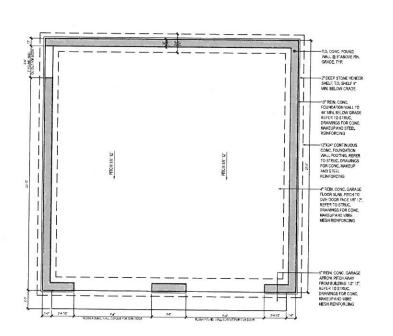








3 GARAGE SECOND FLOOR PLAN
1/4" = 1'-0"



1 GARAGE FOUNDATION PLAN
1/4" = 1'-0"

PRIVATE RESIDENCE

8 AILEEN TERR. GLOUCESTER, MA 01930

Daniel H. Reynolds Design Collaborative IIc.

45 Waltham Street #202A Boxlom, MA 92518 fs: 617 482 3515 6411 517 650 3514 dan@dan-ethreynsles.com

Consultants Struc. Eng.

Fort Hill Infrastructure LLC Thomas Galligan, PE 54 Canal St.,

Boston M4 02114 M: 017-548-1407 O: 617-263-6430 E: tgolligan@fothillinfrasinuctura.com

David Clough Construction LLC

PO 3ox 424 Maiscrester MA 01344 M. 508-84-3045 O 978-468-4045 F 883-259-301

General No

GC TO ENSURE ALL CONSTRUCTION TO COMPLY WITH CURRENT CODE REGULATIONS.

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> GARAGE PLANS

G100

