MEMORANDUM

To: Board of Adjustment Members
From: Jonathan Kanipe, Town Manager
Re: Board of Adjustments Case Number 2 (57 Chauncey Circle)
Date: December 9, 2019

Request for Special Use Permit for Construction of a Swimming Pool with Fencing
Request for a Variance for Construction of a Wall in the Front Yard Setback
Request for a Variance for Exceeding the Maximum Allowed Roof Coverage

The property owner has presented plans for construction of a new single-family home with an in-ground pool and a hot tub. The size of the lot is one acre that allows a maximum roof coverage of 4,682 square feet. A variance is requested to exceed the roof coverage allowed by approximately sixteen percent, totaling 5,424.4 square feet. The overage is due to an effort to limit visual impact and decrease height of the house to protect overall view of the site from neighboring property owners. The majority of the house is proposed to be one story, with one small two-story section visible from the road.

A second variance is requested for construction of a 3’ to 6’ wall to be located in the front yard setback. Accessory structures, including walls, are not allowed in the front yard setback according to the Biltmore Forest zoning ordinance. The wall is required by The Ramble Design Review Committee for screening of a garage.

A special use permit application for accessory structures has been submitted for the pool, hot tub, and fence. The pool will be screened with a continuous barrier consisting of a combination of walls, hedges, and fencing. The pool/hot tub area will not be visible from adjoining properties.
Zoning Compliance Application
Town of Biltmore Forest

Name
Mark Rudolf

Property Address
57 Chauncey Circle

Phone
(970) 618-1889

Email
mark@vellumad.com

Parcel ID/PIN Number
964660915300000

ZONING INFORMATION

Current Zoning
R-3

Lot Size
1 acre

Maximum Roof Coverage
4,682 square feet (Up to 1 acres)

Proposed Roof Coverage Total
5424.4 s.f.

Maximum Impervious Surface Coverage
Up to 1 acre (27.5 percent of lot area)

Proposed Impervious Surface Coverage
25.4%

Front Yard Setback
50 feet (R-2, R-3, R-4, and R-5 Districts)

Side Yard Setback
15 feet (R-2, R-3, R-4, and R-5 Districts)

Rear Yard Setback
20 feet (R-2, R-3, R-4, and R-5 Districts)

Building Height
23'-10"

Description of the Proposed Project
See previous Application

Estimated Start Date
2/15/2020

Estimated Completion Date
6/30/2021

Estimated Cost of Project
$1,200,000.00

Supporting Documentation (Site Plan, Drawings, Other Information)
2019-11-25- ALA - BARLAS RESIDENCE.pdf
Special Use Permit Application  
Town of Biltmore Forest

Name  
Mark Rudolf

Address  
57 Chauncey Circle

Phone  
(970) 618-1889

Email  
mark@vellumad.com

Please select the type of special use you are applying for:  
Accessory Structures

The applicant must show that the proposed use will not materially endanger public health or safety or injure value of adjoining or abutting property. In addition, the proposed use must be in general conformity with the plan of development of the town and be in harmony with scale, bulk, height, coverage, density, and character of the neighborhood.

Please provide a description of the proposed project:  
The proposed project consists of a single-family home (4157 conditioned s.f.) with an in-ground pool and hot tub. The pool and hot tub will be protected by a continuous barrier (as per state codes) consisting of a combination of walls, hedges, and fences. These features will be built to code standards.

Explain why the project would not adversely affect the public interest of those living in the neighborhood:  
The pool and hot tub are well screened and will not be visible from adjoining properties. They will also be secured per state codes as described above.

I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Signature  
[Signature]

Date  
11/25/2019
Special Use Permit Application
Town of Biltmore Forest

Name
Mark Rudolf

Address
57 Chauncey Circle

Phone
(970) 618-1889

Email
mark@vellumad.com

Please select the type of special use you are applying for:
Accessory Structures

The applicant must show that the proposed use will not materially endanger public health or safety or injure value of adjoining or abutting property. In addition, the proposed use must be in general conformity with the plan of development of the town and be in harmony with scale, bulk, height, coverage, density, and character of the neighborhood.

Please provide a description of the proposed project:
We are proposing a 4'-0" fence designed per state pool codes to enclose our previously proposed pool and hot tub. This fence will not run continuous but will provide infill between other barriers including hedges and walls. The combination of these elements is part of the overall landscape design. The general goal is to minimize the use of fences and obscure them as much as possible. The fence and other barriers are necessary to meet state pool codes and insurance requirements.

Explain why the project would not adversely affect the public interest of those living in the neighborhood:
As stated above, the design proposal minimizes the use of fences as much as possible and obscures them whenever possible. The largest section of visible fence contains the main gate out of the rear yard to the rest of the property.

I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Signature
[Signature]

Date
11/25/2019
VARIANCE APPLICATION
Town of Biltmore Forest

Name
Mark Rudolf

Address
57 Chauncey Circle

Phone
(970) 618-1889
Email
mark@vellumad.com

Current Zoning/Use
R
Requested Use
R

APPLICATION REQUIREMENTS: An application to the Board of Adjustment for a variance must be submitted to the Town of Biltmore Forest Town Manager at least 21 days prior to the meeting at which the application will be considered. A pre-application meeting with Town staff is required prior to application submittal to the Board of Adjustment.

What would you like to do with your property?
As part of the proposed single-family home, we are requesting a variance for a proposed low wall in the front setback. This wall varies in height from 3’ tall to 6’ tall and will be made of brick masonry to match the proposed residence. This wall was required by the Ramble Design Review Committee to help screen the garage of the proposed residence.

What does the ordinance require?
The ordinance does not allow built structures within the setback.

BOARD OF ADJUSTMENT: N.C.G.S. 160A-388(D) requires that the Board of Adjustment shall vary the provisions of the Zoning Ordinance only upon a showing of ALL the items below. The Board of Adjustment must follow strict procedure and all determinations must be decided by a concurring vote of four-fifths of the members of the Board. It is important to provide detailed supporting documentation for the Board of Adjustment to review. If necessary, additional sheets may be attached to this application.

REQUIRED FINDINGS: Please provide a thorough response to each.

Unnecessary hardship would result from the strict application of the ordinance.
In order to gain approval from the Ramble Design Review Committee, we were required to add this landscape wall to provide visual screening (along with the proposed hedge behind the wall). Without this screening the project would not be approved.

The hardship results from conditions that are peculiar to the property, such as location, size, or topography.
Due to the property location within the community of The Ramble, we were required to add this element. This property must meet both The Ramble design guidelines and the Zoning Ordinance of Biltmore Forest.

The hardship did not result from actions taken by the applicant or the property owner.
It was necessary for community approval of the proposed residence design.

The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.
The proposed low wall was designed as part of the larger landscape design of the residential property and consists of the same material palate. The overall design was approved by The Ramble Design Review Committee to insure that it meets the strict guidelines of the community. The proposed design will not impact public safety.

I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Signature

Date
11/25/2019
VARIANCE APPLICATION
Town of Biltmore Forest

Name
Mark Rudolf

Address
57 Chauncey Circle

Phone
(970) 618-1889

Email
mark@vellumad.com

Current Zoning/Use
R

Requested Use
R

APPLICATION REQUIREMENTS: An application to the Board of Adjustment for a variance must be submitted to the Town of Biltmore Forest Town Manager at least 21 days prior to the meeting at which the application will be considered. A pre-application meeting with Town staff is required prior to application submittal to the Board of Adjustment.

What would you like to do with your property?
We are requesting a variance to allow the proposed residence to exceed the Maximum Roof Coverage dictated in the Zoning Ordinance. Our current roof coverage is 5424.4 s.f. (4682 s.f. allowed)
The proposed residence is designed to sit low on the property and below the tree canopy. The overall form follows the topography from the east to the west and is meant to reduce the visual impact of the house in the landscape and the community. There is only a small two-story section of the house visible from the road. The modern aesthetic of the design includes flat roofs that reduce the overall height of the project (23'-10" overall height) and overall mass/volume of the house (a pitched roof design would produce a much larger structure).
The flat roofs also provide solar screening and rain protection. The house is also designed to be primarily one-story so that the clients can live on a single level and age in place. The main level of the house is arranged in a way to to take maximum advantage of the immediate landscape by creating a series of courtyards, gardens and outdoor spaces. The combination of these factors created a design that is more sprawling but less visually impactful to the surrounding community. Despite the fact that the design exceeds the maximum roof coverage, the overall impervious area (25.4%) is much lower than the maximum allowable (27.5%).

What does the ordinance require?
The Maximum Roof Coverage per the Ordinance for a 1 acre parcel is 4682 s.f..

BOARD OF ADJUSTMENT: N.C.G.S. 160A-388(D) requires that the Board of Adjustment shall vary the provisions of the Zoning Ordinance only upon a showing of ALL the items below. The Board of Adjustment must follow strict procedure and all determinations must be decided by a concurring vote of four-fifths of the members of the Board. It is important to provide detailed supporting documentation for the Board of Adjustment to review. If necessary, additional sheets may be attached to this application.

REQUIRED FINDINGS: Please provide a thorough response to each.

Unnecessary hardship would result from the strict application of the ordinance.
The proposed design is in response to the clients wishes to have single-level living but is also based on the specific site constraints of this particular property. The design is meant to limit overall site disturbance (25.4% impervious area) and visual impact on the community. In order to meet the maximum roof
coverage while still meeting the required building program and design goals, the building would have to grow vertically which would lead to a much taller and more visually massive structure. This would not be an improvement for the community nor to the spirit of the design.

The hardship results from conditions that are peculiar to the property, such as location, size, or topography.
The design of the house was created in direct response to the site conditions of the property. The roof design includes particular overhangs that respond to the solar orientation and rainfall of the subject property. The roof extends over entrances to provide adequate rain protection and extends to the south to protect from summer sun. These responses increase the overall roof coverage. In addition, the low profile design, that is meant to allow the home to blend into the landscape leads to an increased building footprint and additional roof coverage.

The hardship did not result from actions taken by the applicant or the property owner.
The proposed design is in response to the subject property and its particular attributes and constraints. In order to meet the client's goals of single-level living and an open modern design, we have reduced the overall scale of the structure through lower profile forms and flat roofs. The combination of these elements produced increased roof coverage but less overall visual impact.

The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.
I believe it is the intent of the Ordinance to keep structures within the town of Biltmore Forest at a scale that maintains the historic character of the town and reduce the visual impact of the built environment. By reducing the roof coverage of a project it helps to limit the footprint of a structure and in turn minimizes the overall scale. I think the other goal is to reduce the overall impact of the construction on the environment. Our proposed design reduces the visual impact with a more low profile form that stretches along the property. Though this approach raises the roof coverage, it still is in keeping with the spirit of the ordinance. In addition the design limits the environmental impact by reducing the impervious area well below the maximum allowable.

I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Signature  

Date  
11/25/2019
BARLAS RESIDENCE | LIVING TERRACE VIEW

ACETO LANDSCAPE ARCHITECTS | WWW.ACETOLA.COM
GENERAL NOTES:

A. THE ATTACHED DOCUMENTS, DRAWINGS, SPECIFICATIONS, SCHEDULES, SHEETS, AND ALL OTHER MATERIALS, TOGETHER WITH THESE GENERAL NOTES, SHALL CONSTITUTE THE CONTRACT DOCUMENTS FOR THIS PROJECT.

B. THE CONTRACT DOCUMENTS ARE IN THE NATURE OF A SUGGESTED DESIGN WHICH IS SUBJECT TO CHANGE UPON REVIEW BY THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY AND ORGANIZATION OF ALL WORK TO BE PERFORMED.

C. THE CONTRACTOR SHALL COORDINATE WITH AND REVIEW THE CONTRACT DOCUMENTS WITH THE ARCHITECT TO DETERMINE ANY DISCREPANCIES AND RESOLVE THEM PRIOR TO PROCEEDING.

D. THE CONTRACTOR SHALL PROVIDE ACCESS TO THE DRAWINGS FOR THE ARCHITECT TO REVIEW AND PROVIDE FEEDBACK BEFORE PROCEEDING WITH ANY WORK.

E. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY CONFLICTS WITH PRINCIPAL TRADES.

F. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE CONTRACT DOCUMENTS.

G. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE CONTRACT DOCUMENTS.

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T. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE CONTRACT DOCUMENTS.

U. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE CONTRACT DOCUMENTS.

V. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE CONTRACT DOCUMENTS.

W. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE CONTRACT DOCUMENTS.

X. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE CONTRACT DOCUMENTS.

Y. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE CONTRACT DOCUMENTS.

Z. THE CONTRACTOR SHALL STATE IN WRITING WITHIN 24 HOURS ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE CONTRACT DOCUMENTS.
Barlas Residence
Sheet A100

Schematic Design
09/26/2019

FLOOR ELEVATIONS
- MAIN LEVEL TO TOP = 112'-0" (SITE = 2121'-0")
- GARAGE TO CONC = 99'-6" (SITE = 2108'-6")
- COVERED DECK AREA = 892 sq ft
- COVERED DECK AREA = 525 sq ft
- COVERED DECK AREA = 228 sq ft

FLOOR AREA CALCULATION

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Notes:
- FAR Floor Area Totals
- Site Plan
- Scale: 1" = 10'
- Copyright 2019 Vellum Architecture & Design
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These documents have been prepared specifically for the TBD Chauncey Circle Asheville, NC 28803.
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Barlas Residence

Schematic Design 09/26/2019
Design Review 11/25/2019

North Elevation

GENERAL NOTES
1) Indicates window, see window schedule on A701
2) Indicates door, see door schedule on A703

ELEVATIONS MATERIAL LEGEND
- Brick Veneer
- Horizontal Wood Rainscreen
- Thermory 1x6 Ash Wood Timbers & Trim
- Richlite Black Diamond Paper Composite Panel

DOOR CLADDING TO MATCH CLADDING
GARAGE DOOR FLUSH WITH CLADDING
These documents have been prepared specifically for the TBD Chauncey Circle Asheville NC 28803 Project. They are not suitable for use on other projects or in other locations without the approval and participation of the Architect. Reproduction prohibited without approval of the Architect.

Barlas Residence

Sheet Title: A302

Scale: 1/4" = 1'-0"

West Elevation

Barlas Residence

© 2019 Vellum Architecture & Design
South Elevation

ELEVATIONS MATERIAL LEGEND
- BRICK VENEER
- HORIZONTAL WOOD RAINESSCREEN
- WOOD TIMBERS & TRIM
- PAPER COMPOSITE PANEL

GENERAL NOTES
1) INDICATES WINDOW, SEE WINDOW SCHEDULE ON A701
2) INDICATES DOOR, SEE DOOR SCHEDULE ON A703

BRICK VENEER
Corso White
HORIZONTAL WOOD RAINESSCREEN
Thermory 1x6 Ash
WOOD TIMBERS & TRIM
PAPER COMPOSITE PANEL
Richlite Black Diamond

NOT FOR CONSTRUCTION

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NOT FOR CONSTRUCTION

SCALE: 1/4" = 1'-0"

W-E Section @ M.Bedroom

W-E Section @ Garage
These documents have been prepared for the specific use of the Balas Residence and are not suitable for use on other projects or in other locations without the approval and participation of the Architect. Reproduction prohibited without approval of the Architect.

Barlas Residence
SHEET  TITLE A405
COPYRIGHT
DATE
ISSUE
DRC Submittal
09/12/2019
TBD Chauncey Circle
Asheville, NC 28803
Print Date: 11/25/19
Schematic Design
09/26/2019
Design Review
11/25/2019

SECTION
NOT FOR CONSTRUCTION

99'-6"
T.O. CONC. - GARAGE
112'
T.O. PLY. - UPPER LEVEL
122'-5/8"
T.O. PLATE - UPPER LEVEL
98'
T.O. PLY. - MAIN LEVEL
107'-4 3/4"
T.O. PLATE - POWDER & OFFICE

CRAWLSPACE
GARAGE
HALL
FITNESS
OFFICE
POWDER
EXISTING GRADE
ALONG SECTION CUT

SCALE: 1/4" = 1'-0"
W-E Section @ Office
1) SEE PLAN & ELEVATIONS FOR DOOR/ WINDOW UNIT OPERATION & SWINGS
2) ALL NEW GLAZING TO BE LOW E- GLASS. MINIMUM INSULATION VALUE OF **U=.32** PER IECC REQUIREMENTS FOR CLIMATE ZONE 4A (OR AS SPECIFIED IN HERS ENERGY REPORT)
3) SAFETY GLAZING TO BE INSTALLED PER IRC R308.4. SEE ELEVATIONS FOR SAFETY GLAZING (SG) LOCATIONS.
4) WINDOW MANUFACTURER TO PROVIDE SCREENS FOR ALL OPERABLE WINDOWS. DOOR MANUFACTURER TO PROVIDE SCREENS FOR ALL PROVIDED EXTERIOR DOORS.
5) WINDOW/ DOOR MULLIONS PER ELEVATIONS/ SCHEDULE.
6) ALUMINUM CLAD DOOR & WINDOW UNITS FINISH COLOR TO BE DARK BRONZE.

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6) ALUMINUM CLAD DOOR & WINDOW UNITS FINISH COLOR TO BE DARK BRONZE.

WINDOW SCHEDULE

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<tr>
<td>W x H</td>
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<td>8'-6&quot;x9'-6&quot;</td>
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<tr>
<td>TYPE</td>
<td>Tilt-Turn</td>
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<td>NOTES</td>
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</tbody>
</table>
1) SEE PLAN & ELEVATIONS FOR DOOR/ WINDOW UNIT OPERATION & SWINGS
2) ALL NEW GLAZING TO BE LOW E-GLASS. MINIMUM INSULATION VALUE OF U=.32 PER 20XX IECC REQUIREMENTS FOR CLIMATE ZONE 4A.(OR AS SPECIFIED IN HERS ENERGY REPORT)
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5) WINDOW/ DOOR MULLIONS PER ELEVATIONS/ SCHEDULE.
6) ALUMINUM CLAD DOOR & WINDOW UNITS FINISH COLOR TO BE DARK BRONZE.

DOOR & WINDOW NOTES

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5) ALUMINUM CLAD DOOR & WINDOW UNITS FINISH COLOR TO BE DARK BRONZE.

DOOR SCHEDULE - EXTERIOR

<table>
<thead>
<tr>
<th>ID</th>
<th>ELEV</th>
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<tr>
<td>D101</td>
<td>5'-2&quot;</td>
<td>Cladding to match siding</td>
</tr>
<tr>
<td>D102</td>
<td>9'-11 1/4&quot;</td>
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</tr>
<tr>
<td>D103A</td>
<td>14'-2&quot;</td>
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<tr>
<td>D103B</td>
<td>12'-1&quot;</td>
<td></td>
</tr>
<tr>
<td>D123A</td>
<td>4'</td>
<td></td>
</tr>
<tr>
<td>D123B</td>
<td>10'-1 3/4&quot;</td>
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<tr>
<td>D123C</td>
<td>18'-2&quot;</td>
<td></td>
</tr>
<tr>
<td>D135</td>
<td>8'-3&quot;</td>
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<td>D136</td>
<td>3'-2&quot;</td>
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<td>D137</td>
<td>13'-10&quot;</td>
<td></td>
</tr>
<tr>
<td>D138</td>
<td>10'-11 1/4&quot;</td>
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<tr>
<td>D139</td>
<td>13'-8&quot;×10'-10 1/4&quot;</td>
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<td>D140</td>
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</tr>
<tr>
<td>D141</td>
<td>13'-8&quot;×10'-10 1/4&quot;</td>
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</tbody>
</table>

MATERIAL TYPE NOTES

Cladding to match siding
DOOR & WINDOW NOTES

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DOOR SCHEDULE - INTERIOR

<table>
<thead>
<tr>
<th>ID</th>
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<th>MATERIAL</th>
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<tbody>
<tr>
<td>106</td>
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<td>4'-4&quot;×8'</td>
<td>TYPE</td>
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<tr>
<td>108</td>
<td>8'-1&quot;</td>
<td>2'-6&quot;×8'</td>
<td>NOTES</td>
</tr>
<tr>
<td>110</td>
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<td></td>
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<tr>
<td>121</td>
<td>8'-1&quot;</td>
<td>5'×9'-6&quot;1/2</td>
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<tr>
<td>123</td>
<td>8'-1&quot;</td>
<td>3'-8&quot;×8'</td>
<td></td>
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<tr>
<td>126</td>
<td>8'-1&quot;</td>
<td>3'-2&quot;×8'</td>
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<td>127</td>
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<tr>
<td>129</td>
<td>8'-1&quot;</td>
<td>3'-2&quot;×8'</td>
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</tbody>
</table>

NOT FOR CONSTRUCTION

10/25/19

Barlas Residence

Schematic Design
09/26/2019

Design Review
11/25/2019

vellum architecture + design

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Barlas Residence

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DATE
ISSUE

DRC Submittal
09/12/2019
TBD Chauncey Circle
Asheville, NC 28803

Print Date: 11/25/19

Schematic Design
09/26/2019
Design Review
11/25/2019

3D VIEWS
NOT FOR CONSTRUCTION

BRICK VENEER
Corso White

HORIZONTAL WOOD CLADDING
Thermory 1x6 Ash

PAPER COMPOSITE PANEL
Richlite Black Diamond

WOOD CLADDING

PAPER COMPOSITE PANEL

GARAGE DOORS W/ WOOD CLADDING

TIMBER SCREEN WALL

GYPSUM CEILINGS

DECKING TO MATCH CLADDING

Timber Composite

NORTH PERSPECTIVE

SOUTH PERSPECTIVE

WEST PERSPECTIVE

EAST PERSPECTIVE