

IN RE: PETITION FOR ADMIN. VARIANCE
SW/S Willis Drive, 755' SE of
Rolling Road
(1718 Willis Drive)
13th Election District
1st Councilmanic District

James R. Gugliette, Sr.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-508-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 1718 Willis Drive, located in the vicinity of Rolling Road in Catonsville. The Petition was filed by the owner of the property, James R. Gugliette, Sr. The Petitioner seeks relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure to be located in the side/front yard in lieu of the required rear yard for a proposed garage and greenhouse addition to the existing structure, and to amend the previously approved site plan in prior Case No. 84-346-A, accordingly. 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.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning

ORDER RECEIVED FOR FILING

Date

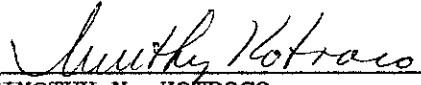
By

Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of June, 1997 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure to be located in the side/front yard in lieu of the required rear yard for a proposed garage and greenhouse addition to the existing structure, and to amend the previously approved site plan in prior Case No. 84-346-A, accordingly, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 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.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

RECEIVED
BALTIMORE COUNTY
ZONING DEPARTMENT
JUN 11 1997
6/5/97
bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

June 5, 1997

Mr. James R. Gugliette, Sr.
1718 Willis Drive
Baltimore, Maryland 21227

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/S Willis Drive, 755' SE of Rolling Road
(1718 Willis Drive)
13th Election District - 1st Councilmanic District
James R. Gugliette, Sr. - Petitioner
Case No. 97-508-A

Dear Mr. Gugliette:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance 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 Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco", is written over the typed name.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

✓
File



3

Keep this Original in Zoning File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1718 Willis Dr. which is presently zoned DR 6.5

97-508-A

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 Variance from Section(s)

100.1 BCZR TO PERMIT A GREENHOUSE AND A GARAGE ADDITION IN SIDE AND FRONT YARD IN LIEU OF THE PERMITTED REAR YARD AND TO AMEND THE PREVIOUSLY APPROVED PLAN IN ZONING CASE 84-346-A

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE AFFIDAVIT

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 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:

Legal Owner(s)

(Type or Print Name)

JAMES R. GUGLIOTTE Sr

Signature

James R. Gugliotta Sr

Address

(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner

1718 Willis Dr. 247-1663

(Type or Print Name)

Address Phone No

Signature

Balto MD 21227

City State Zipcode

Address Phone No

Name

City State Zipcode

Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY [Signature] DATE 5/8/97 ESTIMATED POSTING DATE 5/18/97



Printed with Soybean Ink on Recycled Paper

ITEM #: 508

ORDER RECEIVED FOR FILING 5/5/97

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1718 Willis Dr
address
Bethesda MD 21227
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

NO BACK YARD, ONLY 2 HOUSES ON
RIGHT SIDE OF STREET. SON & DAUGHTER-IN-LAW
FILED BANKRUPTCY, NOW LIVING WITH US &
NEED ADDITIONAL STORAGE SPACE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

James R. Guglietta Sr
(signature)
JAMES R. GUGLIETTA SR
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

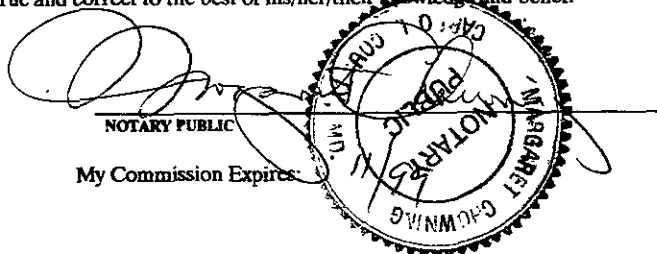
I HEREBY CERTIFY, this 25th day of April, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

James R. Guglietta

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

April 25, 1997
date



C. Brooke Miller P.I.S.

15 byway road
owings mills, maryland 21117
356-9231

PROFESSIONAL
PLANNING
CONSULTANTS &
LAND SURVEYORS

ZONING DESCRIPTION

97-508-A

BEGINNING on the Southwesterly side of Willis Drive, 29 feet wide,
at the distance of 755±feet southeast of the southerly margin of Rolling Road.
Being Lots 14, 15 and 16 in the subdivision of O'HEARN PLACE. Book No.
W.P.C. 7 Folio 190 part 2. Also known as 1718 Willis Drive in the 13th
Election District, Baltimore County, Maryland. 23AC

508

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

026655

DATE

5/8/97

ACCOUNT

AMT RECEIPT
#008-311
05/08/97 01 5 JAN P 4056
DEPT 5 FLS DINING VERIFICATION
#001630

AMOUNT

\$64.00 CK F-A-I-P
Baltimore County Maryland
\$64.00

RECEIVED
FROM:

GUGLIETTE

FOR:

IRVING AND 14 XEROX

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CERTIFICATE OF POSTING

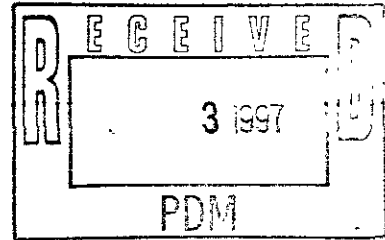
RE: Case No.: 97-508-A

Petitioner/Developer: _____

JAMES R. GUGLIETTE, SR.

Date of Hearing/Closing: JUNE 16, 1997

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 1718 WILMS DRIVE

The sign(s) were posted on MAY 30, 1997
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 97-508-A

A VARIANCE TO PERMIT A GREENHOUSE AND
GARAGE ADDITION (ACCESSORY STRUCTURE)
IN SIDE AND FRONT YARD IN LIEU OF THE
PERMITTED REAR YARD AND TO AMEND
THE PREVIOUSLY APPROVED PERMIT IN
ZONING CASE 84-546-A

PUBLIC HEARING ?

PERSONS IN SECTION 26-127(N)(1), DISTRICT CDD(1) CAN
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON JUNE 24, 1997.

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT VARIANCE UNIT

1500 N. GARDENWAY AVE.

PHOENIX, AZ 85018

TEL 987-3381

FOR MORE INFORMATION, SEE THE ZONING OFFICE OR CALL THE ZONING OFFICE AT 987-3381.

SEEKING A VARIANCE? CALL 987-3381.

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 97-508-A

A VARIANCE TO PERMIT A GREENHOUSE AND
GARAGE ADDITION (ACCESSORY STRUCTURE)
IN SIDE AND FRONT YARD IN LIEU OF THE
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4:30 p.m. ON JUNE 24, 1997.

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT VARIANCE UNIT
1500 N. GARDENWAY AVE.
PHOENIX, AZ 85018
TEL 987-3381

FOR MORE INFORMATION, SEE THE ZONING OFFICE OR CALL THE ZONING OFFICE AT 987-3381.

SEEKING A VARIANCE? CALL 987-3381.



Baltimore County
Department of Permits and
Development Management

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

May 22, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-508-A
1718 Willis Drive
SW/S Willis Drive, 755' SE of Rolling Road
13th Election District - 1st Councilmanic
Legal Owner(s): James R. Gugliette, Sr.
Post by Date: 05/18/97
Closing Date: 06/02/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

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

Arnold Jablon
Director

cc: James R. Gugliette, Sr.



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 5/18/97.

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-508-A

A VARIANCE TO PERMIT A GREENHOUSE AND GARAGE ADDITION (ACCESSORY
INSIDE AND FRONTYARD IN LIEU OF THE ~~REAR~~ PERMITTED STRUCTURE.)
REAR YARD AND TO AMEND THE PREVIOUSLY APPROVED PLAN IN
ZONING CASE 84-346-A

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

06/02/97
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Ave.
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.: 508

Petitioner: GUGLIETTE

Location: 1718 Willis Dr.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JAMES R GUGLIETTE Sr

ADDRESS: 1718 Willis Dr

Balto. Md. 21227

PHONE NUMBER: 410-247-1663

AJ:ggs

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

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

June 2, 1997

Mr. James R. Gugliette, Sr.
1718 Willis Drive
Baltimore, MD 21227

RE: Item No.: 508
Case No.: 97-508-A
Petitioner: James R. Gugliette, Sr.

Dear Mr. Gugliette:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 8, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: May 20, 1997

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

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 500, 507, 508, 519 and 520

If there should be any questions or if this office can provide additional information,
please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Pat Keller

AFK/JL



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 5.16.97
Item No. 508 JLL

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,

for

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

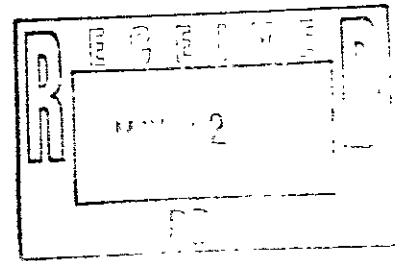
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500



(410) 887-4500

May 20, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP 1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 27, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

G. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

501, 502, 505, 506, 507, 508, 509, 510, 511, and 512

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: May 27, 97

FROM: R. Bruce Seeley *RBS/qp*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: May 19, 97

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

Item #'s:

500	508
502	511
503	
504	
505	

RBS:sp

BRUCE2/DEPRM/TXTSBP

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: May 29, 1997

FROM: Robert W. Bowling, Chief
 WLB Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for May 27, 1997
 Item Nos. 502, 505, 508, 510, 511

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

97-508-A

EX. 6 WATER

EX. 8 CAR

755' 16' ROLLING ROAD

WILIS DRIVE

PROP. DRIVE

16' WIDE

LOT 12

#7716
EXISTING
DWEL.

LOT 13

47.50'

LOT 14

1.8'

APPROX. 100' GARAGE
EX. GARAGE

GREEN HOUSE

LOT 15

FRONT

EXISTING DWEL. #1718

LOT 16

49'

543' 30" W 110'

5895

46° 30' W 644'

110'

129

NAT 11

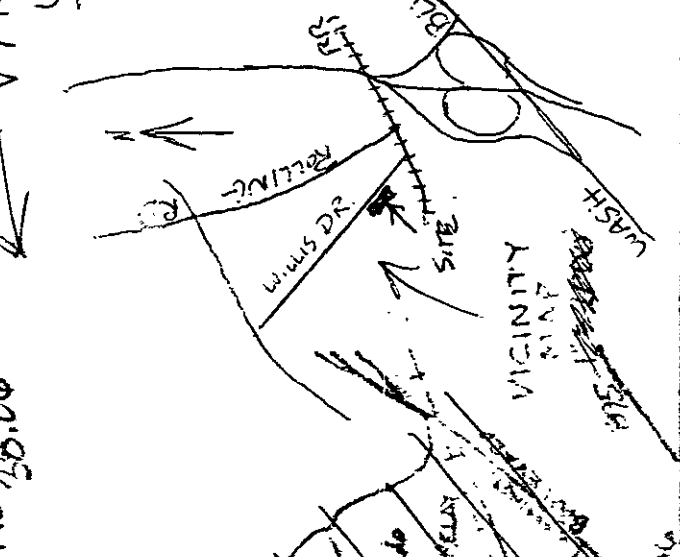
100.26

VACANT LAND

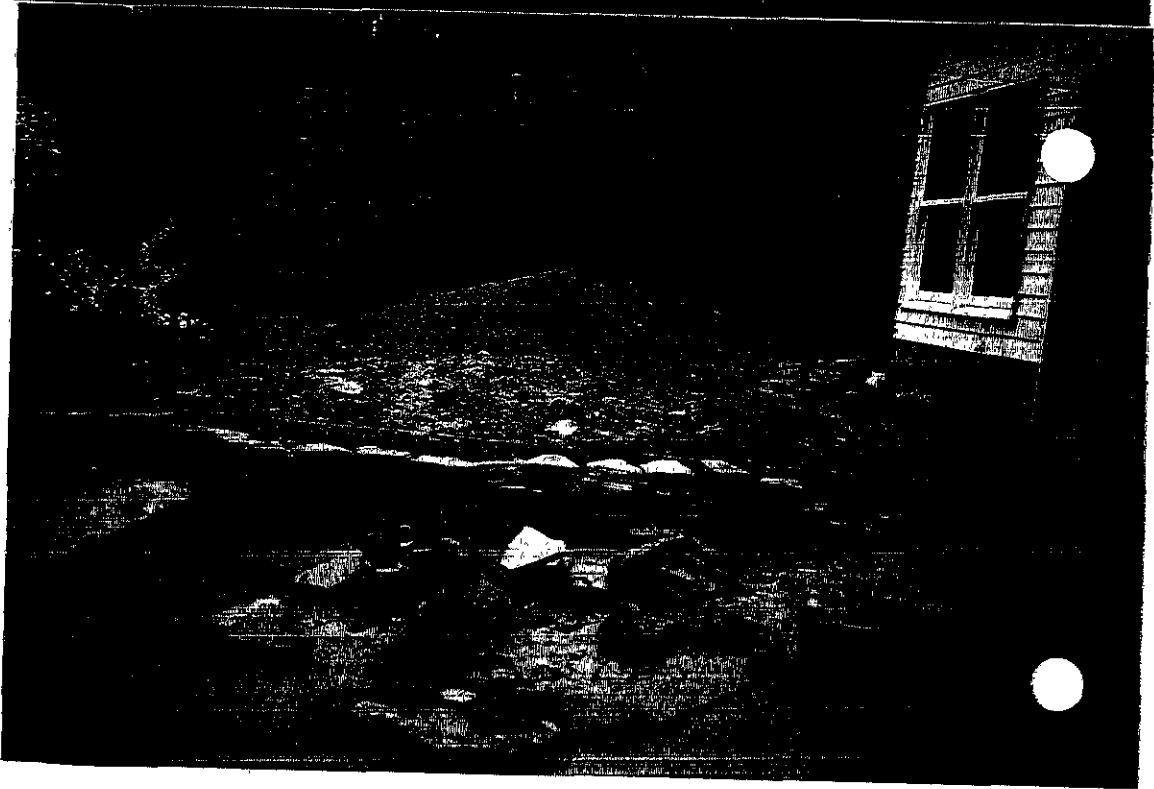
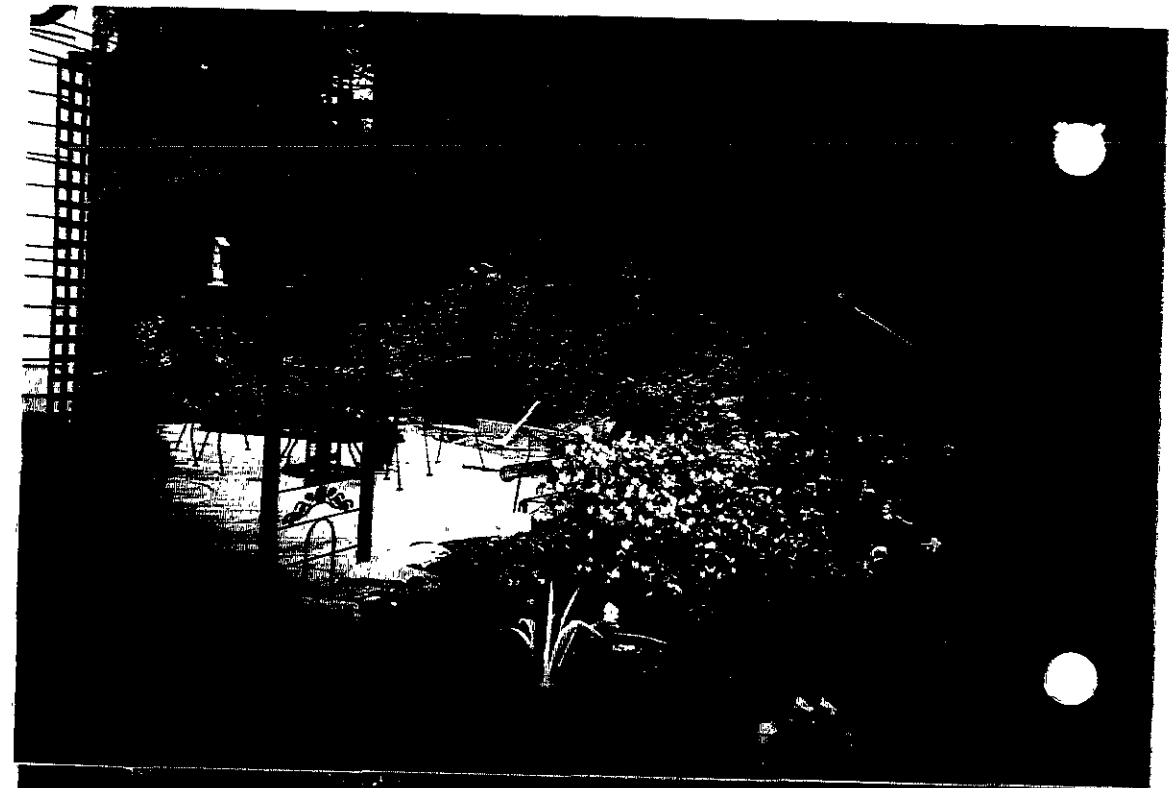
UTILITIES:
PUBLIC WATER
SEWER.

THE OWNER/APPLICANT
ACCEPTS RESPONSIBILITY
FOR ALL INFO. AND
WIKING FOR THIS
PETITION AS DRAWN
OR WRITTEN BY
BARTO CO. ENGINEERS

PLAT FOR ZONING VARIANCE
OWNER - JAMES R. GUGLITTE
ZONED - ~~DR-2~~ ON SW 7E/DR-2
SUBDIVISION - O'HEN PLACE
LOTS 14-15 = 16 = 0.23 ACRE
PLAT BOOK - 4207 PART 2-110
BALTO. CO., MD
CAN. E. 1-30
ELECT. DIST. #13
CD 1 P#1584
NOT IN 100 YR FLOOD PLAIN



CD 1 P#1584
NOT IN 100 YR FLOOD PLAIN



D.R. 3.5

RELAY
ELEM.
SCHOOL

D.R. 2

CEDAR
TULIP

D.R. 2

D.R. 16

D.R. 5.5

D.R. 1

SW 7E
508

97-508-A

COUNTY
COUNTY RIVER

ML

DR. 5.5

DR. 16

ML

ROLLING
ROAD

005' 52" W

000' 45"