IN RE: PETITION FOR ADMIN. VARIANCE
W/S Benson Lane, 3500' S
centerline Cockeys Mill Road
4th Election District
3rd Councilmanic District
(20 Benson Lane)

(20 Denson Lane)

Mary E. & Theodore G. Cook, III Petitioners

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

CASE NO. 00-441-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Mary and Theodore Cook. The variance request is for property located at 20 Benson Lane in the Reisterstown area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached accessory structure (garage) to be located on the side yard of the principal building in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative 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

5/26/00

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 26% day of May, 2000, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached accessory structure (garage) to be located on the side yard of the principal building in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner 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





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386 Fax: 410-887-3468

May 25, 2000

Mr. & Mrs. Theodore G. Cook, III 20 Benson Lane Reisterstown, Maryland 21136

Re: Petition for Administrative Variance

Case No. 00-441-A Property: 20 Benson Lane

Dear Mr. & Mrs. Cook:

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, luithy 16 traco

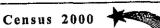
Timothy M. Kotroco

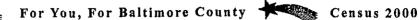
Deputy Zoning Commissioner

TMK:raj Enclosure

C: Mr. Frank Ambrosino 2610 W. Woodwell Road Baltimore, MD 21222















REU 9/15/98

### Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at	20 K	Benson	LANE	
whic	h is pres	sently zoned	204	

10r the property	located at SO BENSON KAKE
	which is presently zoned <u>&amp; C 4</u>
This Petition shall be filed with the Department of Permit owner(s) of the property situate in Baltimore County and whice made a part hereof, hereby petition for a Variance from Section	on(s) 400.1, to permit a detached
accessory structure (garage) to be I building in lieu of the required	located on the side yard of principa
building in lieu of the required	rear
of the zoning regulations of Baltimore County, to the zoning la of this petition form.	w of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the z I, or we, agree to pay expenses of above Variance, advertising, pos regulations and restrictions of Baltimore County adopted pursuant to	coning regulations. ting, etc. and further agree to and are to be bounded by the zoning 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):
	- MARY E-COOK
Name - Type or Print	Name - Type or Print
Signature	May E. Cook
Signature	Signature (5. Coro le TIT
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	ZO BENSON LAME 410-833-573
	Address Telephone No.
Name - Type or Print	City State Zip Code
Sipnatuțe	Representative to be Contacted:
	Frank Ambrosino
Company	Name
Address Telephone No.	3610 W, Woodwell Icd 410.385-1946 Address Telephone No.
	By 170. Md. 21222 City State Zip Code
City State Zip Code	City State Zip Code
A Public Hearing having been formally demanded and/or found to be this day of that the subject matter of this	required, it is ordered by the Zoning Commissioner of Baltimore County, is petition be set for a public hearing, advertised, as required by the zoning
repulations of Baltimore County and that the property be reposted.	s permon be set for a public hearing, advertised, as required by the zoning
VIE	Zoning Commissioner of Baltimore County
CASE NO. 00-441-A Revie	ewed By <u>570-</u> Date <u>04-25-00</u>
M M	C C C

Estimated Posting Date

# ffidayft 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

follows: That the information herein given is competent to testify thereto in the event that a p	within the perso Jublic hearing is s	nai knowiei scheduled in	the future with re	gard thereto.
That the Affiant(s) does/do presently reside at	Address		KAKE	21136
	City	own	State	2 / / 36 Zlp Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	wing are the fac ip or practical dif	ts upon whi	ch I/we base the	request for an Administrative
There is no other pla	tee to bu	ild Th	e garage	due to
The Inyour of the				
we have a very In	rige hill	as ov	r tear g	gard and it
would be cost pio				
and affordable pr	Ace is	12 170	5120 y A.	and, but due to
The layout of The attack it. It	would the	aoule m. m.	i moro a	bedroom.
arryen //, corre		~ 701.	,,,,,,,	
That the Affiant(s) acknowledge(s) that if a food advertising fee and may be required to provide	ormal demand is additional inform	s filed, Affia nation.	ant(s) will be requ	uired to pay a reposting and
May E. Cook		Cienatura	and a	Stulia _
MARY E. COOK	a	THE	ODORE G	S. Cook III
Name - Type or Print		Name - Typ	e or Print	
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit		ه است جسم بیس علق است جسم بیسم بیسم بیسم	فقاة فسنة بينية فيتم مهما فيسم جموع فيتم فعلية أشهم بينين فسن بنسب فسن أشد
· · · · · · · · · · · · · · · · · · ·	2000		DCOC >before m	e, a Notary Public of the State
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, p	ersonally appear	ed ?	G. Co	OK 3 RD
the Affiant(s) herein, personally known or satillaw that the matters and facts hereinabove set	sfactorily identification forth are true and	ed to me as d correct to	s such Affiant(s), the best of his/he	and made oath in due form of r/their knowledge and belief.
AS WITNESS my hand and Notarial Seal				
3/6/00	Notes	y Public	ne (	Rome
Date / /		y Public ommission I	Expires	

# 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 p	ublic nearing is schedu	lied in the future with reg	jard thereto.
That the Affiant(s) does/do presently reside at	20 Benso	n have	
	Reistrestown	M.d. State	2// <i>36</i> Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the facts upo ip or practical difficulty)	on which I/we base the r ):	
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would be cost pro			
and affordable pr	nee is in	To side yAr	d. It would
That your into a 6	edroom.	· ·	
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, additional information.	, Affiant(s) will be requi	red to pay a reposting and
Many E. Cook	مر س	he St	oole R
Signature (	Sigha	iture	
NAME - Type or Pright	Name	HP8 VOXE	s Coole III
Name - Type of Final	(4an)	34 Type of Film	
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STATE OF MARYLAND, COUNTY OF BALTII		****	a Mataura Dublia of the Chate
of Maryland, in and for the County aforesaid, pe	rsonally appeared		a Notary Public of the State
MARY E COOK 8 11	GEOBORE G	F. Cook 3	
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identified to n orth are true and corre	ne as such Affiant(s), ar ect to the best of his/her/l	id made oath in due form o their knowledge and belief.
AS WITNESS my hand and Notarial Seal			)
3/6/00	( Tu	me Cla	2cme
Date	Notary Publi	c	1.1.0
	My Commiss	sion Expires	1102

REV 09/15/98



### Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 20 Benson	LANE
which is presently zoned	RCY

RYL		for the proper	ty located at OO Benson Lane
		respectively.	which is presently zoned RC4
This Petition shall be owner(s) of the proper made a part hereof, he accessory strong principal by	e filed with the Do ty situate in Baltim ereby petition for a cucture (gar wilding in	epartment of Pernore County and who Variance from Secondary to be	nits and Development Management. The undersigned, legalish is described in the description and plat attached hereto and tion(s) 400.1, to permit a detached located on the side yard at required rear
of this petition form.  Property is to be poste	d and advertised a	as prescribed by the	law of Baltimore County, for the reasons indicated on the bac e zoning regulations. osting, etc. and further agree to and are to be bounded by the zonin 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 Purchase	r/Lessee:		Legal Owner(s):
,			· MARY E. COOK
Name - Type or Print		,	Name - Type or Print  Man & Cook
Signature			Signature
Address		Telephone No.	Name - Type or Print
City	State	Zip Code	Signature
*			00 P

Attorney For Petitioner: Name - Type or Print Signature Company Address Telephone No. 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, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning

regulations of Baltimor	e County and that the property be reposted	d.	aring, advantaged, as required by the beaming
	ı	Zoning Commissi	oner of Baltimore County
CASE NO.	00-441-A	Reviewed By	_ Date <u>04-25-00</u>
REV 9/15/98		Estimated Posting Date	= · · ·
	1		

Mary E. Cook 20 Berson La Reisters rown Md 21/36

County in Liber L.M.B. No. 224, folio 532, etc.

BEGINNING for the same at a point in the center of a road known as Heiser Mill Road at the end of the north 40 degrees 26 minutes west 311 feet 8 inches to a line described in a Deed from Henry G. Gore of William and wife to E. Raymond Turner dated May 19, 1906, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 298, folio 258; and running thence north 4 degrees 26 minutes west 8 perches to intersect the south 85 degrees west 150 perches line of a tract of land called "White Oak Botton", thence binding on said line south 85 degrees west 18 perches to a tract of land called "Black Jack", thence binding on said last mentioned tract of land south 40 degrees 25 minutes east 17.6 perches to the center of the aforesaid Heiser Mill Road; and thence in or near the center of said Road north 52 degrees 20 minutes east 182 feet to the place of beginning. Containing 1t acres of land, more or less. Also a right of way 16 feet as reserved in a Deed by the said Henry G. Gore of William and wife to Carrie D. Scott and husband dated August 2, 1897, and recorded among the Land Records of Baltimore

BEING the same lot of ground which by Deed dated March 8, 1966 and recorded among the Land Records of Baltimore County in Liber 0.T.G. No. 4589, folio 597 was granted and conveyed by JOHN H. CHEAPE, widower, to JULIAN D. MAGER and ERIKA S. MAGER, his wife, the within Grantors.

Item #441

00-441. A

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4/5/Way 4/25/2000 11:15:06 675 8/90
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Exert Tot 90.90 50.00 CA 100 CB Baltisory Comby, Narrabod
20.441-4
CASHIER'S VALIDATION
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#### **CERTIFICATE OF POSTING**

RE: CASE # 00-441-A
PETITIONER/DEVELOPER
(Mary E. Cook)
DATE OF Closing
(5-22-00)

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

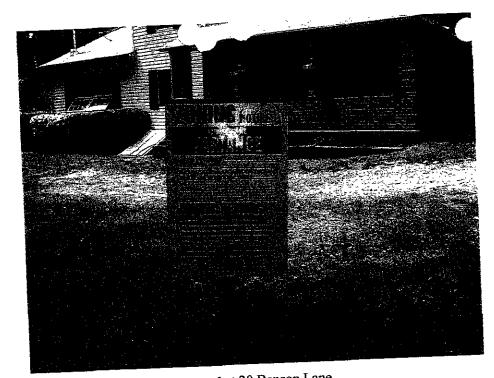
**ATTENTION: MS. GWENDOLYN STEPHENS** 

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

O Benson Lane Baltimore, Maryland 21136			
HE SIGN(S) WERE POSTED ON	5-5-00		
	(MONTH, DAY,YEAR)		
	SINCERELY,		
	(SIGNATURE OF SIGN POSTER & DATE)		
	THOMAS P. OGLE SR		
	325 NICHOLSON ROAD		
	BALTIMORE, MARYLAND 21221		
	A10.687.8A05		

(TELEPHONE NUMBER)



Posted at 20 Benson Lane

## BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVEL OPMENT MANAGEMENT ZONING REVIEW

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 441 -A Address #20 BENSON LANE
Contact Person: Sound Planer, Please Print Your Name Planer, Please Print Your Name
Filing Date: 04-75 00 Posting Date: 05-07-00 Closing Date: 05-72-00
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <b>DEADLINE:</b> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 00- 41A Address #20 RENSON LANG.
Petitioner's Name TANUE, COOK Telephone 40-9 33-5 330
Posting Date: 05-07-00 Closing Date: 05 77-00
Wording for Sign: To Permit A RESIDENTLAR GARDEE LA THE SIDE LAND
WIGGE OF THE ROAD YORTO.
WCR - Revised 7/28/99

00-441,9

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

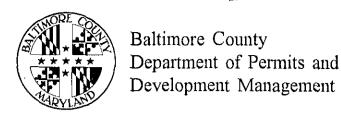
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: OO - U + 1 - A  Petitioner: Mary E. Cook
Address or Location: Do Benson Ln.
PLEASE FORWARD ADVERTISING BILL TO:
Name: Mary E. Coak
Address: 20 Benson LN
Reisterstown Md 01/36
Telephone Number: <u>470 - 833 - 5330</u>

Revised 2/20/98 - SCJ

00-441-A

Plat to accompany	Petition for	Zoning	Variance	e Special Hearing
PROPERTY ADDRESS:		S	ee pages 5 & 6 of the C	HECKLIST for additional required information
Subdivision name:,tolio#,lot#,sec	tion#			
OWNER:				
	<del>-</del>			
				Vicinity Map scale: 1"=1000"
				LOCATION INFORMATION
				Election District:
				Counclimanic District:
				1'=200' scale map#:
				Zoning: Lot size:
•				acreage square feet .
				SEWER:
				Chesapeake Bay Critical Area:
				Prior Zoning Hearings:
	-			
North				Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:
date:	Scale of Drawing	: 1 <sup>-</sup> =	<b>?</b>	
prepared by:		· ·		



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

May 19, 2000

Mr. Frank Ambrosino 2610 W. Woodwell Road Baltimore MD 21222

Dear Mr. Ambrosino:

RE: Case Number 00-441-A, 20 Benson Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 25, 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 link

on Recycled Paper











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

May 17, 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 MAY 8,2000

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:

(441) 442, 443, 444, 445

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 pc/RBS

DATE:

May 23, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of May 8, 2000

DEPRM has no comments for the following zoning petitions:

Address
20 Benson Lane
1906 Windys Run Road

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 14, 2000

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 15, 2000

Item Nos. 441, 442,443, and 444

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

AV 5/22

#### 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 Petition(s): Case 441

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by

MAY 1 2

**DATE:** May 12, 2000

**Section Chief:** 

AFK/JL:MAC



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

Date: 5.8.00

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

RE: Baltimore County

Item No. 441

JRA

RECEIVED MAY 0 9 2000

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.

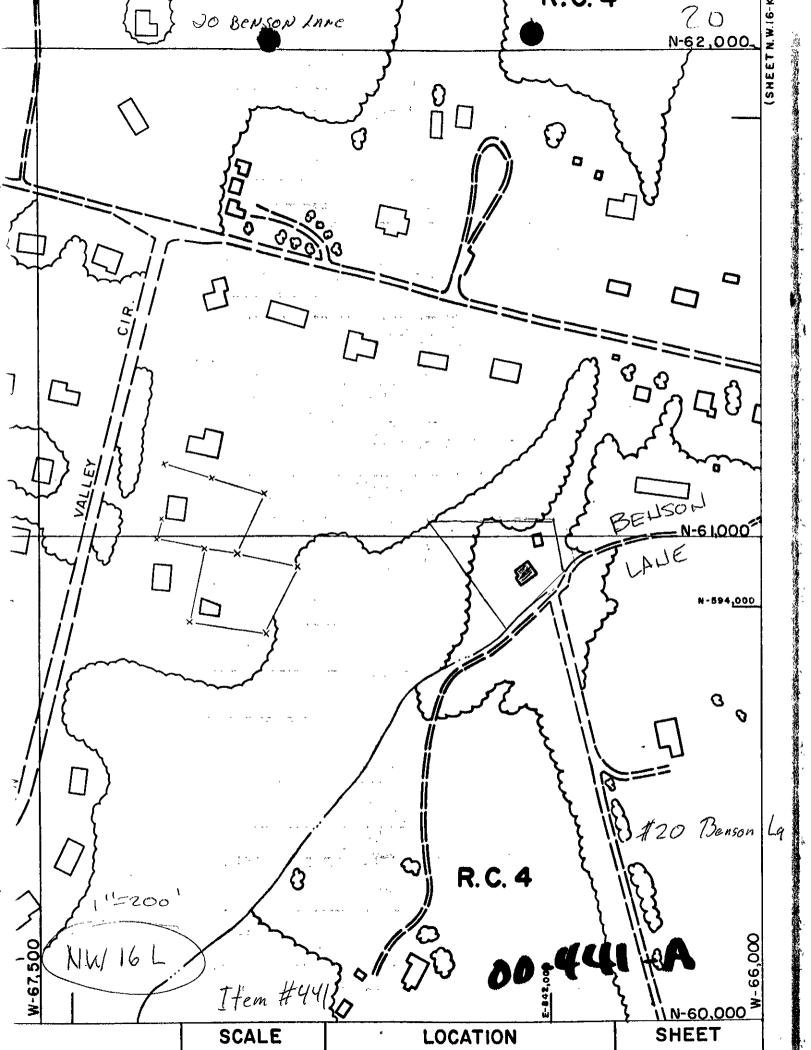
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.ind.us).

Very truly yours,

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

1. Doelle

My telephone number is \_\_\_\_\_







Item # 441

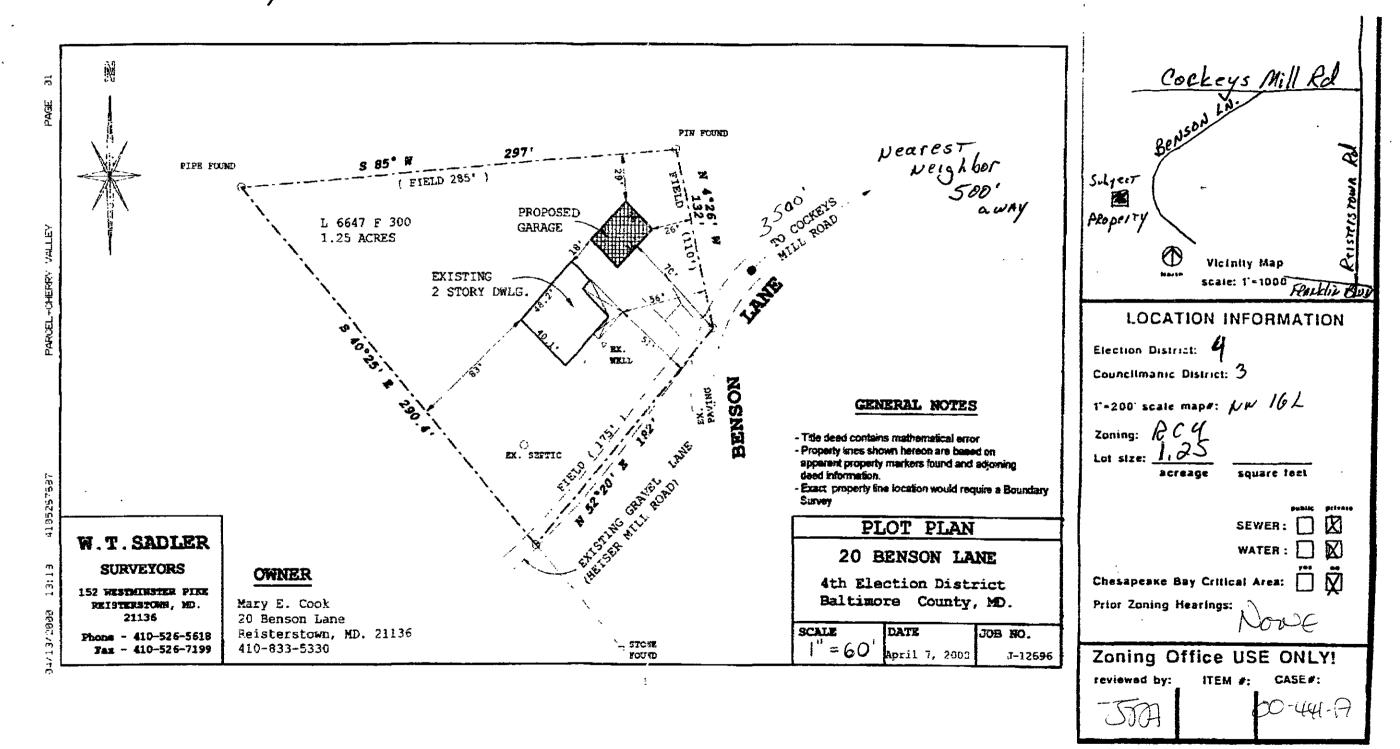




Item# 441

00441.9

Papperty: 20 Bonson in A Zoning VASIANCE BUNER: MARY & Ted Cook



Item #441

Pet. & #1.

