

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
W/S Springdell Avenue, 101' S		
centerline of Banner Road	*	ZONING COMMISSIONER
2nd Election District		
2nd Councilmanic District	*	OF BALTIMORE COUNTY
(3718 Springdell Avenue)		
	*	CASE NO. 03-029-A
Jefferey & Lashay Miller		
<i>Petitioners</i>	*	

* * * * *

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, Jefferey and Lashay Miller. The variance request is for property located at 3718 Springdell Avenue in the Randallstown area of Baltimore County. The variance request is from Section 504 (V.B.5.a, V.B.5.b., C.M.D.P., 1970) and Section 1B01.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 23 ft. to a tract boundary in lieu of the minimum required 35 ft. for a proposed addition. 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 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.

Date 5/15/12
 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 Zoning Commissioner for Baltimore County, this 15th day of August, 2002, that a variance from Section 504 (V.B.5.a, V.B.5.b., C.M.D.P., 1970) and Section 1B01.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 23 ft. to a tract boundary in lieu of the minimum required 35 ft. for a proposed addition, 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.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

8/15/02
R. J. [Signature]



Baltimore County
Zoning Commissioner

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

August 15, 2002

Mr. & Mrs. Jefferey Miller
3718 Springdell Avenue
Randallstown, Maryland 21133

Re: Petition for Administrative Variance
Case No. 03-029-A
Property: 3718 Springdell Avenue

Dear Mr. & Mrs. 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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

c: John Hoffman
7034 Golden Ring Road
Baltimore, MD 21237



Printed with Soybean Ink
on Recycled Paper

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



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3718 Springdell Ave
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) 504 (V.B.5.2, V.B.5.6, 1978) 1001.2.C

To allow a rear yard setback of 23 ft, to, a tract boundary
(for a proposed addition) in lieu of the minimum required
35 ft.

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):

Jeffrey Miller
Name - Type or Print

Jeffrey Miller
Signature

Lashay Miller
Name - Type or Print

Lashay Miller
Signature

3718 Springdell Ave 410-496-4639
Address Telephone No.

Randallstown Md. 21133
City State Zip Code

Representative to be Contacted:

John Hoffman
Name

7034 Golden Ring Rd 410-790-0062
Address Telephone No.

Balto. Md. 21237
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 10 day of July, 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. 02-029-A

Reviewed By [Signature] Date 7-16-02

Estimated Posting Date 7-29-02

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 3718 Springdell Ave
Address
Randallstown Md 21133
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):

*We would like to build a patio Room 12'x12' on the rear of our home. This room will only have a 23'ft set back.
The rear is the only place that the room can go.
This room will greatly improve our living area.*

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.

Jeffrey Miller
Signature
Jeffrey Miller
Name - Type or Print

Lashay Miller
Signature
Lashay Miller
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of June, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeffrey & Lashay Miller
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

DELORES A. SCOTT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 26, 2005

Delores A. Scott
Notary Public
My Commission Expires 11/26/05

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Jeffrey Miller
Signature
Jeffrey Miller
Name - Type or Print

Lashay Miller
Signature
Lashay Miller
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of June, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeffrey & Lashay Miller
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

DELORES A. SCOTT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 26, 2005

Delores A. Scott
Notary Public
My Commission Expires 11/26/05



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3718 Springdell Ave
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) 1 B.O. 2. C. 2. a (V.B. 5.9, V.B. 5.6, 1970 CNDP)

To allow a rear yard setback of 23 ft to a tract boundary (for a proposed addition) in lieu of the minimum required 35 ft

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):

Jeffrey Miller
Name - Type or Print

Jeffrey Miller
Signature

Lashay Miller
Name - Type or Print

Lashay Miller
Signature

3718 Springdell Ave 410-496-4639
Address Telephone No.

Randallstown Md. 21133
City State Zip Code

Representative to be Contacted:

John Hoffman
Name

7034 Golden Ring Rd 410-790-0062
Address Telephone No.

Balto. Md. 21237
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 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.

Zoning Commissioner of Baltimore County

CASE NO. 02-029-A

REV 10/25/01

Reviewed By [Signature] Date 7-16-02

Estimated Posting Date 7-29-02

ZONING DESCRIPTION FOR 3718 Springdell Ave
(address)

Beginning at a point on the West side of
(north, south, east or west)

Springdell Ave which is 50'
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 101'± South of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Banner Rd
(name of street)

which is 50 wide. *Being Lot # 5
(number of feet of right-of-way width)

Block B, Section # in the subdivision of Shermans Hill
(name of subdivision)

as recorded in Baltimore County Plat Book # 51, Folio # 120,

containing 7,508 sq
.1723 AC. Also known as 3718 Springdell Ave
(square feet or acres) (property address)

and located in the 2ND. Election District, 2ND Councilmanic District.

029

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Ord No. 14411
029-17

DATE 7-16-02 ACCOUNT R-001-066-615
AMOUNT \$ 50.00

RECEIVED FROM: Woodsen Co. of Fainto LLC
FOR: Residential Zoning Filing Fee
for 3718 Springdale Ave.

029,

DATE RECEIPT
PAID RECEIPT
BUSINESS ACTUAL TIME
7/16/2002 7/16/2002 10:08:25
REG 4505 WALFH SHAT SWM DRAWER 3
RECEIPT # 205208 7/16/2002 DEPT
DEPT 5 528 ZONING VERIFICATION
CH NO. 014611
Recd Tot \$50.00
50.00 CF .00 CA
Baltimore County, Maryland

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-029-A

Petitioner/Developer: JEFFREY

MILLER

Date of Hearing/Closing: 8/13/02

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 3718 SPRINGDELL AVE

The sign(s) were posted on 7/27/02
(Month, Day, Year)

Sincerely,

[Signature] 7/27/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

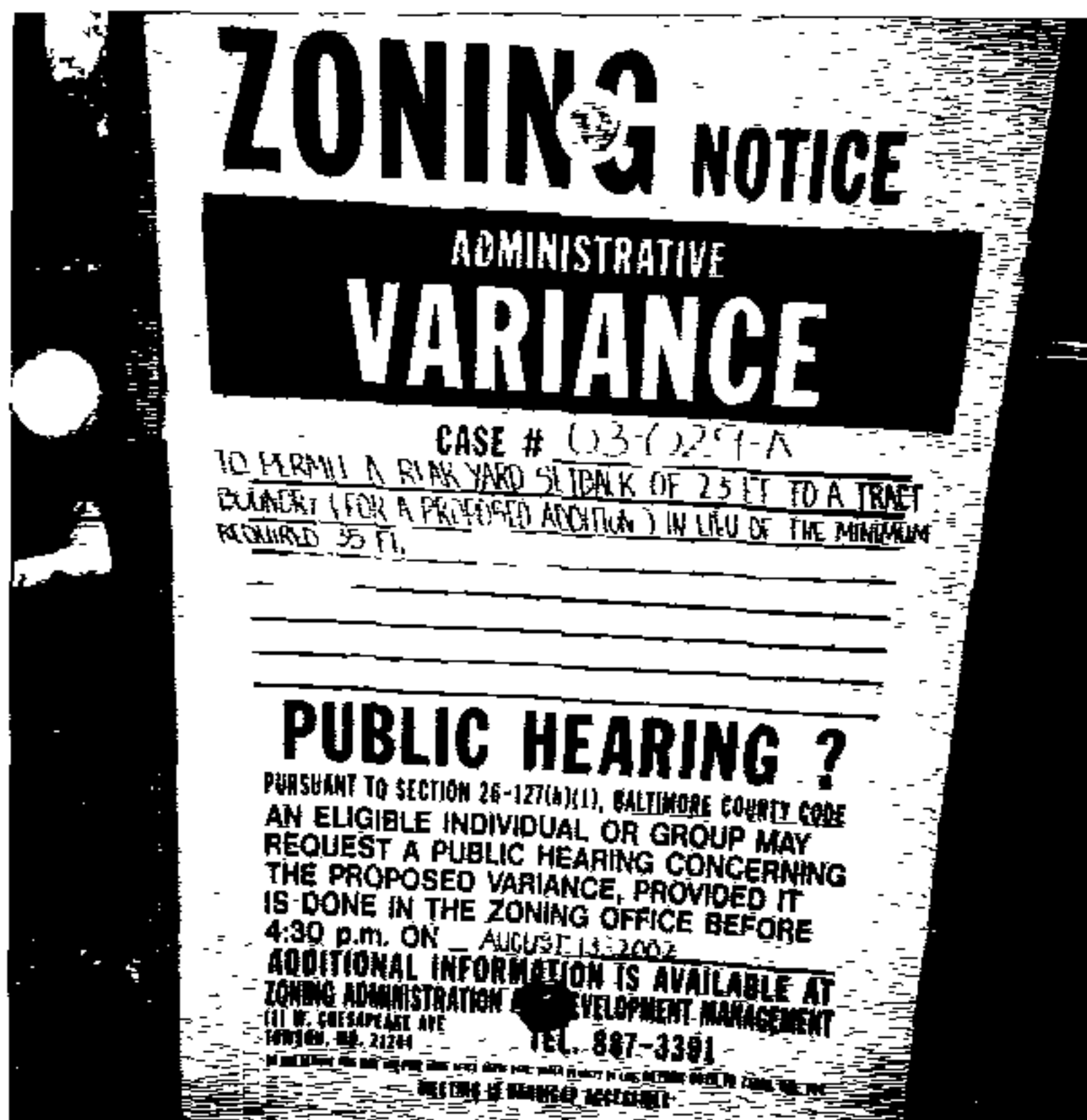
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03 029 -A Address 3718 Spring dell Ave.

Contact Person: John Sullivan Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7-16-02 Posting Date: 7-29-02 Closing Date: 8-13-02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- 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.
- 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.
- 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 03 029 -A Address 3718 Spring dell Ave.
Petitioner's Name Jeffrey Miller Telephone 410-496-4639
Posting Date: 7-29-02 Closing Date: 8-13-02

Wording for Sign: To Permit a rear yard setback of 23 ft. to a street
boundary (for a proposed addition) in lieu of the minimum
required 35 ft.

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/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: 03-029-A

Petitioner: DePercy & Lashay Miller

Address or Location: 3718 Spring dell Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: Champion

Address: 7034 Golden Ring RD
Balto MD 21237

Telephone Number: 410 780 0062

Revised 2/20/98 - SCJ



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

August 13, 2002

Mr. & Mrs. Jeffrey Miller
3718 Springdell Avenue
Randallstown MD 21133

Dear Mr. & Mrs. Miller:

RE: Case Number: 03-029-A, 3718 Springdell Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 16, 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,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: John Hoffman, 7034 Golden Ring Road, Baltimore 21237
People's Counsel

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





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 23, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 23, 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:

018-023, 025, 027-030

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** August 21, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For July 29, 2002
Item Nos. 017, 018, 019, 020, 022, 023,
024, 025, 027, 028, and 029

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
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS | TGT*

DATE: August 16, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of July 22, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

(29)
17,19,20,22-30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 26, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-027, 03-028, & 03-029

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:

Lynn Jablon

AFK/LL:MAC



State Highway Administration

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7.19.02

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

RE: Baltimore County
Item No. 029 JSS

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

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 3718 Springdell Ave SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Sherman's Hill

PLAT BOOK # 51 FOLIO # 120 LOT # 5 SECTION #

OWNER Jeffery & Lashay Miller

N 26° 25' 00" E

W 46° 00' 00" E

LEON A. CRANE
W.J.R. 3502-3503

SEC-5
STONEBROOK
R.R. 29-22

BANNER
ROAD

AVENUE

SPRINGDELL

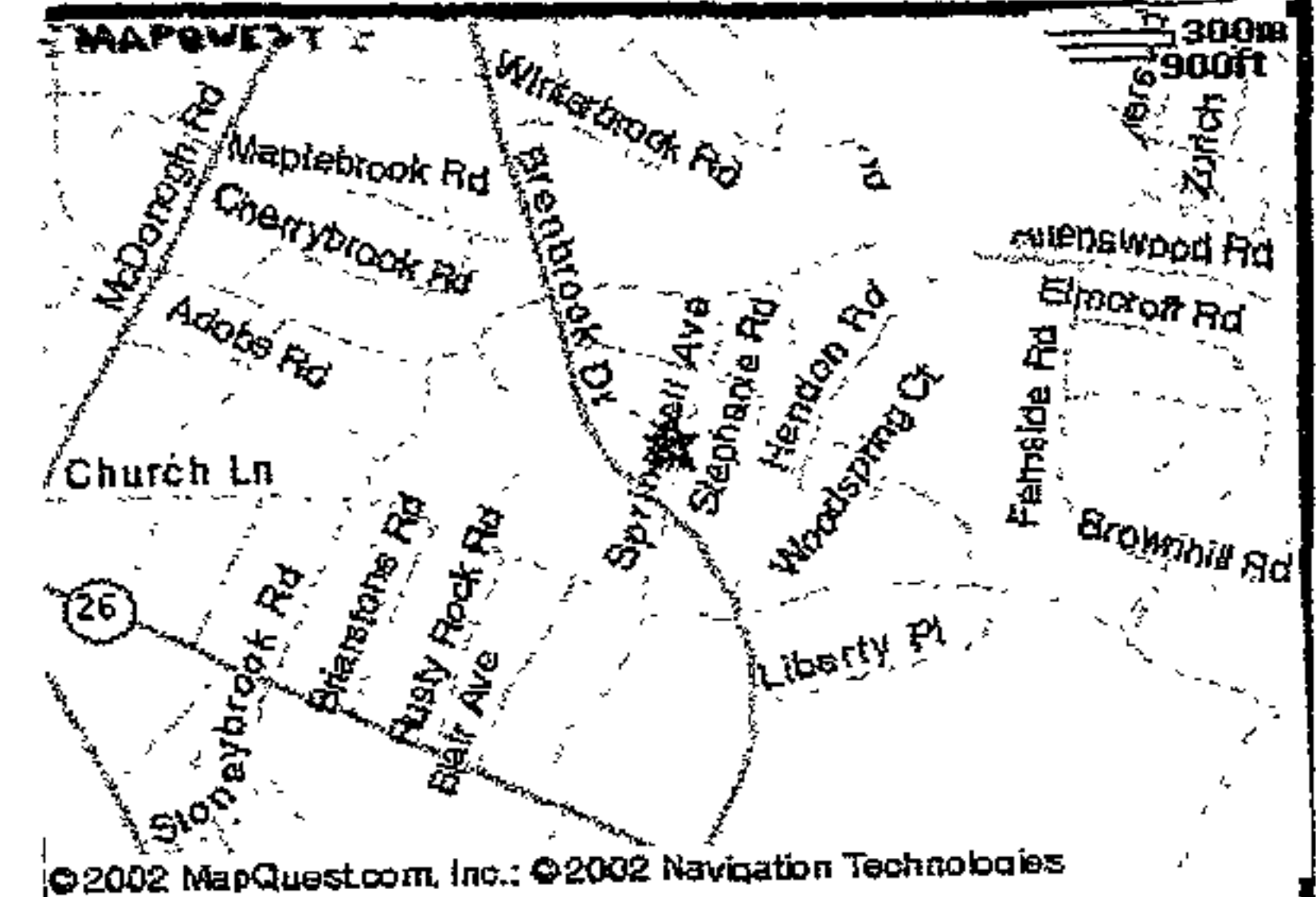
ENK, JR. E

Filed for
Date All
Test

UN.12.2002 10:38 410 333 8165

MSDE DSE

#5279 P.



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 2ND
COUNCILMANIC DISTRICT 2
1"=200' SCALE MAP # NW 711
ZONING D.R. 5.5
LOT SIZE .1723 AC 7,508
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 ITEM # CASE #

 029



NORTH

JAMES L. McNANEY
O.T.G. 5211-538

JAMES L. McNANEY
O.T.G. 4825-234

PREPARED BY Jerry Andersen

SCALE OF DRAWING: 1" = 60

Red #1

D.R. 5.5

NW 7 H

27,000

(SHEET NW-7-I)

BANNER RD

3718
SPRINGDELL AVE

140' E

ALLENSWOOD ROAD

AVE

STEPHANIE

ROAD

JULIAN CT

ROAD

HENDON

D.R. 5.5

Brenbrook ROAD

CHURCH

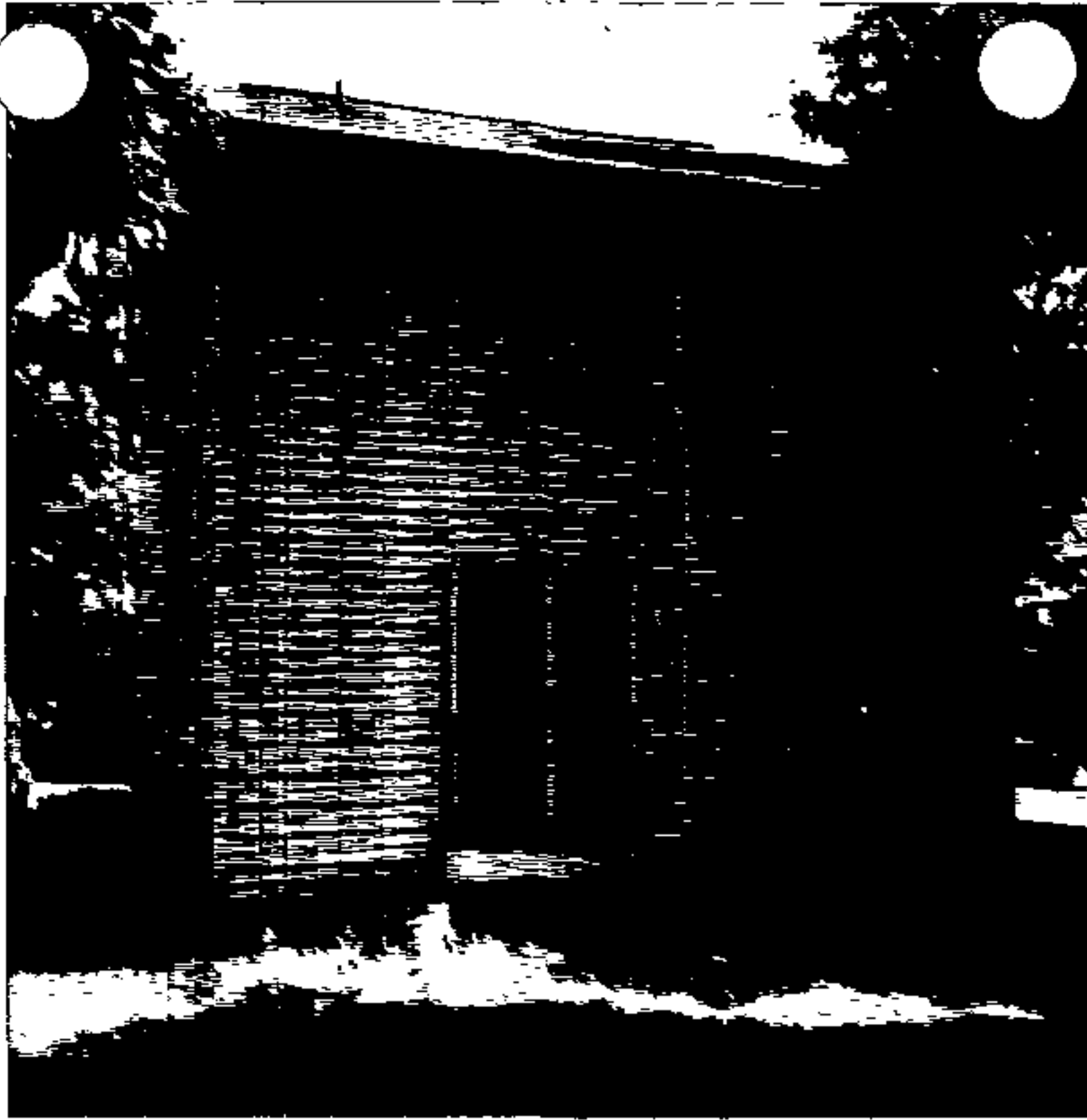
WOODSPRING CT

WOODSPRING ROAD

ATHLETIC

FIELD

Item #0



Back of #029
3718 Springdell Ave



Right side of #029
3718 Springdell Ave



Left side of #029
3718 Springdell Ave