

JWA

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
E/S Bloomsbury Avenue, '735' S of *
the c/l of Bloomingdale Avenue * DEPUTY ZONING COMMISSSTONER
(205 Bloomsbury Avenue) *
1st Election District * OF BALTIMORE COUNTY
1st Councilmanic District *
Case No. 97-280-X
The Children's Home, Inc. *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 205 Bloomsbury Avenue, located in the vicinity of Frederick Road in Catonsville. The Petition was filed by the owner of the property, The Children's Home, Inc., by Josephine L. Hill, Executive Director. The Petitioner seeks a special exception for a community care center on the subject property, zoned D.R. 3.5, pursuant to Section 1B01.C.6.a of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Josephine Hill, Executive Director of The Children's Home, Inc., and Richard Matz, Professional Engineer who prepared the site plan for the property. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 42.56 acres, more or less, zoned D.R. 3.5 and is improved with a number of buildings, including living quarters, gymnasium and a swimming pool, all of which support The Children's Home, Inc., for the purpose of providing a healthy living environment for abused and neglected children. The Children's Home has operated from the subject site for many decades

and is, in fact, nonconforming as a community care center. The Petitioner proposes to add a one-story Boys' Shelter and an addition to the existing Administration Building, as more particularly described on Petitioner's Exhibit 1. The Petitioner felt it appropriate at this time while proceeding through the permit process for the proposed improvements to legitimize the existing facilities, which, as noted above, have existed on the property for many years and are nonconforming. However, a special exception is necessary for such a use in the D.R. zone.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

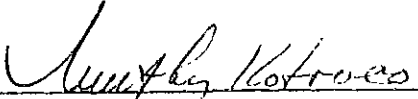
After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2/5th day of February, 1997 that the Petition for Special Exception for a community care center on the subject property, zoned D.R. 3.5, pursuant to Section 1B01.C.6.a of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County



Petition for Special Exception

97-280-X

to the Zoning Commissioner of Baltimore County

for the property located at 205 Bloomsbury Avenue

which is presently zoned D.R. 3-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) 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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A Community Care Center in a D.R. Zone in accordance with Section 1B01.C(6a) of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

The Children's Home, Inc.

Josephine L. Hill, Exec. Director
(Type or Print Name)

Josephine L. Hill
Signature

(Type or Print Name)

Signature

205 Bloomsbury Ave. 744-7310
Address Phone No.

Catonsville, MD 21228
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert S. Rosenfelt, P.E.
Colbert Matz Rosenfelt, Inc.
Name

3723 Old Court Rd 653-3838
Baltimore, MD 21208
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2-3 hr
unavailable for Hearing

the following dates _____ Next Two Months

ALL OTHER _____

REVIEWED BY: MDR DATE 1/8/97





Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 21, 1997

Ms. Josephine L. Hill
Executive Director
The Children's Home, Inc.
205 Bloomsbury Avenue
Catonsville, Maryland 21228

RE: PETITION FOR SPECIAL EXCEPTION
E/S Bloomsbury Avenue, 735' S of the c/l of Bloomingdale Avenue
(205 Bloomsbury Avenue)
1st Election District _ 1st Councilmanic District
The Children's Home, Inc. _ Petitioner
Case No. 97-280-X

Dear Ms. Hill:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Richard Matz, Colbert Matz Rosenfelt, Inc.
3723 Old Court Road, Baltimore, Md. 21208

People's Counsel

✓ File

#280



Petition for Special Exception

97-280-X

to the Zoning Commissioner of Baltimore County

for the property located at

205 Bloomsbury Avenue

which is presently zoned D.R. 3-5

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A Community Care Center in a D.R. Zone in accordance with Section 1B01.C(6a) of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

The Children's Home, Inc.

Josephine L. Hill, Exec. Director
(Type or Print Name)

Josephine L. Hill
Signature

(Type or Print Name)

Signature

205 Bloomsbury Ave. 744-7310

Address Phone No

Catonsville, MD 21228

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert S. Rosenfelt, P.E.
Colbert Matz Rosenfelt, Inc.
Name

3723 Old Court Rd 653-3838

Address Phone No

Baltimore, MD 21208

City State Zipcode

ESTIMATED LENGTH OF HEARING 2-3 hr
unavailable for hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: [Signature] DATE: 1/8/97

ORDER RECEIVED FOR FILING
Date _____
By _____



RECEIVED

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION

Beginning at a point on the east side of Bloomsbury Avenue, which is 30 feet wide, at the distance of 630 feet south of the centerline of the nearest improved intersecting street, Bloomingdale Avenue, which is 50 feet wide. Thence the following courses and distances:

N.82°25'20"E. 346.50ft.;
N.14°19'40"W. 330.58ft.;
N.72°39'22"E. 495.41ft.;
N.19°02'20"W. 4.50ft.;
N.73°47'31"E. 503.62ft.;
S.15°56'44"E. 1,188.72ft.;
S.23°48'19"W. 0.73ft.;
S.34°01'12"W. 45.00ft.;
S.40°02'24"W. 55.31ft.;
S.40°24'38"W. 100.63ft.;
S.31°19'45"W. 100.11ft.;
S.28°18'34"W. 100.50ft.;
S.23°48'58"W. 25.40ft.;
S.32°06'39"W. 75.04ft.;
S.35°44'18"W. 59.41ft.;
S.84°21'00"W. 1,070.21ft.;
N.00°09'50"W. 368.00ft.;
N.12°48'56"W. 582.50ft.;
N.17°13'59"W. 125.43ft. to the place of beginning.

Containing 42.562 acres, more or less. Also known as 205 Bloomsbury Avenue, and located in the 1st Election District.

2/14/97

280

ZONING DESCRIPTION

97-280-X

Beginning at a point on the east side of Bloomsbury Avenue, which is of varying width, at a distance of 755 feet southerly from the centerline of Bloomingdale Avenue, 50 feet wide as measured along said east side of Bloomsbury Avenue, thence binding on the outlines of the land conveyed to The General German Orphan Association of Baltimore City by deed dated November 5, 1919 and recorded in the Land Records of Baltimore County in Liber 516, Folio 552, the following nine (9) courses:

1. S87°55'W 346.50 FT.,
2. S09°20'E 456.00 FT.,
3. S77°50'W 495.00 FT.,
4. S79°20'W 507.00 FT.,
5. N10°15'W 1276.00 FT.,
6. S40°45'W 460.57 FT.,
7. Due East 1143.50 FT.,
8. S06°10'W 368.00 FT.,
9. N07°10'W 582 FT., more or less, to the place of beginning.

Containing 42.99 acres, more or less. Also known as 205 Bloomsbury Avenue, and located in the 1st Election District.



CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400

Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-280-X
(Item 280)
205 Bloomsbury Avenue
E/S Bloomsbury Avenue, 755'
S of c/A Bloomingdale Avenue
1st Election District
1st Councilmanic

Legal Owner(s):
The Children's Home, Inc
Special Exception: for a community care center.

Hearing: Friday, February 14, 1997 at 2:00 p.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

1/29/91 Jan. 23 C114221

TOWSON, MD., Jan 23, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan 23, 1997.

THE JEFFERSONIAN,

A. Henrich
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 026070

DATE 1/8/97 ACCOUNT 01-615

Bv: MDK
Item: 280

AMOUNT \$ 300.00

RECEIVED FROM: Colbert, Mary Rosenthal - 205 Bloomsburg Ave

FOR: 050 - Special Exemption - \$300.00

MICROFILMED, 01ADD#02BAMICHRC \$300.00
4 0011425AND1-02-97

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
 Department of Permits and
 Development Management

#280

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 280

Petitioner: The Children's Home, Inc.

Location: 205 Bloomsbury Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Josephine L. Hill

ADDRESS: 205 Bloomsbury Ave
Catonsville, MD 21228

PHONE NUMBER: (410) 744-7310

AJ:ggs

(Revised 09/24/96)

CERTIFICATE OF POSTING

RE: Case No.: 97-280-X

Petitioner/Developer: THE CHILDRENS HOME, INC.

% RICHARD MATZ

Date of Hearing/Closing: 2/14/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 205 BLOOMSBURY AVE.

The sign(s) were posted on 1/30/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 1/31/97

(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

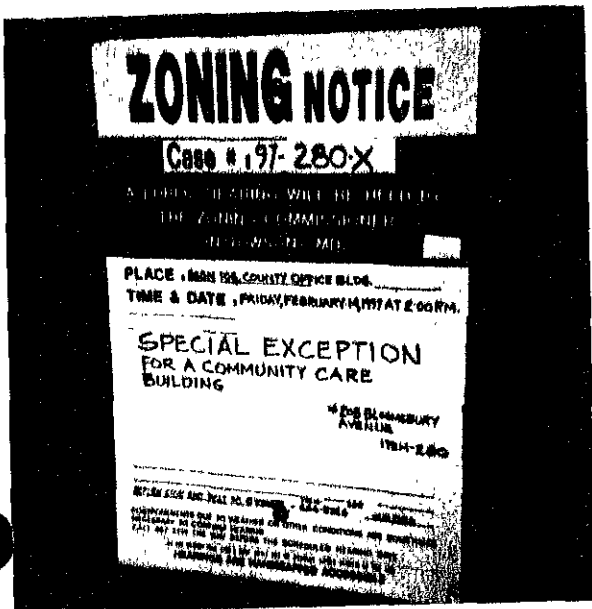
Hunt Valley, MD 21030

(City, State, Zip Code)

[410] 666-5366

Pager [410] 646-8354

(Telephone Number)



#205 BLOOMSBURY AVE
CHILDRENS HOME
% R. MATZ 1/30/97

Request for Zoning: Variance, Special Exception, or Special Hearing

280

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: a community care center in a D.P. zone

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
January 23, 1997 Issue - Jeffersonian

Please forward billing to:

Josephine L. Hill
The Children's Home, Inc.
205 Bloomsbury Avenue
Catonsville, MD 21228
744-7310

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-280-X (Item 280)
205 Bloomsbury Avenue
E/S Bloomsbury Avenue, 755' S of c/l Bloomingdale Avenue
1st Election District - 1st Councilmanic
Legal owner(s): The Children's Home, Inc.

Special Exception for a community care center.

HEARING: FRIDAY, FEBRUARY 14, 1997 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 17, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-280-X (Item 280)
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E/S Bloomsbury Avenue, 755' S of c/l Bloomingdale Avenue
1st Election District - 1st Councilmanic
Legal owner(s): The Children's Home, Inc.

Special Exception for a community care center.

HEARING: FRIDAY, FEBRUARY 14, 1997 at 2:00 p.m. in Room 106, County Office Building.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: The Children's Home, Inc.
Colbert Matz Rosenfelt, Inc.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 30, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 1.17.97
Item No. 280 (MJK)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Larry Gredlein
to Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Jan 23, 97

FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Jan 21, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

- Item #'s:
- 276
 - 278
 - 279
 - (280)
 - 281
 - 283
 - 285

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: January 28, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 205 Bloomsbury Road

INFORMATION:

Item Number: 280

Petitioner: The Children's Home, Inc.

Property Size:

Zoning: DR 3.5

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The proposed expansion to the existing administration building and new shelter appears to be in keeping with the existing children's home. This office does not oppose the requested Special Exception.

Prepared by: *Jeffrey W. Lang*

Division Chief: *Carol L. Kern*

AFK/JI: rdn

PETITION PROBLEMS

#276 --- JCM

1. Need title of person signing for contract purchaser.

#280 --- MJK

1. There is no attorney listed on the petition form. As the legal owner is incorporated, they need to be represented by an attorney.

#281 --- JRA

1. Need telephone number for legal owner.

#282 --- JLL

1. No zoning on folder.
2. No election district on folder.
3. No councilmanic district on folder.
4. No acreage on folder.

#283 --- JRA

1. No acreage on folder.
2. No election district on folder.
3. No councilmanic district on folder.

#285 --- CAM

1. Need name and title of person signing for contract purchaser.

#286 --- JCM

1. Folder not marked "Floodplain".

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
205 Bloomsbury Avenue, E/S Bloomsbury Ave., * ZONING COMMISSIONER
755' S of c/l Bloomingdale Avenue * OF BALTIMORE COUNTY
1st Election District, 1st Councilmanic *
The Children's Home, Inc. *
Petitioner * CASE NO. 97-280-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of February, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert S. Rosenfelt, P.E., Colbert Matz Rosenfelt, Inc., 3723 Old Court Road, Baltimore, MD 21208, representative for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

photographs

Case 97-280-X



AREA OF ADMIN BLDG
CONSTRUCTION 2-14-97.



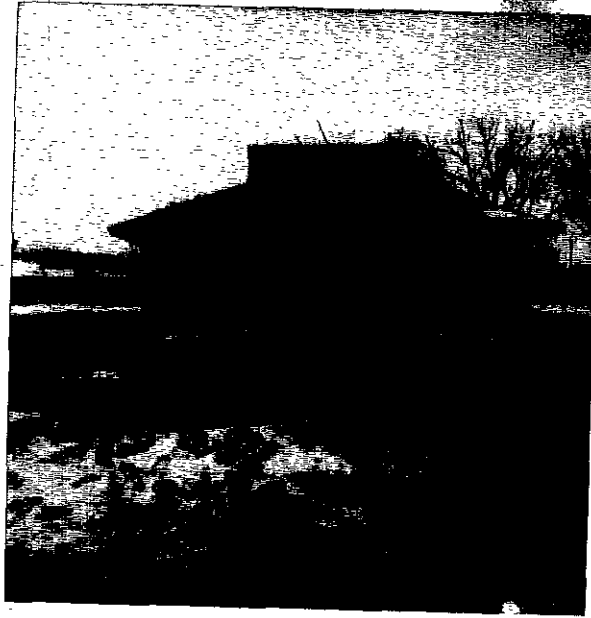
CORNER OF ADMIN
BLDG ADDITION 2-14-97.



2-14-97
EX- ADMIN BUILDING
TRAILER TO BE REMOVED



EX. GIRLS SHELTER
2-14-97



EX GIRLS ILP
2-14-97.



EX BOY ILP
2-14-97



AREA PROPOSED BOYS SHELTER
2-14-97

