

IN RE: PETITION FOR ADMIN. VARIANCE

S/S of Aigburth Road, 500' W +/-
centerline of York Road
9th Election District
4th Councilmanic District
(8 Aigburth Road)

Nancy Ball
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-583-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 owner of the subject property, Nancy Ball. The variance request is for property located at 8 Aigburth Road in the Towson area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 15 ft. in lieu of the required 30 ft. for a sunroom addition. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner 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 Petitioner has 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 Petitioner.

COPIES RECEIVED FOR FILING

Date 8/5/02
By [Signature]

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 5th day of August, 2002, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 15 ft. in lieu of the required 30 ft. for a sunroom addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date

8/5/02

By

R. Johnson



Baltimore County
Zoning Commissioner

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

August 5, 2002

Ms. Nancy Ball
8 Aigburth Road
Towson, Maryland 21286

Re: Petition for Administrative Variance
Case No. 02-583-A
Property: 8 Aigburth Road

Dear Ms. Ball:

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,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Welsh Construction Remodeling
3901 E. Monument Street
Baltimore, MD 21205

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8 Aigburth Rd.
which is presently zoned D.R. 5.5

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) 1B02.3.C.1; BCZR, TO

PERMIT A REAR YARD SETBACK OF 15 ft. IN LIEU OF
THE REQUIRED 30 ft. FOR A SUNROOM ADDITION.

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Nancy Ball
Name - Type or Print

Signature

Name - Type or Print

Signature

8 Aigburth Rd. 410-321-8351

Address

Telephone No.

Towson, Maryland 21286

City

State

Zip Code

Representative to be Contacted:

Welsh Construction Remodeling
Name

3901 E. Monument St. 410-732-1360

Address

Telephone No.

Baltimore, Maryland 21205

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 8/5/02 day of August, 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.

Zoning Commissioner of Baltimore County

CASE NO. 02-583A

Reviewed By JCM

Date 7-6-28-02

Estimated Posting Date 7-8-02

DATE 10/25/01

ORDER RECEIVED FOR FILING

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 8 Aigburth Rd.
Address
Towson, Maryland 21286
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

I want the sunporch addition attached to the first floor kitchen of my house as I want to enjoy the privacy of my backyard year round.

When I bought my house 2 years ago, I had a view of Aigburth Rd. from the front of my house. However, a house has been built in front of mine, so the only privacy I have is my backyard and the sunporch, my retreat year round.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Nancy Ball
Signature
Nancy Ball
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of June, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Nancy Ball
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Garnet Clark
Notary Public
My Commission Expires 3/1/04

Affidavit in Support of Administrative Variance

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Address
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City State Zip Code

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That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Nancy Ball
Signature
Nancy Ball
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of June, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Nancy Ball
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Janet Clark
Notary Public
My Commission Expires 3/1/04



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8 Aigburth Rd.

which is presently zoned D. R. 10 5.5

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 A REARYARD SETBACK OF 1500 ft. IN LIEU OF
THE REQUIRED 30ft. FOR A SUNROOM ADDITION.

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:

Legal Owner(s):

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Nancy Ball

Name - Type or Print

Signature

Name - Type or Print

Signature

8 Aigburth Rd.

410-321-8351

Address

Telephone No.

Towson, Maryland 21286

City

State

Zip Code

Representative to be Contacted:

Welsh Construction Remodeling

Name

3901 E. Monument St. 410-732-1360

Address

Telephone No.

Baltimore, Maryland 21205

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 02 day of May, 2002 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.

Zoning Commissioner of Baltimore County

CASE NO. 02-583A

Reviewed By JM

Date 6-28-02

REV 10/25/01

Estimated Posting Date 7-8-02

Zoning Description for 8 Aigburth Road

Beginning at a point on the south side of Aigburth which is 50' wide at the distance of 500' west of the centerline of the nearest improved intersection street York Rd. which is 75' wide. Being lot #2, Block n/a, Section #n/a in the subdivision of n/a as recorded in Baltimore County Plat Book #8, Folio #35 containing 14,400 sq. ft. Also known as 8 Aigburth Rd. and located in the 9th election district, 9th councilmanic district.

583

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 14448

DATE

7-28-02

ACCOUNT

0106-001-6150

AMOUNT

\$ 52.00

RECEIVED FROM

N. Ball

FOR

AN UAPIANCE

PAID RECEIPT

BUSINESS ACTUAL TIME

6/28/2002 6/28/2002 14:59:50

REG US06 WALKIN KNOX KNOX DRIVER

RECEIPT # 002805 6/28/2002 DEPT

53528 ZONING VERIFICATION

CR 014448

Recpt Tot

00 CR

Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

JCM

CERTIFICATE OF POSTING

583
~~074~~

RE: Case No.: 02-583-A

Petitioner/Developer: N. BALL

Date of Hearing/Closing: 7/23/02

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8 AIGBIRTH ROAD

The sign(s) were posted on

7/8/02
(Month, Day, Year)

Sincerely,

[Signature] 7/8/02
(Signature of Sign Poster and Date)

SSC ROBERT BLACK

(Printed Name)

1508 Leslie Rd

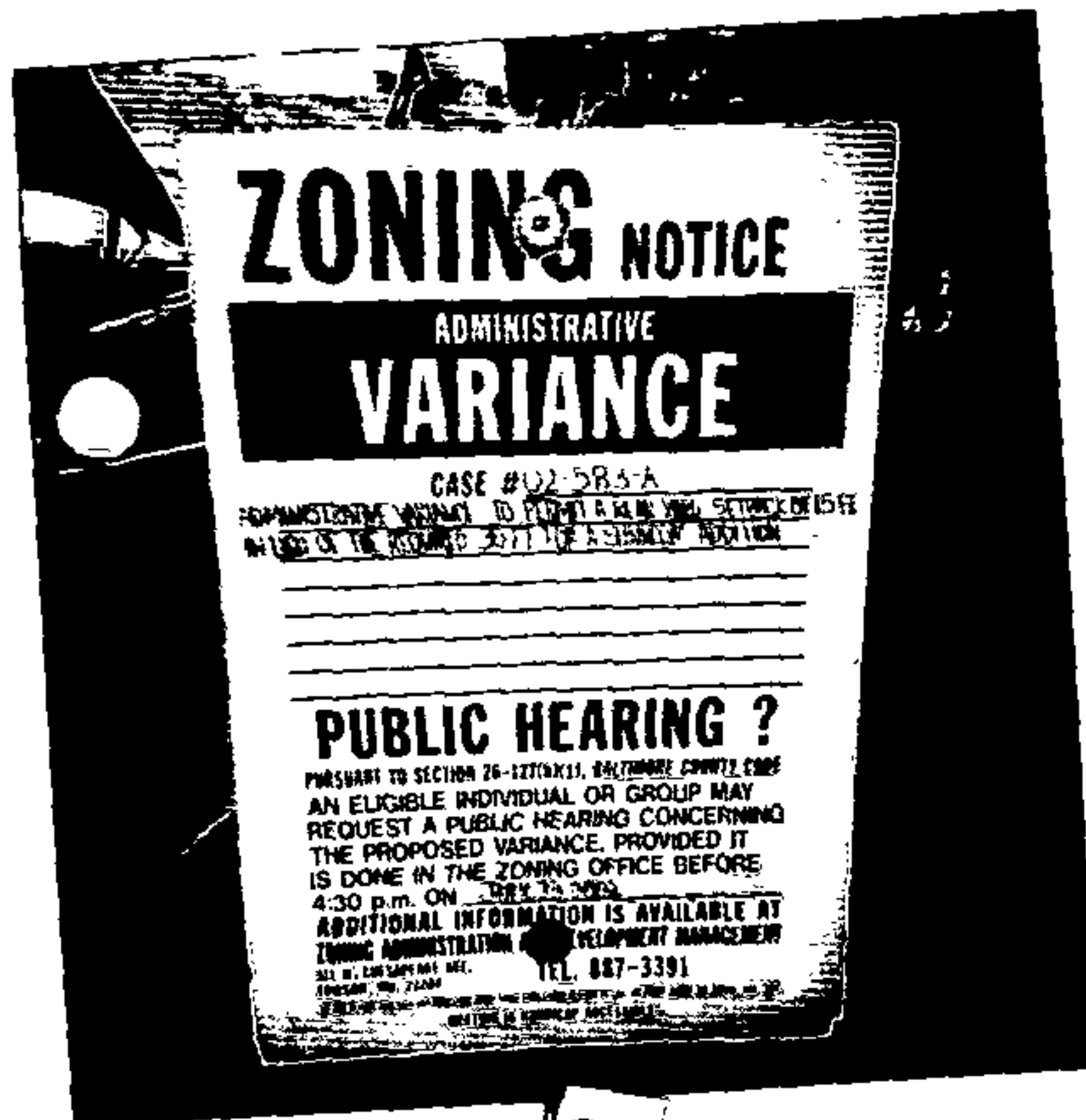
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 583 -A

Address 8 AIG-BURTH RD.

Contact Person: J. Mew
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 6.28.02

Posting Date: 7.8.02

Closing Date: 7.23.02

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. **DEADLINE:** 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.
3. **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 02- 583 -A

Address 8 AIG-BURTH ROAD

Petitioner's Name N. Ball

Telephone 410-321-8351

Posting Date: 7.8.02

Closing Date: 7.23.02

Wording for Sign: Admin VARIANCE To Permit A REAR YARD SETBACK of 15 ft.

IN LIEU of the REQUIRED 30 ft. for a sunroom ADDITION.

Mary L. Ron, agent for Welsh Const. & Remodeling, Inc.

WCR - Revised 6/28/00

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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: 583
Petitioner: Nancy Ball
Address or Location: 8 Aigburth Rd., Towson, Md. 21286

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____
Address: Same

Telephone Number: 410 - 321-8351



Baltimore County
Department of Permits and
Development Management

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

July 23, 2002

Ms. Nancy Ball
8 Aigburth Road
Towson, MD 21286

Dear Ms. Ball:

RE: Case Number: 02-583-A, 8 Aigburth Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 28, 2002.

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,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: Welsh Construction Remodeling
3901 E. Monument Street
Baltimore, MD 21205

People's Counsel

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**Baltimore County
Fire Department**

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

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

July 18, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 15, 2002

Item No.: See Below

Dear Mr. Zahner:

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,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

(583); 001-005; 007+008; 010-013; 015

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

cc: File

Come visit the County's Website at www.co.ba.md.us



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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 5, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For July 22, 2002
Item Nos (583) 001, 002, 003, 004, 005,
006, 007, 008, 009, 010, 011, 012, 015,
and 016

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: July 30, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

JUL 31 2002

SUBJECT: Zoning Advisory Petition(s): Case(s)02-583

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:

Mark A. Cunningham

Section Chief:

Arnold F. 'Pat' Keller, III

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7.16.62

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

RE: Baltimore County
Item No. 583

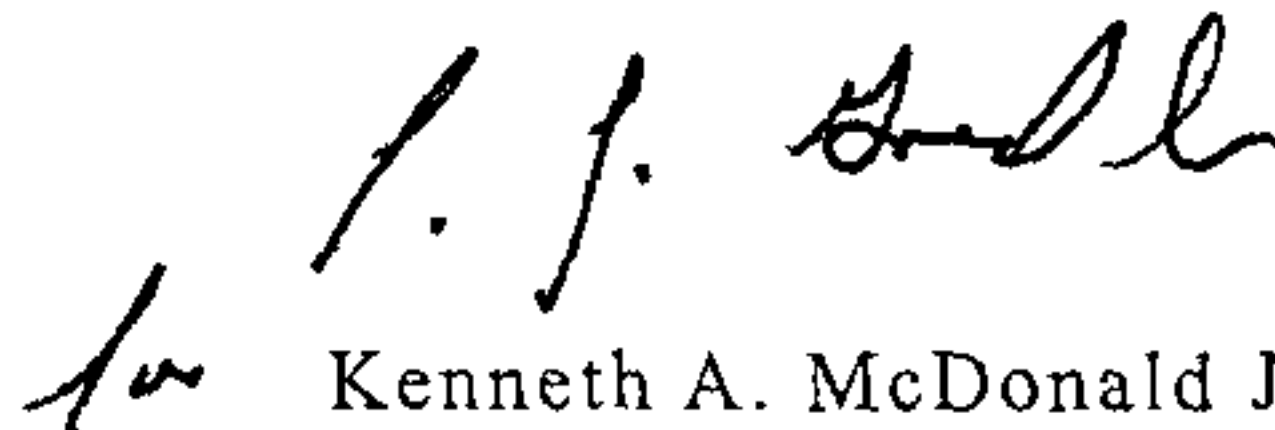
JCM

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB /TLT*

DATE: July 22, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of July 15, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

(583) 001-008, 011, 014, 016

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 8 AIGBORTH ROAD

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME THE KIRTLEY

PLAT BOOK # 8 FOLIO # 35 LOT # 2 SECTION #

OWNER NANCY BALL

50'
R/W

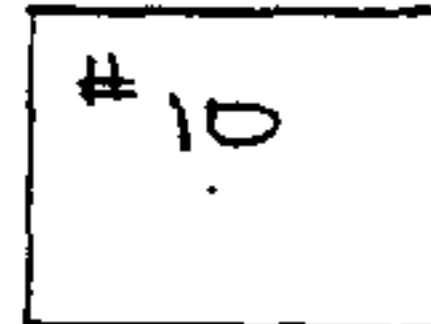
AIGBORTH ROAD

30' MAX. PAVING



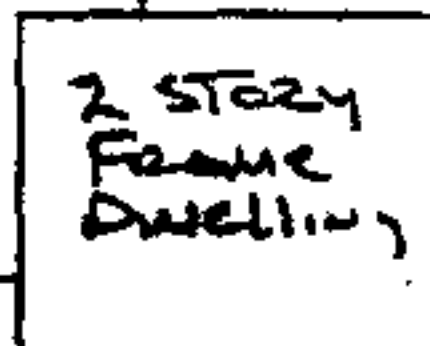
L. 2056
F. 35T.00

LOT #1



N 74° 00' W 90.75

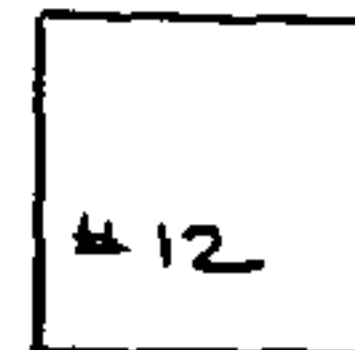
LOT #2



Proposed addition



S 74° 00' E 110.75



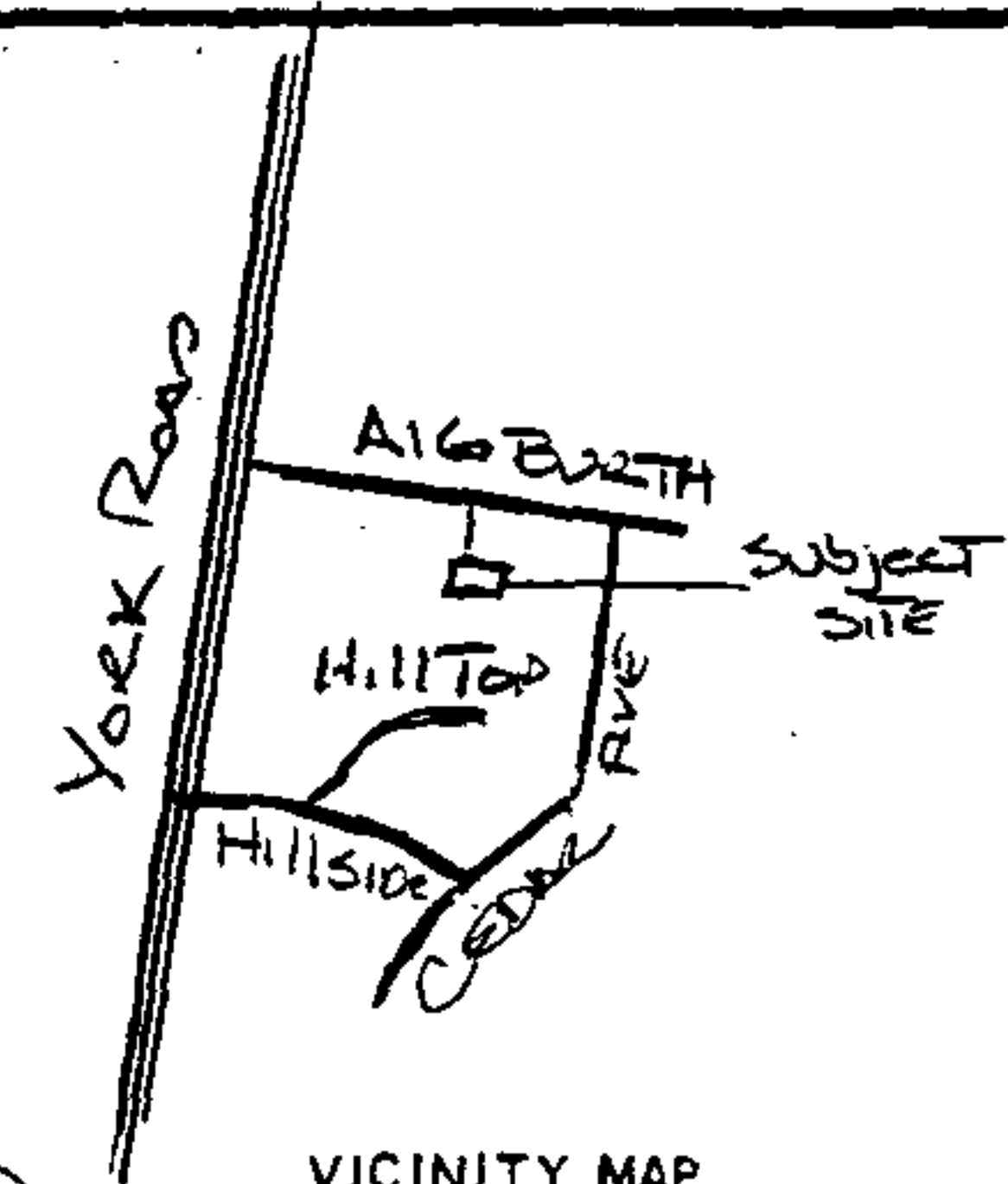
L. 5405 F 636



NORTH

PREPARED BY JOHN DEGRAND

SCALE OF DRAWING: 1" = 50'



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

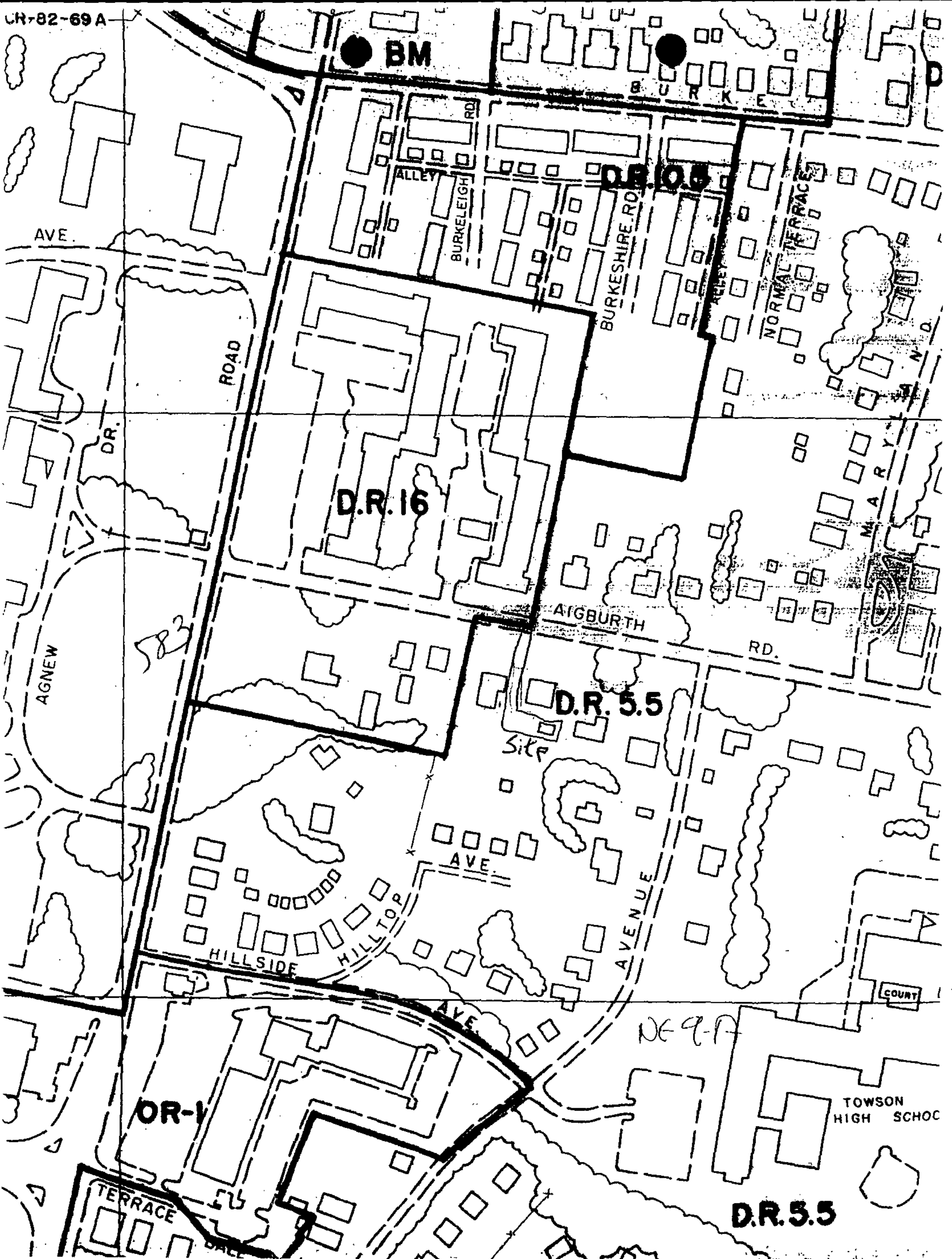
ELECTION DISTRICT 9
COUNCILMANIC DISTRICT 9
1" = 200' SCALE MAP # NE-9-A
ZONING DR 5.5

LOT SIZE .33 14,400
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	☐	☐

ZONING OFFICE USE ONLY
REVIEWED BY SCM ITEM # 583 CASE #



● BM

D.R. 10.5

D.R. 16

D.R. 5.5

D.R. 5.5

DR-1

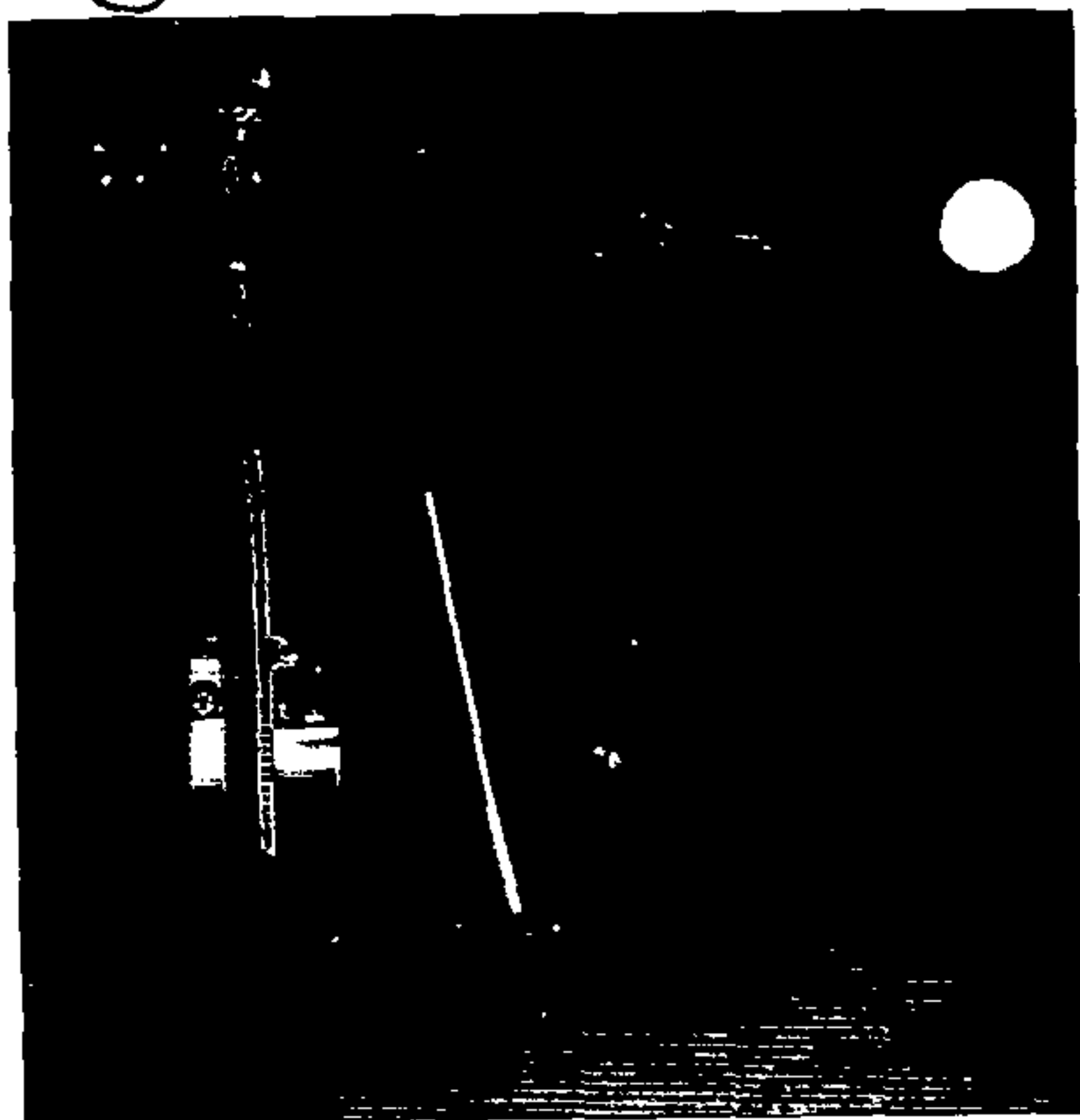
TOWSON
HIGH SCHOOL

TERRACE

COURT

583

DE 9-P



Ball residence
8 Aigbunth Rd
View to east



8 AIGBURTH RD

17 JUNE 2002



REAR OF 8 AIGBURTH RD
HOUSE 17 JUNE 2002



Ball residence
8 Aigbunth Ave.
View of rear yard



BALL residence
8 AIGBURTH RD
21286



REAR OF HOUSE
8 AIGBURTH RD

17 JUNE 2002



BALL residence
8 Aigburth Rd. 21286
view of rear of house