PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

*xxxxwe, Irish Enterprises, Inc. legal owner_of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 238.2 to permit a side set back of

10' Instead of required 30' for the proposed building and the addition to

the existing building

of the Zening Regulations of Baltimore County, to the Zoning Law of Paltimore County; for the following reasons: (indicate hardship or practical difficulty)
Because of the size of the lot in question, it would be impractical to construct the necessary facilities on the site and comply with the 30' side yard setback provision as the buildings would be too narrow.

To comply with the required side yard setback provision would operate as a severe hardship to the contract purchaser in that maximum use of the site would not be achieved. Therefore a variance from 30' side

yard setback to 10' is requested.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Salienore County adopted pursuant to the Zoning Law For Baltimore County.

IRISH ENTERPRISES, INC.

Edgar R. Brady, President

Address 6425 Baltimore National Pike

Catonsville, Md. 21228

Legal Owner

Protestant's Attorney

10

C. Sachs Contract purchasers

302 Hidden Glen Drive Owings Mills, Md. 21117 Dunie Listrick

Leonard J. Grossman 111 N. Charles Street Baltimore, Md. 21201

RDERED By The Zoning Commissioner of Baltimore County, this _____ 200 ... 1979, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th

RE: PETITION FOR VARIANCE SW/S of Baltimore National Fike, : BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY 1526' NW of Rolling Road, 1st District :

IRISH ENTERPRISES, INC., Petitioner : Case No. /9-229-A

ORDER TO ENTER APPEARANCE

1111111

Mr. Commissioner:

Pursuant to the authority contained in Section 524. I of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, I'l People's Counsel County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 30th day of March, 1979, a copy of the aforegoing Order was mailed to Mr. Edgar R. Brady, Fres dent, Irish Enterprises, Inc., 6425 Baltimore National Pike, Baltimore, Maryland 21228, Petitioner, Mr. and Mrs. Alvin P. Sachs, 2302 Hidden Glen Drive, Owings Mills, Maryland 21117, Contract Purchasers; and Leonard J. Grossman, Esquire, Goodman, Meagher & Enoch, 111 N. Charles Street -7th Floor, Baltimore, Naryland 21201.

494-2188

John W. Hessian, III

baltimore county office of planning and zoning TOWSON, MARYLAND 21204 (301) 494-3353

S. ERIC DINENNA ZONING COMMISSIONER

April 17, 1979

Leonard J. Grossman, Esquire 111 North Charles Street Baltimore, Maryland 21201

> RE: Petition for Variance SW/S of Baltimor- National Pike, 1526' NW of Rolling Road - 1st Election District Irish Enterprises, Inc. - Petitioner NO. 79-229-A (Item No. 147)

Dear Mr. Grossman:

I have this date passed my Order in the above referenced matter in accordance with the attached.

> Very ruly yours, S. ERIC DI NENNA Zoning Comm'ssioner

SED/mc

Attachment

cc: John W. Hessian, III, Esquire People's Counsel

ENGINEERING

SCALE____ft. - 1 inch File No.____

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Di Nenna Zoning Commissioner Leslie H. Groef, Director

March 29, 1979

Office of Planning and Zoning

SUBJECT_ Petition #79-229-A. Item 147 Petition for Variance for side yard setback Southwest side of Baltimore National Pike 1526 feet Northwest of Rolling Road Petitioner - Irish Enterprises, Inc.

1st District

Monday, April 9, 1979 (11:15 A.M.)

If granted, the petitioner should be required to submit a detailed landscaping plan for approval by the Current Planning and Development Division.

Office of Planning and Zoning

LHG:JGH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISCRY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Ave. Towson, Maryland 21204

Your Petition has been received and accepted for filing this 2nd day of February , 1979

Zoning Commissioner

Petitioner Irish Enterprises, Inc. Petitioner's Attorney Gressman

Leonard J. Grossman, Esquire Goodman, Meagher & Enoch 111 North Charle. Street Baltimore, Maryland 21201

Chairman, Zoning Plans

Advisory Committee

cc: Maryland Surveying & Engineering Co., Inc. 6707 White Stone Road Baltimore, Maryland 21207



Maryland Department of Transportation

State Highway Administration

MARYLAND SURVENING AND ENGINEER G CO., INC.

SURVEYING

Zoning Description

Irish Enterprizes Inc. P. operty

6425 Baltimore Nationa. Pike

U.S. Route 40, at a distance of 1526 feet Northwesterly from Rolling Road; runwing

thence the four following bearings and distauces, 1) South 21° 01' 27" West 964.85 feet, 2) North 70° 55' 33" West 99.97 feet, 3) North 21" 01' 27" East 963.67 feet

to the South side of Baltimore National Pike, 4) along the South side of Baltimore

National Pike South 71" 36' 03" East 100.0/ feet to the Point of Beginning.

Containing in all 93,366 square feet or 2.21 acres more or less.

BECENING FOR THE SAME at a point on the South side of Baltimore National Pike,

TELEPHONE: 301-944-9291

Affiliated With LYON ASSOCIATES, INC.

67/7 WHITESTONE ROAD . BALTIMORE, MARYLAND 21207 .

Hermann K. Internann Secretary M. S. Caltrider

January 8, 1979

Mr. S. Eric DiNenna Zoning Commissioner County Office Bldg. Towson, Md. 21204

Attention: Mr. N. Commodari

Property Owner: Irish Enterprises, Inc. Location: SW/S Balto. National Pike (Rte. 40) 1526' NW Rolling

Existing Zoning: B.R.

Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 30'.

Re: Z.A.C. Meeting, January 2, 1979

Acres: 2.21

District: 1st

Dear Mr. DiNenna:

The plan does not reflect entrance geometrics as previously indicated to the petitioner's engineer. The plan must be revised prior to a hearing date being assigned.

Very truly yours,

CL:JEM:dj

Charles Lee, Chief Bureau of Engineering Access Permits John & fortegen co

By: John E. Meyers

My triephone number is 383-4320

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21703

JUN 1 5 1979

Pursuant to the adversisement, posting of property, and public hearing on the Petition

and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, ____ IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____day of _____ 197 __, that the aforementioned Variance(s) be and the same is are hereby DENIED.

Zoning Commissioner of Baltimore County

Item #147 (1978-1979)

Property Owner: Irish Enterprises, Inc. Page 2 February 8, 1979

Storm Drains:

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prewert creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Newer:

There is a public 12-inch water main in Baltimore National Pike and public 8-inch sanitary sewerage adjacent to the rear of this property.

Fire hydrants, located along Baltimore National Pike are in excess of 300 feet. from this site.

> Very truly yours, Elleworth M. Wiver Fire ELLSWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: TWR: 55

- cc: J. Trenner D. Grise
- J. Somers
- W. Munchel H-ME Key Sheet

5 & 6 SW 28 Pos. Sheets SW 2 G Topo 94 5 100 Tax Maps

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

111 W. Chesapuli. Are. Towson, Maryland 2120+

> Nicholas B. Commodari Chairman

MEMBERS Bureau of Engineering Department of Traffic Engineering State Roads Commission Bureau of

Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Inquetrial

Development.

Zoning Administration

Leonard J. Grossman, Esquire Goodman, Meagher & Enoch 111 North Charles Street Baltimore, Maryland 21201

> RE: Item No. 147 Petitioner - Irish Enterprises, Inc. Variance Petition

April 2, 1979

Dear Mr. Grossman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a hearing or this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's proposal to construct an addition to the existing building and warehouse building to the rear of this property within 10' of the side property line, in lieu of the required 30', this Vari nce is required. In accordance with our previous telephone conversations, the submitted site plans must be revised to incorporate the comments of the State Highway Administration, concerning the changes to the existing entrances; the Office of Current Planning, concerning the proposed road at the rear of this property, and the required landscaping; and the applicable comments from the Bureau of Engineering. In addition, particular attention should be afforded the comments from the Department of Permits & Licenses and the Fire Department.

Item No. 147 Page Two April 2, 1979

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was arranted. This petition is accepted for filing on the date of the enclosed fling certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

NBC/sf

Enclosures

cc: Maryland Surveying & Engineering Co., Inc. 6707 White Stone Road Baltimore, Maryland 21207

baltimore county department of public works TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E. DIRECTOR

February B, 1979

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towsen, Maryland 21204

> Re: Item #147 (1978-1979) roperty Owner: Irish anterprises, Inc. S/WS Balto, National Pike 1526' N/W Rolling Rd. Existing Zoning: AR Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 30'. Acres: 2.21 District: 1st

Dear Mr. Dibenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Baltimore National Pike (U.S. 40) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Geipe Road is proposed to be extended (Job Order 5-1-2944) and constructed in the future as a 40-foot closed section readway on a 60-foot right-of-way along the rear of this property. Highway right-of-way including any necessary revertible easements for slopes, will be required in connection with any grading or building permit, or further development of this property.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards,

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

battimore county office of planning and zoning TOWSON, MARYLAND 21204 (301) 494-3211

LESUE H. GRAEF DIRECTOR

March 14, 1979

Mr. S. Eric DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #147, Zoning Advisory Committee Meeting, January 2, 1979, are as follows:

Property Owner: Irish Enterprises, Inc. Location: SW/S Baltimore National Pike 1526' NW Rolling Food Existing Zoning: B.R. Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 30' Acres: 2.21 District: 1st.

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate # a appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

There is a road proposed at the rear of this property which must be shown on the site plan. Landscoping should be provided.

Very truly yours,

John Sell unblig John L. Wimbley Planner III Current Planning and Development battimore county department of traffic engineering TOWSON, MARYLAND 21204 13011 4-4-3550

STEPHEN E. COLLINS DIRECTOR

January 18, 1979

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 21204

> 147 - ZAC - January 2, 1979 Irish Enterprises, Inc. Property Owner: SW/S Balto. National Pike 1526' NW Rolling Rd. Location: Existing Zoning: Variance to permit a side setback of 10' in lieu

Proposed Zoning: of the required 30'.

2.21 Acres: District

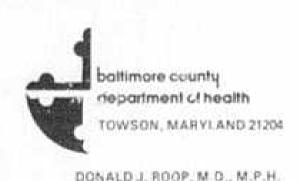
Dear Mr. DiNenna:

The requested variance to the side setback is not expected to cause any traffic problems.

State Eweber

Stephen E. Weber Engineer I

MSF/SEW/hmd



DEPUTY STATE AND COUNTY HEALTH OFFICER

February 2, 1979

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 2120h

Dear Mr. DiNenn ::

Acres:

Comments on Item #147, Zoning Advisory Committee Meeting of January 2: 1979, are as follows:

> Property Owner: Irish Exterprises, Inc. SW/S Balto, Mational Pike 1526' NW Rolling Rd. Location: Existing Zoning: I.R.

Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 30'.

District:

Metropolitan water and sever ary available.

If lubrication work and oil changes are per amed at this location, revised plans must be submitted showing method providing itr the elimination of warte oil in accordance with Water Resources Administration requirements.

Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 491-3775, to obtain requ'rements for such installation/s before work begins.

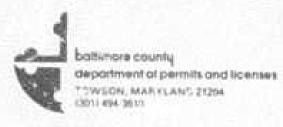
A Permit to Construct from the Division of Air Pollution Control is required for such items as paint spray processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

> Very truly yours, CARES

Ian J. Forreat, Acting Director BUREAU OF ENVIRONMENT) & SERVICES

IJF/JRP/fth6

co: W. L. Phillips



JOHN D SEYFFERT DIMECTOR

January 23, 1979

Mr. S. Eric DiMenna, Louing Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21206

Dear Mr. DiNenma:

Comments on Item # 11/7 Roning Advisory Committee Meeting, Francy 2, 1979 are as follows:

Property Owner: Irish Enterprises, Inc Location: S/W/S Baltimore National Pike 1526' NW Holling Road Existing Somings B.R.

Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 30'.

2,21 ACTION Districts

The items checked below are applicable:

- XA. Structure shall conform to Baltimore County Building Code (5.0.C.A.) 1970 Exition and the 1971 Supplement, State of Maryland Code for the Standicapped and aged and other applicable codes.
- XE. A building permit shall be required before construction can begin.
- C. Additional _____ Fermits shall be required.
- D. Building shall be upgraded to new use requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- My. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- 0. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0"
- H. Requested setback variance conflicts with the Ballimore County Building Code. See Section
- XJ. Communt: See Section 117.0 if repair shop is for servicing, repairing noter vehicles. It could require a 3 hour fire wall separation to be acceptable.

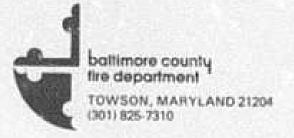
Charles E. Burnham Plans Review Chief

79-229-A

CENTIFICATE OF FOSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

Date of Posting MARCH 23 1979. ETITION FOR VARIABLE. IRISH ENTERPRISES, INC. Location of property: SW/S BALTO. NATL. PIKE 1526 NW OF ROLLING Rd. Location of Signar FRENT 6425 BALTE. NATL. PIKE.

1-51610



Paul H. Reincke

January 24, 1979

Office of Planning and Zoning Baltimore County Office Building Townon, Maryland 21204

Attention: N. Commodari, Chairman Zoning Advisory Committee

Ro: Property Omer: Irish Enterprises, Irc.

Location: SW/S Balto. National Pike 1526' NW Rolling Rd.

Itom No. 147

Zoning Agenda Meeting of 1/2,19

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Morks. On site fire hydrant required.
- () 2. A second means of vahicle access is required for the site.
- () 3. The vehicle dead end condition shown at

EXCERDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable ports of the Fire Provention Code prior to occupancy or beginning of operations.
- ** (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Piro Protoction Association Standard No. 101 "Life Safety Code", 1975 Edition prior to eccupancy. Proposed mini warehouse building to be constructed so as to meet the requirements of high
 - () 6. Site plans are approved as drawn.
 - () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER Cast Joseph Jaly 1/24/79 Reproved: Heorg: M. Weigand

** hazard storage in accordance with B.O.C.A. and NFFA 101

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received * this /2 day of Der 1978. Filing Fee \$ 25 . Received Check

Petitioner Total Colomics Total Submitted by Comment Petitioner's Attorney / Reviewed by Reviewed by

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

OFFICE NEWSPAPERS

TOWSON, MD. 21204

PETITION FOR VARIANCE

of body yand amblack

DOGGED PRINCE NO VALARIES

LOSATION SOUTHWEST GOD OF Balemont Ny toroni Fina, 1525 feet.

PUBLIC HEARDIG BROW TO

County Office Building, 1111 V

The Lieuway Dunney Lieuway

o. By authority of the Zening Ro

COUNTY, WIE Port A public health

President for Machines to purett

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The control fileposition to select

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All that percet of belief is the First.

District of Baltimore County
BEGOVIEVS FOR THE SAME AL

son National Plea, U.S. Route 40

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Suctioning in all 93,366 separa

Next or 2.21 sores more or feet.

Georg the property of hist, Er-

promised, Inc., as andwh on glad pron thad with the Zabing Depart-

PROTTING Cate Monthly, April II.

Public Hearing Steem 100.

TORRORS AMERICA, TURNOS AND STREET OF STREET

OF SALTISIONS COUNTY

S. ERIC DI NENNA

BALTIMORE COUNTY MARYLAND

MISCELLANEOUS CASH RECEIPT

FROM Rent-All Center Inc.

242 4 22 July 9

DATE ADEIL 9, 1979

OFFICE OF FINANCE REVENUE DIVISION

Journal Office Building, 111 W.

Frequencies of Barricore

March 22

19.79

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Irish Er erprises, Inc.

was inserted in the following:

☐ Suburban Times East

- Catonsville Times
- ☐ Towson Times
- ☐ Dunda!k Times □ Essex Times
 - ☐ Arbutus Times ☐ Community Times ☐ Suburban Times West

weekly newspapers published in Baltimore. County, Maryland,

once a week for one successive weeks before the 23rd day of March 19 79, that is to say, the same was inserted in the issues of March 22, 1979.

No. 78625

MOUNT \$12.94

4 2.9 4 100

Fon Cost of Advertising and Posting Caso No. 79-229-A

VALIDATION UP SYGNATURE OF CASHIER

STROMBERG PUBLICATIONS, INC.

PETITION FOR VARIANCE Les DESTRICT

HONING: Petition for Variance ... side yard set mik LOCATION: Southwest side of Hab-Unite National Pike, 1526 feet Southwest of Holling Road DATE & TIME, Monday, April 5. 1979 at 71:13 A.M. PUBLIC REARING: Room 106. County Office Building, 111 W Chempeaks Avenue, Towsus, Maryland,

epted as follows:

My order of

S. ERIC DINEINNA.

Zonleg Commissioner

The Zoning/Deputy Zoning Comreliationer of Haltimore County, by authority of the Zonfag Act and Regulations of Bulthacre County. will hold a public hearing: Petition for Variance to permit a side yard actions of 10 feet instand f the required 30 feet for the procord building and the addition to the existing building. The Entire Regulation to be ex-Section 200 % -- shin yard sechack First District of Ball'more County Leginicay for the same at a point on the South side of Maltimore No. appearing on the 22nd day of March tional Pike, U.S. Route 40, at a distance of 1336 feet Morthwesterly from Rolling Road; ruening the the four following bearings and dis-tances, I) South 21° 01' 27' West 364.85 feet, 2) North 70° 50' 32° West 18.17 feet, 3) North 21" 01' 27" East Sci 67 feet to the South side of Bultimore National Pike, t) along the fourth side of Bultimore National Pike South Ti* 26' 69" East 100 02 feet to the point of beginning. Containing in all \$1,500 square feet or 2.21 seres more or laws. skeing the property of Irish Enter prince, Inc., as shown on plac placfiled with the Zoning Department. Hearing Date: Monday, April 9 Public Hearing: Boom 104, County Office Building, all W. Cherapeaks Avenue, Towson, Md.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed

> and published in Towson, Baltimore County, Md., omascin crack aps one time __nucesantwacounts before the ____9th day of ____April _____ 19.72_, the West publication

Cost of Advertisement, \$____

BALTIMORE COUNTY, MARYLAND No. 78583 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANED CASH RECEIPT DATE March 11: 1979 40 JUNY 01-662 AMOUNT \$25,00 FROM Goodman, Meagher and Enoch ros Filing Fee for Case No. 79-229-4 BE STEND 14 25.00 MSC MALIDATION OR SIGNATURE OF CARNIER

