IN RE: PETITION FOR ADMIN. VARIANCE NW/S Hannibal Road, 350' NE of Long Green Pike

11th Election District 6th Councilmanic District (11504 Hannibal Road)

John and Sandra Kerwin Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-187-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, John and Sandra Kerwin. The variance request is for property located at 11504 Hannibal Road in the Glen Arm area of Baltimore County. The Petitioners herein seek a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 28 ft. in lieu of the required 35 ft. 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 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 December, 2000, that a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 28 ft. in lieu of the required 35 ft., 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





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

Fax: 410-887-3468

December 1, 2000

Mr. & Mrs. John J. Kerwin 11504 Hannibal Road Glen Arm, Maryland 21057

Re: Petition for Administrative Variance

Case No. 01-187-A

Property: 11504 Hannibal Road

Dear Mr. & Mrs. Kerwin:

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,

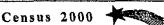
Timothy M. Kotroco

Deputy Zoning Commissioner

lunthy Kotroco

TMK:raj Enclosure













Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	11504	HANNI	6AL	ROAD
which	h is presen	tly zoned	RO2	

I/We do solemnly declare and affirm, under the penalties of

Date 11-3-00

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) 14.01.3.83 BC 20

TO PERMIT AN ABOUTION WITH A SISEYARD SETBACK OF 28' IN 1814 y BEGUIRED 35.

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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: .egal Owner(s): Name - Type or Print Name - Type or Signature Signatu Address Telephone No. City State Zip Code Attorney For Petitioner: Name - Type or Print Zip Code Representative to be Contacted: *¡Signafure Address Telephone No. City State Zip Code Ribblic Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County

Estimated Posting Date __

01-187-A

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

	Glen	ARM	MD	J	1057
į,	City		State		Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	or practical	difficulty):		·	Administrative
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That the Affiant(s) acknowledge(s) that if a form	nal demand	l is filed Affi	ant(s) will be red	uired to nav a	renosting and
advertising fee and may be required to provide ad	ditional info	rmation.	1	,	repositing and
John J KERWIN			Radio LA	KERWIN	
Name - Type or Print	. — — ~	Name - Typ	e or Print		
STATE OF MARYLAND, COUNTY OF BALTIMO	RE, to wit:				
of Maryland, in and for the County aforesaid, pers	vember onally appe	ared .	<u> একত</u> , before me	e, a Notary Pub	ic of the State
the Affiant(s) herein, personally known or satisfallaw that the matters and facts hereinabove set for	torily identi	imes Kev fied to me as ind correct to	www.i such Affiant(s), a the best of his/her	and made oath	in due form of
AS WITNESS my hand and Notarial Seal		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
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Date NOTARY PUBLIC MY COMM.		ary Public Commission E	expires 10 las	,102	
280 09115198 EXPIRES 10/23 02					

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fidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	11504 HANNIBAL RD				
	Address City	Ann	MD	····	21057
That based upon personal knowledge, the follow Variance at the above address (indicate hardshi	wing are the p or practical	facts upon difficulty):	State which I/we base	the request for	Zip Code an Administrative
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we want gas	rasi				
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Signature Signature	<u> </u>	Signatui	audio h	Keun	
John J KERWIN Name - Type or Print	· • • • • • • • • • • • • • • • • • • •	3	MUDRA L. Type or Print	KERWIN	·
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I HEREBY CERTIFY, this 3 & day of of Maryland, in and for the County aforesaid, per	•)	_ <u>ವಿಮಾರ</u> _ before	e me, a Notary P	ublic of the State
the Affiant(s) herein, personally known or satisfi	~ Chames	Zerus		V and made as	Albaire de la Compa de
law that the matters and facts hereinabove set to	orth are true a	ind correct	to the best of his	her/their knowle	dge and belief.
AS WITNESS my hand and Notarial Seal		/.	. 4	0	
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REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	11504	HANNIBAL	RUAN
which	ı is presently	zoned RC2	

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) / \(\omega. \omega. \) \(\omega. \omega. \omega. \omega. \) \(\omega. \omega. \omega. \omega. \omega. \omega. \omega. \omega. \end{array} \)

TO PERMIT AN ABBITION WITH A SIBE YARD SETBACK OF 28' IN leiu & ReqUIRED 35!

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.

		1	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):
			JOHN JAMES KERWIN
Name - Type or Print			Name - Type of Print
Signature			SANDRA LOO KORWIN
Address ,		Telephone No.	Name - Type or Print Allhur Lee Reeum
City	State	Zlp Code	Signature
Attorney For Petition	er:		11504 KANNIBAR ROAD 410-817-9
	•		Address Telephone No. 2
lame - Type or Print		**************************************	City State Zip Code
Signature			Representative to be Contacted:
Company			Name 11504 HANNIBM RA 817-9298
ddress		Telephone No.	Address Telephone No. 110 ST 945
Sity	State	Zip Code	City State Zip Code 1/37
Public Hearing having bee nis day of egulations of Baltimore County	n formally demand th and that the proper	ded and/or found to be at the subject matter of t rty be reposted.	required, it is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning Zoning Commissioner of Baltimore County
TARE NO AL	. 107 - 4	_	
CASE NO	181 1	Rev	lewed By JRF Date 11-3-00

Estimated Posting Date 11-27-00

ZONING DESCRIPTION FOR 11504 Hannibal Road

As recorded in Deed Liber 2341 folio 325 beginning for the same at a point on the northwest side of Hannibal Road (1) N.39° 46'E 183 ft. and (2) N.42° 41'E 207 ft. to the end S.47° 19'E 368.24 ft. line containing 3.57 acres to the place of beginning.

187

BALTIMORE COUNTY, MARYLAN OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 85745
DATE_NOV. 3 2000 ACCOUNT_ P	1-001-6150
AMOUNT \$ 5	50.30
FROM: KERWIN 11504 HANNICALRO	8. ITEM # 187
FOR: OI - VARIANCE	TAKEN BY: JR
DISTRIBUTION WHITE - CASHIER PINK - AGENCY VILLEN	

MINITEDIA

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 01-187-A
PETITIONER/DEVELOPER
(John Kerwin)
DATE OF Closing
(11-27-00)

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

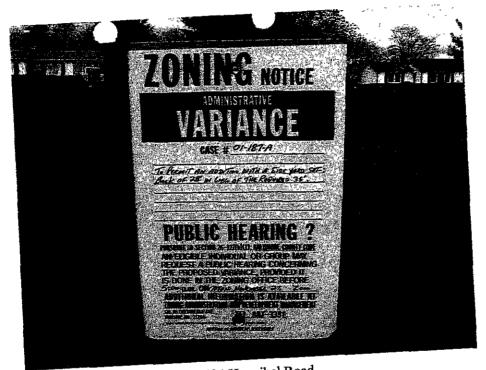
ATTENTION: MS. GWENDOLYN STEPHENS

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

11504 Hannibal Road Baltimore , Maryland 21057				
THE SIGN(S) WERE POSTED ON	11-10-00			
	(MONTH, DAY,YEAR)			
	SINCERELY,			
	(SIGNATURE OF SIGN POSTER & DATE)			
	THOMAS P. OGLE SR			
	325 NICHOLSON ROAD			
	BALTIMORE, MARYLAND 21221			
	410-687-8405			

(TELEPHONE NUMBER)



11504 Hannibal Road

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: 187
Item Number or Case Number: 187
Petitioner:
Address or Location: 11504 HANNIBAL RO
PLEASE FORWARD ADVERTISING BILL TO:
Name: John Keywin
Address: 115D4 HANNIBAL RO
Crlen Ann MD 21057

Revised 2/20/98 - SCJ

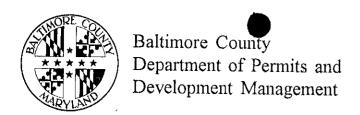
Plat to accompany Petition for Zoning X Variance	Special Hearing
PROPERTY ADDRESS: 11504 HANNIBAL RO See pages 5 & 6 of the C	HECKLIST for additional required information
Subdivision name:	
plat book#,folio#325_,lot#,section#	/2D
OWNER: JOHN & SANDRA KERWIN	Libri
	LAND ROOM P. D.
	134 Grage
	Le Lin Grace Contract
	HARON SEDRO
321.32 19.63 56.46 150.02	(C)2 ^{TO}
\$21.22	ARCO
	_ /
	Vicinity Map
	scale: 1'=1000'
	LOCATION INFORMATION
	Election District:
	Councilmanic District: 6
3.5	1'=200' scale map#: NE 13 F
2,	
	Zoning: Lot size: 3.57 155509.2
7	acreage square feet
	public private
28	SEWER:
No.	WATER: 🗌 🗵
	Chesapeake Bay Critical Area:
183	Prior Zoning Hearings: NONE
	/VUNE
\mathcal{L}	Zoning Office USE ONLY!
North	reviewed by: ITEM #: CASE#:
date: <u>/0-Z-</u>	
prepared by: JJK Scale of Drawing: 1 = 100 F	

ZONING REVIEW

ADMINISTRATION VARIANCE INFORMATION SHEET AND DATES

Case	Number	01-	187	-A	Ad	dress _	11504	HANNIBAL	RD.
Conta	act Perso	n:	J 4	Anner, Please F	FERNAN Print Your Name	ODY		Phone Number: 410-	887-3391
Filing	g Date: _	11.				Date: <u>/</u>	1-12-00	Closing Date: <u>/</u>	1-27-00
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<u>2</u> .	a iorma	ı req	uest for a	a public n	iearing. Pi	lease u	inderstand th	r owner within 1,000 for nat even if there is r closing date.	eet to file to formal
3.	order th (typically	sione at th with	r. He ma e matter in 7 to 10	ay: (a) gr be set in davs of t	ant the req i for a pub he closing (uested ilic hea date) a:	relief; (b) de ring. You v s to whether	the zoning or deputeny the requested relivitien notice the petition has been you by First Class mail	ef; or (c) otification granted
ļ <u>.</u>	commiss changed	aue sione: givir certifi	e to a ne r), notifica na notice	eignbor's fr ation will of the hea	ormal requ be forward iring date, t	est or ed to y ime and	by order of you. The s Llocation A	nat must go to a public the zoning or deputy ign on the property s when the sign was a red sign must be forw	y zoning must be
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etitic	oner: Thi	s Pa	rt of the	Form is fo	or the Sign	Poster	Only		
			USE TH	E ADMINI	STRATIVE	VARIA	NCE SIGN F	FORMAT	
								NIBAL ROAD	
								ephone <u>410-817</u>	7-929
ostin	ng Date:		11-12-	-00	· 	Clos	ing Date: _	11-27-00	
Vordir	ng for Sig	n:	<u>To Permit</u>	an a	ddition	1 W	1th a s	side yard sett	back
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BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



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

November 27, 2000

Sandra & John J. Kerwin 11504 Hannibal Road Glen Arm, MD 21057

Dear Mr. & Mrs. Kerwin:

RE: Case Number: 01-187-A, 11504 Hannibal Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 3, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake	
Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

602

Supervisor, Zoning Review

W. Carl Buchards, Jr.

WCR:gdz

Enclosures

C: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: November 29, 2000

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor Bureau of Development Plans Review FROM:

SUBJECT: Zoning Advisory Committee Meeting

For November 27, 2000

Item Nos. 178 (5113 Old Court Road), 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 191, 192, 193, 194, 195, 196, 198, 199, 201,

and 202

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

November 27, 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

Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 20, 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.

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

179, 180, 182, 183, 184, 185, 186, 187, 188, 189, 190, 192, 193, 194, 195, 196, 197, 198, 200, 201, 202, and 203

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley KORBS

DATE:

December 1, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of November 20, 2000

DEPRM has no comments for the following zoning petitions (page 1 of 2):

Item #	Address
178	5113 Old Court Road
181	4 St. Thomas Lane
182	1912 Wilson Lane
184	1214 Blue Mount Road
185	10911 Reisterstown Road
186	7 Henderson Hill Court
187	11504 Hannibal Road
188	7419 Beech Avenue
189	3300 Willoughby Road
191	6823 Old Pimlico Road
192	3900 Beckleysville Road
194	2315 Benson Mill Road
195	Security Blvd. & Rolling Road
196	1250 Sulphur Spring Road

BALTIMORE COUNTY, MORYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 30, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-180, 01-182, and 01-187

The Office of Planning has reviewed the above referenced case(s) 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: Marks

Section Chief:

AFK/JL:MAC



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

Date: // 27.20

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

Baltimore County RE:

Item No. 187 (JRF)

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.rad.us).

Very truly yours,

P.J. Grelle

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

11/3/00

To Whom It May coneun:

Stuart + Kairleen Fuld at
11506 Harribal Road have no
Algertions for a parance for a Parage
Abjections for a parance Glerkern,
at 11504 Harribal Road, Herwin
Md. 21057 My Sandia & John Herwin.

Kathleen M. Duld

A10-592-6432

187

SECOND LINE B.S. Nº 1729 FOLIO261 SECOND LINE LB. Nº 2206 FOLIO 79 321.32 PIPE 1 Front TO LONG GREEN ROAD

7.

43,560

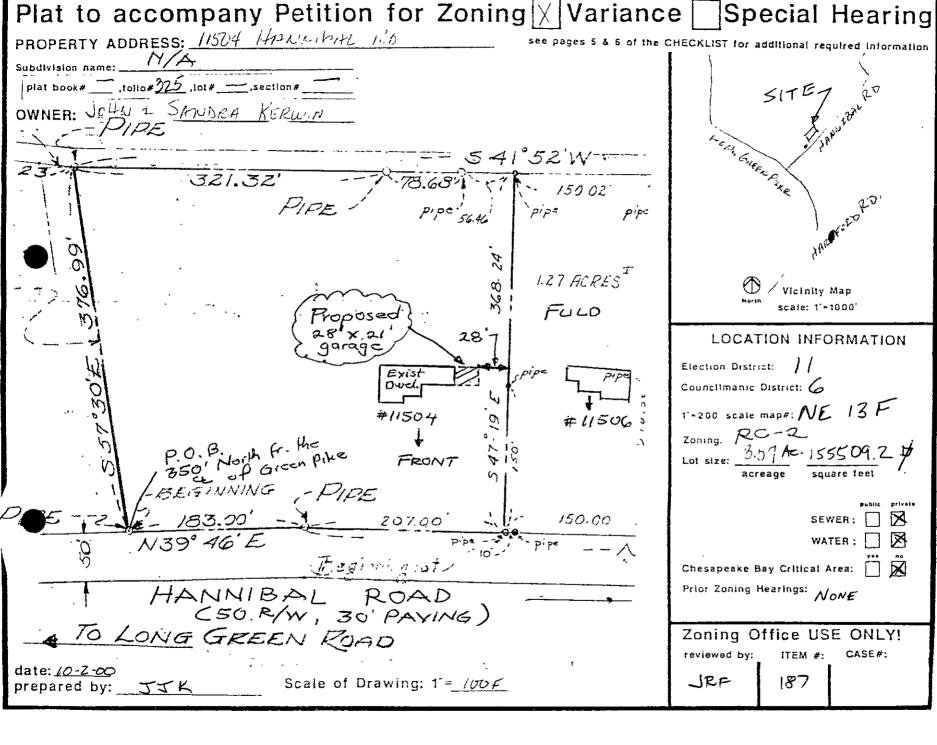
ECOND LINE B. Nº 2206 FOLIO 79 उंटा.उट Front Tradition years TO LONG GREEN ROAD

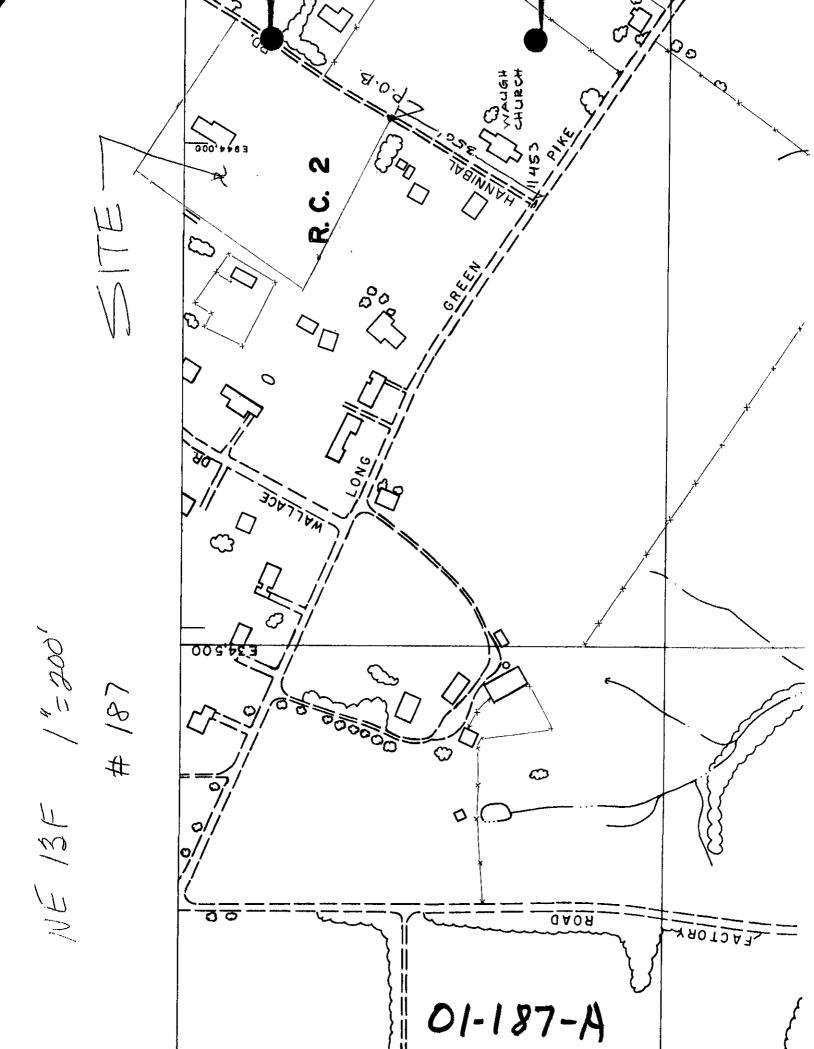
SECOND LINE

B.S. Nº 1729 FOLIO 261

43,560

7.







01-187-A



ZONING OFF