IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Stags Head Road, 400 ft. W
centerline of Huntsman Road
9th Election District
3rd Councilmanic District
(806 Stags Head Road)

Carole A. Stafford & Craig W. Medlyn Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 04-239-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, Carole A. Stafford and Craig W. Medlyn. The variance request is for property located at 806 Stags Head 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 35 ft. in lieu of the required 40 ft. for an 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 Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of December, 2003, 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 35 ft. in lieu of the required 40 ft. for an 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.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

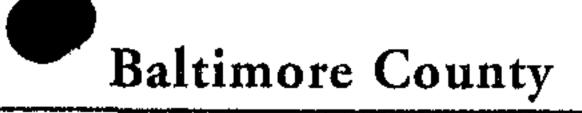
JVM:raj

ORDER FELS 183 BY SON THE STATE OF THE STATE

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468





James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

December 3, 2003

Ms. Carole A. Stafford Mr. Craig W. Medlyn 806 Stags Head Road Towson, Maryland 21286

Re: Petition for Administrative Variance

Case No. 04-239-A

Property: 806 Stags Head Road

Dear Ms. Stafford & Mr Medlyn:

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,

John V. Murphy

Deputy Zoning Commissioner

John V. Murphy

JVM:raj Enclosure



Visit the County's Website at www.baltimorecountyonline.info



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 80% Stags Head Road which is presently zoned D.R.2.

-aumaria) of the present, situate in Daltimore County and	Permits and Development Management. The undersigned, legal which is described in the description and plat attached hereto and
made a part hereof, hereby petition for a Variance from a	Section(s) $IBOZ_{13}.C.I.BCZP_{1}$ To $PEPmI$
A REMR MARD SETBACE	LAF Zeff
REDUCED SEAT. FOR	- Or STIPE
·	OF 35 ft. IN CIEU OF THE
of the zoning regulations of Baltimore County, to the zon of this petition form.	ning law of Baltimore County, for the reasons indicated on the back
or this peatton form.	
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertisin regulations and restrictions of Baltimore County adopted pursu	ig, posting, etc. and further agree to and are to be bounded by the zoning
	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):
	Carole A. Stafford
Name - Type or Print	Name - Type or Print (ANDER) STANDAY
Signature	Signature CVC10 W. Medium
Address Telephone No	
City State Zip Code	
Attorney For Petitioner:	806 Stags Itead Road 410-337-70 Address Telephone No
	Toward Md. 21286
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted:
###	Cowners)
mpany	Name Cell 410-935-4079 Work 410-279-285
Address Telephone No.	Address Telephone No.
City State Zip Code	City State Zip Code
A Public Hearing having been formally demanded and/or found this that the subject matter	to be required, It is ordered by the Zoning Commissioner of Baltimore County, er of this petition be set for a public hearing, advertised, as required by the zoning
regulations Baltimore County and that the property be reposted.	pro-provent and easter a personal results of the property of the pro
	Zoning Commissioner of Baltimore County
04-239A	110.52
CASE NO. 04-2397	Reviewed By Mark Date 1770
REC 10/25/01	Estimated Posting Date / 15/05

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	806 Stags	tead Road	·
	Address	Manyland	21286 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship a very ard vanance of the soon addition of the 500s.	wing are the facts upo ip or practical difficulty) אור אונטאלים אונטאליט אונטאלים אונטאליטאלים אונטאלים אונטאלים אונטאל	in which I/we base the request for: united to construct a single s	or an Administrative
acts support our request!	r, cut the receiped of	sur nome. We benever in u	4 1102 10110111119
the physical constraints of the lot, the of preclude locating, the addition elements have spoken to the neighbors a	lse where.		
the proposed addition encreaches on arely visible to our neighbors to the least that our house is set back a steep hill. The proposed addition is completely the proposed addition is completely the proposed addition is completely.	n the left side yard ft due to 1) the di- nother 35-40' trop ant with the deed	setback. However, the add stance between the nouses in the street and is situated restrictions pertaining to	et at the top of a Plat 3 in Hampt
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature Carole A. Storfford Name - Type or Print	Signa	Much	
STATE OF MARYLAND, COUNTY OF BALTING 1 HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per County A. Station & County the Affiant(s) herein, personally known or satisfa	rsonally appeared W. Medlun	_, <u>2003</u> , before me, a Notary as such Affiant(s).	Public of the State
AS WITNESS my hand and Notarial Seal KIM DOMANSKI, NOTARY PUBLIC City of Baltimore State of Maryland My Commission Expires August 1, 2006	Notary Public My Commiss	0/1/0/	

Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	800 STACES	s Head toda	
	70WU00	Manyand	21286
	City	State 🗸	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship	wing are the facts uip or practical difficul	pon which I/we base the request for ty):	or an Administrative
We are requesting a rearyard vanance	a of 35 versus	the .40' required to construc	ta single story
family room/ breakfout room addition			-
that the following facts support or	~		
i) The physical constraints of the 101		out of the nouse, and the he	ouse's position
on the lot preclude locating the addu	tion anywhere els	L . •	
2) We have spoken to the neighbors du	outling our prope	rty-Mr/Mrs Beaty e sou	Stags Head Roa
tothe left, Dr./Mrs Dennis e 803 H		· · · · · · · · · · · · · · · · · · ·	
Huntsman Road to the rear - and		5	
3) the proposed addition encroach		. • • • • • • • • • • • • • • • • • • •	er, the odd thon is
barely visible to our neighbors to the		•	•
and 2) the fact that our house is			
at the top of a Steephill.	_		
That the Affiant(s) acknowledge(s) that if a fo	iant with the	teed restrictions pertaining	to Plat3 in He
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is file additional information	ed, Affiant(s) will be required to pa h.	ay a reposting and
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Cowe a Stayford		M.M.	
Signature	Sign	riature	,
Carole A. Stafford	(raig W. Medlyn	
Name - Type or Print	Nar	ne - Type or Print	· · · · · · · · · · · · · · · · · · ·
	-		
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STATE OF MARYLAND, COUNTY OF BALTIN	NUKE, WILL	2000	
HEREBY CERTIFY, this 6 day of 100 of Maryland, in and for the County aforesaid, pe	rsonally appeared	, <u>&003</u> , before me, a Notary	Public of the State
Carole A. Stafford & Cra	in as Madle		
the Affiant(s) herein, personally known or satisfa	actorily identified to m	ne as such Affiant(s).	
	•		
AS WITNESS my hand and Notarial Seal	f		
KIM DOMANSKI, NOTARY PUBLIC	Notary Pub	lic	
NOTARY City of Baitimore	•	0111	
State of Maryland My Commission Expires August 1, 2006	My Commit	ssion Expires O / I / ()(Q	······································
741205.100/25/01		•	



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 806 Stags Head Road which is presently zoned D.R.2

This Petition shall be filed with the Departm owner(s) of the property situate in Baltimore Commade a part hereof, hereby petition for a Variance	ent of Permunty and which from Sect	its and Development Ma ich is described in the described	inagement. The uncription and plat atta	dersigned, legal ched hereto and
islade a partificion, ficieny petition for a variant		1802,3.	C.1; BLZ2.	TO PERM
A REAR YARD SE REQUIRED 40ft. FOR	BACK	OF 3517	· /N/ [/E .	~ E ~
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	- 77	MOULIAGE.		
of the zoning regulations of Baltimore County, to of this petition form.	the zoning	law of Baltimore County, f	or the reasons indica	ated on the back
Property is to be posted and advertised as preson, or we, agree to pay expenses of above Variance, a regulations and restrictions of Baltimore County adopted	advertising, po	osting, etc. and further agree	to and are to be boun re County.	ded by the zoning
		I/We do solemnly declar perjury, that I/we are the is the subject of this Pe	e legal owner(s) of the	ne penalties of property which
Contract Purchaser/Lessee:		Legal Owner(s):		
		Name - Type or Print	Aford	
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·	Name - Type or Print	a. / / .	
Signature	_ 	Signature Standard	HADOO	<u></u>
		Craig W. Med	Nn	
Address	phone No.	Name Type or Print		
City	Zip Code	Signature		·
Attorney For Petitioner:	. , .	806 Stags H	ead Road	410-337-70
, , , , , , , , , , , , , , , , , , , ,	. 1	Address	W 4	Telephone No
Name - Type or Print	······································	Towson	Md, State	21286 Zip Code
Haine - Type of Finit		- -	_	zip Code
Signature		<u>Representative to</u>	De Contactea:	
		(ocorus)		
Company		Name	WW. 410-9	35-4077
Address	phone No.	Address	WO16 410-2	Telephone No.
	- 			····
City	Zip Code	City	State	Zip Code
A Public Hearing having been formally demanded and/ this day of that the su regulations of Baltimore County and that the property be rep	or found to be bject matter of osted.	required, it is ordered by the this petition be set for a public h	Zoning Commissioner o earing, advertised, as rec	f Baltimore County, juired by the zoning
~ n ~ A		Zoning Commis	sioner of Baltimore Coun	y
CASE NO. 04-239A	Re	viewed By	Date	<u>2.0.3</u>
REV 10/25/01	Est	imated Posting Date	11-16	03

ZONING DESCRIPTION FOR: 806 Stags Head Road, Towson 21286

Beginning at a point on the <u>north</u> side of <u>Stags Head Road</u> which is <u>50'</u> wide at the distance of <u>400'</u> west of the centerline of the nearest improved intersecting street <u>Huntsman Road</u>, which is <u>50'</u> wide. Being Lot # <u>19</u> Block <u>E</u>, Section <u>B</u>, Group <u>81</u> in the subdivision of <u>Hampton</u> as recorded in the Baltimore County Plat Book # <u>3</u>, Plat Ref <u>24/56</u>, containing 38,768 sf. Also known as <u>806 Stags Head Road</u>, and located in the <u>9th Election District</u>, <u>3rd Councilmanic District</u>.

BALTIMORE COUNTY, MA OFFICE OF BUDGET & FINANC MISCELLANEOUS RECEIL		No. 5051 5		
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	AMOUNT S			Minus 1.10 1 1.00 1
RECEIVED EROM:				
FOR:				
DISTRIBUTION			CASHIER'	S VALIDATION

CERTIFICATE OF POSTING

	KE: Case No.: 04-051-14
	Petitioner/Developer:
	CAROLE STAFFORS
	Date of Hearing/Closing: 12/1/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Becky HART	
Ladies and Gentlemen:	•
were posted conspicuously on the property lo	Cated at Ro
The sign(s) were posted on	11ししらう (Month, Day, Year)
CASE#04-239-A	Sincerely,
The state of the s	(Signature of Sign Poster and Date)
	RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR.
	(Address)
	(City, State, Zip Code) (A10) 879-3127 (Telephone Number)
BOG STACSHEAD RD	
POSTED 11/16/03	
The 12/16/03	

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

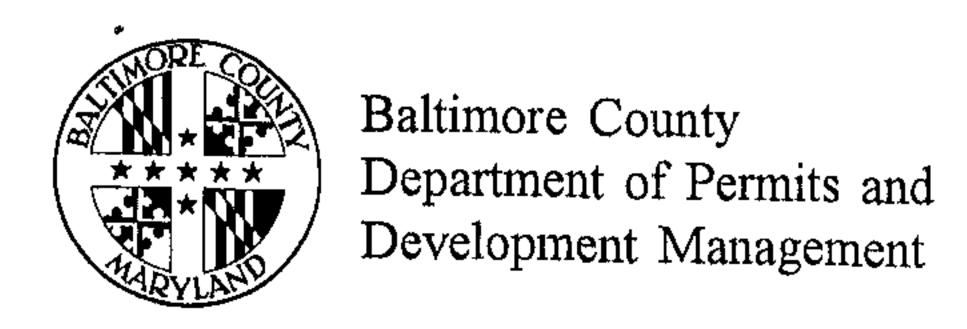
Zoning Review will ensure that the legal requirements for advertising are satisfied However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID

For Newspaper Advertising:	
Hem Number or Case Number 239	
Petitioner Carole A. Starfford	
Address or Location: 806 Stags Head Road Town 21286	· · · · · · · · · · · · · · · · · · ·
PLEASE FORWARD ADVERTISING BILL TO	
Name:	
Address	· · · · · · · · · · · · · · · · · · ·
	<u> </u>
Telephone Number: h) 410-337-7011 cell) 410-935-4071	7

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case Number 04-239 -A Address 806 STAGSHEAD &	₽.
Contact Person: Planner, Please Print Your Name Phone Number: 410-887-339	1
Filing Date: 11-7-03 Posting Date: 11.16.03 Closing Date: 12-1	<u>03</u>
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. An reposting must be done only by one of the sign posters on the approved list and the petitione 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 closin date.	iy ∋r
 DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to fi a formal request for a public hearing. Please understand that even if there is no form request for a public hearing, the process is not complete on the closing date. 	le al
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 (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.	c) nn
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 changed giving notice of the hearing date, time and location. As when the sign was original posted, certification of this change and a photograph of the altered sign must be forwarded this office.	ng be IIv
(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- 239 -A Address 806 STAGSHEAD RO	<u>. </u>
Petitioner's Name CAROLE STAFFORD Telephone 410-337-	<u>) 0</u> (
Posting Date: 11-16.03 Closing Date: 12-1.03 Wording for Sign: To Permit A REAR YARD SETBACK OF 35+1 IN LIEM OF THE RETOVIDED 40+1.	



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

December 1, 2003

Carole Stafford Craig Medlyn 806 Stags Head Road Towson, MD 21286

Dear Ms. Stafford and Mrs. Medlyn:

RE: Case Number: 04-239-A, 806 Stags Head Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 7, 2003.

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.

Supervisor, Zoning Review

u. Calland D

WCR:klm

Enclosures

c: People's Counsel



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 November 25, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 24, 2003

Item No.: 233-252, 254, 255

Dear Ms. Hart:

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.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

JUM

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11.76.03

RE:

Baltimore County

Item No. 239

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

Dear. Ms. Hart:

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,

1. J. Brill

1

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE December 1, 2003

OEC

DEC

DEC

DATE DECEMber 1, 2003 DEC 2 2003 ZONING COMMISSIONER

FROM:

SUBJECT:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Zoning Advisory Petition(s): Case 04-239, 04-248, and 04-251

Administrative Variance

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.

Section Chief:

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: December 15, 2003

TO: Timothy M. Kotroco, Director

> Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT: Zoning Advisory Committee Meeting

For December 1, 2003 Item Nos. 234, 236, 237, 239, 240, 241, 242, 243, 244, 245, 251, 252, 253, 254,

and 255

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

RWB:CEN:jrb

cc: File

PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANC PROPERTY ADDRESS STAGS HEAD RO SEE PAGES 5 & 6 OF THE CHECKLIST FOR	
SUBDIVISION NAME HAMPTOH	
PLAT BOOK #3 FOLIO # $\frac{34/56}{5}$ LOT # $\frac{19}{5}$ SECTION # $\frac{3}{5}$	IN SUBJECT PROPERTY
OWNER	SEMINARY NO PROPERTY
•	THAT'S
REQUEST FOR SIDEYARD	31. FRANCIS
VARIANCE OF 20-0" IN LIEU OF 25' KEOU RED	55 2 30 0
	HAP TO HERO W
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	- Signal Training of the state
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FROM THE STATE OF	
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*8_	CCUNCILMANIC DISTRICT
	1"= 200' SCALE MAP #
	zoning DR-2
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	ACREAGE SQUARE FEET
	PUBLIC PRIVATE SEWER X
# 806	
	WATER 🔀 🗍
STATE	CHESAPEAKE BAY
466	CHITCAL AREA
HEAD ROAD (50' RIW)	100 YEAR FLOOD PLAIN \(\sum \) \(\sum \) HISTORIC PROPERTY/
N	BUILDING BUILDING
	PRIOR ZONING HEARING
STE-PLAN	ZONING OFFICE USE ONLY
NORTH	REVIEWED BY ITEM # CASE #
PREPARED BY DONALD B RATCLIFFE A A ARCHITECT SCALE OF DRAWING: 1" = 60"	

Pet. G. #1

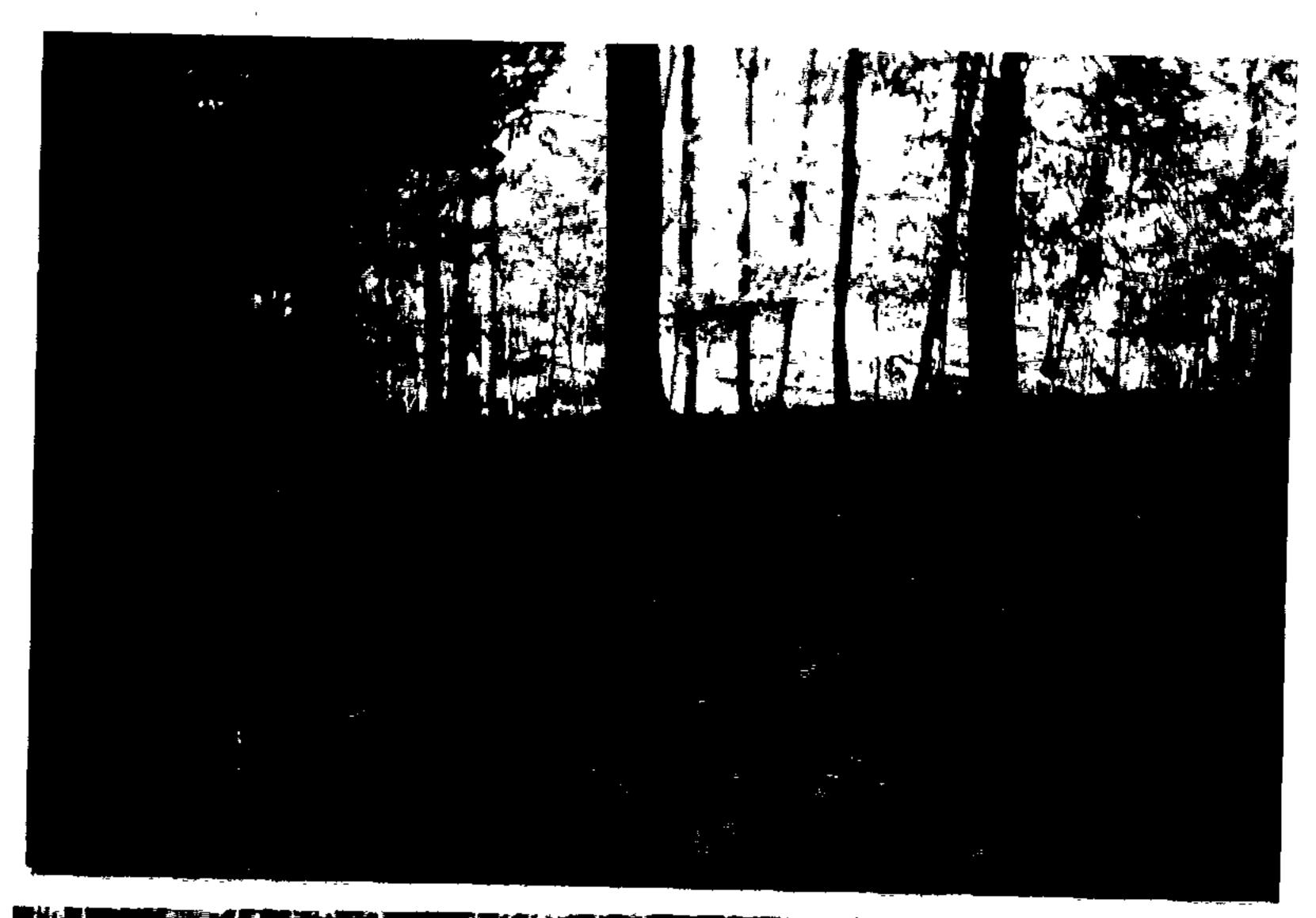


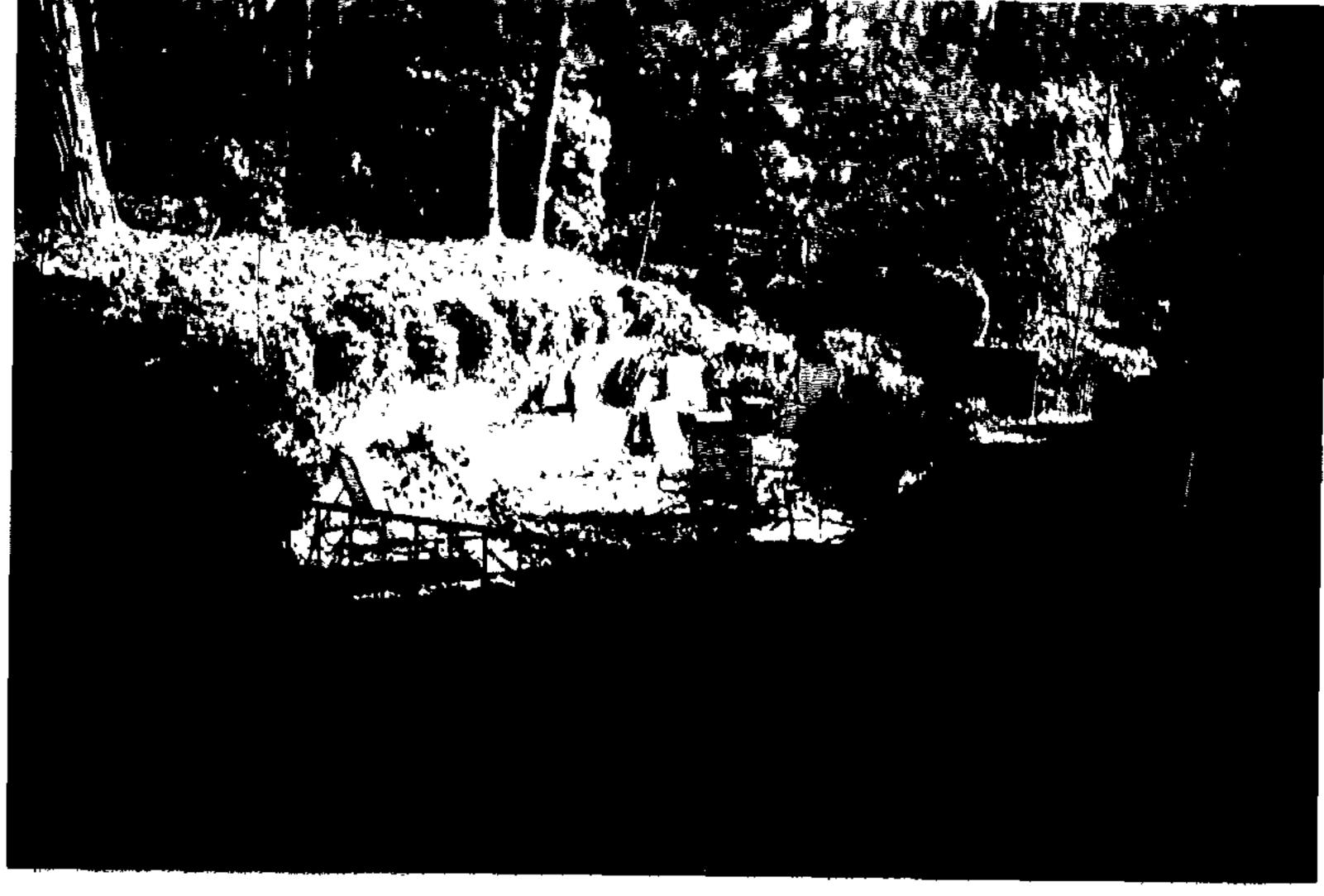
One Hour Photo

unforgettable pictures

















k.