ONDER RECEIVED FOR FILING Date 6/3/00

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Samantha's Court, 360' W centerline of Sacred Heart Lane

4th Election District

3rd Councilmanic District

(419 Samantha's Court)

Eric and Heather Donatelli

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 00-426-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Eric and Heather Donatelli, property owners, for that property known as 419 Samantha's Court in the Reisterstown area of Baltimore County. The Petitioners herein seek a variance from Section 301.1a of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 18 ft. in lieu of the required 22.5 ft. for an open projection (deck). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, 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 Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3 day of May, 2000, that a variance from Section 301.1a of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 18 ft. in lieu of the required 22.5 ft. for an open projection (deck), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

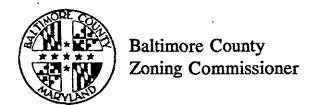
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

THE SELD FOR FILING



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

May 3, 2000

Mr. & Mrs. Eric A. Donatelli 419 Samantha's Court Reisterstown, Maryland 21136

Re: Petition for Administrative Variance

Case No. 00-426-A

Property: 419 Samantha's Court

Dear Mr. & Mrs. Donatelli:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Musthy 16 traco

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	419	SAMANTHA GO.	
which	is presentl	ly zoned DN .35	

	which is presently zoned DN.35
owner(s) of the property situate in Baltimore County and whice made a part hereof, hereby petition for a Variance from Section	LIEW OF THE REQUIRED 27.51
of the zoning regulations of Baltimore County, to the zoning la of this petition form.	aw of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Variance, advertising, postegulations and restrictions of Baltimore County adopted pursuant to	sting, etc. and further agree to and are to be bounded by the zoning
	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):
Name - Type or Print	Name - Type or Print Force (A. 2) multiple
Signature	Signature B Dantelli
Address Telephone No.	Name Type or Print
City State Zip Code	Signature 40 584-66486
Attorney For Petitioner:	Address Telephone No.
Name - Type or Print	City State Zip Code
	Representative to be Contacted:
Signature	Enc. A. Dorotelli
Company	Name ALC Somethors Ct 517-2067
Address Telephone No.	Address Telephone No.
Address Telephone No. City State Zip Code	heistastown MD 21360 City State Zip Code
A Public Hearing having been formally demanded and/or found to be	required, it is ordered by the Zoning Commissioner of Baltimore County,
A Public Hearing having been formally demanded and/or found to be the day of	his petition be set for a public hearing, advertised, as required by the zoning
	Zoning Commissioner of Baltimore County
© CASE NO. 00- 426- Rev	riewed By <u>JTP</u> Date <u>04-07-00</u>
Ö 👸 👸	imated Posting Date 04-16-00

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.

competent to testify thereto in the event that a		, 1	. ^ .	mereto.
That the Affiant(s) does/do presently reside at	AIG So	mantha	's Ct	
		stown	MD	2136 Zip Code
That based upon personal knowledge, the following	owing are the fa	cts upon which I	/we base the requ	est for an Administrative
variance at the above address (indicate hards)	nip or practical d	mounty):	5 30 for	t from the
ear of our home. h	haen: M	with our	west 20	N.M. ROCULTEME
ear of our nome. It is	recepting	WHY CU	Rock The	huilderdid
in allowable deck wou	10 exte	na no 1	reel, INE	laloa ava
of consider the zonia	ng restr	nctions	when pu	many w
som com air lot the	como 1	10 000 Va	Panestille	y or variorice
to allow us to build a	a more	monageal	ole dech	O-12 feet.
to allow us to build a It should be noted t	that a	ur lot b	achs to	a common
area Cs. W. A. heser	vation.) <u>.</u>		
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide Signature ERIC A. DONATELLY Name - Type or Print	formal demand additional inforr	s filed, Affiant(s nation. Signature Heathe Name - Type or	natello B.i.	Sonctelli
STATE OF MARYLAND, COUNTY OF BALT	IMORE. to wit:			
HEREBY CERTIFY this 4 Th day of	amil) before me, a l	Notary Public of the State
of Maryland, in and for the County aforesaid, p	- Dom	telli		
the Affiant(s) herein, personally known or sat law that the matters and facts hereinabove set	isfactorily identif t forth are true ar	led to me as suc and correct to the	ch Affiant(s), and r best of his/her/thei	nade oath in due form of r knowledge and belief.
AS WITNESS my hand and Notarial Seal	V Po			
414100 / /	K ROSP	10	rch Ko	Huf
Date	July 1	ry Public Commission Expi	res 210	2 (
REV 09115 98	2.60			

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 419 5cmg/tha's Ct
Address Address VESTOWN MD Z1136 City State Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative /ariance at the above address (indicate hardship or practical difficulty):
our current property line (back) extends 30 feet from the rear of
our current property line (back) extends 30 feet from the rear of our home. In keeping with current zoning requirements, on
one upon our lot. Therefore, we are requesting a variance to allow us to build a more manageable
rome wan air lot. Therefore we are requesting a
variance to allow us to build a more manageable
ARCH OC 17 FORT IT SMALL DE MOILE MAINTE
backs to a common area (s. W. A. Resentation).
That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.
1) A STORY
Signature Signature
ERIC A. DONATELLI HEATHOUD. LONGTELLI
Name - Type or Print Name - Type or Print
OTATE OF MARKING CONDITY OF BALTIMORE to with
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this, day of,,
of Maryland, in and for the County aforesaid, personally appeared
the Affiant(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 SECK ROS9
Date PUBLIC Notary Public
220 09 15 98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	419	SAMAWULD GT
which	n is present	tly zoned DR 35

tor the proj	which is presently zoned DR. 35
made a part hereof, hereby petition for a variance from s	Permits and Development Management. The undersigned, legal which is described in the description and plat attached hereto and Section(s) 301. (A TO PERMIT A REPARMED
of this petition form.	ning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertisin regulations and restrictions of Baltimore County adopted pursuant	g, posting, etc. and further agree to and are to be bounded by the zoning uant 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):
Name - Type or Print	Name - Type or Print Eric a. Donatelli Six a. Donatelli
Address Telephone No.	Signature B. Donatelli Name - Eyee or Print
City State Zip Code	de Constallo
Attorney For Petitioner:	419 Somontho's Ct 517-2952 Address Telephone No. 211360
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted:
Company	Name 419 Sommatha's Ct 517-2952
Address Telephone No.	11: 011111000: 0100
City State Zip Code	
A Public Hearing having been formally demanded and/or found this day of that the subject matter regulations of Baltimore County and that the property be reposted.	to be required, it is ordered by the Zoning Commissioner of Baltimore County, er of this petition be set for a public hearing, advertised, as required by the zoning
CASE NO	Zoning Commissioner of Baltimore County Reviewed By Date
REV 9115198	Estimated Posting Date 04-16-00

ZONING DESCRIPTION FOR

419 SAMANTHA'S COURT REISTERSTOWN, MARYLAND 21136

Beginning at a point on the south side of Samantha's Court which is 12 feet wide at the distance of 360 feet west of the centerline of the nearest improved intersecting street Sacred Heart Lane which is 20 feet wide. Being Lot #19, Block 400, Section # 2 in the subdivision of Welsche's Cradle as recorded in Baltimore County Plat Book # 68, Folio # 67, containing 6,229 feet. Also known as 419 Samantha's Court and located in the 4th Election District, 3rd Councilmanic District.

No. 080807 PARSON INC. WINDS.	WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	PECEIVED CRC CRC CARROWS	DATE COUNT AMOUNT \$	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT
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		THE CHEST SALVEY BURNING BURNINGS CO. 100.	THE WINZ DYNAME HOUL DAY WEIGHT \$ 528 ZOUTH UKNTH WEIGHT \$ 173.35.	

CERTIFICATE OF POSTING

RE: CASE # 00-426-A
PETITIONER/DEVELOPER
(Eric Donatelli)
DATE OF Closing
(5-1-00)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

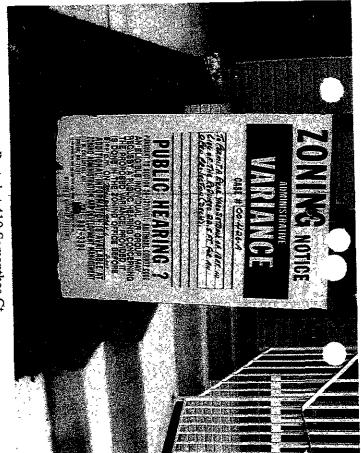
ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

419 Samanthas Ct. Baltimore, Maryland 21136		
THE SIGN(S) WERE POSTED ON	4-14-00	
	(MONTH, DAY,YEAR)	
	SINCERELY,	
	(SIGNATURE OF SIGN POSTER & DATE)	
	THOMAS P. OGLE SR	
	325 NICHOLSON ROAD	
	BALTIMORE, MARYLAND 21221	
	410-687-8405	

(TELEPHONE NUMBER)

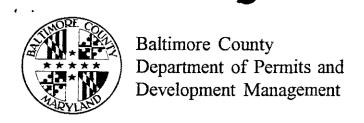


Posted at 419 Samanthas Ct.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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Case N	lumber 00-	426	-A	Address			
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		-07-00	Posti	ng Date: 💇			Date: 5-1-00
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3.	commission order that (typically wi denied, or v	er. He may: the matter bo thin 7 to 10 d vill go to publi	a) grant the e set in for a lays of the clo	e requested in public hear sing date) as e order will be	ing. You to whether mailed to	will receive the petition you by First	
4.	(whether discommission	ue to a neig ner), notificati	on will be fo	request or r rwarded to y	ou. The	sign on the	to a public hearing or deputy zoning property must be sign was originally ust be forwarded to
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			·			00	WCR - Revised 7/28/99) ー (ス (g ・ ())



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

April 28, 2000

Mr. Eric A. Donatelli 419 Samantha's Court Reisterstown MD 21136

Dear Mr. Donatelli:

RE: Case Number 00-426-A . 419 Samanatha's Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 7. 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely.

W. Carl Richards, Jr. / Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



Printed with Soybean Ink

on Recycled Paper









Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

April 18, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 17, 2000

Item No.: See Below

Dear Ms. Stephens:

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.

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

411, 412, 413, 414, 417, 418, 419, 420, 422, 425, 426, and 427

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley Mg

DATE:

May 12, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of April 17, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
411	23 Mansez Drive
412	7046 Eastern Avenue
413	1633 Freeland Road
414	528 Church Road
415	3607 East Joppa Road
417	8204 Rider Avenue
419	12 Hunter Horn Court
420	13411 Fork Road
421	East Joppa Road
422	2802 Tennessee Avenue
424	8511 Liberty Road
425	8551 Philadelphia Road
(426)	419 Samantha Court
427	9011 Moonstone Road

RECENÇO MAY 2 FAM

PV

DATE: April 17, 2000

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petitions

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

Item No(s): 382/391/392/393/394/409/426

If there should be any questions or this office can provide additional information, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief: _

AFK/JL:MAC



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 4.17.00

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

RE: Baltimore County

Item No. 426

JRA

Dear. Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.rs).

Very truly yours,

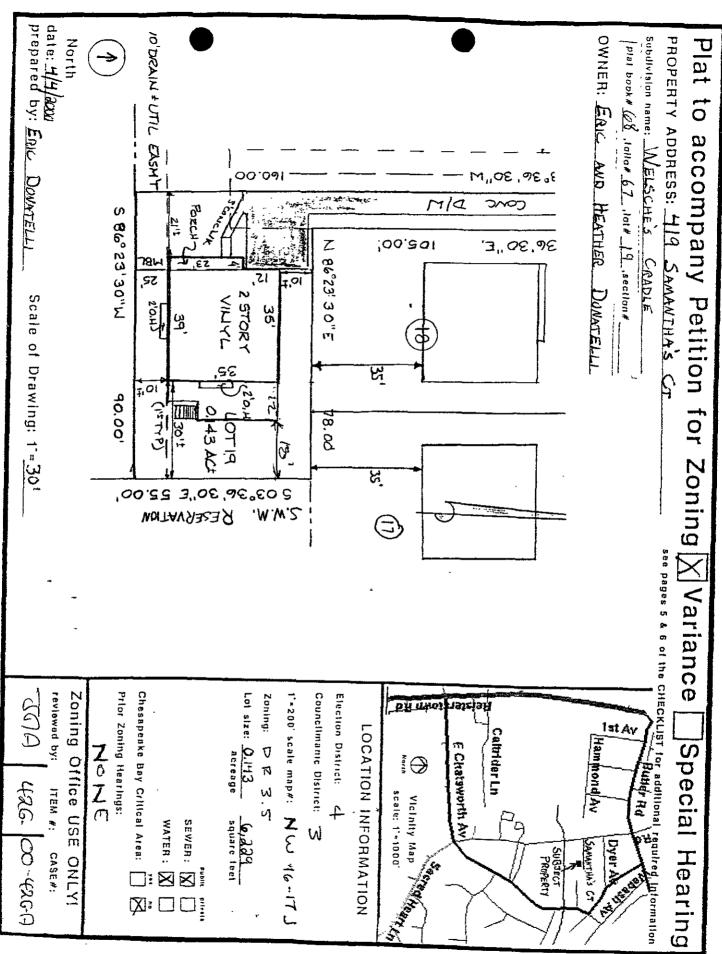
f. J. Gold.

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

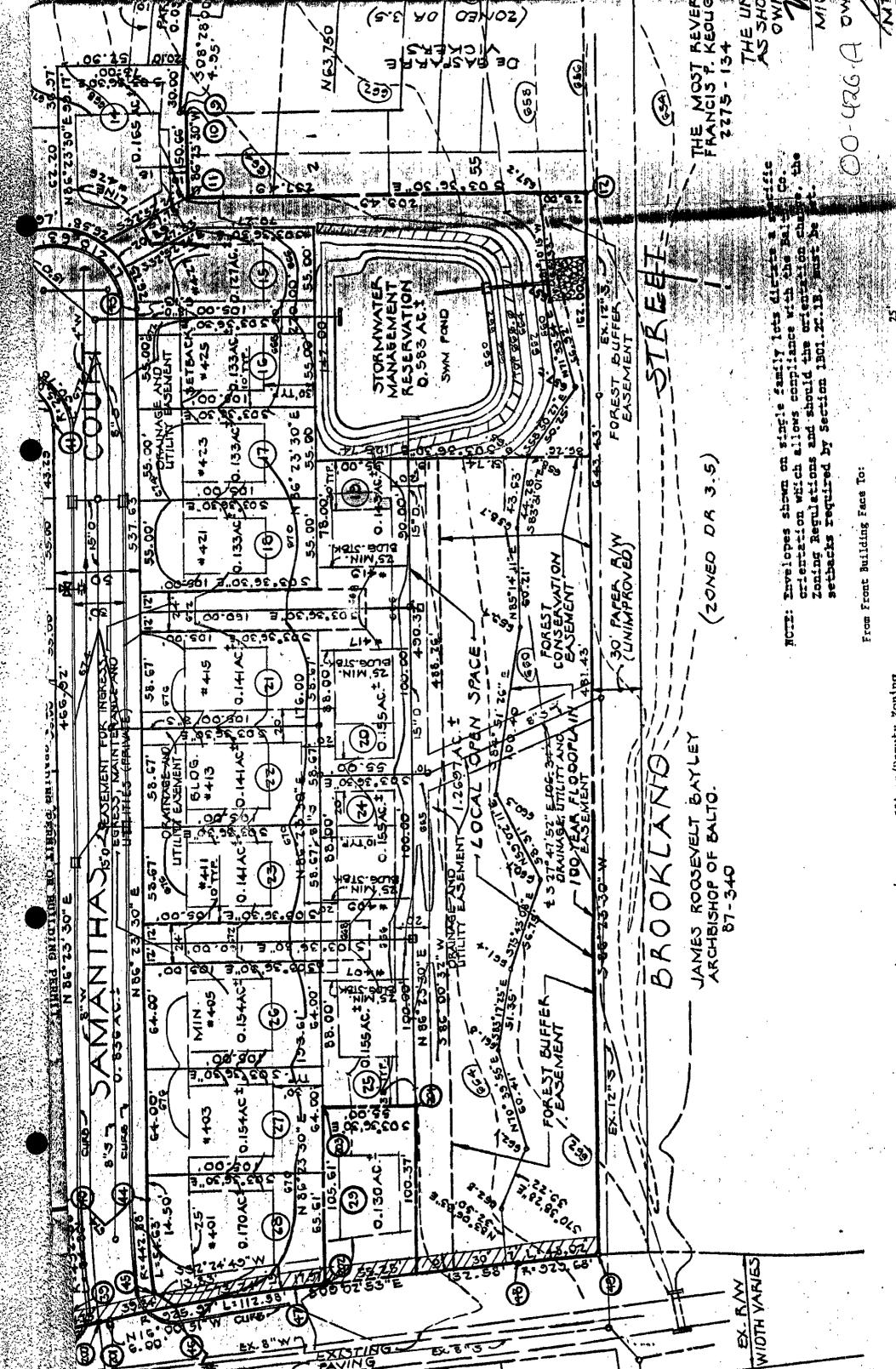
ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-426-A

Date Completed/Initials	
426/00 54	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp or front of folder)
UM .	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
N/A	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
Hacken i	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
120/00 50	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; pu certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
•	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)



Pet. & #1



11. ANY FOREST BUFFER EASEMENT OR FOREST AND RESOURCE MANAGEMENT

CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY

BALTIHORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTS

THE FOREST BUFFER EASENE

GRADING, CONSIRUCAL

10. THERE SHALL BE NO CLEARING, DISTURBANCE OF VEGETATION FUREST CONSERVATION EASEM

EXCEPT AS PERMITTED BY

WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

PAR FIR CTOK OF PERMITS AND COTMENT MANAGEMENT APPROVED BY DIRECTOR

PASIGNED HAVE NO OBJECTION TO THE REVISIONS

₹07

AMENDE OPMENT DEVE FIRST コマスロ

DEFLOI

G SPACES

STACE REGULATED : 34 x 650 ST/LOT : 0.501 AC
STACE TROVIDED : 1.2637 AC.
PACE SHALL BE DEDICATED TO AND MAINTAINED
TIMORE COUNTY.

XKEA - 9.8157 AC. 75 ALLOWED - 9.8157 3.5 34 75 PROFOSEO - 34

CALCULATIONS

OR 3.5

SAYHOMES, INC.

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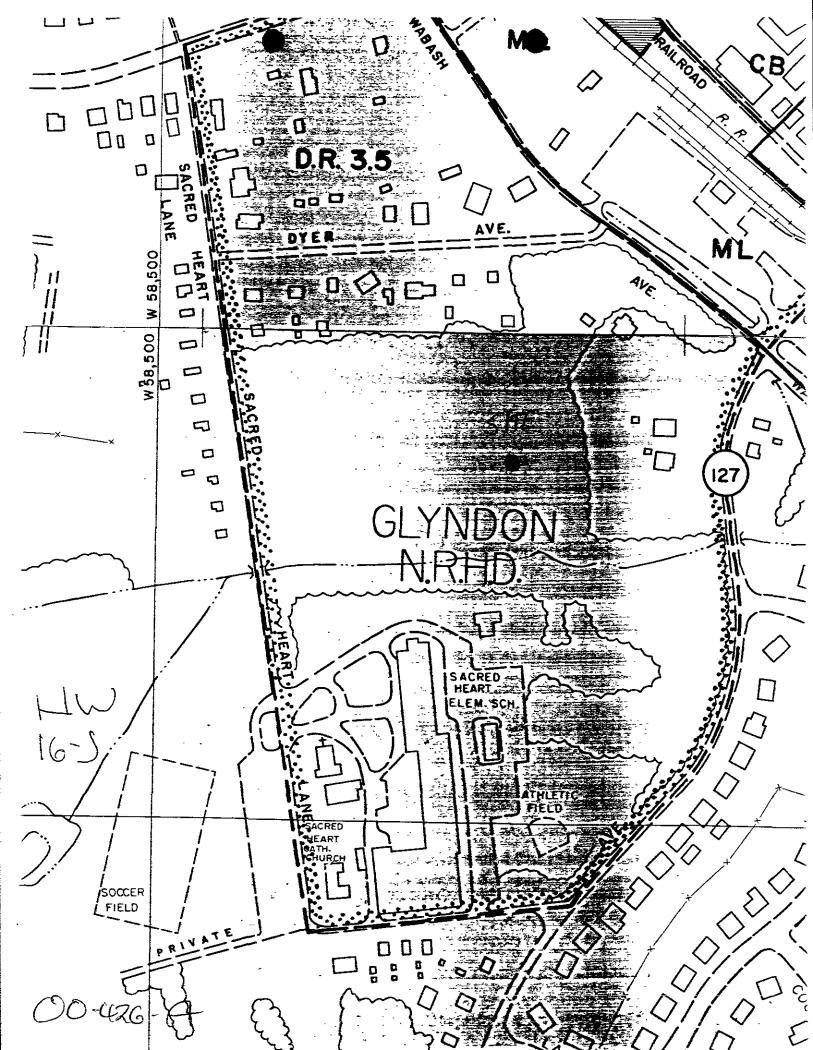
OT SHALL HAVE TWO DEFSTREET PARKIN

5.5c7 AC.

SARGENT DEVELOPMENT COR! 13243 WESTMENTH LANE 21012 CLARKSVILLE, MO.

AGE AND UTILITY EASE MENT ALONG REAR OF 1075 27
STORMWATER MANAGEMENT RESERVATION TO 0.583A
STORMWATER MANAGEMENT RESERVATION TO 0.583A
EA OF LOCAL OPEN SPACE TO 1.2697 AC. ±

owner & develorer

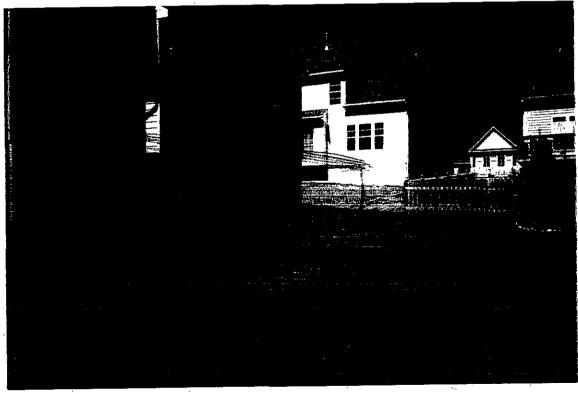






00-426-A





00-426-A

