## NOV cityofnovi.org

#### COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road Novi, MI 48375 (248) 347-0415 Phone (248) 735-5600 Facsimile www.cityofnovi.org

## ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals ZONING BOARD APPEALS DATE: July 11, 2023

REGARDING: 41100 Twelve Mile Road, Parcel # 50-22-12-351-053 (PZ23-0020)

BY: Alan Hall, Deputy Director Community Development

#### . GENERAL INFORMATION:

#### **Applicant**

Constantine George Pappas/Armenian Cultural Center

#### Variance Type

Dimensional Variance

#### **Property Characteristics**

Zoning District: This property is zoned Residential Acreage (RA).

Location: East of Meadowbrook Road, North of Twelve Mile

Parcel #: 50-22-12-351-053

#### Request

The applicant is requesting the ZBA specify a height of 62.83 feet for a proposed monument structure, as permitted under Section 3.32.3 of the Zoning Ordinance. The structure has received Special Land Use approval from the Planning Commission and is located greater than 63 feet from all property lines. The applicant also requests a variance from Section 4.19.2.F. for the proposed location of a dumpster in the side yard. This property is zoned Residential Acreage (RA).

#### **II. STAFF COMMENTS:**

This property has two different dimensional ZBA approvals that have expired.

On November 14, 2017, a side yard variance for the dumpster was granted (Section 4.19.2.F) – expired. On November 10, 2020, a monument height of 62.83' was granted (Section 3.32.3) – expired.

The applicant is re-applying for the same two variances that were previously approved. The current submitted drawings do not reflect any dimensional deviations from the previous approval criteria.

#### III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we <u>grant</u> the variance in Case No. **PZ23-0020**, sought by for

Constantine George Pappas/Armenian Cultural Center Case # PZ23-0020

	because Petitioner has shown practical
difficul	ty requiring
(a)	Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because
(b)	The property is unique because
(c)	Petitioner did not create the condition because
(d)	The relief granted will not unreasonably interfere with adjacent or surrounding properties because
(e)	The relief if consistent with the spirit and intent of the ordinance because
(f)	The variance granted is subject to:
	1
	2
	3
	4
I mo	ve that we <u><b>deny</b></u> the variance in Case No. <b>PZ23-0020</b> , sought by
for	
praction	cal difficulty requiring
(a)	The circumstances and features of the property including are not unique because they exist generally throughout the City.
(b)	The circumstances and features of the property relating to the variance request are self-created because
(c)	The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that
(d)	The variance would result in interference with the adjacent and surrounding properties by
(e)	Granting the variance would be inconsistent with the spirit and intent of the ordinance to

#### **Zoning Board of Appeals**

Constantine George Pappas/Armenian Cultural Center Case # PZ23-0020

Page 3 of 3

July 11, 2023

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Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0423.

Alan Hall – Deputy Director Community Development - City of Novi

#### **RECEIVED**



**Community Development Department** 

45175 Ten Mile Road Novi, MI 48375 (248) 347-0415 Phone (248) 735-5600 Facsimile www.cityofnovi.org

MAY 2 3 2023

CITY OF NOVI

#### **ZONING BOARD OF APPEALS APPLICATION**

COMMUNITY DEVELOPMENT
APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Ad	dress of subject ZBA (	Case)	Application Fee:	300.00	
PROJECT NAME / SUBDIVISION			1	N 72	
Armenian Church and Cultural Center		The second second	Meeting Date:	July 11 202	
ADDRESS 41090 Twelve Mile Road, Novi, Michigan		LOT/SIUTE/SPACE #			
SIDWELL #	Navi ba	10 10 10 10 10 10 10 10 10 10 10 10 10 1	ZBA Case #; PZ	23-0020	
50-22-12 - 361 - 063		obtained from the Department	220 000 11, 120	20 00-0	
CROSS ROADS OF PROPERTY Twelve Mile Rd and Meadowbrook Rd	(240) 547	-0400			
IS THE PROPERTY WITHIN A HOMEOWNER'S AS	SSOCIATION JURISDICTION?	REQUEST IS FOR:			
YES NO		l	COMMERCIAL VACANT	PROPERTY SIGNAGE	
DOES YOUR APPEAL RESULT FROM A NO	OTICE OF VIOLATION OR	CITATION ISSUED?	YES NO		
II. APPLICANT INFORMATION	-r				
A. APPLICANT	emall address atremblay@cgp-architect	ture.com	CELL PHONE NO.		
NAME			TELEPHONE NO.		
Constantine G. Pappas			248-629-8998		
ORGANIZATION/COMPANY Constantine George Pappas, AIA Architecture / F	lloneica			FAX NO.	
ADDRESS	rlanning	CITY	248-298-3192	710 0005	
1025 S. Washington Ave		Royal Oak	STATE	ZIP CODE	
	HERE IF APPLICANT IS ALS	O THE PROPERTY OWNER	Mi	48067	
Identify the person or organization that owns the subject property:	EMAIL ADDRESS		CELL PHONE NO.		
NAME	rourlian@aol.com		TELEGILONENIO		
Raffi Ourlian			TELEPHONE NO.		
ORGANIZATION/COMPANY			248-790-5964 FAX NO.		
Armenian Cultural Center			TAXNO.		
ADDRESS		CITY	STATE	ZIP CODE	
19310 Ford Rd.		Dearborn	МІ	48128	
III. ZONING INFORMATION					
A. ZONING DISTRICT					
☑ R-A ☐ R-1 ☐ R-2	□R-3 □R-4	□RM-1 □RM-2	. Пмн		
<del></del>	□TC □TC-1	OTHER			
B. VARIANCE REQUESTED INDICATE ORDINANCE SECTION (S) AND	NAPIANCE PECHESTED	,			
	Variance requested	For Proposed Dumpster in the S.	lde Yard		
	Variance requested	To Allow a monument eight of 62,6			
3. Section 3.1.1.E	Variance requested	To Increase the maximum permi	itted height to 62.83 feet.		
4. Section	Variance requested				
IV. FEES AND DRAWNINGS	ny film the			70 II - 2 - 19	
A. FEES					
Single Family Residential (Existin			-	•	
Multiple/Commercial/Industria	\$300     (With Viol	ation) \$400 🔲 Signs S	\$300 🔲 (With Violation)	\$400	
House Moves \$300		leetings (At discretion	of Board) \$600		
<ul><li>B. DRAWINGS 1-COPY &amp; 1 DIC</li><li>Dimensioned Drawings and Plan</li></ul>	SITAL COPY SUBMITTEI S		osed distance to adjac	ent property lines	
<ul> <li>Site/Plot Plan</li> <li>Existing or proposed buildings or</li> </ul>		<ul> <li>Location of exi</li> </ul>	isting & proposed signs,		
<ul> <li>Number &amp; location of all on-site</li> </ul>	parking, if applicable		mation relevant to the '	Variance application	



#### **ZONING BOARD OF APPEALS APPLICATION**

V. VARIANCE	
A. VARIANCE (S) REQUESTED	
☑ DIMENSIONAL □ USE □ SIGN	
There is a five (5) hold period before work/action can be taken on variance appl	rovals.
B. SIGN CASES (ONLY) Your signature on this application indicates that you agree to install a Mock-Up SI ZBA meeting. Failure to install a mock-up sign may result in your case not being he schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be an actual sign be removed within five (5) days of the meeting. If the case is denied, the applica- the removal of the mock-up or actual sign (if erected under violation) within five	eard by the Board, postponed to the next . Upon approval, the mock-up sign must ant is responsible for all costs involved in
C. ORDINANCE	
City of Novi Ordinance, Section 7.10 – Miscellaneous	
No order of the ZBA permitting the erection of a building shall be valid for a period building permit for such erection or alteration is obtained within such period and and proceeds to completion in accordance with the terms of such permit.	d longer than one (1) year, unless a I such erection or alteration is started
No order of the ZBA permitting a use of a building or premises shall be valid for a eighty (180) days unless such use is established within such a period; provided, he dependent upon the erection or alteration of a building such order shall continu for such erection or alteration is obtained within one (1) year and such erection or completion in accordance with the terms of such permit.	owever, where such use permitted is e in force and effect if a building permit
D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL	
PLEASE TAKE NOTICE:	
The undersigned hereby appeals the determination of the Building Official / Inspe	ector or Ordinance made
CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING	g 🗆 signage
CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING	G <b>S</b> IGNAGE
CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING USE OTHER	G □SIGNAGE
	G □SIGNAGE
ACCESSORY BUILDING USE OTHER	
VI. APPLICANT & PROPERTY SIGNATURES  A. APPLICANT	
VI. APPLICANT & PROPERTY SIGNATURES  A. APPLICANT  CIMITAL STATEMENTS  A. APPLICANT	5/19/23
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VI. APPLICANT & PROPERTY SIGNATURES  A. APPLICANT  Applicant Signature  B. PROPERTY OWNER  If the applicant is not the owner, the property owner must read and sign I The undersigned affirms and acknowledges that he, she or they are the owner(s)	Date  Delow: of the property described in this
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# NOVI

cityofnovi.org

#### **Community Development Department**

June 1, 2023 - ZBA Submittal - 4.19.2.F

45175 Ten Mile Road Novi, MI 48375 (248) 347-0415 Phone (248) 735-5600 Facsimile www.cityofnovi.org

## REVIEW STANDARDS DIMENSIONAL VARIANCE

4.19.2.F

PROPOSED DUMPSTER

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

### Standard #1. Circumstances or Physical Conditions.

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include

reornstances of physical cortainons may include					
<ul> <li>a. Shape of Lot. Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.</li> <li>Not Applicable</li></ul>					
and/or					
<ul> <li>b. Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.</li> <li>Not Applicable</li> <li>Applicable</li> <li>If applicable, describe below:</li> </ul>					
THE EXTENSIVE SLOPE AND DENSE WOODLAND BROWS  OF THE ENVIRONMENT REQUIRE A MORE FUNCTIONAL  LOCATION AND POSITION FOR THE DUMPSIER.  and/or					
<ul> <li>c. Abutting Property. The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties.</li> <li>Not Applicable Applicable If applicable, describe below:</li> </ul>					

#### Standard #2. Not Self-Created.

Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

THE MEED FOR THE VARIABLE WOULD ALLOW THE DUMPSTER TO BE PLACED AT ITS CLOSET LOCATION TO WHERE IT WILL BE USED. THE DUMPSTER IS COMPLETELY SCREETED WITH MASONAY (IRMOT)/LANDSCAPING AND MEETS ALL ORDINANCE STANDANDS. Standard #3. Strict Compliance.

Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

THE OPDINANCE REG'O DISTANCE PLACES THE DUMUSTER IN A WOODCARD APER. IN TTS PROPOSED LOCATION, THE DUMPSTER WILL NOT BE SEEN AS ALLOWS WOODLANDS TO EXIST AB THE CURRENTLY ARE.

#### Standard #4. Minimum Variance Necessary.

Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

IN ITS PROPOSED LOCATION, THE DUMPSTER WILL PROVIDE SUBSTANTIAL JUSTICE BY BEING CLOSETO THE BUILDING, YET SCREENED TO UIEW.

#### Standard #5. Adverse Impact on Surrounding Area.

Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

THE PROPOSED LOCATION WILL NOT CAUSE ADVENSE IMPACT OF THE ADJOINING PROPERTY UALLES SINCE IT WILL BE COMPLETELY SCREETED WITH BACK MASOMY AND LANDSCAPE MATERIALS. THE BRICK MASONLY WILL THE SAME MATERIALS USED OF THE BUILDING Y BLEADING THE ANCHITECTURE. THE PROPOSED DUMPSTER 15 107.74' FROM THE EAST PROPERTY CINE AND 462.51" From THE PROM THE SOUTH PROPERTY LINE.



#### **Community Development Department**

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## REVIEW STANDARDS DIMENSIONAL VARIANCE

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

#### Standard #1. Circumstances or Physical Conditions.

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:

<ul> <li>a. Shape of Lot. Exceptional narrowness, shall in existence on the effective date of the Z</li> <li>Not Applicable</li></ul>						
and/or						
<ul> <li>b. Environmental Conditions. Exceptional top other extraordinary situations on the land,</li> <li>☐ Not Applicable</li> <li>☑ Applicable</li> <li>See attached.</li> </ul>	building or structure.					
and/or						
<ul> <li>c. Abutting Property. The use or development to the subject property would prohibit the of the Zoning Ordinance or would involve  Not Applicable  Applicable</li> </ul>	literal enforcement of the requirements					

#### Standard # . Not Self-Created.

Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

See attached.

#### Standard #3. Strict Compliance.

Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

See attached.

#### Standard # . Minimum Variance Necessary.

Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district. See attached.

#### Standard # . Adverse Impact on Surrounding Area.

Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

See attached.

Constantine George Pappas AIA

Architecture / Planning

1025 S. Washington Ave. Royal Oak, MI 48067

P. 248.629.8998 F. 248.298.3192

October 1, 2020

Ref: ZBA Application - Armenian Cultural Center

Novi, Michigan

City File No. JSP 17-0037

#### Review Standards - Dimensional Variance

Standard #1 – Circumstances or Physical Conditions

- a. Shape of Lot Not Applicable
- b. Environmental Conditions Applicable

This project introduces an extraordinary type of structure. The proposed Memorial Monument is an atypical type of structure that is not found in any of the other properties in the general vicinity. The monument would be located between the buildings, within the Armenian Genocide Memorial Courtyard. It is designed as an architectural element with both copper and stainless-steel panels. The monument will be illuminated upward from the base. The structure is 6'-0" x 8'-0" in plan and rises to 62.83 feet (1915 cm). This height signifies the year the Armenian Genocide began, 1915. The design and creation of this monument is part of the Armenian Culture and Religion. Please see owner's narrative (attached) for a detailed description of the meaning behind the monument's height and design.

c. Abutting Property - Not Applicable

#### Standard #2 - Not Self - Created

The need for the Dimensional Variance is based on a desire to create a meaningful and memorable Memorial Monument, not a result of the property owner's self-created site conditions. The inclusion of this monument may be interpreted to fall under the exceptions stated in the RA District Building height limits, whereas, the ZBA may specify the height limit for such a structure.

#### Standard #3 – Strict Compliance

The Dimensional Variance provides for the creation of a meaningful and significant monument within Michigan. This Memorial Monument commemorates the Armenian history, culture, and religion for both the Armenian Community and the greater community as a whole. The monument's proposed height of 62.83 feet (1915 cm) corresponds to the historical date of 1915, when the Armenian Genocide began. Please see owner's narrative (attached) for a detailed description of the meaning behind the monument's height and design.

Constantine George Pappas All

Architecture / Plann

1025 S. Washington Ave. Royal Oak, MI 48067

P. 248.629.8998 F. 248.298.3192

#### Standard #4 – Minimum Variance Necessary

The Dimensional Variance requested is the minimum dimension to give meaning to the memorial structure's height. That being said, the exact height proposed, 62.83 ft (1915 cm), corresponds to the historical date of 1915, when the Armenian Genocide began. This specific dimension gives meaning to the height of the memorial structure based on the history of the Armenian Nation. Please see owner's narrative (attached) for a detailed description of the meaning behind the monument's heights and design.

#### Standard #5 – Adverse Impact on Surrounding Area

The impact of the Dimensional Variance will be minimal to the surrounding properties due to the characteristics of the existing large site and the location of the proposed monument within the site. The site consists of a varied terrain, a large amount of existing tree growth, with a significant amount of added new landscape. The submitted renderings and drawings show the sloping site sections and the additional planting that will occur along the property lines. On the site plan, the nearest neighbor is noted as approximately 297'-0" distant and sloped away from the proposed monument location. The proposed 62.83' (1915cm) monument structure will be located within the Memorial Courtyard, which is located centrally to the entire site. This greatly exceeds the further stipulation that "the height of any such structure shall not be greater than the distance to the nearest property line." See the submitted Overall Site Plan for the proposed location of the monument and the associated distance from each property line. The proposed lighting for the monument will be located on the base of the structure and focused upward onto the structure. It will not be directed toward any of the adjacent properties at any time. The monument will be illuminated for a limited amount of time per day. The lighting system can be controlled and altered seasonally, as needed.

Constantine George Pappas AIA

Architecture / Planni

1025 S. Washington Avc. Royal Oak, Mt 48067

P. 248.629.8998 F. 248.298.3192

Ref: ZBA Application - Armenian Cultural Center

#### Armenian Memorial Monument – Owner's Narrative

The Genocide of the Armenian nation by the Ottoman Turkish government started in 1915, under cover of World War I. By 1920, one third of all Armenians, 1.5 million men, women and children, had been savagely killed in the first Genocide of the 20<sup>th</sup> century, the first state-planned and implemented annihilation of a people. The Anatolian Plateau was emptied of its Armenian population, casting the survivors from their home of 4,000 years into Diasporan exile unto far-away shores. The story of the Armenian people is a story of tragedy, but it is also a heroic story of strength and survival. The Armenian Diaspora today is spread across the world, including Novi, MI; Armenians have made important contributions in all fields of human endeavor; and the State of Armenia is a testament to the world of this nation's will and spirit.

The memorial monument we propose is to commemorate this history. Its two halves refer to the nation lost in the killing fields of the Genocide, but also to the nation that survived as a global community and in Armenia. The light between the two halves that shines into the skies is a reflection of the undying and striving spirit of a people. The height of the memorial monument is a reference to the starting date of the Genocide. At 62.83 ft. (62' 9.94"), it is equal to 1915 centimeters.

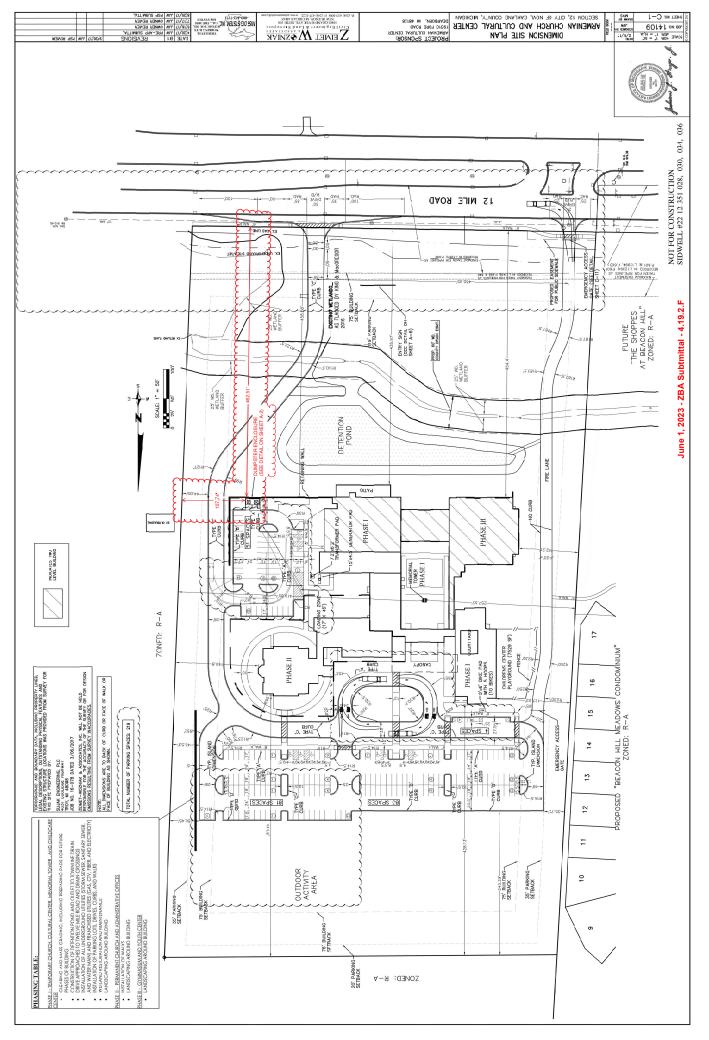
The memorial monument is to provide a moment for Armenians to grieve, reflect, reconnect and be inspired by all that this nation has lost and has achieved. It is also a memorial for non-Armenians, for the residents of Novi and for Michiganders, to learn of an important part of human history, to realize how Genocides can be organized, and to better understand their Armenian neighbors and others who have lived through similar experiences.

For these purposes, the base of the memorial monument will include a brief history of the Armenian Genocide, as well as a brief history of the Armenian Diaspora and State of Armenia. There will also be mention of when Armenians first established communities in Michigan.

The sides of the memorial monument, up to a height of eight feet, will be etched with the names of all the villages, towns and districts where Armenians lost their lives during the Genocide. The path to the memorial monument will be bricked, and Armenian families will be able to add the names of their lost relatives to these bricks.

Hayg Oshagan – Armenian Cultural Center

Raffi Ourlian – Armenian Cultural Center



Sheet No.

CGb ybbtoseq:

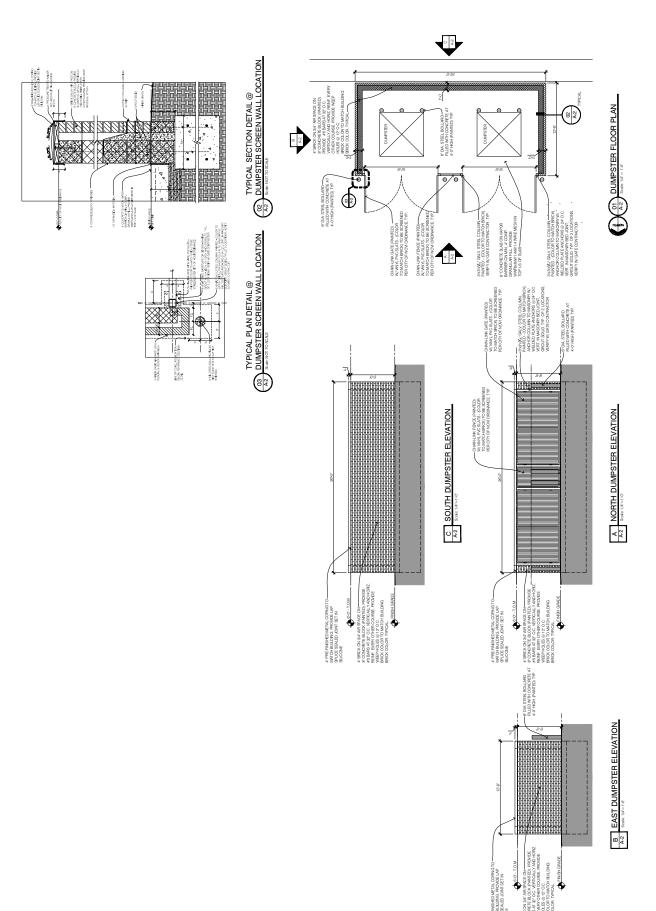
Date: October 4, 2017 Zoning Board of Appeals (ZBA) Submittal

Overall Plans

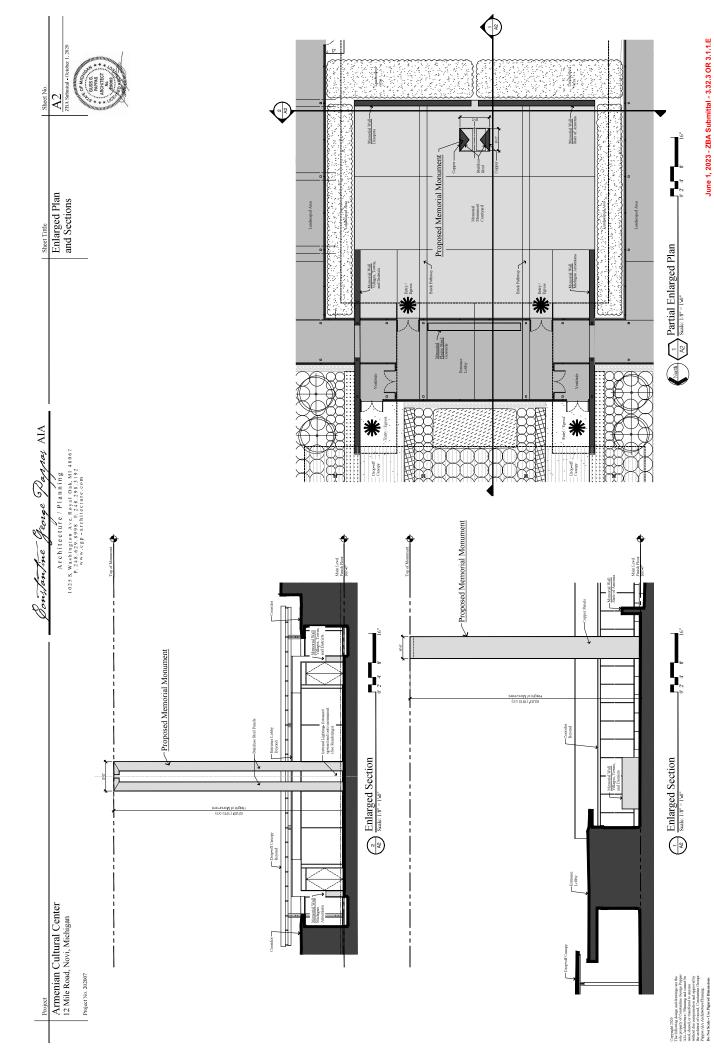
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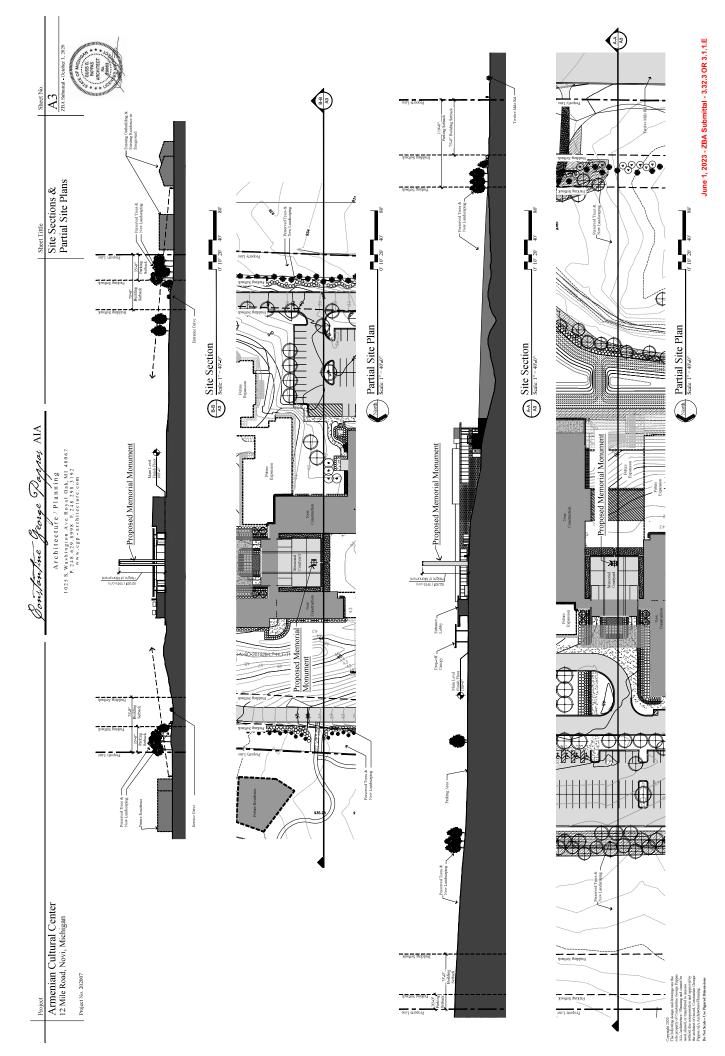
Sheet No.

Project
Armenian Church and Cultural Center
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Se IVIE \ EbC Diswn \ Checked Zoning Board of Appeals (ZBA) Submittal City of Novi - October 4, 2017 Dumpster Screen Wall Revisions Architect's Seal Sheet Title



A I  ZBA Sherit No.  ZBA Sherital - October 1, 2020  Sherital - October 1, 2020	* * * * * * * * * * * * * * * * * * *		78A Submittel - 3 32 3 0 D 3 1 1 E
Sheet Trite Overall Site Plan		-Grading	0 25 50 100 June 1, 2023
Aparine Jenge Panna AIA Architecture Planning 1025 S. Washington Arc. Royal Ost, MI 48667 P. 248, 629, 8998 F. 248, 298, 3192 www.cgp-architecture.com	Existing Residence	Existing Outbuilding	
		Sign of the second of the seco	
Armenian Cultural Center 12 Mile Road, Novi, Michigan Project No. 202007			arango, or antestero to a divigioni le la ten compensation en al aggiornal by a ALA Actainchuse Pharmaning.





Sheet No. Perspectives Sheet Tittle Constantine George Parsas AIA Armenian Cultural Center 12 Mile Road, Novi, Michigan

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Project No. 202007





103A FUTURE RESIDENCE NIGHT PERSPECTIVE
A4 Sale: NOT10 824.E



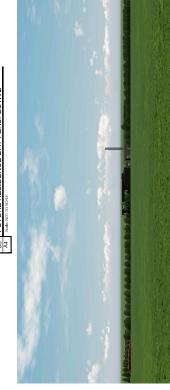
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63 FUTURE RESIDENCE DAY PERSPECTIVE
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06 ENTRY DAY PERSPECTIVE
A5 Selection Scale

06A ENTRY NIGHT PERSPECTIVE
A5 SERENDITO SCALE



05 CULTURAL CENTER DAY PERSPECTIVE
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OSA CULTURAL CENTER NIGHT PERSPECTIVE
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04 TWELVE MILE DAY PERSPECTIVE
A5 Scale: NOT TO SEALE

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04A TWELVE MILE NIGHT PERSPECTIVE
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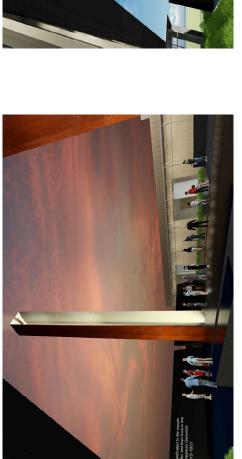
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07 MEMORIAL COURTYARD DAY PERSPECTIVE
A6 Selector to Solute

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