



Development Services Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: 390 SE 2nd Avenue
Project Location: 390 SE 2nd Avenue
Request: Class II Site Plan Modification
PCN: 12-43-46-16-01-080-0140
Board: Site Plan Review and Appearance Board
Meeting Date: August 11, 2021
Board Action: (5-0; Dana Adler Post absent)

Board Action:

Approved (5-0 Dana Adler Post absent)

Project Description:

The property is located on the west side of SE 2nd Avenue north of SE 4th St in the Central Business District (CBD) in the Railroad Corridor Sub-district. The property consists of 0.37 acres and is known as TOWN OF DELRAY S 150 FT of RY BLK 80.

The property was built in 1956 and was used for automotive repair and most recently for warehouse, distribution, and fabrication.

A Class II Site Plan Modification was approved as presented for the storage of art and an office. New parking, perimeter fence, slide gate and landscaping is proposed as well as minor architectural changes and new painting to the building. There are existing non-conformities that exist on the site. The applicant is maintaining the existing non-conformities or decreasing the nonconformities with the proposed changes.

Board Comments:

N/A

Public Comments:

Associated Actions:

N/A

Next Action: The SPRAB action is final unless appealed by the City Commission.



SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444

PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: August 11, 2021

File No.: 2021-173 SPF-SPR-CL2

Application Type: Class II Site Plan Modification

General Data:

Owner: Richard M Cohen

Agent: Jose Torres; CSA Architects

Location: 390 SE 2nd Avenue

PCN: 12-43-46-16-01-080-0140

Property Size: 0.31 Acres

FLUM: CC (Commercial Core)

Zoning: CBD (Central Business District) Railroad Corridor Sub-district

Adjacent Zoning:

- North: CBD
- South: R-1-A (Single Family Residential)
- East: CBD
- West: Railroad
-

Existing Land Use: Warehouse/Distribution

Proposed Land Use: Storage and Office



Item before the Board:

The action before the Board is the consideration of a Class II Site Plan Modification for 390 SE 2nd Avenue associated with a

- Site Plan
- Landscape Plan
- Architectural Elevations

Optional Board Motions for Action Items:

1. Move to continue with direction.
2. Move approval of the Class II Site Plan Modification, Landscape Plan, and Architectural Elevations (2021-173) for **390 SE 2nd Avenue** as amended, by adopting the findings of fact and law contained in the staff report and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
3. Move denial of the Class II Site Plan Modification, Landscape Plan, and Architectural Elevations (2021-173) for **390 Se 2nd Avenue** as amended, by adopting the findings of fact and law contained in the staff report and finding that the request is not consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.

Project Planner:

Jennifer Buce
buce@mydelraybeach.com
561-243-7138

Review Dates:

August 11, 2021

Attachments:

1. Site Plan
2. Elevations
3. Landscape Plan



Notes:

1. The four Eagleston Holly are proposed at a 12 ft height with a six-foot spread. Pursuant to LDR 4.6.16(E)(5), Tree species shall be a minimum of 16 feet in overall height at the time of planting, with a minimum of six feet of single trunk with eight feet of clear trunk, and a seven-foot spread of canopy. The Landscape Reviewer recommends that the applicant consider replacing the Eagleston Holly with Seagrape or Greenwood Buttonwood as an acceptable native alternative with sufficient canopy spread. This change will be made at certification.
2. That Engineering be addressed accordingly during building permit.

Background:

The property is located on the west side of SE 2nd Avenue north of SE 4th St in the Central Business District (CBD) in the Railroad Corridor Sub-district. The property consists of 0.37 acres and is known as TOWN OF DELRAY S 150 FT of RY BLK 80.

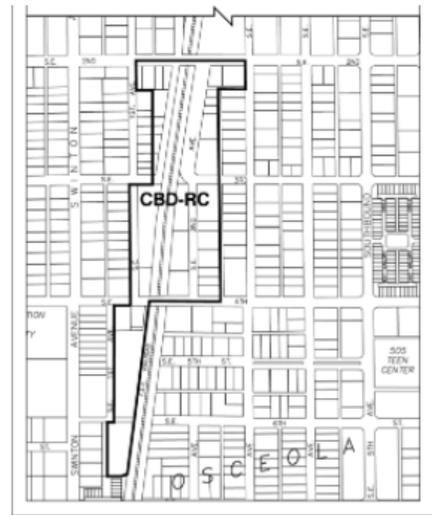
The property was built in 1956 and was used for automotive repair and most recently for warehouse, distribution, and fabrication.

Now before the board is a Class II Site Plan Modification for the Storage of Art and an office. New parking, perimeter fence, slide gate and landscaping is proposed as well as minor architectural changes and new painting to the building. Therefore, Store front requirements are not required with this application. There are existing non-conformities that exist on the site. The applicant is maintaining the existing non-conformities or decreasing the nonconformities with the proposed changes.

The following items identified in the Land Development Regulations shall specifically be addressed by the Site Plan Review and Appearance Board (SPRAB) for final action on the site and development applications/requests, as presented.

Pursuant to LDR 4.4.13(A)(4)

Railroad Corridor Sub-district. The Railroad Corridor Sub-district regulations are intended to allow for development of light industrial type and mixed commercial and nonresidential uses on properties that are in the downtown area but are also in close proximity to the FEC Railway. The purpose of the area is to recognize the long-standing light industrial character of this railroad corridor; to provide for the upgrading and expansion of existing uses when appropriate; and to enhance the economic growth of the CBD by providing additional employment opportunities in the downtown area. This Sub-district is comprised of two nodes, one in northern part of the CBD and one in the southern part of the CBD. The project is in the southern part of the Central Business District. The intended use is to store art and have an office use which is a principal use in the CBD Railroad Corridor pursuant to Table 4.4.13(A) (Wholesaling, Storage and Distribution). The applicant has two other satellite office north in Jupiter and south in Broward County that serves as their galleries where the art is displayed and sold.



Dimensional Requirements CBD Railroad Corridor (Table 4.4.13(C))

	Required	Provided
Lot Width	20 Ft. Min.	78.12' and 151.57'
Lot Area	2,000 SF	13,408 SF
Front Setback	10ft/15 ft max	11 ft 6 inches SE 4 th St /9'8" *inches SE 2 nd Ave
Side Setback	0 ft. or 5 ft min	.03 ft north/16 ft 1 inch* Railroad side
Rear Setback	10 ft	N/A
Alley setback	N/A	N/A

*Existing non-conformities



CBD Parking Requirements

Pursuant to LDR Section 4.4.13(1)(2)(a), Minimum Number of off-street parking spaces: The minimum number of parking spaces required in Section 4.6.9(C) "Number of Parking Spaces Required" is modified by this section for use in the CBD; Table 4.4.13(L) identifies the minimum number of off-street parking spaces required per use and location. Medical Offices, call centers, and any other uses not listed in the table shall use the requirements in Section 4.6.9(C). The proposed use is storage and office, therefore is calculated by 4.6.9(C)(2)(5)(a) **General Industrial Uses** (manufacturing, assembly, attendant offices) shall provide parking at the rate of three spaces per 1,000 square feet of gross floor area devoted to such uses. In addition, 1 space shall be provided for each 1,000 square feet of gross floor area devoted to storage and warehouse use. There are five existing nonconforming backout spaces on site. The applicant is restriping the backout spaces and proposing four including one handicap space. The entire storage area did not have existing marked parking spaces, which are proposed at six additional striped spaces. According to the below chart seven spaces are required and nine have been provided.

USE	Parking Requirement	SF	Parking Spaces Required
Storage/Warehouse	1/1,000	5,000 SF	5 Spaces
Office	3/1,000	700 SF	2 Spaces
Project Requirement			7 Spaces
Provided on Site			9 Spaces

Refuse Enclosure:

Pursuant to LDR Section 4.6.6(C)(1), dumpsters, recycling containers and similar service areas must be enclosed on three sides with vision obscuring gates on the fourth side, unless such areas are not visible from any adjacent public rights-of-way. The proposed roll out cans are enclosed within the warehouse on the southside.

Lighting

Pursuant to LDR Section 4.6.8 (A)(3) table 2, Photometric requirement, on-site lighting must be provided and be consistent with the minimum and maximum foot-candle illumination level requirements. The proposed lighting meets the requirement of a Commercial or Industrial parking lot of 1.0 to 12.0 ft-candles.

Stacking

Pursuant to LDR Section 4.6.9(D)(4)(b)(ii) For commercial uses, a minimum stacking distance of 20 feet from the ultimate right-of-way if the access gate or barrier remains open at all times during business hours. This is an existing non-conformity on site. The swinging chain link gate is being replaced by a sliding gate that will remain closed when the owners are not at the site.

Landscape Analysis:

Pursuant to LDR 4.6.16 Landscape Regulations; a landscape plan has been provided and reviewed. The proposed landscaping consists of three Verawood and four Eagleston Holly. The four Eagleston Holly are proposed at a 12 ft height with a six-foot spread. Pursuant to LDR 4.6.16(E)(5), Tree species shall be a minimum of 16 feet in overall height at the time of planting, with a minimum of six feet of single trunk with eight feet of clear trunk, and a seven-foot spread of canopy. The Landscape Reviewer recommends that the applicant consider replacing the Eagleston Holly with Seagrape or Greenwood Buttonwood as an acceptable native alternative with sufficient canopy spread. The applicant has acknowledged the comment and a note is made as part of the approval.

The shrubs and groundcover consist of Horizontal Cocoplum, Liriope, Ixora, Nora Grant, Yaupon Holly, Podocarpus Hedge, mulch, and St. Augustine Palmetto. Pursuant to LDR 4.6.16(H)(3)(j) each row of parking spaces shall be terminated by landscape islands with dimensions as indicated above in section (i) which is 135 Sq feet of planting area with a minimum distance of nine feet; however, properties within the Central Business District may reduce the island to seven feet and 105 Sq feet of planting area. The applicant reduced the proposed parking to provide the landscape islands which all meet the intent of the code. In addition, the landscaping provided is also reducing an existing nonconformity on site.

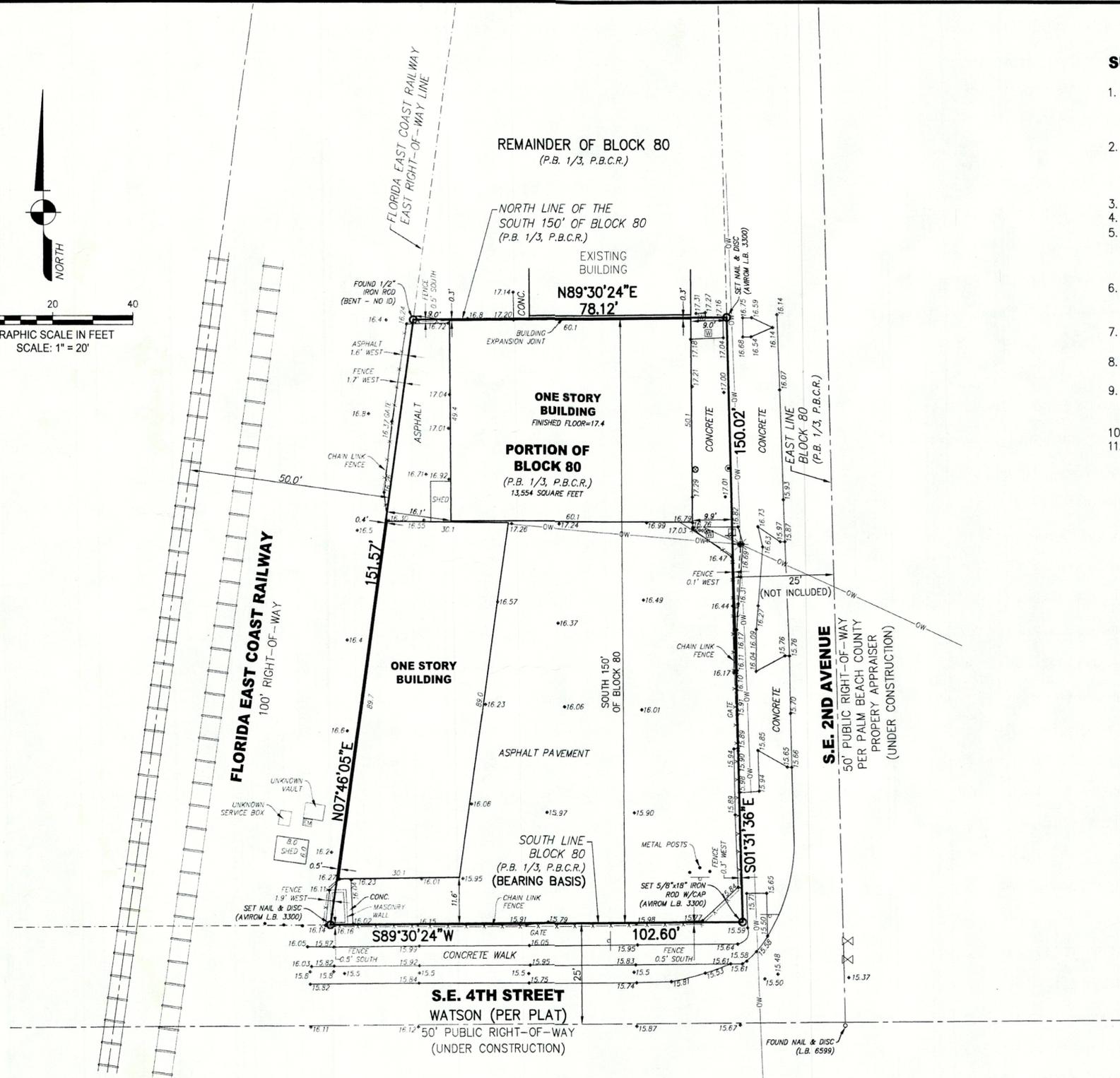
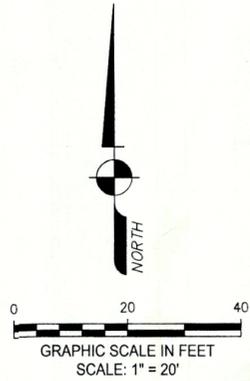
Architectural Elevations Analysis

Pursuant to LDR Section 4.4.13(F), the CBD has seven permitted architectural styles, which are described and illustrated in the Central Business District Architectural Design Guidelines. Pursuant to LDR Section 4.6.18(E), the following criteria shall be considered by the Site Plan Review and Appearance Board in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved.



1. The plan or the proposed structure is in conformity with good taste, good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.
2. The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
3. The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.

The proposed architectural elevation changes consist of a new paint finish with the walls in Argos, the fascia in Pure White, the Door frames and windows in a Dark Bronze and the trim and shutters in Cityscape, Positive Red and Pure White. The building will remain the same with minor changes such as new glass in the openings on the west and south elevation. A new aluminum six-foot fence will replace the existing chain link around the property. The improvements to the site will enhance the economic growth to the Railroad Corridor and help revitalize the area.



LAND DESCRIPTION:

The South 150 feet of Block 80, MAP OF THE TOWN OF LINTON (now Delray Beach), lying East of the Florida East Coast Railway right-of-way, according to the Plat thereof, recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida.

Said lands lying in the City of Delray Beach, Palm Beach County, Florida and containing 13,554 square feet, more or less.

SURVEYOR'S REPORT:

1. Reproductions of this Sketch are not valid without the signature and the original seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this survey map or report by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was provided by the Client.
4. No underground improvements were located.
5. Distances and angles shown hereon are in accord with the plat and/or deed of record and agree with the survey measurements, unless otherwise noted. Bearings are assumed based on the South line of Block 80 having a bearing of S89°30'24"W.
6. The property described hereon lies within Flood Zone X, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 12099C0979F, Community Number 125102, dated 10/05/2017.
7. Elevations shown hereon are in feet and based on the North American Vertical Datum of 1988 (NAVD 1988).
8. Benchmark Description: Palm Beach County Benchmark " D 32", Elevation = 18.827 (NAVD 1988).
9. Symbols shown hereon and in the legend may have been enlarged for clarity. These symbols have been plotted at the center of the field location and may not represent the actual shape or size of the feature.
10. This map is intended to be displayed at a scale of 1:240 (1"=20').
11. Abbreviation Legend: CONC. = Concrete; F.B. = Field Book; ID. = Identification; L.B. = Licensed Business; NAVD = North American Vertical Datum; OW = Overhead Wires; P.B. = Plat Book; P.B.C.R. = Palm Beach County Records; PG. = Page; P.L.S. = Professional Land Surveyor; W/CAP = With Surveyors Cap.

LEGEND	
	BACK FLOW PREVENTOR VALVE
	BOLLARD (UNLESS NOTED)
	CLEAN OUT
	ELECTRIC METER
	EXISTING ELEVATION
	GUY ANCHOR
	IRRIGATION CONTROL VALVE
	OVERHEAD WIRES
	RAILROAD
	SIGN (UNLESS NOTED)
	SPIGOT
	TELEPHONE RISER
	WATER METER
	WATER VALVE
	WOOD UTILITY POLE WITH LIGHT

CERTIFICATION:

I HEREBY CERTIFY that the attached Boundary & Topographic Survey of the hereon described property is true and correct to the best of my knowledge and belief as surveyed in the field under my direction. I FURTHER CERTIFY that this Boundary & Topographic Survey meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 3/23/2021

John T. Duggan
 JOHN T. DOGGAN, P.L.S.
 Florida Registration No. 4409
 AVIROM & ASSOCIATES, INC.
 L.B. No. 3300

AVIROM & ASSOCIATES, INC.
 SURVEYING & MAPPING
 50 S.W. 2nd AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 (561) 392-2594 / WWW.AVIROMSURVEY.COM
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REVISIONS	DATE	F.B./PG.	BY	CKD

BOUNDARY & TOPOGRAPHIC SURVEY
THE SOUTH 150 FEET OF BLOCK 80
 390 SE 2ND AVENUE
 MAP OF TOWN OF LINTON
 (P.B. 1, PG. 3, P.B.C.R.)
 CITY OF DELRAY BEACH
 PALM BEACH COUNTY, FLORIDA

JOB #:	11983
SCALE:	1" = 20'
DATE:	03/23/2021
BY:	W.R.E.
CHECKED:	J.T.D.
F.B.:	2083 PG. 6-10
SHEET:	1 OF 1



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architects
Architecture, Planning,
Interiors, &
Sustainable Design

AA26001584
185 NE 4TH AVENUE, SUITE 101
DELRAY BEACH, FL 33483
T: (561) 276-4951 F: (561) 243-8184
E-MAIL: office@csa-architects.com

ISSUED FOR :

SPA DATE
BIDS ISDATE
PERMIT PERMIT DATE
CONSTRUCTION CON. DATE
SEAL



PROJECT TITLE
MAC SOFA

390 SE 2nd AVENUE
DELRAY BEACH FL. 33483

REVISIONS		
NUM.	DESCRIPTION	DATE
1	TAC REVIEW	07.01.21

THESE DRAWINGS ARE PREPARED PER ESTABLISHED INDUSTRY STANDARDS AND REPRESENT THE ARCHITECT AND ENGINEERS DESIGN CONCEPT. THEY ARE NOT INTENDED TO PROVIDE EVERY DETAIL OR CONDITION REQUIRED TO CONSTRUCT THE BUILDING. THE CONTRACTOR THROUGH SUBMITTALS AND OTHER COORDINATION EFFORTS IS FULLY RESPONSIBLE FOR PROVIDING A COMPLETE AND OPERATIONAL BUILDING WHETHER INDICATED ON THE PLANS OR NOT.

DRAWING TITLE

**EXISTING
SITE PLAN
AND PHOTOS**

DATE 01.21.2021 DRAWN BY JT

JOB NUMBER
MAC SOFA

DRAWING NUMBER

A1.00



LOOKING WEST AT CORNER OF SE 4TH STREET AND SE 2ND AVE.



LOOKING NORTH AT CORNER OF SE 4TH STREET AND SE 2ND AVE.



LOOKING WEST AT CORNER OF SE 4TH STREET AND SE 2ND AVE.



EXISTING FENCE CORNER CLIP AT SE 4TH STREET AND SE 2ND AVE.



LOOKING NORTH AT CORNER OF SE 4TH STREET AND SE 2ND AVE.



LOOKING SOUTH IN FRONT OF VEHICULAR GATE AT SE 2ND AVE.



VEHICULAR GATE AT 2ND AVE.



LOOKING NORTH IN FRONT OF VEHICULAR GATE AT SE 2ND AVE.



DRIVEWAY AND SIDEWALK IN FRONT OF VEHICULAR GATE AT SE 2ND AVE.



LOOKING OVER THE FENCE TOWARDS THE PAVED PARKING AREA



LOOKING SOUTH AT WAREHOUSE MAIN ENTRANCE & GARAGE AT SE 2ND AVE.



LOOKING WEST AT END OF NORTH PORTION OF BLDG. AT SE 2ND AVE.



CITY LANDSCAPE BUFFER AT SE 2ND AVE.



SOUTHEAST CORNER OF SOUTH PORTION OF THE BUILDING



GARAGE DOORS AT EAST SIDE OF THE SOUTH BUILDING SECTION



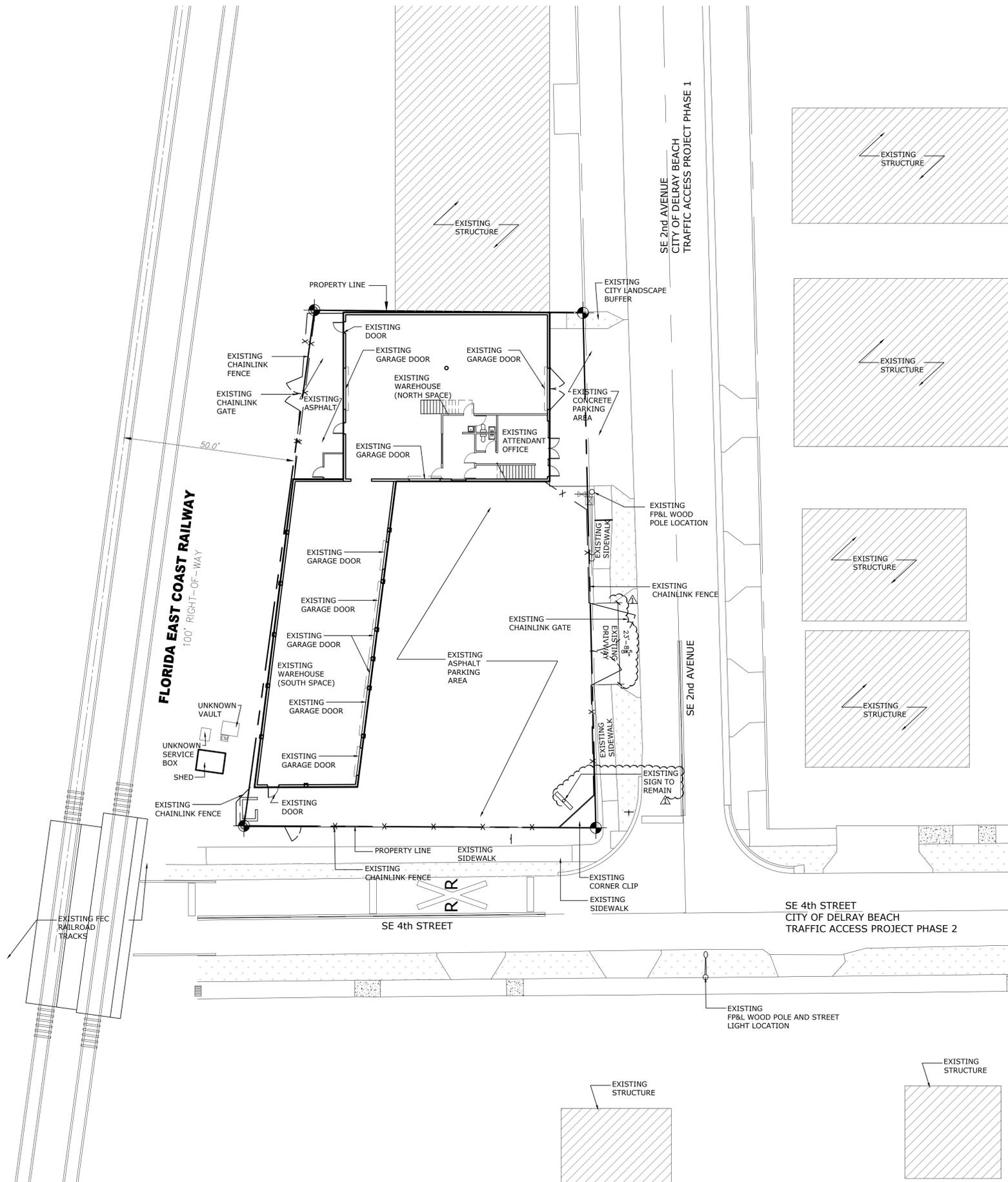
GARAGE DOOR AT SOUTH SIDE OF THE NORTH BUILDING



GARAGE AND WINDOWS AT SOUTH SIDE OF THE NORTH BUILDING



SOUTHEAST CORNER OF THE NORTH BUILDING



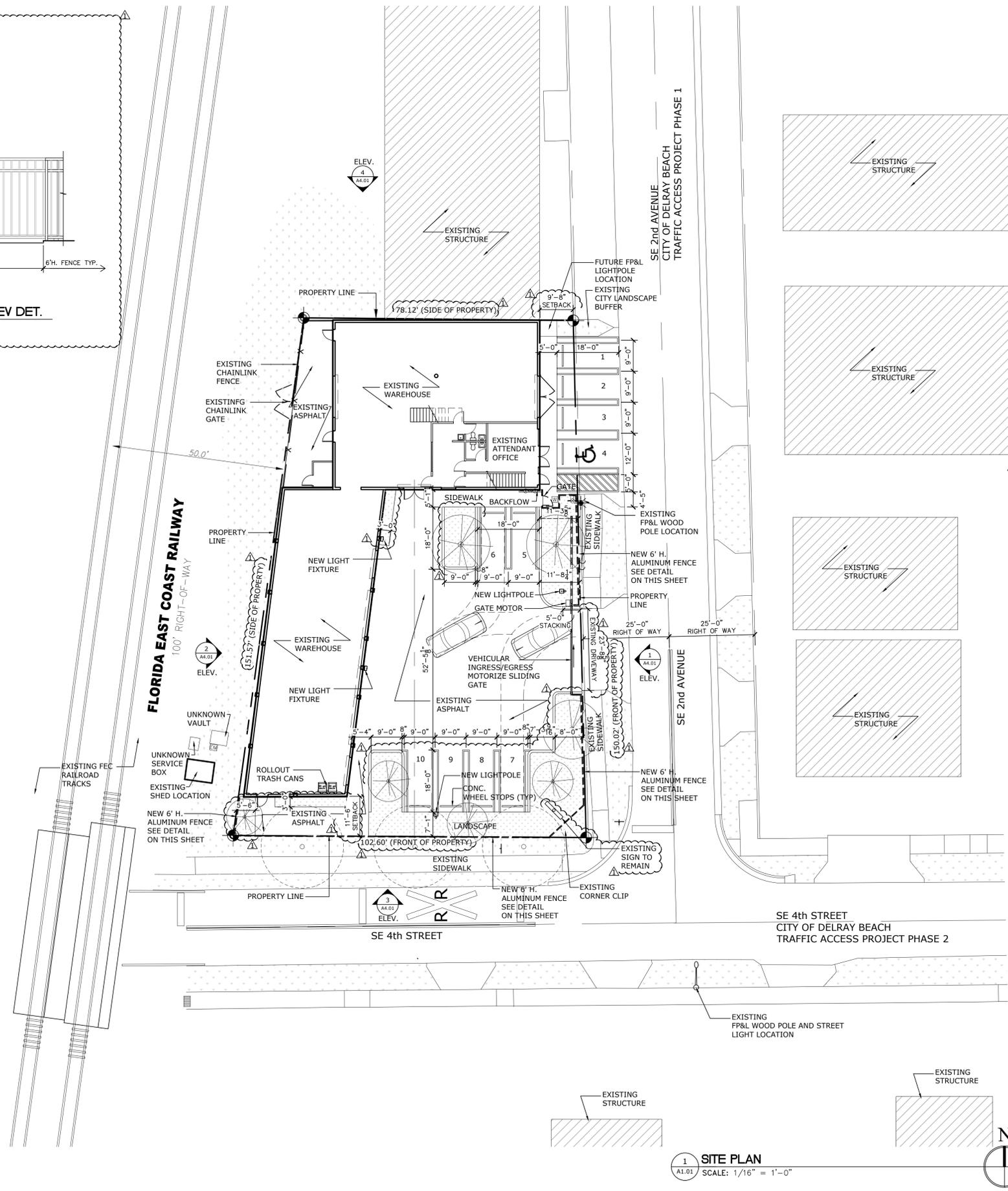
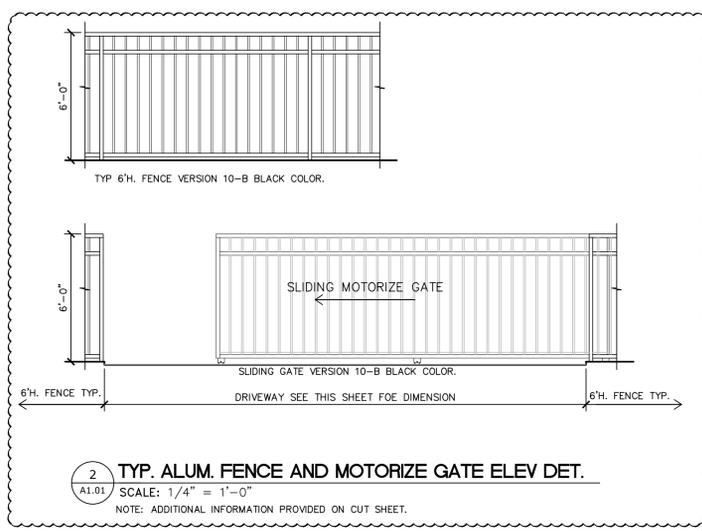
1 EXSITING SITE PLAN
A1.01 SCALE: 1/16" = 1'-0"



05.19.2021
SPRAB

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LOCATION MAP
NOT TO SCALE

LEGAL DESCRIPTION:
The South 150 feet of block 80 lying East of The Florida East Coast Railway DELRAY BEACH (FORMERLY LINTON), according to the Plat thereof recorded in Plat Book 1, Page 3 of the Public Records of Palm Beach County, Florida.
Said lands lying in the City of Delray beach, Palm Beach County, Florida

PROPERTY DESCRIPTION:
SUBJECT PROPERTY IS SITUATED ALONG THE WEST SIDE OF SOUTHEAST 2nd AVENUE AND NORTH SIDE OF 4th STREET WITHIN THE EAST CENTRAL CITY LIMITS OF DELRAY BEACH, FLORIDA. THIS APPROXIMATE 0.3078 +/- ACRE (13,408 SF.) PARCEL IS IMPROVED WITH A TWO (2) ABUTTING LIGHT INDUSTRIAL WAREHOUSE BUILDINGS TOTALING A FOOTPRINT OF 5,700 SF. PROPERTY ADDRESS IS 390 SE 2nd AVENUE, DELRAY BEACH, FL. 33483.

PROPERTY IS LOCATED ON THE CBD DISTRICT AS PER CITY OF DELRAY BEACH ZONING DISTRICT MAP, AND MIXED USE CC- COMMERCIAL CORE AS PER CITY OF DELRAY BEACH LAND USE MAP.

LDRC CODES:
SEC. 4.4.13 CENTRAL BUSINESS (CBD) DISTRICT WITH COMERCIAL CORRIDOR (CC) SUB-DISTRICT.
SEC. 4.4.13 (A) ALLOWABLE USES.
BUSINESS = P
STORAGE, AND DISTRIBUTION = P
STORAGE OF INVENTORY = A
P= PRINCIPAL USE A= ACCESSORY
ARTICLE 4.6.9 - OFF STREET PARKING REGULATIONS
BUSINESS = 3 PER 1000 S.F. GROSS
COMMERCIAL = 1 PER 1000 S.F. GROSS
*SEE CALCULATION BELOW.
ARTICLE 4.6 - SUPPLEMENTAL DISTRICT REGULATION
SEC. 4.6.9 - OFF STREET PARKING REGULATIONS
SEC. 4.6.9 (D) DESIGN STANDARDS
4.6.9 (D)(3)(c) STACKING DISTANCE
AS PER TABLE 4.6.9(D)-1
20 OR FEWER SPACES ON LOCAL STREET = 5 FEET MINIMUM
50 OR FEWER NON-LOCAL STREET = 20 FEET MINIMUM

DIMENSIONAL REQUIREMENTS FOR CBD SUB-DISTRICT
BUILDING FRONTAGE AND SETBACK: AS PER LDR SECTION. 4.4.13.(C) CBD - RAILROAD CORRIDOR

	LOT SIZE	
	REQUIRED	PROVIDED
LOT WIDTH	20 FT. MIN.	78.12' AND 151.57'. EXISTING
LOT AREA	2,000 SF. MIN.	13,408 SF. EXISTING

LOT COVERAGE CALCULATION

	WAREHOUSE / STORAGE	BLDG. FOOTPRINT	
WAREHOUSE / STORAGE	5,000 SF.	5,700 SF.	42.5 % (EXISTING)
ATTENDANT OFFICE	700 SF.	5,998.4 SF.	44.7 %
LANDSCAPE AREA		1,709.6 SF.	12.8 %
TOTAL LOT AREA CALCULATED		13,408 SF.	100 %

BUILDING PLACEMENT

	REQUIRED		PROVIDED	
	FRONT	REAR	FRONT	REAR
FRONT SETBACK	10' MIN. / 15' MAX	11'6" SOUTH AND 9'8" EAST	11'6" SOUTH AND 9'8" EAST	(EXISTING)
SIDE SETBACK	0' OR 5' MIN	.03' NORTH AND .05 & 16.1 WEST	.03' NORTH AND .05 & 16.1 WEST	(EXISTING)
REAR SETBACK	10' MIN	N/A	N/A	
ALLEY SETBACK	N/A	N/A	N/A	

PARKING CALCULATION: PER SEC. 4.6.9.(C)(3)(5)(a)

USE	PARKING REQUIREMENTS	SQ.FT. GROSS	PROPOSED PARKING SPACE REQUIRED
STORAGE / WAREHOUSE	1 PER 1,000 SF. GROSS	5,000 SF. GROSS	2
ATTENDANT OFFICE	3 PER 1,000 SF. GROSS	700 SF. GROSS	5
PROJECT REQUIREMENT			7
PARKING SPACE PROVIDED (10 TOTAL)			9 REGULAR SPACES AND 1 ACCESSIBLE

CURRIE SOWARDS AGUILA architects
Architecture, Planning, Interiors, & Sustainable Design
AA26001584
185 NE 4TH AVENUE, SUITE 101
DELRAY BEACH, FL 33483
T: (561) 276-4951 F: (561) 243-8184
E-MAIL: office@csa-architects.com

ISSUED FOR:

SPA	SPA DATE
BIDS	ISDATE
PERMIT	PERMIT DATE
CONSTRUCTION	CON. DATE

SEAL

PROJECT TITLE
MAC SOFA

390 SE 2nd AVENUE
DELRAY BEACH FL. 33483

REVISIONS

NUM.	DESCRIPTION	DATE
1	TAC REVIEW	07.01.21

THESE DRAWINGS ARE PREPARED PER ESTABLISHED INDUSTRY STANDARDS AND REPRESENT THE ARCHITECT AND ENGINEERS DESIGN CONCEPT. THEY ARE NOT INTENDED TO PROVIDE EVERY DETAIL OR CONDITION REQUIRED TO CONSTRUCT THE BUILDING. THE CONTRACTOR THROUGH SUBMITTALS AND OTHER COORDINATION EFFORTS IS FULLY RESPONSIBLE FOR PROVIDING A COMPLETE AND OPERATIONAL BUILDING WHETHER INDICATED ON THE PLANS OR NOT.

DRAWING TITLE
SITE PLAN

DATE: 01.21.2021 | DRAWN BY: JT

JOB NUMBER: MAC SOFA

DRAWING NUMBER

05.19.2021 SPRAB

A1.01



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SOWARDS
AGUILA**
architects

Architecture, Planning,
Interiors, &
Sustainable Design

AA26001584

185 NE 4TH AVENUE SUITE 101
DELRAY BEACH, FL 33483

T: (561) 276-4951 F: (561) 243-8184
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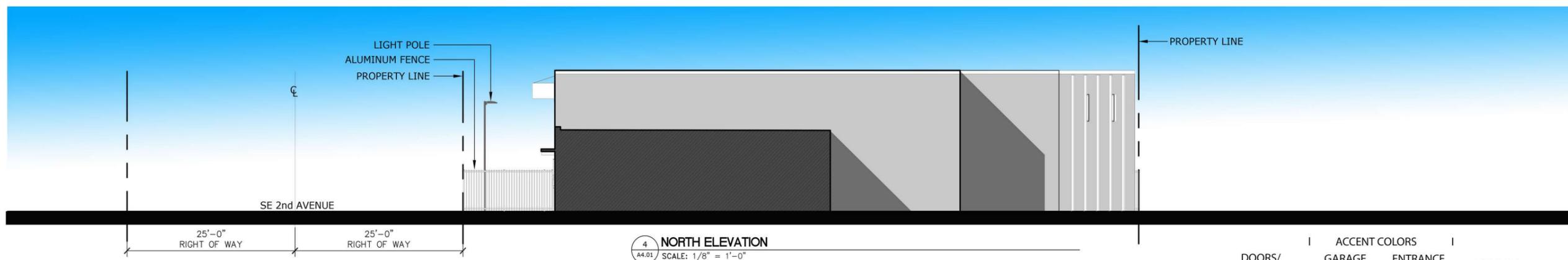
DATE DRAWN BY

DATE JT

JOB NUMBER

MAC SOFA

DRAWING NUMBER



GLAZING	DOORS/ WINDOWS	ACCENT COLORS		BUILDING
		GARAGE EYEBROWS	ENTRANCE EYEBROW	
	DARK BRONZE	SW 7067	SW 6871	SW 7065



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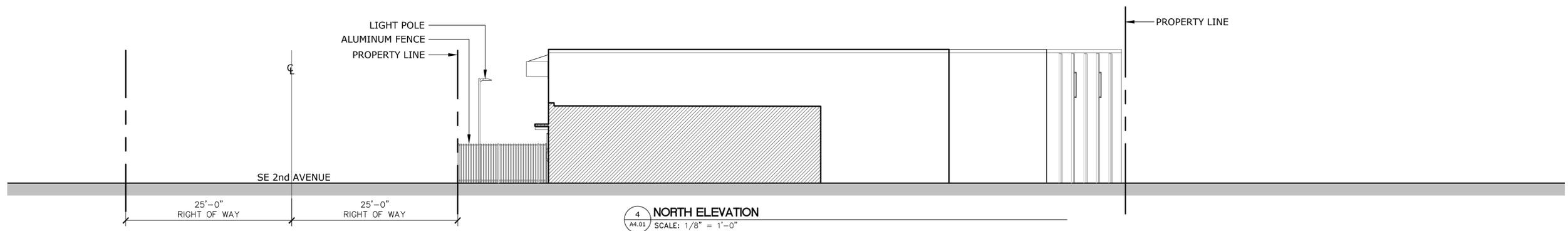
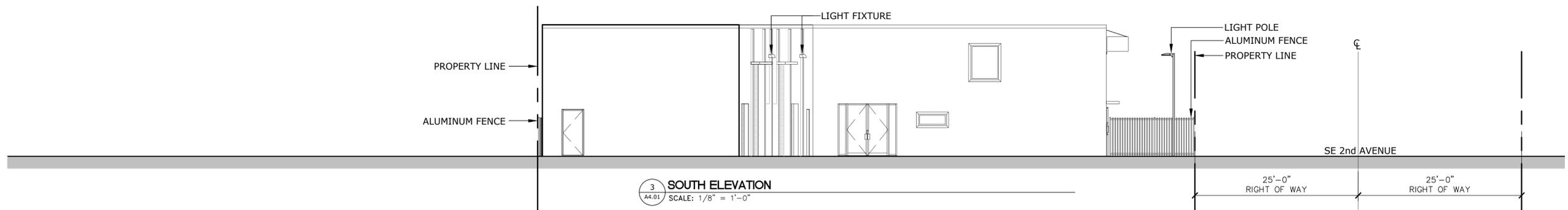
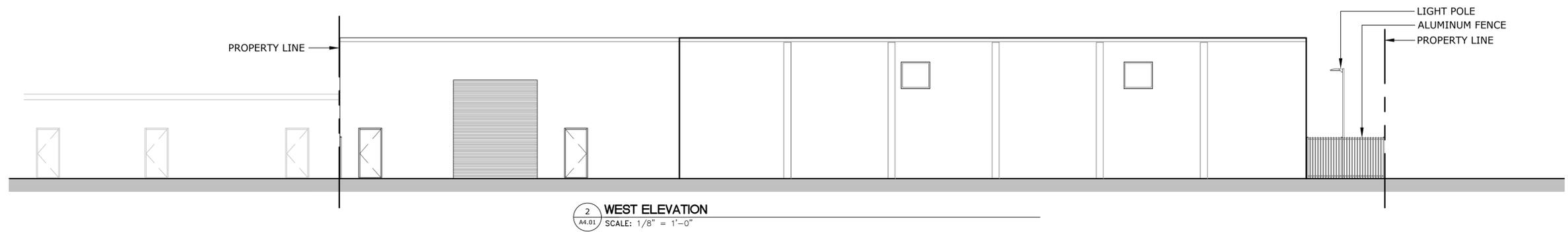
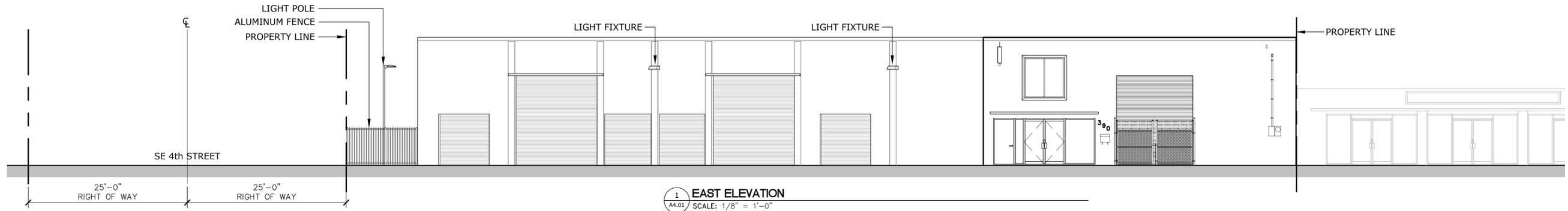
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DATE 01.21.2021 | DRAWN BY JT
JOB NUMBER MAC SOFA
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A4.01

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