

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Long Beach, CA 90802-4302
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Th5b

Filed:	12/18/12
180th Day:	6/16/13
Staff:	Al Padilla-LB
Staff Report:	2/14/13
Hearing Date:	3/07/13

STAFF REPORT: CONSENT CALENDAR

Application No.:	5-12-343
Applicant:	Thomas G. Ennis
Agent:	Mina Mamdouh
Location:	6955, 69551/2 6957 S. Trolleyway, Playa del Rey (APN:4116-032-037)
Project Description:	Addition of 885 square feet of interior space, and 356 square feet of exterior second and third floor deck space, to an existing 2,764 square foot three story residential triplex (APN: 4116-032-037).
Staff Recommendation:	Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION:

The applicant proposes to add an additional 885 square feet and 356 square feet of deck area to an existing 2,764 square foot residential triplex located on the beach. The proposed development will not have any adverse impacts to coastal views or coastal resources and is consistent with the surrounding development. Staff recommends approval of the proposed development with three special conditions including: 1) no future shoreline protective device; 2) assumption of risk; and 3) recordation of a deed restriction against the property referencing all of the Standard and Special Conditions contained in this staff report.

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EXHIBITS

- Exhibit 1 - Vicinity Map
- Exhibit 2 – Site Plan
- Exhibit 3 – Parcel Map
- Exhibit 4—First Floor Plan
- Exhibit 5—Second Floor Plan
- Exhibit 6—Third Floor Plan
- Exhibit 7—Elevation Plan

I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve coastal development permit applications included on the consent calendar in accordance with the staff recommendations.

Staff recommends a YES vote. Passage of this motion will result in approval of all permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

RESOLUTION:

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/ or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternative that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS:

This permit is granted subject to the following special conditions:

1. No Future Shoreline Protective Device.

- A. By acceptance of this permit, the applicant agrees, on behalf of itself/himself/herself/themselves and all other successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-12-343 including, but not limited to, the addition to the existing residence, new deck, and patio, and any future improvements, in the event that the development is threatened with damage or destruction from waves, erosion, sea level rise, storm conditions or other natural hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of itself/himself/herself/themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.
- B. By acceptance of this permit, the applicant further agrees, on behalf of itself/himself/herself/themselves and all successors and assigns, that the landowner(s) shall remove the development authorized by this permit, including the (describe approved development i.e. residence, garage, foundations, and patio) if any government agency has ordered that the structure is not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner(s) shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

2. **Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves or flooding; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

3. **Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by

this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS:

A. PROJECT LOCATION & DESCRIPTION

The site is a 3,279 square foot beachfront lot located between the first public road and the sea in the Playa del Rey planning area of the City of Los Angeles. The project site is located between Trolleyway and Dockweiler Beach (Exhibit No. 1), and is within a developed residential area. There is an approximately 350 foot wide sandy beach between the subject property and the mean high tide line.

The applicant proposes the addition of a total of 885 square feet of interior space and 356 square feet of exterior deck space to an existing 2,764 square foot, three story, 32 foot high, residential triplex (Exhibit Nos. 3-7). The new interior space addition will consist of 153 square feet to the first floor, 153 square feet to the second floor, and 579 square feet to the third floor. The new deck space will include 83 square feet to the second floor and 273 square feet to the third floor. The main residential structure will be set back a minimum of 15 feet from the western property line. The proposed second floor deck will be supported by posts and will be set back 11 feet from the western property line. The proposed third floor deck will be set back 25 feet.

The site is located directly inland of a groin and 2,200 feet southeast of the jetties for Ballona Creek and Marina Del Rey and is over 300 feet inland of mean high tide line. Down coast of the site is a series of additional groins. Wave runup and coastal hazard studies that have been prepared for other nearby developments, state that the shoreline structures, in combination, stabilize the shoreline, and conclude that wave runup and overtopping will not significantly impact these area of development.

Vertical public access to the beach is available to pedestrians via a public accessway located adjacent to and along the northern boundary of the project site. The proposed project site abuts the Dockweiler State Beach. The State beach is improved with restroom facilities to the northwest of the project site, volleyball courts to the southwest, and a beach bicycle path that extends along the entire beach. The bicycle path is located approximately 250 feet seaward from the project site. There is no dedicated lateral access or pedestrian boardwalk along the seaward side of this property or in front of any of the neighboring properties along this portion of the beach. As proposed the addition will not interfere with public access to or along the beach.

B. ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. DEVELOPMENT

The proposed addition and setbacks from the western property line is consistent with past Commission permit action for the area. The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

D. HAZARD

Development adjacent to the ocean is inherently hazardous. Development which may require a protective device in the future cannot be allowed due to the adverse impacts such devices have upon public access, visual resources and shoreline processes. To minimize the projects impact on shoreline process, and to minimize risks to life and property the development has been conditioned to prohibit construction of protective devices (such as a seawall) in the future and require that the applicant and any successor-in-interest assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the requirements of Sections 30235 and 30253 of the Coastal Act regarding the siting of development in hazardous locations.

E. DEED RESTRICTION

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Standard and Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

F. LOCAL COASTAL PROGRAM

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Playa del Rey planning area has neither a certified Land Use Plan or Implementation Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. The proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project will

not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT.

There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as submitted, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

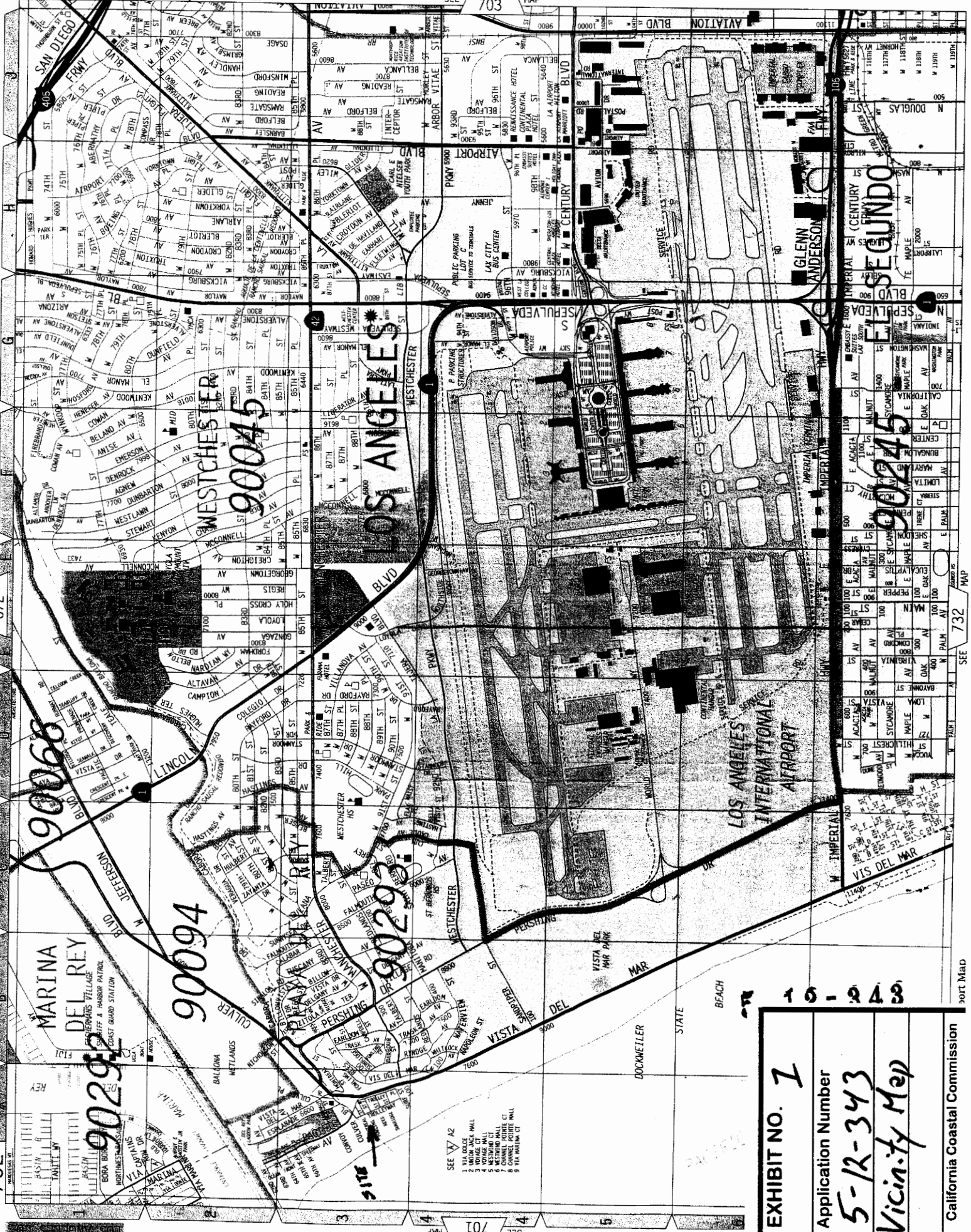


EXHIBIT NO. **I**

Application Number
5-12-343

Vicinity Map

California Coastal Commission

10-248

- SEE A2
- 1 VIA JACK WALL
 - 2 VIA JACK WALL
 - 3 VIA JACK WALL
 - 4 VIA JACK WALL
 - 5 VIA JACK WALL
 - 6 VIA JACK WALL
 - 7 VIA JACK WALL
 - 8 VIA JACK WALL
 - 9 VIA JACK WALL

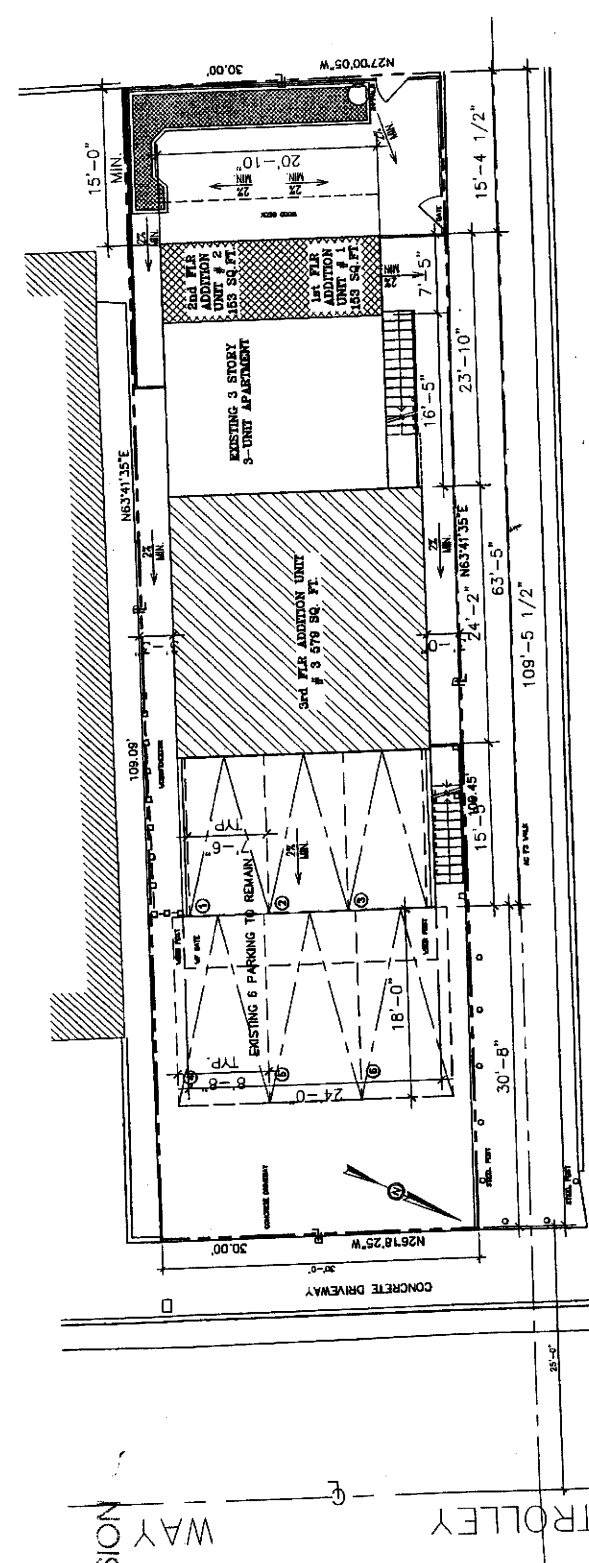
- MINIMUM PERMIT...
- WOOD FLUSH-TYPE DOORS SHALL BE 1 3/8" THICK MINIMUM WITH A SOLID CORE OF WOOD OR PARTICLE BOARD OF 25 PCF DENSITIES.
- WOOD PANEL-TYPE DOORS SHALL BE 1 3/8" THICK MINIMUM WITH ALL PANELS FABRICATED FROM MATERIAL NOT LESS THAN 3/8" IN THICKNESS. HARDWOOD ALL SHAPED PORTIONS OF THE PANELS ARE THICKER THAN 3/8" THICK.
- CYLINDER GUARDS SHALL BE INSTALLED ON ALL CYLINDER LOCKS WHENEVER THE CYLINDER PROJECTS BEYOND THE FACE OF THE DOOR OR IS OTHERWISE ACCESSIBLE TO GRIPPING TOOLS.
- ALL OPENABLE WINDOWS SHALL BE PROVIDED WITH SUBSTANTIAL LOCKING DEVICES IN OCCUPANCIES. SUCH DEVICES SHALL BE GUIDE BARS, BOLTS, SHACKLES, AND BOLTED, HARDENED STEEL HASPS.
- SCREENS, BARRICADES, OR DEVICES MADE OF MATERIAL WHICH PRECLUDE HUMAN EGRESS OR ENTRY SHALL BE PROVIDED AT EVERY PORTION OF EVERY HUMAN EGRESS OR ENTRY OPENING OR SIMILAR SURFACE WITHIN 8 FEET OR A UTILITY POLE OR SIMILAR STRUCTURE.
- PROVIDE DOOR VIEWERS AT FRONT DOOR.

- VENTILATION:
- EXHAUST FAN IN BATHROOMS (WHERE THERE IS NO WINDOW) TO PROVIDE A COMPLETE AIR CHANGE EVERY FIVE MINUTES AND BE CONNECTED LIGHT SWITCH AND FAN TO EXHAUST TO OUTSIDE AIR.
- OPENINGS FOR VENTILATING THE UNDER FLOOR SPACE SHALL BE PROVIDED AT LEAST WALLS. THE NET VENTILATING AREA OF THE INTERIORS SHALL BE PROPORTIONED ON THE BASIS OF 2 SQ. FT. FOR EACH 25 LIN. FT. OF EXTERIOR WALL. ONE OPENING SHALL BE LOCATED WITHIN 3' OF EACH END OF THE WALL.
- GLAZING:
- GLASS AND GLAZING SHALL BE IN ACCORDANCE WITH CHAPTER 24 OF THE CBC.
- ALL SLIDING GLASS DOOR ASSEMBLIES TO HAVE APPROVED GLASS THICKNESS, TYPE AND APPROVED MANUFACTURER'S NAME SHOWN PERMANENTLY ON THE GLASS.
- WORKMEN'S COMPENSATION:
- EACH CONTRACTOR OF SUBCONTRACTOR PERFORMING WORK ON THE PROJECT SHALL HAVE ON FILE WITH THE CITY OF LOS ANGELES A CERTIFICATE OF WORKMEN'S COMPENSATION.

- ELECTRICAL, MECHANICAL AND PLUMBING PERMITS:
- ETC. SHALL OBTAIN AND PAY FOR THEIR APPROPRIATE PERMITS.
- OFF-SITE WORK: THE GENERAL CONTRACTOR SHALL DO ALL OFF-SITE WORK AS REQUIRED BY THE DEPARTMENT OF PUBLIC WORKS.
- UTILITIES: APPROPRIATE SUBCONTRACTORS TO CONSULT WITH WATER, ELECTRIC, SEWER AND TELEPHONE COMPANIES TO VERIFY INSTALLATIONS AND CONNECTIONS.
- GENERAL:
- VERIFICATIONS AND DISCREPANCIES:
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN ON PLANS PRIOR TO STARTING JOB.
- CONTRACTOR WILL BE RESPONSIBLE FOR SUPERVISING THE JOB TO PROTECT THE ENTIRE COURSE OF CONSTRUCTION.
- MODIFICATIONS:
- DETAILS ARE INTENDED TO SHOW METHOD AND MANNER OF ACCOMPLISHING THE WORK. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT THE JOB.
- DIMENSIONS OR CONDITIONS AND SHALL BE INCLUDED AS PART OF THE WORK.

- GAS FIRED WATER HEATER REQUIRES 50 SQ. FT. OF CEILING AND 50 SQ. FT. OF FLOOR AREA WITHIN 12" OF CEILING AND 50 SQ. FT. OF FLOOR AREA WITHIN 12" OF FLOOR.
- ALL FAN SYSTEMS EXHAUSTING TO THE OUTSIDE SHALL BE PROVIDED WITH 1" MECHANICAL VENTILATION SYSTEMS SHALL PER HOUR.
- ALL GAS APPLIANCES, EXCEPT WATER HEATERS, SHALL BE EQUIPPED WITH INTAKE AND EXHAUST DUCTS. LOCATE ENERGY ENVELOPE SHALL HAVE ALL JOINTS SHALL BE INSULATED WITH A MINIMUM OF FIBROUS INSULATION.
- CONTRACTOR OF COMPLIANCE SIGNED BY CONTRACTOR AND GENERAL CONTRACTOR POSTED ON THE SITE.

5-12-343
RECEIVED
 South Coast Region
 DEC 18 2012
 CALIFORNIA
 COASTAL COMMISSION



LEGEND
 FIRST FLOOR ADDITION
 SECOND FLOOR ADDITION
 THIRD FLOOR ADDITION

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

Leaf
 Coastal
 Single
 Dual
 Approved
 Date

EXHIBIT NO. 3

Application Number
 5-12-343

Site Plan

California Coastal Commission

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KARNAK DEVELOPMENTS INC

PROJECT:
3 UNITS APARTMENT REMODEL AND ADDITIONS
 955 S TROKIDENA PL #44 DC, REC. CL 90322

OWNER:
 MR THOMAS BINNS
 230 E GARDNER AVE
 WEST COAST, CA 90705

TITLE:
FIRST FLOOR PLANS



ISSUE/REVISION	DATE

DESIGNED BY: M.M.
CHECKED BY: M.M.
DATE: 04/15/12
SCALE: NOTED
JOB NO. SHEET NO. EXHIBIT: A-01

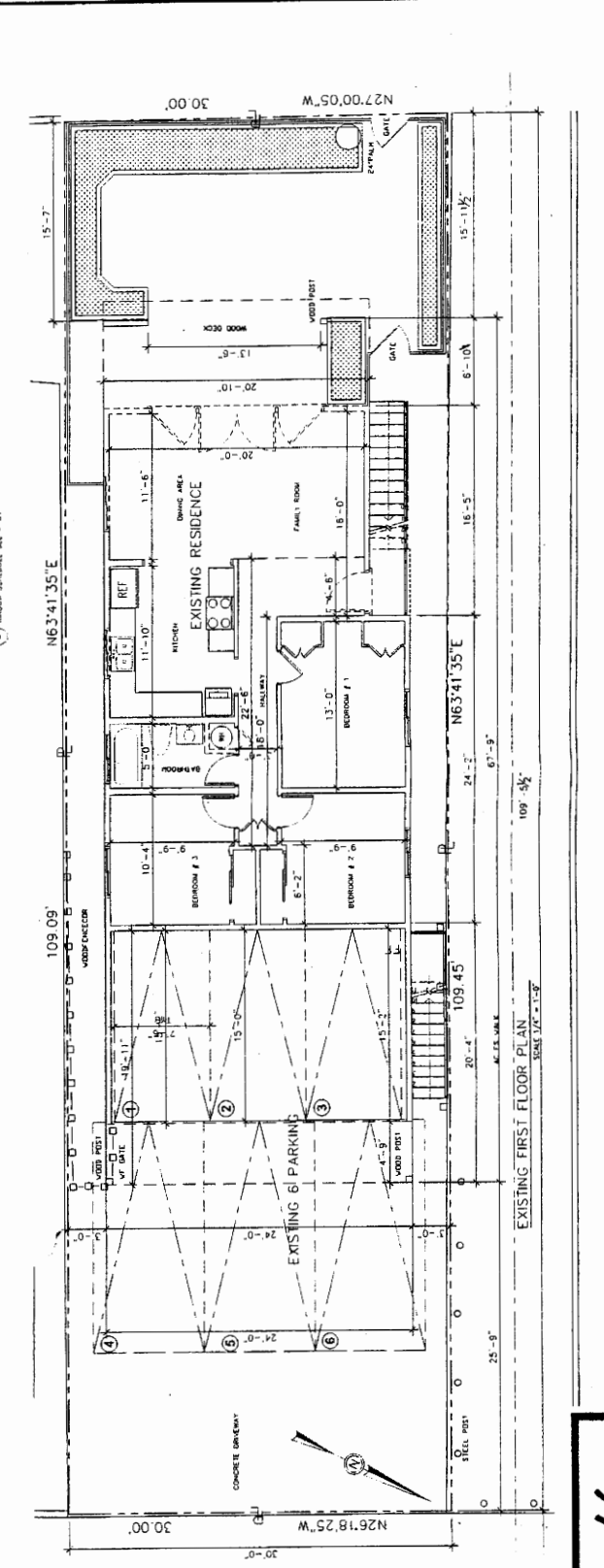
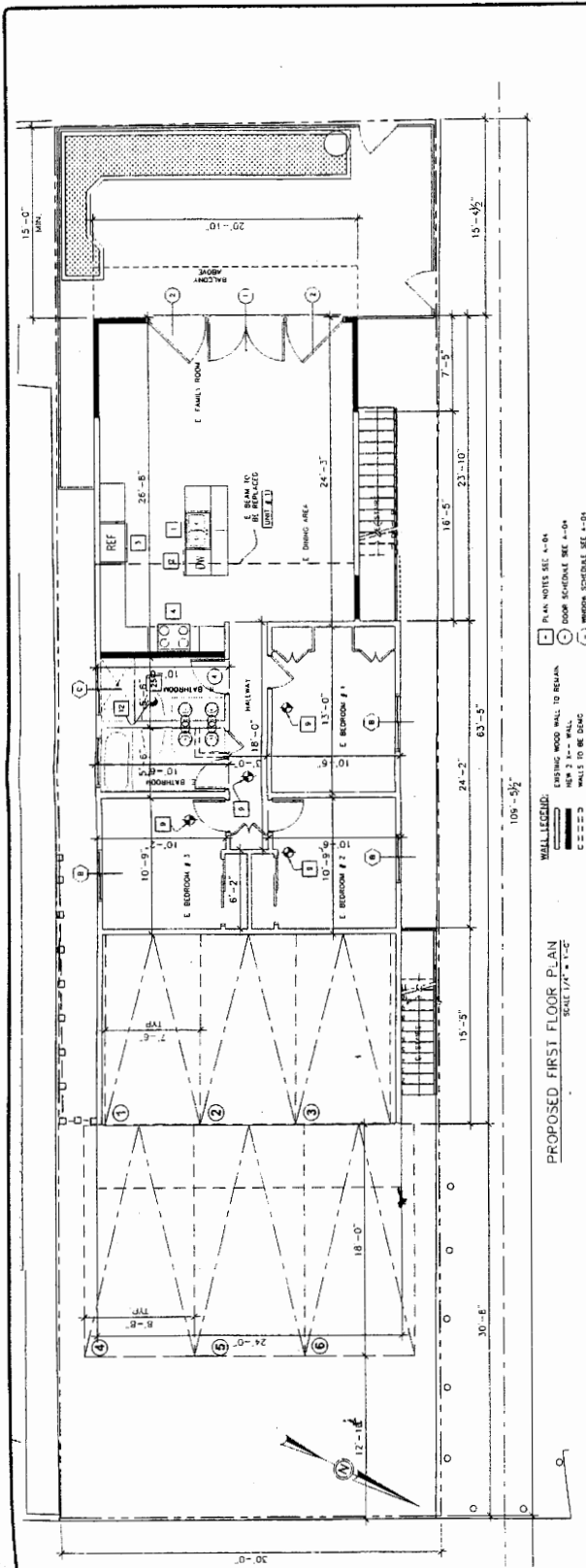


EXHIBIT NO. 4

Application Number
5-12-343

First Floor Plan

California Coastal Commission

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KARNAK DEVELOPMENTS, INC.

PROJECT:
3 UNITS
APARTMENT
REMODEL
AND ADDITIONS
6955 S. THOLETWAY,
PLAZA DEL REY, CA 90232

OWNER:
MR. THOMAS
DINKS
695 S. PASCADUE AVE
INDIANHOLM, CA 90330



EXISTING & PROPOSED
SECOND FLR PLAN

DATE	REVISION

DESIGN BY:	M.A.
CHECKED BY:	M.A.
DATE:	01/15/12
SCALE:	NOTED
JOB NO.:	CONES
SHEET NO.:	A-02

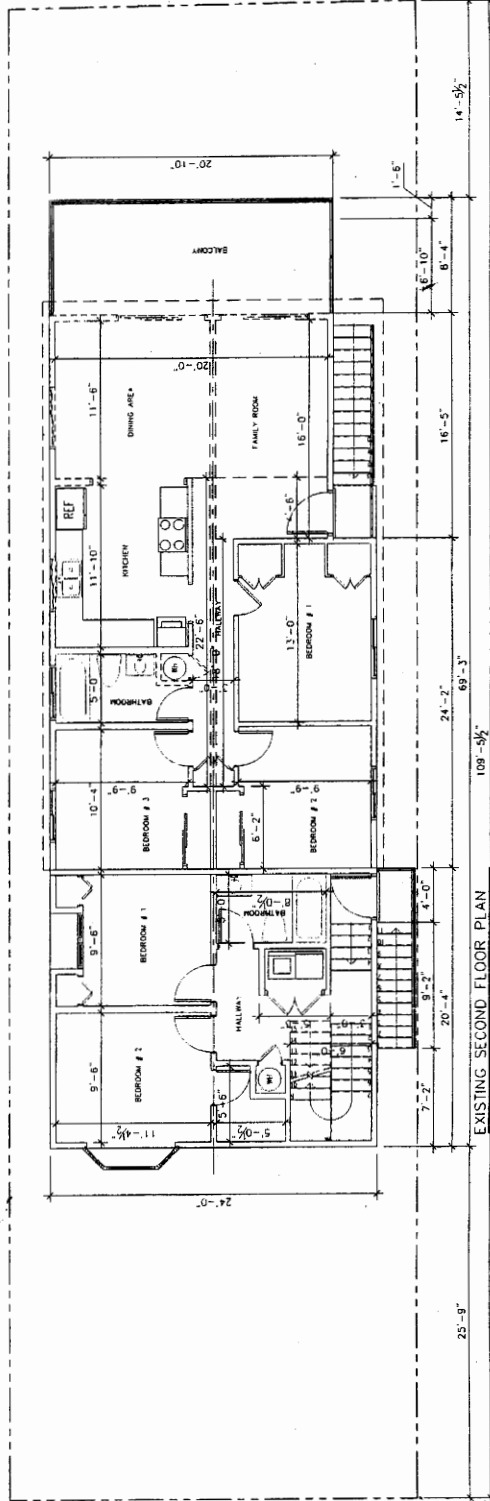
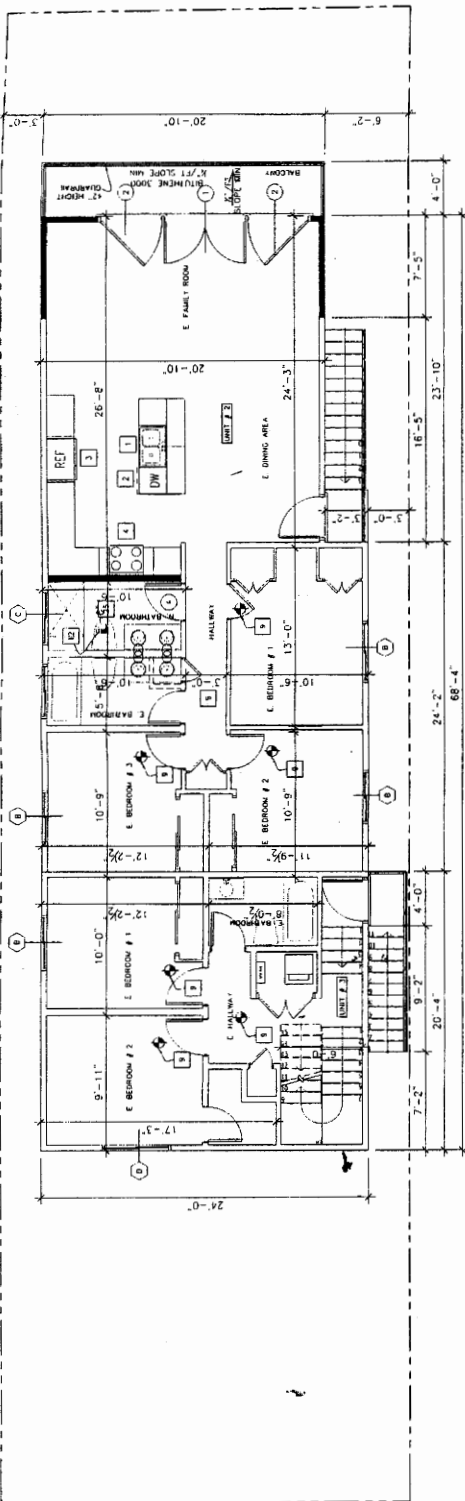
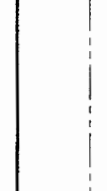


EXHIBIT NO. 5
Application Number 5-12-343
Second Floor Plan
California Coastal Commission

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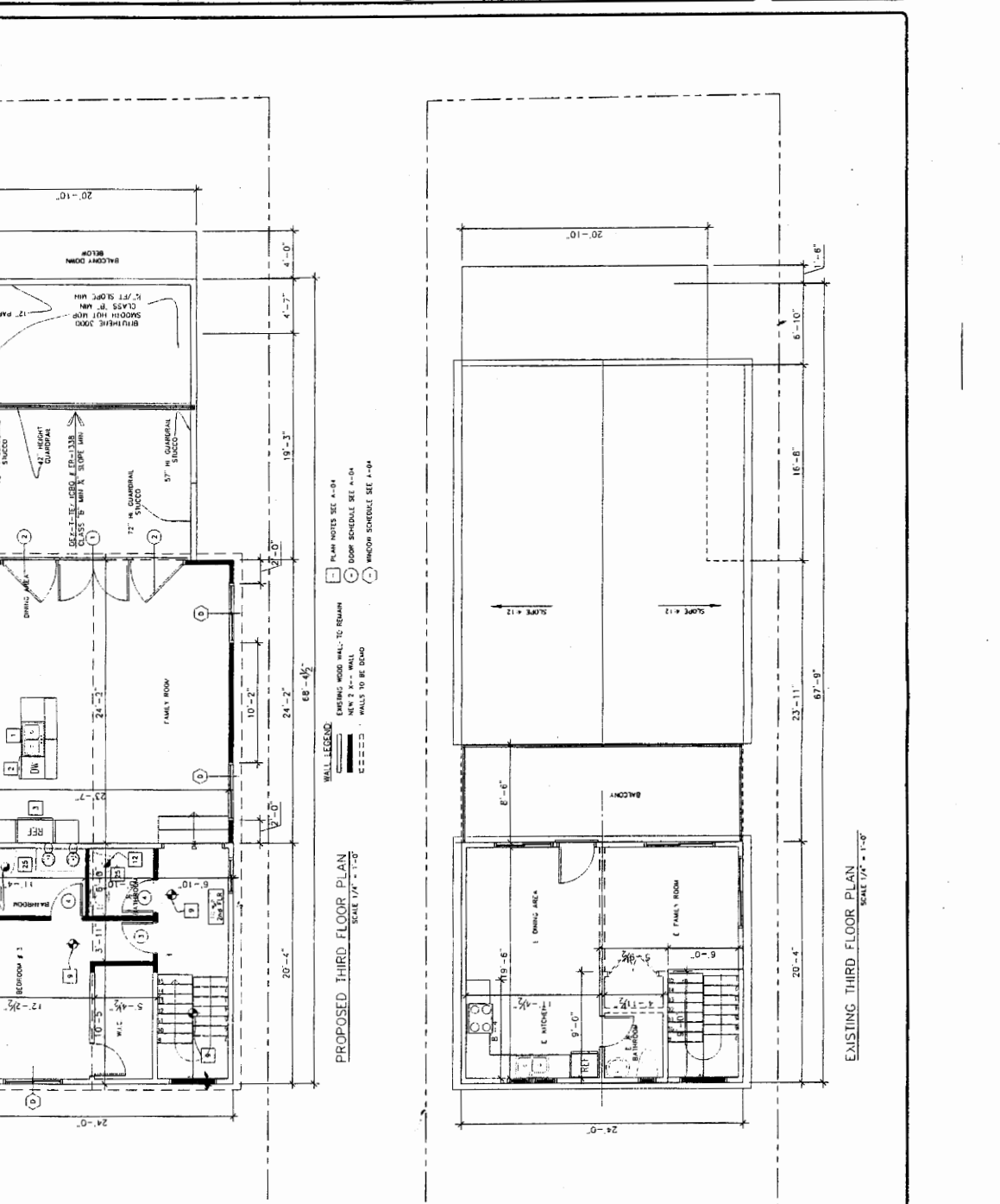
KARNAK DEVELOPMENTS, INC.
 PROJECT: **3 UNITS APARTMENT REMODEL AND ADDITIONS**
 9542 - 11000TH ST
 PLEASANTON, CA 94566
OWNER: MR. THOMAS ENNIS
 225 S. FIDELITY AVE.
 FIDELITY CAPITAL INVESTMENTS
 PLEASANTON, CA 94566



TITLE
 EXISTING & PROPOSED
 THIRD FLOOR PLAN

ISSUE/REVISION	DATE

DRAWN BY: N.M.
 CHECKED BY: N.M.
 DATE: 04/19/12
 SCALE: NOTED
 JOB NO.: 200102
 SHEET NO.: A-03



PROPOSED THIRD FLOOR PLAN
 SCALE 1/4" = 1'-0"

EXISTING THIRD FLOOR PLAN
 SCALE 1/4" = 1'-0"

EXHIBIT NO. 6
 Application Number
5-12-343
Third Floor
Plan
 California Coastal Commission

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KARNAK DEVELOPMENTS, INC.
 PROJECT: 3 UNITS APARTMENT REMODEL AND ADDITIONS
 8955 S. HOLLEMAN ST., PLYMOUTH, CA 92257

OWNER: MR. THOMAS ZINNE
 233 W. EMERSON AVE. HILLSBORO, CA 94023

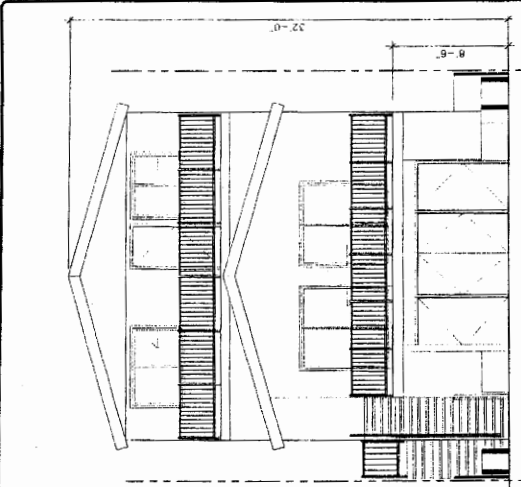
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 SHEET NO. _____



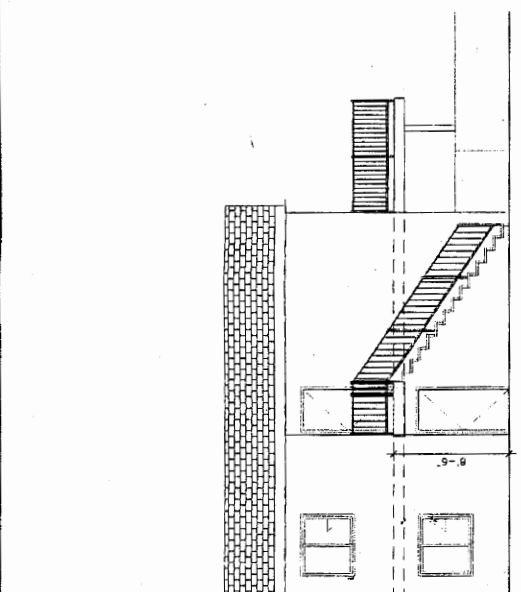
EXISTING ELEVATIONS

NO./REVISION	DATE

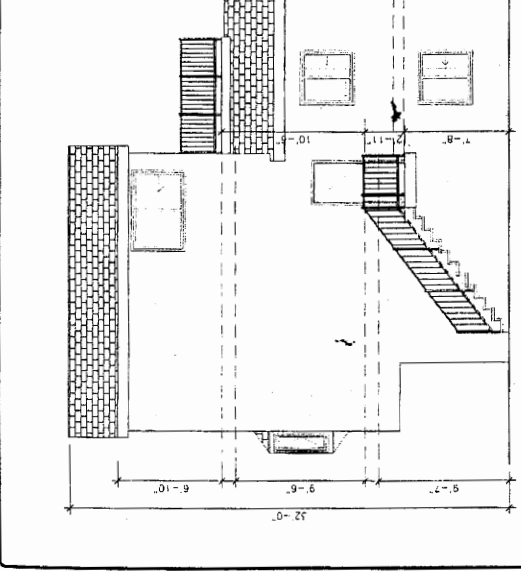
EXHIBIT NO. 7
 Application Number
 5-12-343
Eleventions
 California Coastal Commission



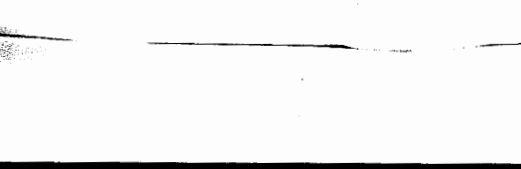
E. WEST ELEVATION (OCEAN SIDE) SCALE: 1/4" = 1'-0"



E. NORTH ELEVATION (WALK SIDE) SCALE: 1/4" = 1'-0"



E. SOUTH ELEVATION (NEIGHBOR SIDE) SCALE: 1/4" = 1'-0"



E. EAST ELEVATION (STREETSIDE) SCALE: 1/4" = 1'-0"

NAME: D:\Org\Curren\Troy - Photo Del Rev\CoordArch\Final\Trolleyway 12 11 2.dwg Dec 12, 2012 12:12pm