IN RE: PETITION FOR ADMIN. VARIANCE

NWC Bradshaw and Cedar Roads

11th Election District

5th Councilmanic District

(7464 Bradshaw Road)

Emily & Gerald J. Reiss Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-228-A

* * * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Emily & Gerald J. Reiss. The variance request is for property located at 7464 Bradshaw Road in the Kingsville area of Baltimore County. The Petitioners herein seek a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback from a proposed building addition of as little as 15 ft. from a property line and 32 ft. from a street centerline in lieu of the required 50 ft. side yard and 75 ft. street centerline setback and to permit a front yard setback from the existing structure of as little as 53 ft. in lieu of the required 75 ft. from the centerline of a street. 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 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.

In addition, the relief granted herein is subject to the Petitioners' compliance with the recommendations made by the Office of Planning set forth in their correspondence dated December 18, 2000, a copy of which is attached hereto and made a part hereof.

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 Zoning Commissioner for Baltimore County this day of January, 2001, that a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations, to permit a side yard setback from a proposed building addition of as little as 15 ft. from a property line and 32 ft. from a street centerline in lieu of the required 50 ft. side yard and 75 ft. street centerline setback and to permit a front yard setback from the existing structure of as little as 53 ft. in lieu of the required 75 ft. from the centerline of a street, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.

12/01 12/01 Pamasa

- 2) Compliance with the Zoning Plans Advisory Committee (ZAC) comments submitted by the Office of Planning dated December 18, 2000, a copy of which is attached hereto and made a part hereof.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IMOTHY 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

January 2, 2001

Mr. & Mrs. Gerard J. Reiss 7464 Bradshaw Road Kingsville, Maryland 21087

Re: Petition for Administrative Variance

Case No. 01-228-A

Property: 7464 Bradshaw Road

Dear Mr. & Mrs. Reiss:

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,
limithy llotroco

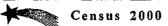
Timothy M. Kotroco

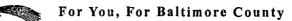
Deputy Zoning Commissioner

TMK:raj Enclosure

c: Mr. David Martin George W. Stephens, Jr. & Assoc., Inc. 1020 Cromwell Bridge Road

Towson, MD 21286











Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

which 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)

B.C.Z.R. 1A04.3.B.2 to permit a side yard setback from a proposed building addition of as little as 15-feet from a property line and 32-feet from a street centerline in lieu of the required 50-foot side yard and 75-foot street centerline setback and to permit a front yard setback from the existing structure of as little as 53-feet in lieu of the required 75-feet from the centerline of a street.

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.

INC.

Contract Purchaser/Lessee:

Legal Owner(s):

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				GERARD JO	HN REISS				
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			_ X	Gerar	d John &	eiss			
Signature			_	Signature		ł			
			_	EMILY REI	.SS				
Address		Telephone No.		Name - Type or b	rint /				
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Attorney For Fetition	<u> </u>			Address	DIAW KOLID	7.0		hone No.	
	•			KINGSVILL	E, MARYLAND		21087		
Name - Type or Print			City	7(22,00)	State		Zlp Code		
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Signature	<u> </u>		-						••
				GEORGE WI	LLIAM STEPH	ENS, JR	. & AS	SOCIATI	ES, INC
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A.1.		·			<u>WELL_BRIDGE</u>	ROAD		25-8120)
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City	State	Zip Code	-	TOWSON, M	IAKYALND	21286- State		Zip Code	
<u> </u>	State	Zip Code		Oity		State		Lih Code	
A public Hearing having been	n formally demande	d and/or found to	be requ	ired, it is ordered	by the Zoning Com	missioner of I	Baltimore C	ounty, this	
day of County and that the	property be reposted.	ubject matter of this	s petition i	oe set for a public n	earing, advertised, a	s required by	the zoning i	regulations	
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_ RなV 9/15/98			Estimate	d Pastino Date	12-10-0	7 O			

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.

Tha	at the Affiant(s) does/do presently reside at	7464 Address	BRADSHA	W ROAD	·			
			VILLE,	MARYLAN	D	21087		
		City			State			Zip Code
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	That the Affiant(s) does/do presently reside at	7464	BRADSH	AW ROAD		
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		City		Sta	-	Zip Code
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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7464 BRADHAW POAD which is presently zoned R.C. S

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)

B.C.Z.R.1A04.3.B.2 to permit a side yard setback from a proposed building addition of as little as 15-feet from a property line and 32-feet from a street centerline in lieu of the required 50-foot side yard and 75-foot street centerline setback and to permit a front yard setback from the existing structure of as little as 53-feet in lieu of the required 75-feet from the centerline of a street.

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>

GERARD JOHN REISS

Name - Type or Print		N	X Lerard John Reiso	
Signature			Signature John (2000)	
		, , , , , , , , , , , , , , , , , , , ,	EMILY REISS	
Address		Telephone No.	Name - Type or Print	
City	State	Zip Code	Signature	
Attorney For Peti	tioner:		7464 BRADSHAW ROAD 410-592-5585	
			Address Telephone No.	
			KINGSVILLE, MARYLAND 21087	
Name - Type or Print		CI	City State Zip Code	
Signature		· · · · · · · · · · · · · · · · · · ·	Representative to be Contacted: ATTN: DAVID MAI	RTIN
Company			GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, Name	INC.
Address		Telephone No.	1020 CROMWELL BRIDGE ROAD 410-825-8120 Address Telephone No.	
		. (TOWSON, MARYLAND 21286-3396	
City	State	Zip Code	City State Zip Code	
day of	that the sul	and/or found to b	be required, it is ordered by the Zoning Commissioner of Baltimore County, this petition be set for a public hearing, advertised, as required by the zoning regulations	
of Baltimore County and th	at the property be reposted.		, , , , , , , , , , , , , , , , , , , ,	
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	•		Zoning Commissioner of Baltimore County	
CASE NOC	11-228-A	Reviewed By	JRF Date 12-1-00	
REV 9/15/98		Es	Estimated Posting Date	

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS 1020 CROMWELL BRIDGE ROAD • TOWSON, MARYLAND 21286-3396

October 11, 2000

Description to Accompany Administrative Variance Petition for: 7464 Bradshaw Road, Tax Map 64, Parcel 398

Beginning at a point of the centerline intersection of Bradshaw Road having no right and the centerline of Cedar Lane 30' wide thence North 28°48'00" West to a Point of Beginning on the southern most property corner, thence the following courses:

- 1. North 28°48'00" West, 111.40 feet, thence
- 2. North 31°02'00" West 62.00 feet, thence
- 3. North 48°30'00" East, 126.20 feet, thence
- 4. North 48°30'00" East, 16.00 feet, thence
- 5. South 41°30'00" East, 168.00 feet, thence
- 6. South 48°30'00" West 16.00 feet, thence
- 7. South 48°30'00" West 161.50 feet, back to the Point of Beginning

Containing .61 Acres of land more or less.

Note: The above description is for zoning purposes only and is not to be used for contracts, conveyances or agreements.

228

BALTIMORE COUNTY, MARYLAND No. 081462 **OFFICE OF BUDGET & FINANCE** MISCELLANEOUS RECEIPT DATE 12-1-00 ACCOUNT P-001-0150 AMOUNT \$ 50.00 Courales Journ Reiss RECEIVED 7464 Bronsnow Dos. Tran + 228 Cit . Varionice FOR:

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7464 Bradshaw Road

CERTIFICATE OF POSTING

RE: CASE # 01-228-A PETITIONER/DEVELOPER (Gerard Relss) DATE OF Closing (12-25-00)

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

7464 Bradshaw Road Kingsville , Maryland 21087					
THE SIGN(S) WERE POSTED ON	12-8-00				
	(MONTH, DAY,YEAR)				
	SINCERELY,				
	(SIGNATURE OF SIGN POSTER & DATE)				
	THOMAS P. OGLE SR				
	325 NICHOLSON ROAD				
	BALTIMORE, MARYLAND 21221				
	A10-697-9A05				

(TELEPHONE NUMBER)

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.

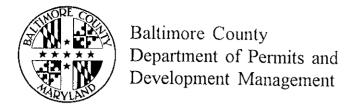
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:					
Item Number or Case Number: 01-22-0A					
Petitioner:GERARD JOHN REISS AND EMILY REISS					
Address or Location: 7464 BRADSHAW ROAD, KINGSVILLE, MARYLAND 21087					
PLEASE FORWARD ADVERTISING BILL TO:					
Name:GERARD JOHN REISS AND EMILY REISS					
Address:7464 BRADSHAW ROAD					
KINGSVILLE, MARYLAND 21087					
Telephone Number:410-592-5585					

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 228 -A Address 7464 BRADSHAW RD.
Contact Person: Jun R. Fernando Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing Date: 12-1-00 Posting Date: 12-10-00 Closing Date: 12-25-00
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. <u>DEADLINE:</u> 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 01- 228 -A Address 7464 BRADSHAW ROAD, KINGSVILLE, MARYLAND 21087
Petitioner's Name GERARD JOHN REISS AND EMILY REISS Telephone 410-592-5585
Posting Date: /2-25-00 Closing Date: /2-25-00
Wording for Sign: <u>To Permit</u> a side yard setback from a proposed building addition of as
little as 15-feet from a property line and 32-feet from a street centerline in lieu of
the required 50-foot side yard and 75-foot street centerline setback and to permit a front

yard setback from the existing structure of as little as 53-feet in lieu of the required



Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

December 27, 2000

Emily & Gerard Reiss 7464 Bradshaw Road Kingsville, MD 21087

Dear Mr. & Mrs. Reiss:

RE: Case Number: 01-228-A, 7464 Bradshaw Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 1, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

GDZ

Supervisor, Zoning Review

W. Carl Ruchards, J.

WCR: gdz

Enclosures

c: David Martin, George William Stephens, Jr. & Associates, Inc., 1020 Cromwell Bridge Road, Towson 21286 People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: January 9, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For December 18, 2000

Item Nos. 222, 223, 224, 225, 226, 227,

228, 230, and 232

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

December 20, 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 DECEMBER 11, 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:

222, 223, 225, 226, 227, 228, 230, 232,

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 ALRBS

DATE:

January 18, 2001

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of December 11, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
222	3019 Ohio Avenue
223	3017 Ohio Avenue
224	607 Stoney Lane
225	3023 Ohio Avenue
226	3021 Ohio Avenue
227	3507 Hiss Avenue
228	7464 Bradshaw Road
229	6975 Rockfields Road
230	3012A Hernwood Road
232	1807 Sutten Avenue

19/05

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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TO:

Arnold Jablon, Director

DATE: December 18, 2000

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

7464 Bradshaw Road

INFORMATION:

Item Number:

01-228

Petitioner:

Gerard Reiss

Zoning:

RC 5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request provided the building materials used for the addition are similar to those of the principal dwelling. Additionally, building elevation drawings of the proposed addition should be submitted to this office for review and approval prior to the issuance of any building permits.

Prepared by:

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Section Chief:

AFK:MAC:

W:\DEVREV\ZAC\01-228.doc



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

Administrator

126

Date: 12.8.00

Baltimore County

Item No. 228

RE:

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

Dear, Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not

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.us).

access a State roadway and is not affected by any State Highway Administration projects.

Very truly yours,

100

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

1. 1. Doelle



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51DE VIEW of House





VIEW of REAR 7464 WITH GARAGE

REAR VIEW of House WITH EXISTING TEAR Porch





View of GATAGE AND SUFFOUNDING Property's

VIEW of BACK of GARAGE AND SUFFOUNDING PROPERTY





View of surrouring Profesti

SIDE VIEW OF SHED WITH SUMBOURDING PROPERTY IN BACK TO " VE.

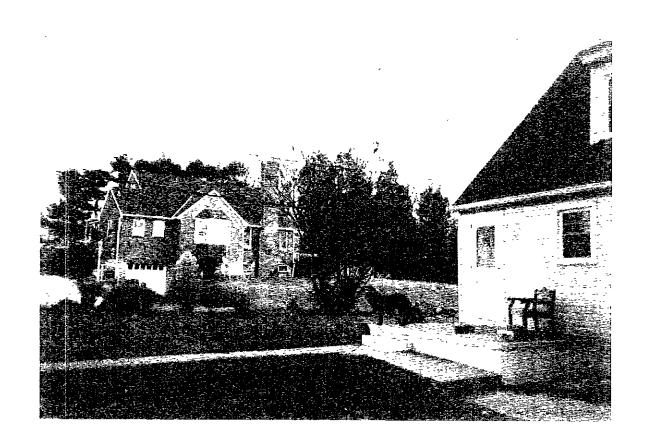
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SING VIEW OF SHEAD WITH HOUSE NEXT DOOR IN BACKGROUPS

Front view of SHEAD





BACK of 7464 REAR Porch with surrounding Property

SIDE VIEW From correr of 746+ Bradshaw & Cedar Ln.







FrONT SIDE + GARAGE IN BACKGROUND

VIEW of 7464 ON LEFT with SURFOUNDING PROPERTY'S ON RIGHT MET ING DOWN CEDAR LANG TOWARD Chapman ROAD.



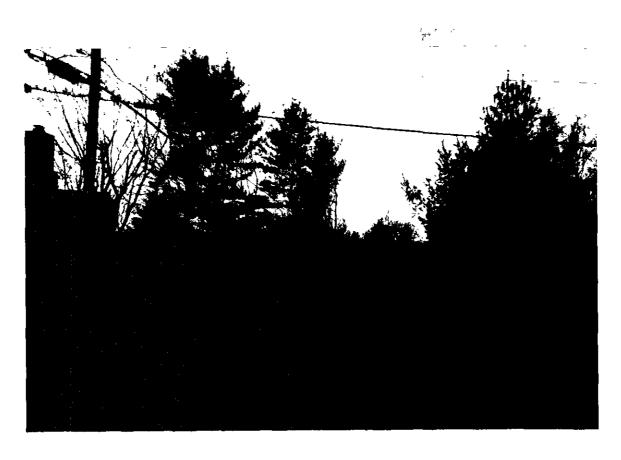


Front view of House -7464 -Facing Bradshaw

a dept.

VIEW OF SUPPOSHBING PROPERTY:





PICTURE TAKEN AT INTERESTION of Cedar Lane & Bradshaw 10.

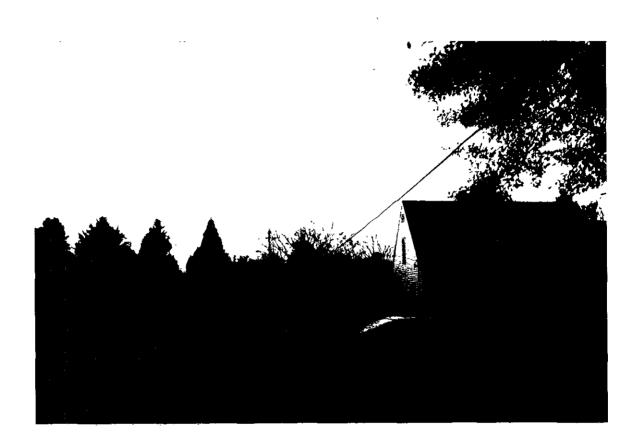
Showing Some Surrounding Project;

Locking in direction of PT. 7

Bellive are, Silver struce of.

Branshaw 10. Looking in The Direction of Belair 20. (US.1)
WITH 7964 Erashaw House out of View on 196T

PLETURE TAKEN AT INTERSECTION OF CEDAR Lane + Brackan Ro.



VIEW From Cedar have Looking Tomaro Bradshaw RD.

Realiste Motes Bradshau RD.

