*DEN FACEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

W/S Lancashire Court, 270' N centerline of Lyonswood Drive 2nd Election District

2nd Election District

3rd Councilmanic District

(3 Lancashire Court)

Charles and Patricia Kings

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 00-530-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Charles and Patricia Kings, property owners, for that property known as 3 Lancashire Court in the Owings Mills area of Baltimore County. The Petitioners herein seek a variance from Sections 427.A and B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed fence with a height of 6 ft. in the side and rear yard which adjoins the front yard of an adjoining residence in lieu of the required 42 inch fence height. 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 day of July, 2000, that a variance from Sections 427.A and B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed fence with a height of 6 ft. in the side and rear yard which adjoins the front yard of an adjoining residence in lieu of the required 42 inch fence height, 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 THING TO PENN THE ING



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

Fax: 410-887-3468

July 11, 2000

Mr. & Mrs. Charles E. Kings 3 Lancashire Court Owings Mills, Maryland 21117

Re: Petition for Administrative Variance

Case No. 00-530-A

Property: 3 Lancashire Court

Dear Mr. & Mrs. Kings:

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

TMK:raj Enclosure



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	3 Lancashire	Court
	h is presently zoned	

This Petition shall be filed with the Department of Permits and 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) 427. A ALD B (BCZR)

TO PERMIT A PROPOSED FEHCE WITH A HEIGHT OF G

FEET IH THE SIDE AHD REAR YARD WHICH ADJOINS

THE FRONT YARD OF AH ADJOINING RESIDENCE

IN LIEU OF THE REQUIRED 42 INCHES FEHCE HEIGHT

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:		<u>Legal Owner(s):</u>	
Name - Type or Print		Charles E Kings Name - Type or Print	~
Ot		Clarles E. Kings	_
Signature		•	
Address	Telephone No.	Patricia B Kings Name - Type or Print	~
A-1	7-0-4-	Signature : (W) 301-698-5	_
City State	Zip Code	Signature : (W) 301-698-5	344
Attorney For Petitioner:		3 Lanca Shire CT (H) 410-654-6 Address Telephone No.	9292
		Owings Mills MD 21117 City State Zip Code	
Name - Type or Print		City State Zip Code	-
9_1		Representative to be Contacted:	
Signature			
Company		Name	-
· · · · · · · · · · · · · · · · · · ·		SAME AS ABOVE	
Address \$	Telephone No.	Address Telephone No.	-
City 2 State	Zip Code	City State Zip Code	-
A Public Searing having been formally dem	anded and/or found to be	required, it is ordered by the Zoning Commissioner of Baltimore County,	=
this 1/ day of fegurations of Baltimore County and that the pro	that the subject matter of the	his petition be set for a public hearing, advertised, as required by the zoning	1
	•		
		Zoning Commissioner of Baltimore County	-
2 00 50	Λ	Zorang Continuesioner of Ballinote County	
CASENO. <u>00-530</u>	Revi	riewed By <u>CTM</u> Date <u>6/9/00</u>	

Estimated Posting Date

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	3 Lancas	Aire CT		
	3 Lancas Address Owings 1	mills	My D State	2///7
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	wing are the fact	s upon which i		·
We need a 6-foot fence to surround our backya	rd in order to pro	vide for the saf	ety of our family:	
 From possible child predators while we pla To prevent our children's access to the vehing from access to the proposed completion of miles per hour and will run behind our adj For privacy since our lot and the surround view by 3 other dwellings. To ensure that neighborhood children are authorization and procurement of a 6-foot unsupervised use of our playset. 	icular traffic on L, Owing Mills Bould acent neighbor/ow ing lots are void of not attracted to a	yonswood Drivevard. This will wher of the pand frees and subsubsupset that we	e, a main street in be a 4-lane road handle lot. stantial foliage an will purchase col	n our community, and with a speed limit of 40 and our backyard is in full ntingent upon the
Our neighbor and owner of the panhandle lot # the front and side of his property to ensure priv his trees and mostly hidden from his view. That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	vacy. He does not o	object to our pr	oposed fence tha	t would be built behind
		Patre	au B. Kin	in
Signature		Signature	MI PWE	<i></i>
Signature Charles F Kings Name - Type or Print		Name - Type or F	rint B.	Kings
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this & day of of Maryland, in and for the County aforesaid, pe		, <u>2</u>	, before me, a	Notary Public of the State
			a 6 (
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identified forth are true and	I to me as suc correct to the I	hr Affiant(s), and best of his/her/th	made oath in due form of eir knowledge and belief.
AS WITNESS my hand and Notarial Seal		Je Jg.	in H	Lee
Date	Notary (Public/	01	
	My Con	nmission Expir	es ⁄ //)1102_

REU 09/15/98

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.

Inat the Amant(s) does/do presently reside at	Address		27	
	Owings A	1,/15	M 0 State	2///7 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship)	wing are the facts ip or practical diffic	upon whic culty):	h I/we base th	e request for an Administrative
We need a 6-foot fence to surround our backya	rd in order to prov	ide for the s	safety of our fa	nily:
 From possible child predators while we play To prevent our children's access to the vehing from access to the proposed completion of (miles per hour and will run behind our adjay) For privacy since our lot and the surrounding view by 3 other dwellings. To ensure that neighborhood children are a authorization and procurement of a 6-foot is unsupervised use of our playset. 	icular traffic on Ly Owing Mills Boule acent neighbor/ow ing lots are void of not attracted to a p	onswood Divard. This ward. This ward the parties and states and states that was the states of the st	rive, a main str vill be a 4-lane i anhandle lot. ibstantial foliag ve will purchas	ceet in our community, and coad with a speed limit of 40 ge and our backyard is in full c contingent upon the
Our neighbor and owner of the panhandle lot # the front and side of his property to ensure priv his trees and mostly hidden from his view. That the Affiant(s) acknowledge(s) that if a fo	ormal demand is	bject to our filed, Affian	proposed fence	that would be built behind
advertising fee and may be required to provide a	addilionai informat		- 3)/ ·
Charle & Mengs Signature		Signature	Wen YD. a	Kingo
Charles E Kings Name - Type or Print	· 	Name - Type o	tricia B	. Kings
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this $\frac{f''''}{f'''}$ day of $\frac{f'''''}{f'''}$ of Maryland, in and for the County aforesaid, per	rsonally appeared			ne, a Notary Public of the State
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	tactorily identified	to me as s	ucb/Affiant(s).	and made oath in due form of er/their knowledge and belief.
AS WITNESS my hand and Notarial Seal		On	lden &	Hose -
Date	Notary F	Public	1)	· · /
	My Com	mission Ex	pires F/	102

REU 09/15/98



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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	for the propert	y located at <u>3 Lanc</u>	ashire Court	.
		which is presen		
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TO PERMIT A PROP	SED FE	HCE WITH A	MERCHE - C	
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YARD OF ALL ADJOIL	ING RES	IDEMICE IM (LIEU OF TU	le
REQUIRED 42 1N	CHES FEH	JCE HEIGHT.	-	
of the zoning regulations of Baltimore Cou of this petition form.	nty, to the zoning l	aw of Baltimore County, fo	or the reasons indicate	ed on the back
Property is to be posted and advertised as I, or we, agree to pay expenses of above Varia regulations and restrictions of Baltimore Count	ance, advertising, po	sting, etc. and further agree t	to and are to be bounde re County.	d by the zoning
4 River	,		re and affirm, under the e legal owner(s) of the p tition.	
Contract Purchaser/Lessee:	•			
Name - Type or Print		Charles Name - Type or Print	E' Kings	
Signature	<u> </u>	Signature &		
Address	Telephone No.	Name - Type or Print	3 Kings ·	
City State	Zip Code	Signature B	7	688-534
Attorney For Petitioner:		3 Lanca Shi Address	re CT (H)410-	
Name - Type or Print		Owings Mills	State	2 / / / 7 Zip Code
Signature		Representative to	<u>be Contacted:</u>	
Company		Name SAME A	S ABOUE	
Address	Telephone No.	Address	3 ABOUL	Telephone No.
City State	Zip Code	City	State	Zip Code
A Public Hearing having been formally demande this day of that regulations of Baltimore County and that the property	the subject matter of the	required, it is ordered by the his petition be set for a public he	Zoning Commissioner of E aring, advertised, as requi	Baltimore County, red by the zoning
		Zoning Commiss	ioner of Baltimore County	
CASE NO. 00-530-	A Rev	iewed By CTM	Date 61	19/00

Estimated Posting Date _

Zoning Description

ZONING DESCRIPTION FOR 3 Lancashire Court. Beginning at the point on the west side of Lancashire Court which is 76.5 feet wide at the distance of 270 feet north of the centerline of the nearest improved intersection street Lyonswood which is 30 feet wide. Being lot number 81, section B in the subdivision entitled Lyonswood as recorded in Baltimore County Plat Book number 62 at Plat number 76, Folio Number 463, containing .25 acres. Also known as 3 Lancashire Court, and located in the 2nd Election District, 3rd Councilmanic District.

#530 00.530 A

No. 083247 PAYENT MITTER TIME 6/12/2000 6/09/2000 15:35:17		SOLOO GR. NO. 085247 TOL	KING Baltimore County, Narylon	ZAR MACE	
BALTIMORE COUNTY, MARYLANF OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 6/9/00 ACCOUNT	AMOUNT \$	RECEIVED C LIM P.C.E.S.	7 010	

Fax:4103244100 TIFICATE OF POSTING Jul <u>3</u> 2000 12:30

P.03

RE: Case No

Case No OO-530-A

Petitioner/Developer Car / OKEEFE, FIAL

Date of Hearing Closing 7/3/00

Date of Hearing Closing

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

Attention Ms Gwendolyn Stephens

Ladies and Gentlement

This letter is to certify under the penaltics of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 3 LANCASHIRE CT.

The sign(s) were posted on

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

CELL-410-905-8571 410-666:5366 ;

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

H	Case I	Number 00-	530]-A	Address _	3 L1	ALCASHIRE CT
•							Phone Number: 410-887-3391
ナノカ	Filing	Date: <u></u>	19100	Pos	sting Date: <u>〈</u>	6/18/	00 Closing Date: 7/3/00
<i>M</i>	Any c	ontact made h the contac	with this o	office regardir nner) using th	ng the status	of the a	idministrative variance should be
ECEIVED	1.	reverse side reposting m	e of this form just be done	n) and the pe only by one o	stitioner is res of the sign po d costs The	sponsible sters on t s zoning r	osters on the approved list (on the for all printing/posting costs. Any he approved list and the petitioner notice sign must be visible on the d remain there through the closing
		a formal re	onest for a	public hearing	ıa. Please ı	understan	nt or owner within 1,000 feet to file d that even if there is no formal the closing date.
POST 1x	3.	commission order that	ner. He may the matter b ithin 7 to 10	r: (a) grant to be set in for days of the c	he requested a public hea losing date) a	reliet; (Daring. Yours to whele	by the zoning or deputy zoning of deny the requested relief; or (c) ou will receive written notification ther the petition has been granted. It to you by First Class mail.
IFO C	4.	(whether d	ue to a neig ner), notifical ving notice o	ghbor's forma tion will be f of the hearing	al request or forwarded to date time ar	by order you. Thad location	es that must go to a public hearing or of the zoning or deputy zoning ne sign on the property must be n. As when the sign was originally altered sign must be forwarded to
Typ				(De	tach Along Dotted i	Line)	
	Petiti	oner: This	Part of the F	orm is for th	e Sign Post	er Only	
di.							GN FORMAT
l	Case	Number 00	-530	-A Ade	dress <u>3</u>	LANG	CASHIRE CT
	Petitio	oner's Name	CHAR	LES K	11-19		Telephone 410 654 5729 2
	Posti	ng Date: _	Co/12/	00	CI	osing Da	te: <u>7/3/00</u>
	Word	ing for Sign:	<u>To Permit</u>	A PRO	POSED	FEL	ICE WITH A HEIGHT
	OF	6 FEE	T 11-1 T	UE SID	E AHOI	ZEAR	TARD WHICH ADJOINS
	TU	E FROM	IT YAR	DOF	AN AO	JOIN	ING RESIDENCE
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							WCR - Revised 7/28/99

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.

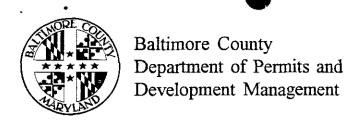
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For Newspaper Advertising:
Item Number or Case Number: 00 - 530-A
Petitioner: CHARLES E. KING
Address or Location: 3 LAHCASHIRE CT.
Address of Education.
PLEASE FORWARD ADVERTISING BILL TO:
Name: Charles E Kings
Address: 3 Lancashire Ct
Owings mills, MD 21117
Teiephone Number: <u>H 410 654-9292</u>

Revised 2/20/98 - SCJ

	prepared by: Scale of Drawing: 1"=
Zoning Office USE ONLY!	North
WATER:	
SEWER: Divin	
Lot size: acreage square foet	
1"-200 scale map#:	
Election District. Councilmanic District:	
LOCATION INFORMATION	
Vicinity Map Novin Scale: 1"=1000"	
	,lot#section#
riance Special Hearing	Plat to accompany Petition for Zoning Variance



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

July 5, 2000

Mr. Charles Kings 3 Lancashire Court Owings Mils MD 21117

Dear Mr. Kings:

RE: Case Number 00-530-A, 3 Lancashire Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 6/9/00.

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:rsj

Enclosure



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

DATE: July 17, 2000

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 3, 2000

Item Nos. 516, 517, 518, 519, 520, 521, 522, 523, 524, 526, 527, 528, 529, 530, 531, 532, 534, 535, 536, 537, 538, 540, 541, and 543

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

RWB:HJO:jrb

cc: File



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

June 29, 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 June 26, 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:

516, 517, 518, 519, 522, 524, 525, 526, 527, 528, 529, **530**, 531, 533, 535, 536, 537, 538, 539, 540, 541, 543,

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

cc: File

15

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

August 15, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of June 26, 2000

DEPRM has no comments for the following zoning petitions:

YA					
Item #	Address				
516	209 Church Road				
518	6 Stanson Court				
526	122 Allegheny Avenue				
527	7931 Ellenham Avenue				
529	3700 Green Oak Court				
530	3 Lancashire Court				
532	1026-1028 York Road				
533	Burmont Avenue				
534	4001 Southwestern Boulevard				
535	615 Glenrock Road				
536	9737 Matzon Road				
537	203 Sandhill Road				
540	9419 Oak White Road				
541	2044 Putnam Road				
542	585 Frederick Road				
543	110 Woodholme Avenue				
	·				

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(s) 516, 517, 518, 520, 522, 527, 528,

530, 541, 545, 549 and 550.

DATE: July 10, 2000

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:

Section Chief:

AFK/JL:MAC



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

Date: 6.24.00

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

RE: Baltimore County

Item No. 530

LTM

Administrator

Dear. Ms. Jackson:

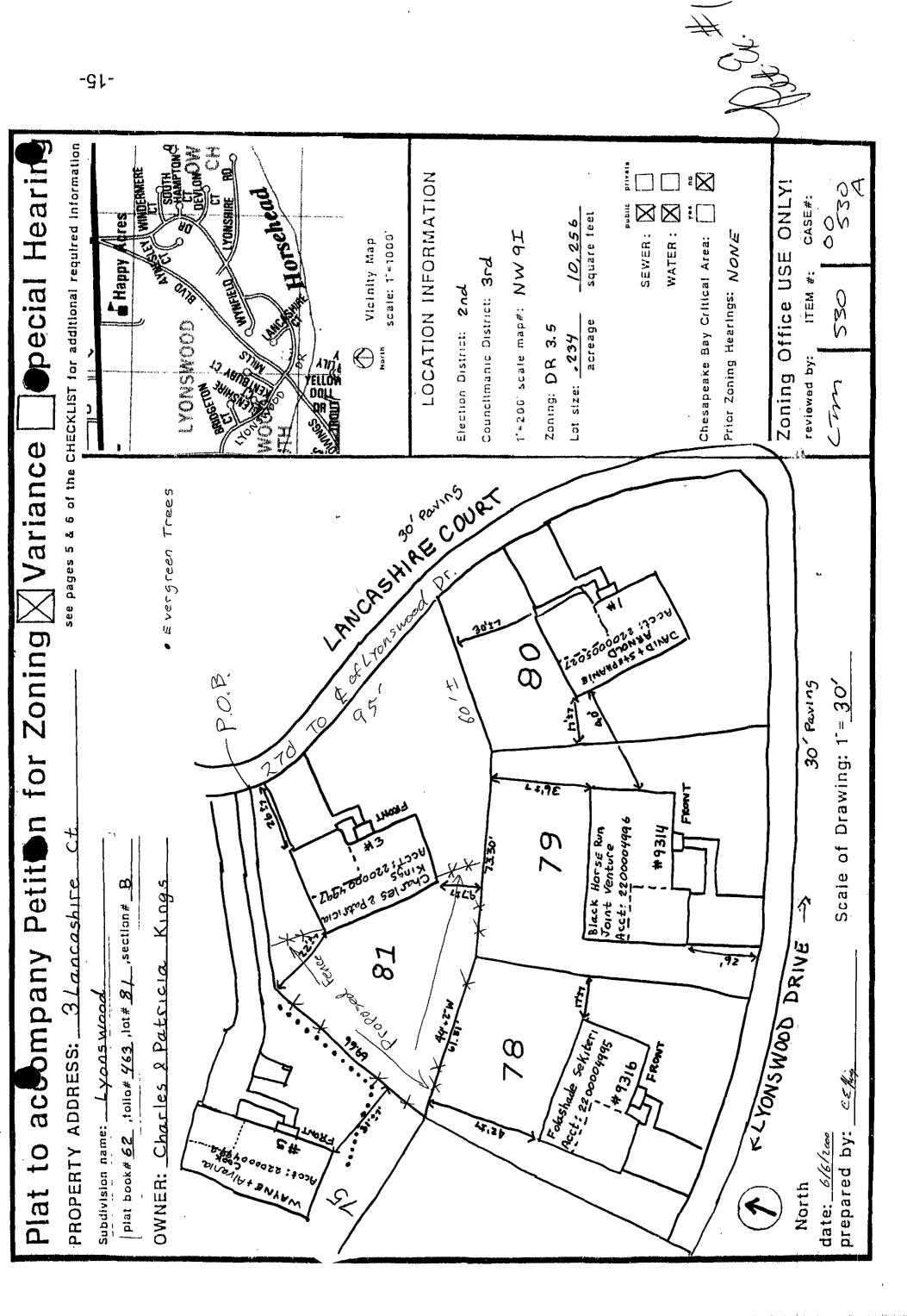
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

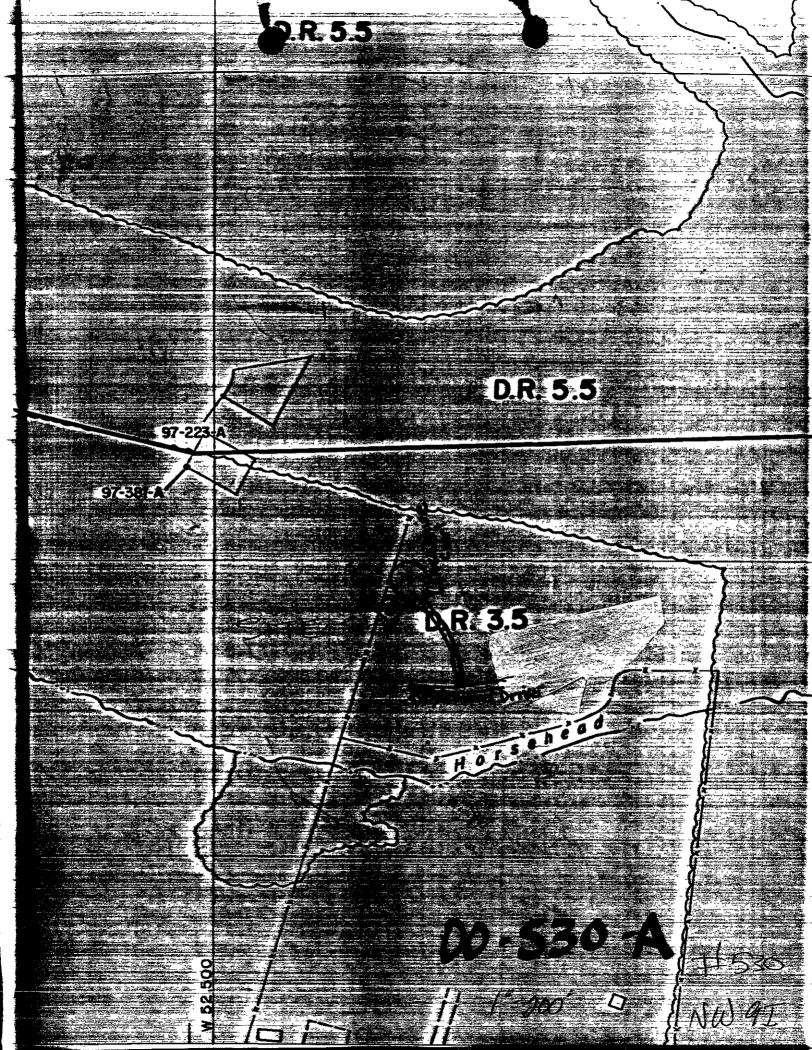
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.tad.us).

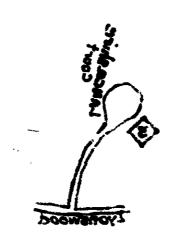
Very truly yours,

f. J. Gall

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









SOUTH, SIDE LOT LIHE OF SUBJECT PROPERTY #530



FRONT OF LOT 75 #530



PEAR LOT LIHE SUBJECT PROPERTY #530

00.530.A