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IN RE: PETITION FOR ADMIN. VARIANCE S/S Kenwood Avenue, 134' from centerline of Coco Road

10th Election District
7th Councilmanic District
(6603 Kenwood Avenue)

Deborah M. Bartels & William D. Miller Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-171-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, Deborah M. Bartels & William D. Miller. The variance request is for property located at 6603 Kenwood Avenue, in the eastern area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations, to permit an addition with a side yard setback of 6 ft. in lieu of the required 10 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3 day of December, 2001, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations, to permit an addition with a side yard setback of 6 ft. in lieu of the required 10 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

CAUST RECEIVED FOR FILING
Data 12/3/0/



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

Fax: 410-887-3468

December 3, 2001

Ms. Deborah M. Bartels Mr. William D. Miller 6603 Kenwood Avenue Baltimore, Maryland 21237

> Re: Petition for Administrative Variance Case No. 02-171-A Property: 6603 Kenwood Avenue

Dear Ms. Bartels & Mr. Miller:

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

buthy Kotroco

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6603 Kenwood Aug
which is presently zoned <u>レ</u> R. 3%
enartment of Permits and Dayslanment Management The Color

Zoning Commissioner of Baltimore County

11-11-01

Date 10-29-01

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) 1802.3.C.1 BCZR

To permit an addition with a side yard setback of 6' in lieu of the required 10'.

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. The patio room is a from the property line and we are required to have at least 10 for side set back.

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: Name - Type or Print Signature Address Telephone No. City State Zip Code Attorney For Petitioner: Name - Type or Print Representative to be Contacted: Signature Company Address Telephone No. Zip Code State State A Public 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 regulations of Baltimore County and that the property be reposted.

Reviewed By

Estimated Posting Date ____

O2-171 -A

Affidavit in Support of Administrative Variance

follows: That the information herein given is competent to testify thereto in the event that a p	within the personal know oublic hearing is scheduled	Ledge of the Affiant(s) a in the future with regard	f Baltimore County, as nd that Affiant(s) is/are thereto.
That the Affiant(s) does/do presently reside at	6603 Le	NWOOD D	ave
	BALTO	ms	21237
That based upon personal knowledge, the follo Variance at the above address (indicate hardship)	wing are the facts upon wip or practical difficulty):	hich I/we base the reque	Zip Code est for an Administrative
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That the Affiant(s) acknowledge(s) that if a fo	rmal demand is filed. Affi	ant(s) will be required t	o pay a reposting and
advertising fee and may be required to provide a	additional information.		a pay a reposining and
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Deborah Mae Barte	Signature		1
<u>Deborah Mae Barte</u> Name-Type or Print	Name - Typ	oe or Print	is pullar
		,	
STATE OF MARYLAND, COUNTY OF BALTIN	TORE, to wit:		\$49 and \$400 term then then the
I HEREBY CERTIFY, this / b day of @@of Maryland, in and for the County aforesaid, per	rsonally appeared	<i>bol</i> , before me, a No	
DERBLE M SARTULS	William D	onglas milla	
the Affiant(s) herein, personally known or satisf law that the matters and facts hereinabove set for	actorily identified to me as orth are true and correct to	s such Afflant(s), and ma the best of his/her/their k	ide oath in due form of inowledge and belief.
AS WITNESS my hand and Notarial Seal			
10/16/01	Bunnelis	te M. Canne	MALAN
Date	Notary Public		18

REU 09/15/98

Affidavic 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	Address			
	_			
That have down a second to the second second	City		State	Zip Code
That based upon personal knowledge, the follovariance at the above address (indicate hardsh	wing are the ip or practical	facts upon which I. difficulty):	/we base the reque	st for an Administrative
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other side of house				
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That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	rmal demand	l is filed, Affiant(s)	will be required to	pay a reposting and
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Signature		Signature	The state of the s	7
Deborah Mae Bartels		WILLUA	in Day (it	5 Millere.
value - Type of Pring		Name - Type or Pi	rint	
	. – – – – – –			
STATE OF MARYLAND, COUNTY OF BALTIN	•			
HEREBY CERTIFY, this day of	TOSAL rsonally appe		∕, before me, a No	tary Public of the State
		Douglas	miller	r
he Affiant(s) herein, personally known or satisf aw that the matters and facts hereinabove set fo	factorily identi	fied to me as such	Affiant(s) and mag	de oath in due form of
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AS WITNESS my hand and Notarial Seal				
10/16/01	Sh	und Hy	n Camal	n.an
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	My (Commission Expire	s 11-1-6	12

REV 09/15/98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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for the property l	ocated at 6603 Ken word Ane
	which is presently zoned DRS.5
This Petition shall be filed with the Department of Permits owner(s) of the property situate in Baltimore County and which nade a part hereof, hereby petition for a Variance from Section To permit on addition with a lieu of the required 10	

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. The patio room 18 6 from the property line and we are required to have at least 10 for \$1 aeset back.

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 Signature Address Telephone No. City State Zip Code <u> Attornev For Petitioner:</u> Name - Type or Print Representative to be Contacted: Signature Company Address Telephone No. City Zip Code 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 Baltimore County and that the property be reposted.

02-171-A

CASE NO.

REU 9/15/98

Zoning Commissioner of Baltimore County

Reviewed By JRF Date 10-20-01

Estimated Posting Date 11-11-01

Zoning Description for 6603 Kenwood Ave.

Beginning at a point on the south side for Kenwood Ave. which is 35ft. right-of-way at the distance of 134 ft. west of the centerline of the nearest improved intersecting street which is Coco Rd. which is 30 ft. right-of-way. Lot containing 11,236 sq. ft., also known as 6603 Kenwood Ave., and located in the 10th election district. 14th Council manic Distract.

BEGINNING FOR THE SAME at a point in the center of the County Road (formerly known as Blue Beil Road) now known as Kenwood Avenue said point being at the northernmost property line of the land decided to the Canton Company by Herman Zimmerman and wife, and recorded among the Land Records of Baltimore County in Liber WPC No. 385, folio 537, dated February 28, 1912, running thence and binding on said line, as now surveyed, south fifty degrees thirty-one minutes west seventeen and fifty-two one hundredths feet to an Iron pine set near the southwest side of Kenwood Avenue and continuing the same course, in all two hundred fourteen and sixty-three one hundredths feet, thence leaving said line and running for lines of division the two (2) following courses and distances, viz: north inity-nine degrees twenty-nine minutes west tilty-live feet and thence north tilty-two degrees nine minutes thirty seconds east one hundred seventy-four and seventy-three one hundredths feet to an Iron pips set near the southwest side of Kenwood Avenue and continuing the same course in all one hundred ninety-three and ninety-six one hundredths feet to the center of the aforementioned Kenwood Avenue, running thence and binding on the center of Kenwood Avenue south sixty-one degrees forty-four minutes east litty-three and torty one hundredths feet to the place of beginning. The improvements thereon being known as No. 6603 Kenwood Avenue.

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 066
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LR NO. 006631
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Boltimore County, Naryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

•	RE: Case No.: 02 · 171 - A
	Petitioner/Developer: DEBORAH
	BARTELS + WILLIAM MILLE
	Date of Hearing/Closing: /// عدرارا
altimore County Department of crimits and Development Management bunty Office Building, Room 111 1 West Chesapeake Avenue owson, MD 21204	
ttention: Ms. Gwendolyn Stephens	
ndies and Gentlemen:	
nis letter is to certify under the penalties ere posted conspicuously on the propert	of perjury that the necessary sign(s) required by law by located at 6603 KENWOD AVE
ere posted conspicuously on the propert	ty located at 6603 KENWOOD 19VE
ere posted conspicuously on the propert	ty located at 6603 KENWOOD 19VE
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e sign(s) were posted on ADMINISTRATIVE VARIANCE	y located at 6603 KENWOD AVE (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name)
ere posted conspicuously on the propert	y located at 6603 KENWOD AVE (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd
ne sign(s) were posted on	y located at GGO3 KENWOD AVE (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address)
ne sign(s) were posted on ADMINISTRATIVE VARIANCE CASE # 02- 10- ALEANER	y located at 6603 KENAVOD AVE (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address) Dundalk, Maryland 21222

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: 02171-14
Petitioner: William Douglas MilleR
Petitioner: William Douglas Miller Address or Location: 6603 Kenwood Ave Balto MD. 21237
PLEASE FORWARD ADVERTISING BILL TO:
Name: William Douglas miller.
Name: William Douglas Miller. Address: 6603 Kenwood AUR BACTU MD 21237
Telephone Number: 4/0-687-6675

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Nu	umber 02-	171	-A	Address_	6603	KENWOOD	AVE
Contact	Person:		Please Print Your N	ame		Phone Number	er: 410-887-3391
Filing D)ate:	-29-01	Posti	ng Date: _	11-11-0	/ Closing [Date: <u>パースター</u> の
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a	formal red	uest for a p	ublic hearing.	Please	understand		n 1,000 feet to file nere is no formal
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WCR - Revised 6/28/00

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 20, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 3, 2001

Item Nos.* 151, 152, 155, 157, 161, 164, 165, 167, 168, 170, 12172, 173, 174,

and 175

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

*Items number 153 and 154 were not designated.

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

December 10, 2001

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 November 26, 2001

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:

151, 152, 155, 156, 157, 159, 161, 164, 165, 166, 167, 168, 169, 170, 172, 173, 174, and 175

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 3, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-132, 02-168 & 02-174

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



Maryland Department of Transportation State Highway Administration

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

Date: 17・3・カ1

Mr. George Zahner Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE. **Baltimore County** Item No.

Dear, Mr. Zahner:

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

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

Very truly yours,

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

f. f. Dell

Sill



GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CONSULTING ENGINEERS LAND PLANNERS LAND SURVEYORS

George William Stephens, Jr. (1888-1983)

PRESIDENT/CEO

LEONARD A. PARRISH, PL

VICE PRESIDENTS

FREDERICK N. CHADSLY, IV, P.E.
PASQUALE R. CIARLO
ROBERT P. HENRY, PROF. I. S.
JAWES A. MARKLE, P.E.
WALTER H. NOYES, PROF. I. S.
PAUL W. TAYLOR, P.E.

SENIOR ASSOCIATES

JOHN M CONWAL, JR., P.D.
WALTER F BINNER, PROF 1 S
JAMES H HUNT, PROF 1 S
DAVID L. MARTIN, I.A.
HARRY P PHILLIPS, P.E.
BIZABITH VENTIMITER
KAREN M WATER, p.E.

ASSOCIATES

FRANK J BALCER, JR
STEPHEN G CROWF
CLARENCE M. CULLIM, JR
ROBERT J, FUNK
WILLIAM E. HENNING, III, PROP I S
THOMAS W HEWIT!
BERNT C. PETFRSEN, I A
GEOFFREY P TOBIAS
MARK B. TUSSS, SR

Towson: 1020 Cromweit Bridge Rd Towson, MD 21286-3396 (410) 825-8120

(410) 825-8120 Fax (410) 583-0288

BEL AIR:

203 EAST BROADWAY BILL AIR, MID 21014 (410) 879-1500 (410) 838-3800 FAX (410) 893-0425

visit our web site at www.gwstephens.com February 6, 2002

Lawrence E Schmidt, Esq.
Baltimore County Zoning Commissioner
401 Bosley Avenue Room 405
Towson, Maryland 21204

Dear Mr Schmidt

We are the engineers for 150 W. Painters Mill Road, LLLP, owner of the above referenced property. A Petition for a Special Hearing for construction within a riverine flood plain had been filed and a hearing was scheduled for September 11, 2001,

Re.

150 W Painters Mill Road

Case No 02-017-SPH

The hearing was then postponed so that certain issues that were identified could be completely addressed before the hearing was rescheduled

One of the issues that required clarification was the impact, if any, to downstream properties if the construction of the building was allowed to proceed within the flood plain.

We have prepared hydraulic studies to determine the impact of the proposed construction to the flood plain. Based upon the analysis we have prepared, there will be no measurable impact to the flood plain and downstream properties once the building is constructed.

If the waiver is approved, the project can be designed and constructed in accordance with all applicable law and regulations

If you have any questions or need additional information, please contact me at your convenience

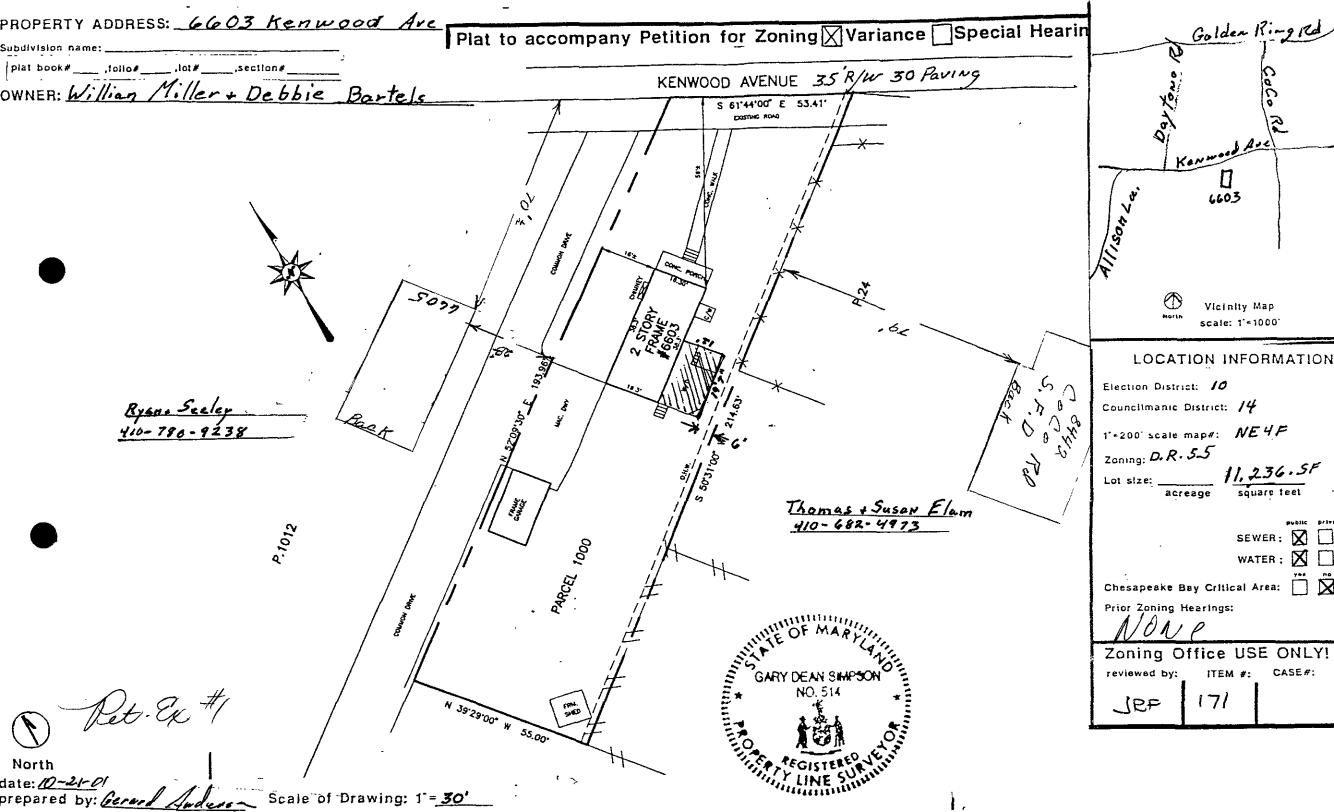
Very truly yours

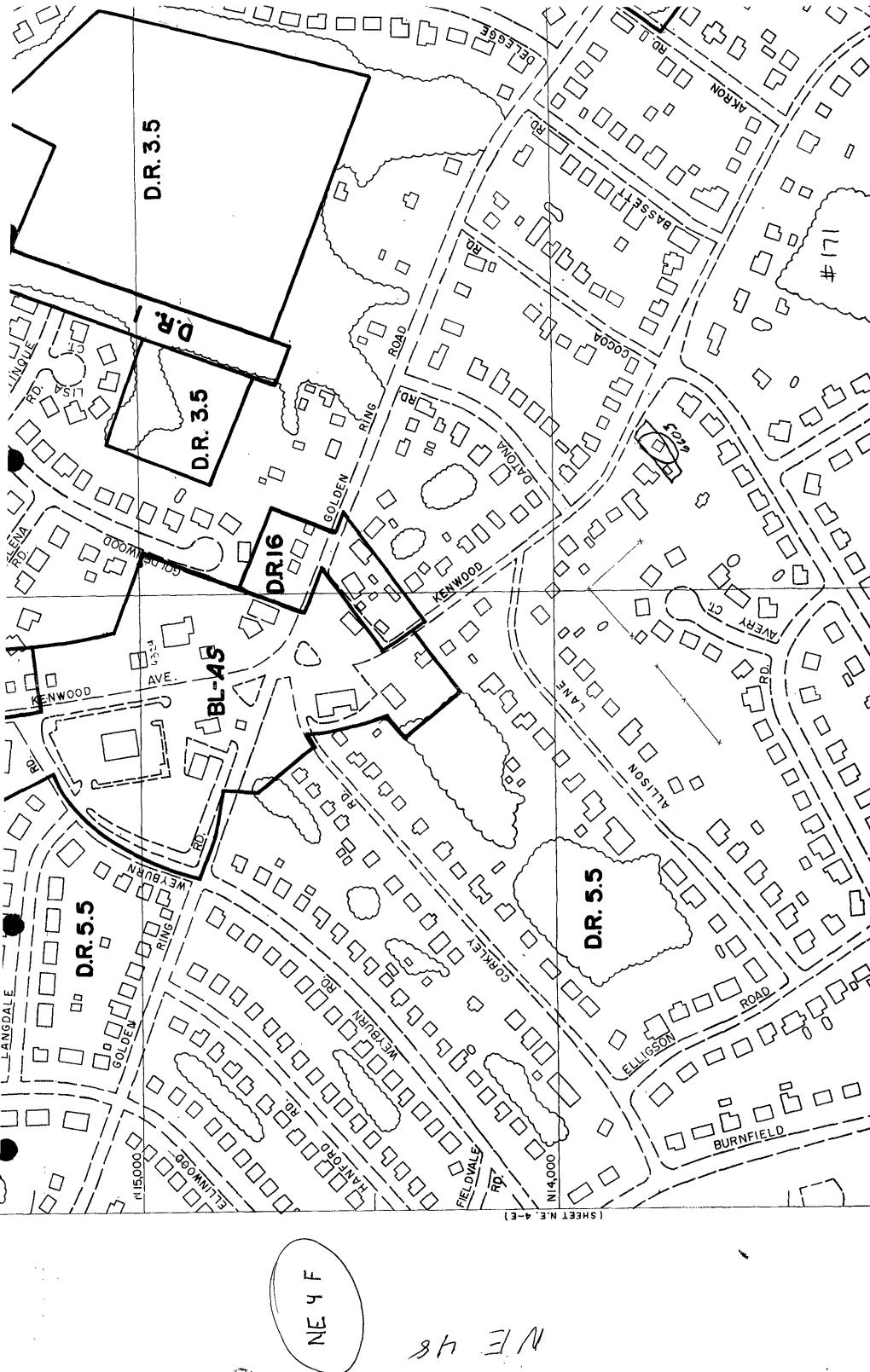
George William Stephens, Jr. and Associates, Inc.

Jámes A Markle, P.E. Vice President

JAM:pmg

cc: Mr. Robert Barrett Howard Alderman, Esq Mr. William Orlove 码一门







#171



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SiDE YARD PERPUSED FUR HDDOON #171