

IN RE: PETITION FOR ADMIN. VARIANCE
SE/Corner intersection of E. Seminary Ave.
and Aintree Road
9th Election District
4th Councilmanic District
(609 E. Seminary Avenue)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-267-A

Jeffrey K. Little
Petitioner

* * * * *

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, Jeffrey K. Little. The variance request is for property located at 609 E. Seminary Avenue in the Towson area of Baltimore County. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a height of 21 ft. in lieu of the required 15 ft. for a detached accessory structure (garage). 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

ORDER RECEIVED FOR FILING

Date 1/18/04

By [Signature]

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

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 8 day of January, 2004, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a height of 21 ft. in lieu of the required 15 ft. for a detached accessory structure (garage), 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 his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING

Date

1/8/04

By



Zoning Commissioner

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



Baltimore County

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

January 8, 2004

Mr. Jeffrey K. Little
609 E. Seminary Avenue
Towson, Maryland 21286

Re: Petition for Administrative Variance
Case No. 04-267-A
Property: 609 E. Seminary Avenue

Dear Mr. Little:

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, reading "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Burton English
416 Lyman Avenue
Baltimore, MD 21212

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 609 East Seminary Avenue

which is presently zoned D.R. 1

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) 400.3 To Permit A Height Of 21 FT

IN LIEU OF THE REQUIRED 15 FT. FOR A DETACHED ACCESSORY STRUCTURE.
The purpose of the variance is to construct a 1 story garage architecturally similar to the existing house on my lot which will exceed 15 feet in height. I need the garage because the existing house currently has none and I need it for vehicle storage and additional storage in the attic space to be created within it.

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11 day of October 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.

Legal Owner(s):

Jeffrey K. Little

Name - Type or Print

Signature

Jeffrey K. Little

Name - Type or Print

Signature

609 E. Seminary Ave. 410-296-1306

Address

Towson

MD

Telephone No.
21286

City

State

Zip Code

Representative to be Contacted:

Burton English

Name

416 Lyman Ave

410-435-3400

Address

Baltimore

MD

Telephone No.
21212

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By SJA

Date 12-07-03

Estimated Posting Date 12-14-03

CASE NO. 04-267-A

RECEIVED 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

Address 609 E. SEMINARY AVE
City TOWSON State MD Zip Code 21286

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):

Due to cosmetic reasons, the purpose of this Variance is to create architectural similarity to the existing residence on the lot. Also, to create sufficient storage space, additional height is required.

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 K. Little
Signature

Jeffrey K. Little

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of December, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeffrey K. Little
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Vertalea Diane Graleski
Notary Public

My Commission Expires

10/1/05



VERTALEA DIANE GRALESKI
NOTARY PUBLIC
BALTIMORE CITY, MD
COMM. EXP. 10-01-05

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

Address

City

State

Zip Code

609 E. Seminary Ave.
Towson, Md. 21286

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):

Due to cosmetic reasons, the purpose of this Variance is to create architectural similarity to the existing residence on the lot. Also, to create sufficient storage space, additional height is required.

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.

Signature

Signature

Jeffrey K. Little

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of December, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

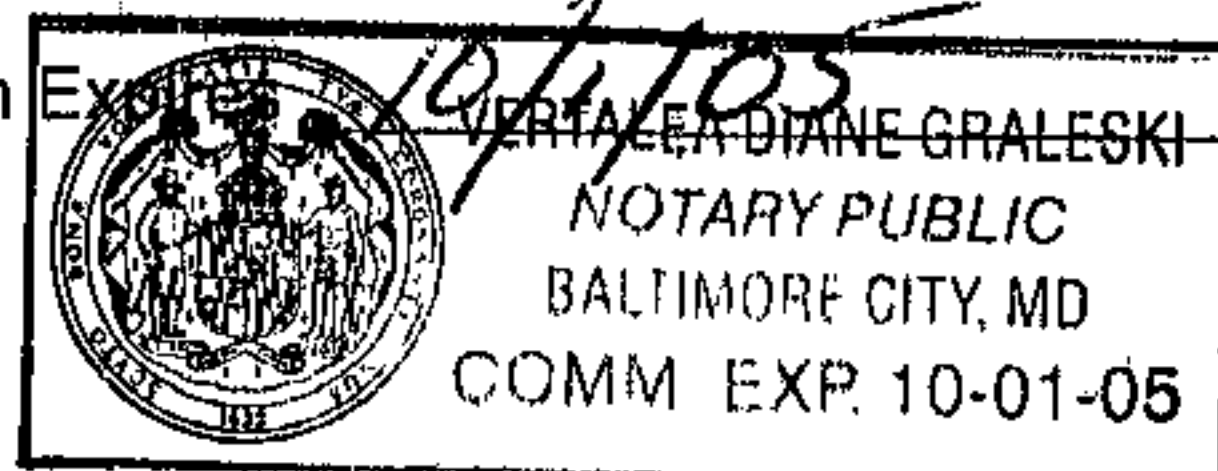
JEFFREY K. Little

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

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 609 East Seminary Avenue

which is presently zoned D.R. 1

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) 400.03 to Permit a Height of 21 Ft.

IN LIEU OF THE REQUIRED 15 FT. FOR A DETACHED ACCESSORY STRUCTURE.
The purpose of the variance is to construct a 1 story garage architecturally similar to the existing house on my lot which will exceed 15 feet in height. I need the garage because the existing house currently has none and I need it for vehicle storage and additional storage in the attic space to be created within it.

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 K. Little

Name - Type or Print

Signature

Jeffrey K. Little

Name - Type or Print

Signature

609 E. Seminary Ave. 410-296-1306

Address

Towson

MD

Telephone No.

21286

City

State

Zip Code

Representative to be Contacted:

Burton English

Name

416 Lyman Ave

410-435-3400

Address

Baltimore,

MD

Telephone No.

21212

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 04 day of 2007, 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. 04-267-A

Reviewed By STL

Date

12-07-03

REV 10/25/01

Estimated Posting Date

12-14-03

ZONING DESCRIPTION FOR 609 EAST SEMINARY AVENUE

Beginning at a point at the south-east corner of the intersection of East Seminary Avenue, which is 60 feet wide, and Aintree Road, which is 50 feet wide. Being Lot #53B in the Subdivision of Hampton as recorded in Baltimore County Plat Book #12, Folio #38, containing 1.02 acres. Also known as 609 East Seminary Avenue and located in the 9th Election District, 4th Councilmanic District.

04 267 A

No. 23566

RECEIVED
FROM: SECRETARY LITTLE
FOR: ADMIN REC. DIV.
609 E. SEAWARD AVE

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. **04-267-A**
Petitioner/Developer:
Jeffry Little
Closing Date: **12/29/03**

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

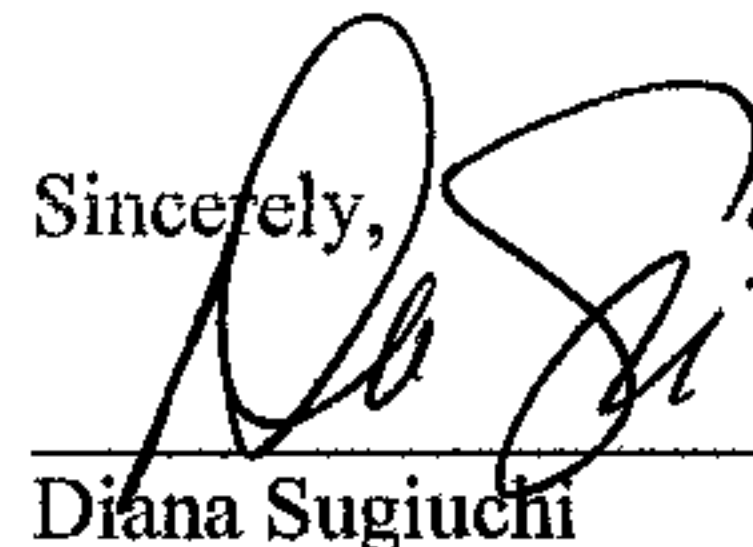
Attention: Ms. Becky Hart:

Ladies and Gentlemen:

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 **609 E. Seminary Ave.**

The sign(s) were posted on **12/14/03**.

Sincerely,



Diana Sugiuchi
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668

RECORDS

ADMINISTRATIVE

1. GENERAL INFORMATION
2. PERSONNEL
3. FINANCIAL
4. LEGAL
5. OTHER

1. GENERAL INFORMATION
2. PERSONNEL
3. FINANCIAL
4. LEGAL
5. OTHER

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04-267 -A Address 609 E. SEMINARY AVE.
Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12-02-03 Posting Date: 12-14-03 Closing Date: 12-29-03

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 04-267 -A Address 609 EAST. SEMINARY AVE.
Petitioner's Name JOFFREY LITTLE Telephone 410-296-1306
Posting Date: 12-14-03 Closing Date: 12-29-03
Wording for Sign: To Permit A HEIGHT OF 21 FT. (W/IN) OF THE
REQUIRED 15 FT FOR A DETACHED ACCESSORY
STRUCTURE.

**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: 04-267-A
Petitioner: Jeffrey K. Little
Address or Location: 609 E. Seminary Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey K. Little
Address: 609 E. Seminary Ave.
Towson, MD 21286

Telephone Number: (410) 296-1306

Revised 2/20/98 - SCJ

04-267-A

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

December 29, 2003

Jeffrey Little
609 E. Seminary Avenue
Towson, MD 21286

Dear Mr. Little:

RE: Case Number: 04-267-A, 609 E. Seminary Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 14, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Burton English, 416 Lyman Avenue, Baltimore 21212

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



**Baltimore County
Fire Department**

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

December 18, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: December 18, 2003

Item No.: 267-271, 273-283

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

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



Printed with Soybean Ink
on Recycled Paper



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 12.16.03

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

RE: Baltimore County
Item No. 267 JRA

Dear Ms. Hart:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 131 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

lu

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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.201.7165 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE January 7, 2004
RECEIVED

JAN 08 2004

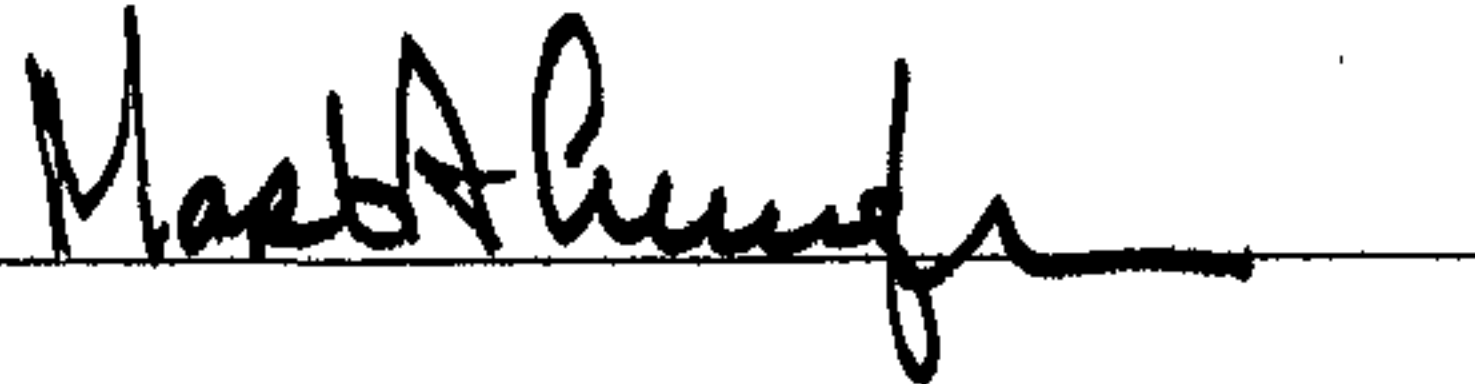
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

PLANNING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case 04-267 – Administrative Variances**

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/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: December 29, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For December 22, 2003
Item Nos. 267 269, 270, 271, 272,
273, 274, 275, 279, and 283

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

RWB:CEN:jrb

cc: File

To Whom It May Concern:

We are the immediate neighbor to Mr. Little at 609 East Seminary Avenue,
Hampton, Maryland.

Please be advised that we have no objection to the size, location and
orientation of the proposed detached garage on his property.

Please do not hesitate to contact us should you have any questions.

Sincerely:

Paul M. Colombani M.D.

Paul M. Colombani 12/1/03

Linda A. Colombani

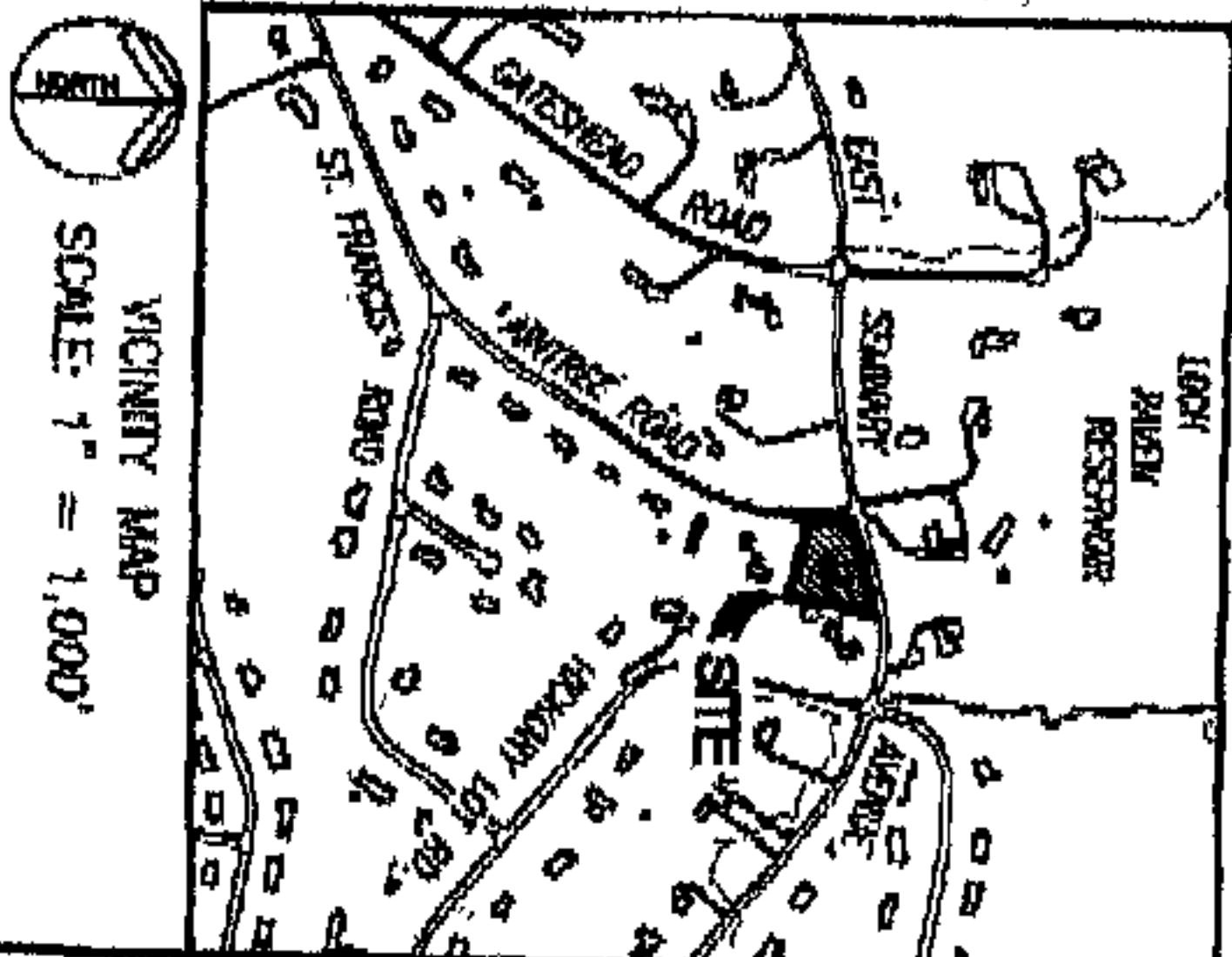
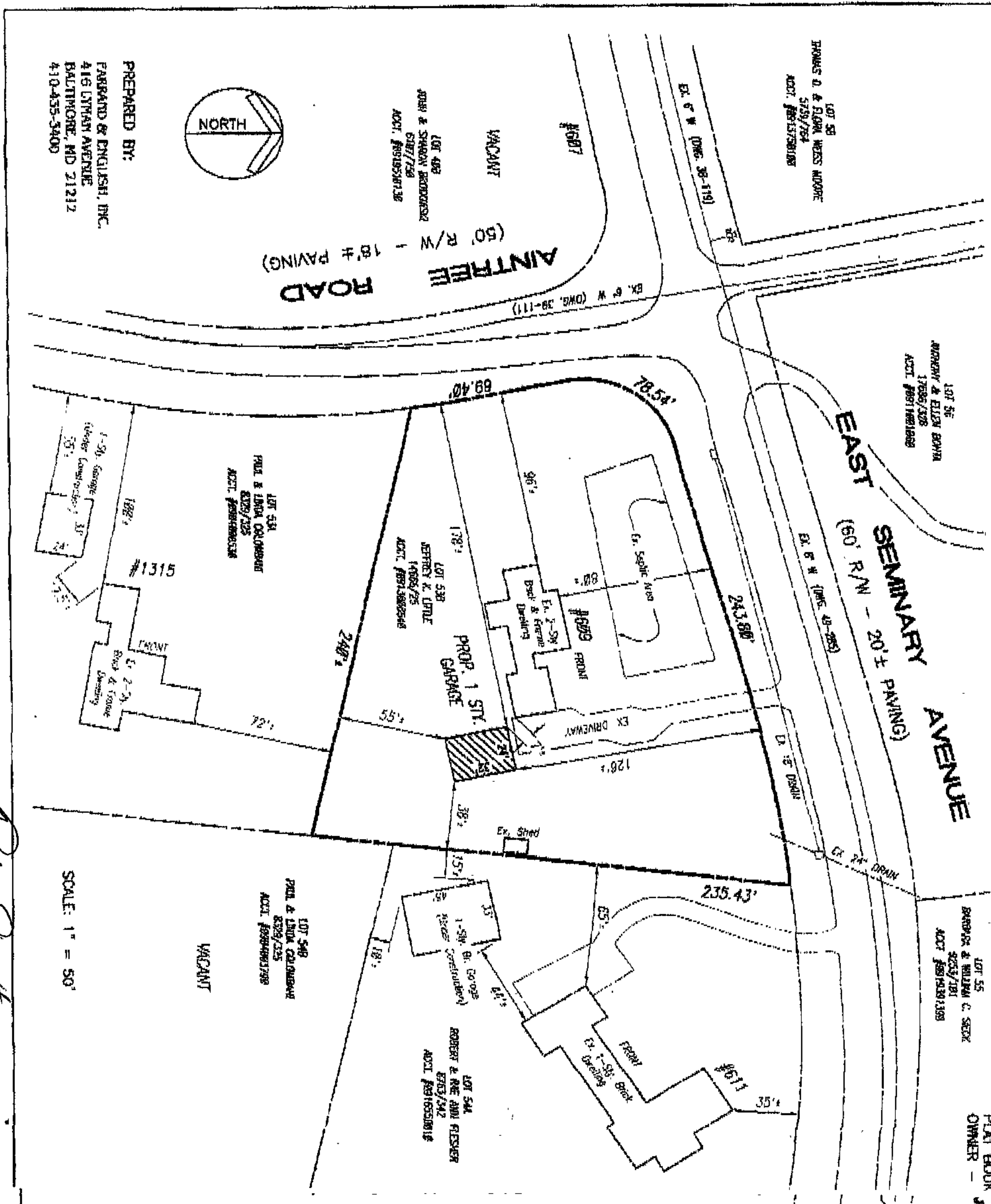
Linda A. Colombani 12-01-2003

1315 Aintree Road
Towson, Md. 21286

04-267-A.

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS - 603 EAST SEMINARY AVENUE
SUBDIVISION - HAPPTON
#12 FOLIO #38 LOT #53B
PLAT BOOK
OWNER - JEFFREY K. LITTLE



LOCATION INFORMATION

ELECTION DISTRICT - 9
COUNCILMANIC DISTRICT - 4
1"=200' SCALE MAP #NE 12-B
ZONING - D.R. 1
LOT SIZE - 1.02 AC.

SEWER ☐ PUBLIC ☒ PRIVATE
WATER ☒ ☐

CHESAPEAKE BAY ☐ YES ☒ NO
CRITICAL AREA ☐ ☒
100 YEAR FLOODPLAIN ☐ ☒
HISTORIC PROPERTY/
BUILDING ☐ ☒
PRIOR ZONING HEARING - NA

ZONING OFFICE USE ONLY

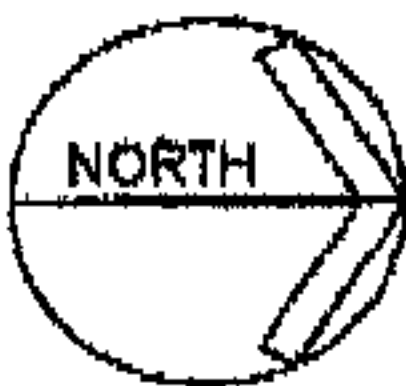
REVIEWED BY ITEM # CASE #

5139

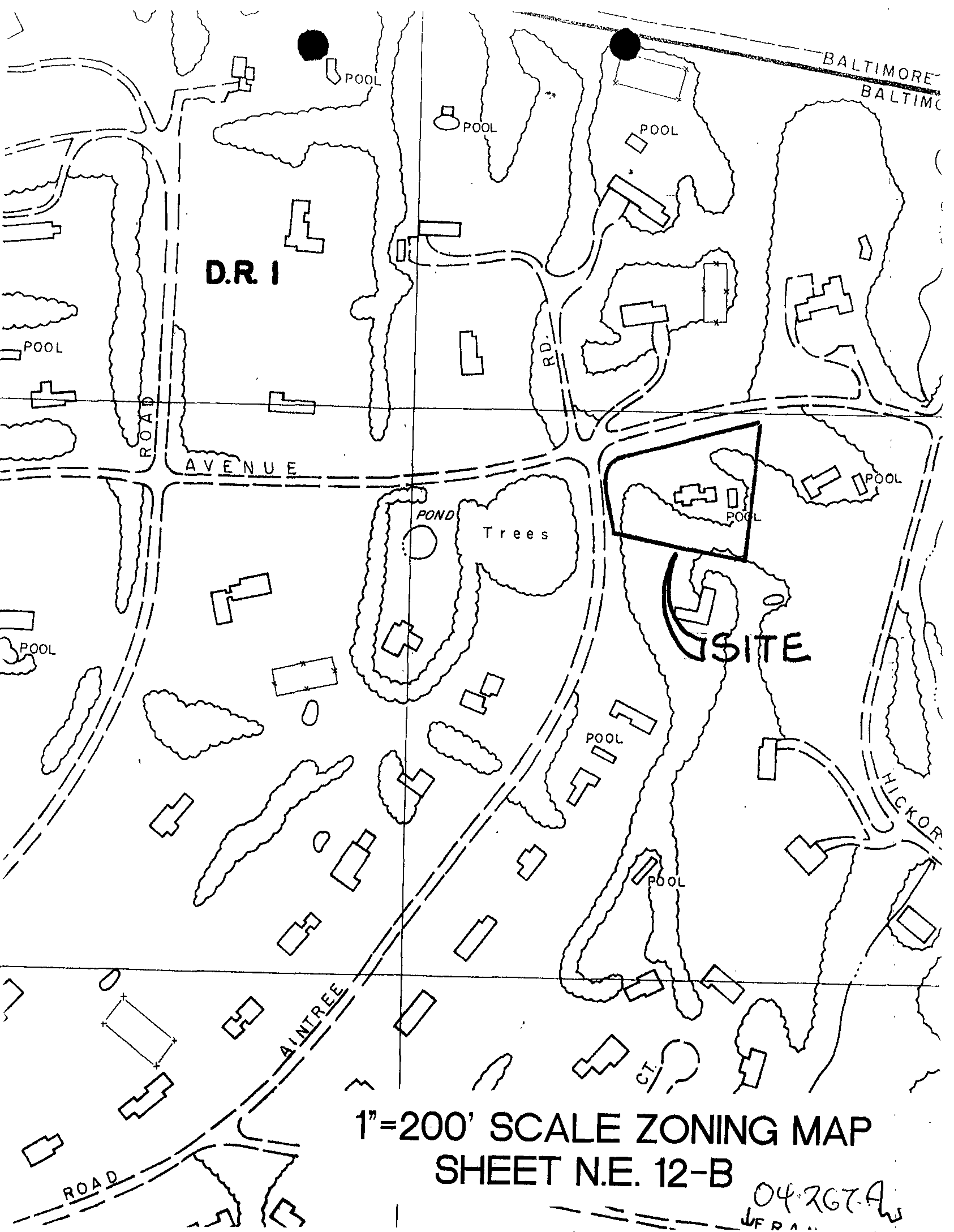
1044270

PREPARED BY:

FARFAR & ENGLISH, INC.
416 LYMAN AVENUE
BALTIMORE, MD 21212
410-455-3400



Plat. 30. #1



D.R. I

AVENUE

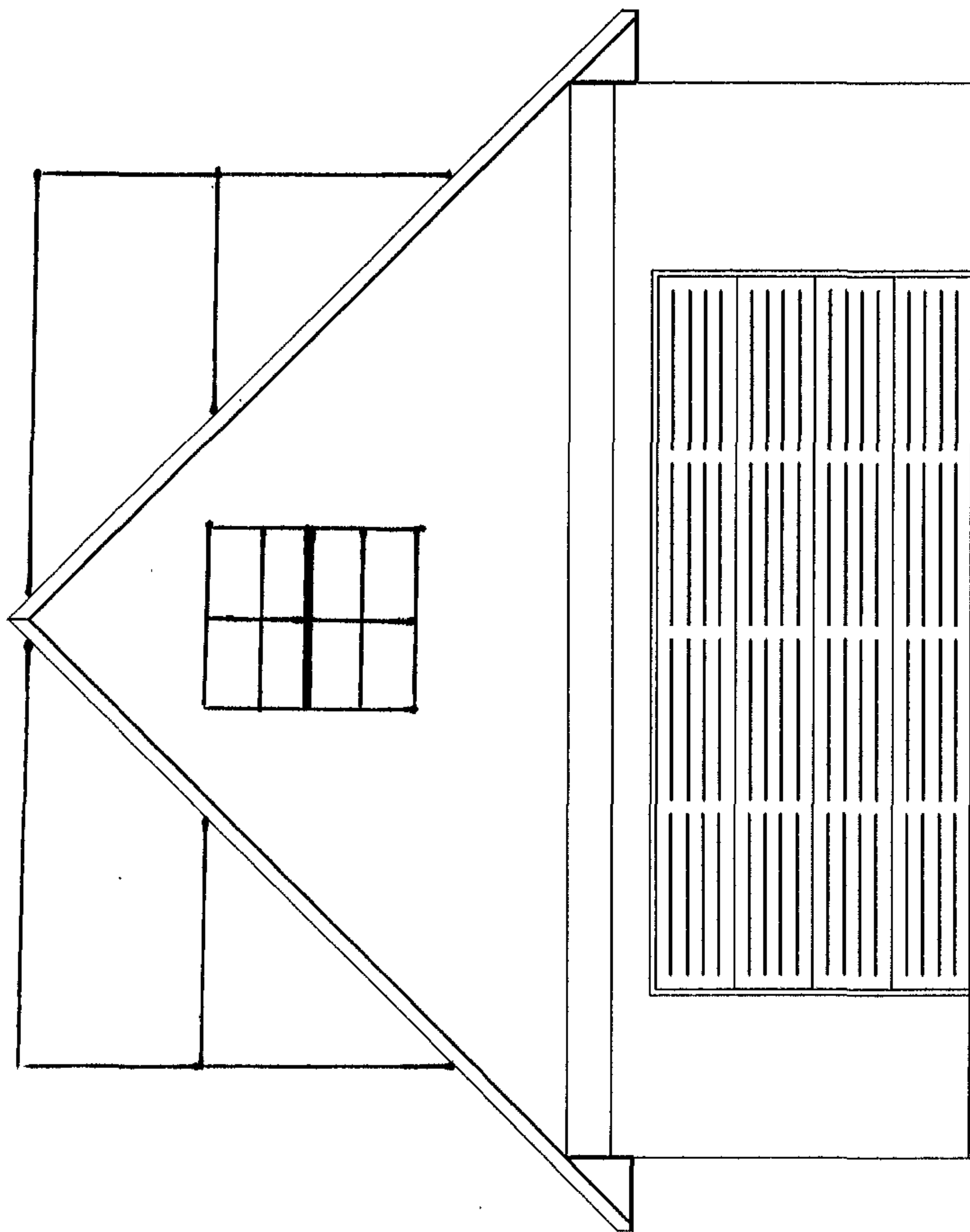
POND

Trees

SITE

1"=200' SCALE ZONING MAP
SHEET N.E. 12-B

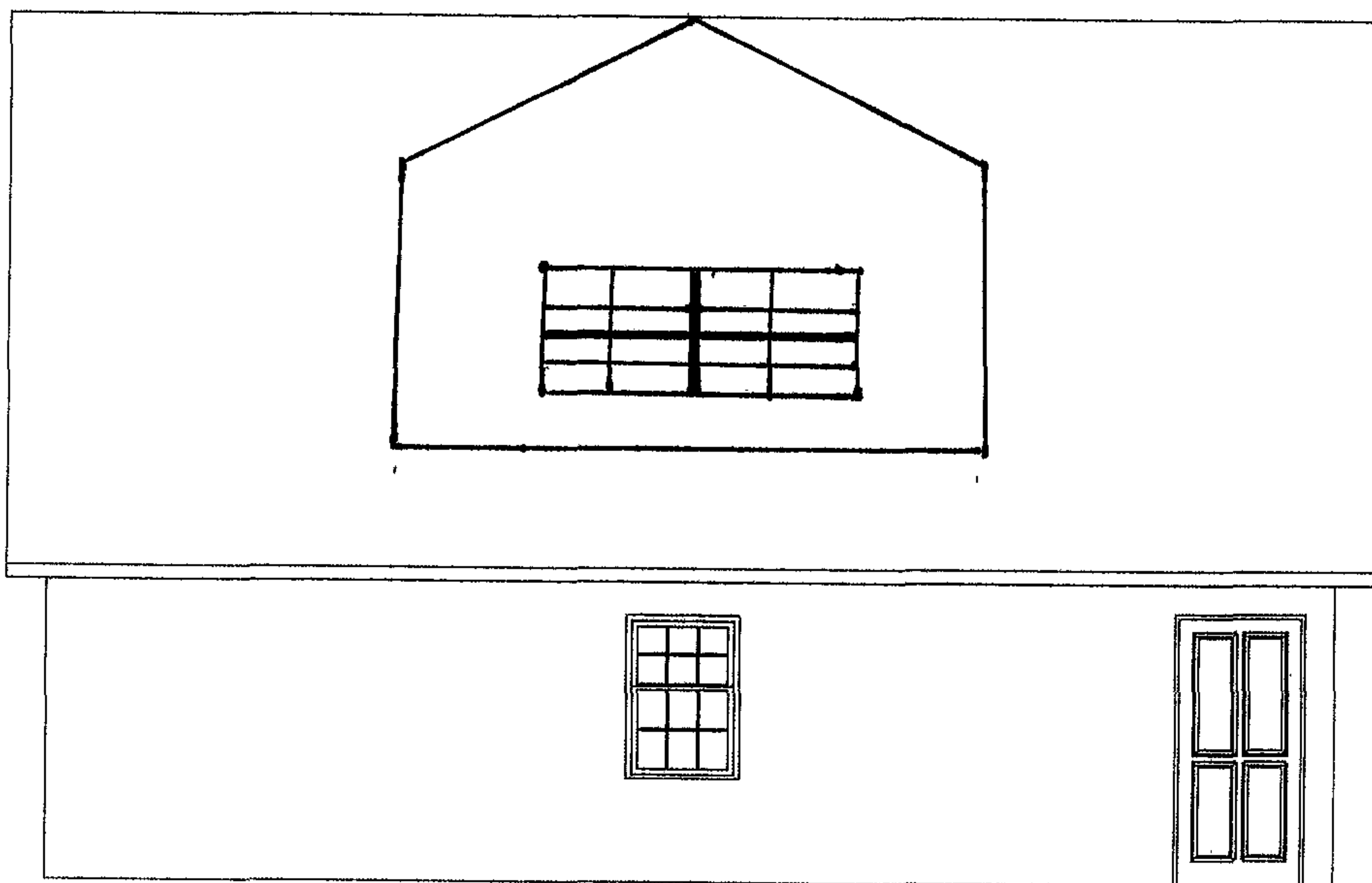
04-267-A
JF R A



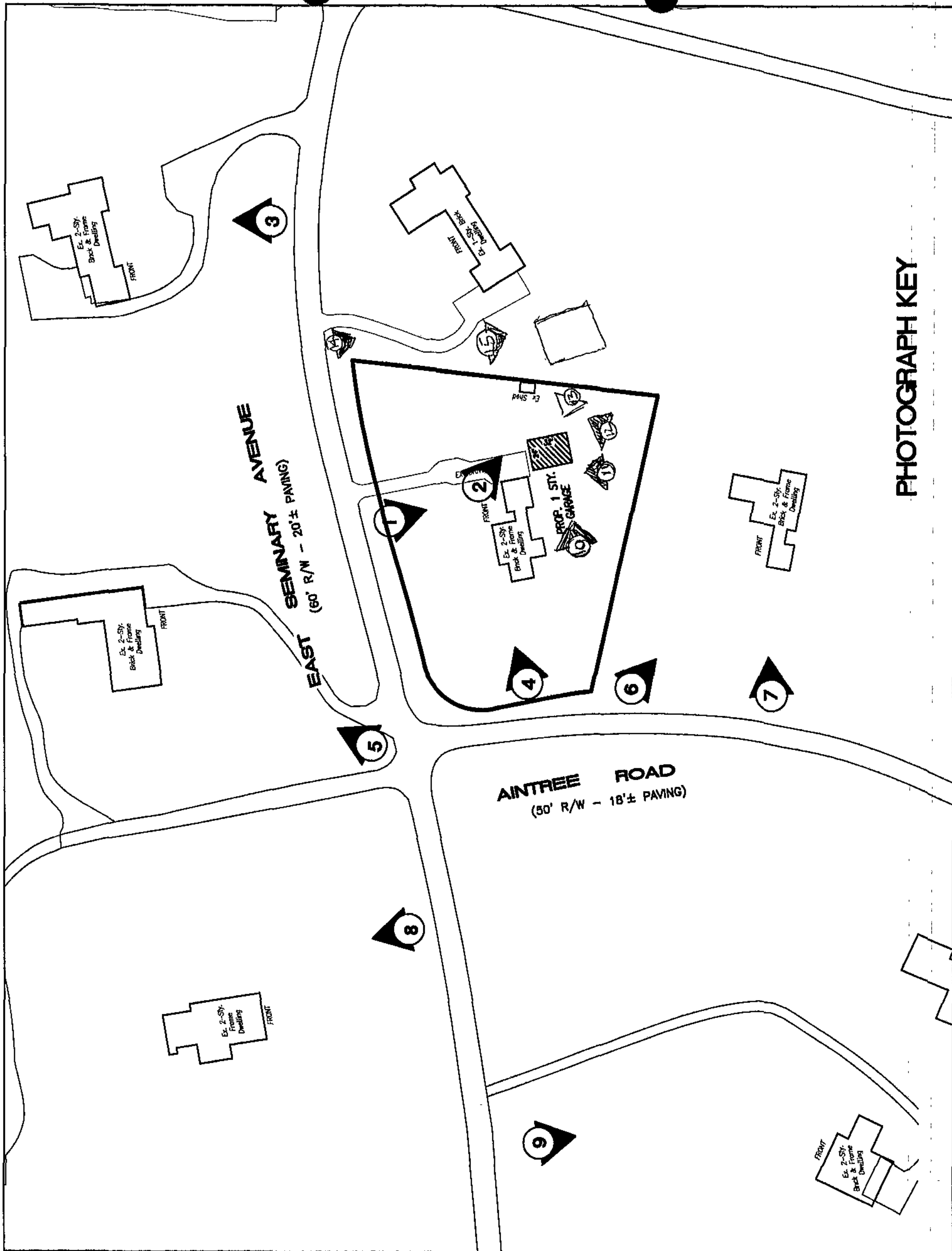
Front (South) Elevation

04-267-A

SIDE (WEST) ELEVATION



04-267-A



PHOTOGRAPH KEY

04-267-A

Little Garage

①



THROCKED GARAGE TO BE
BEHIND 'ATTWIS' 101K

②



04-267-A

③

Little Garage



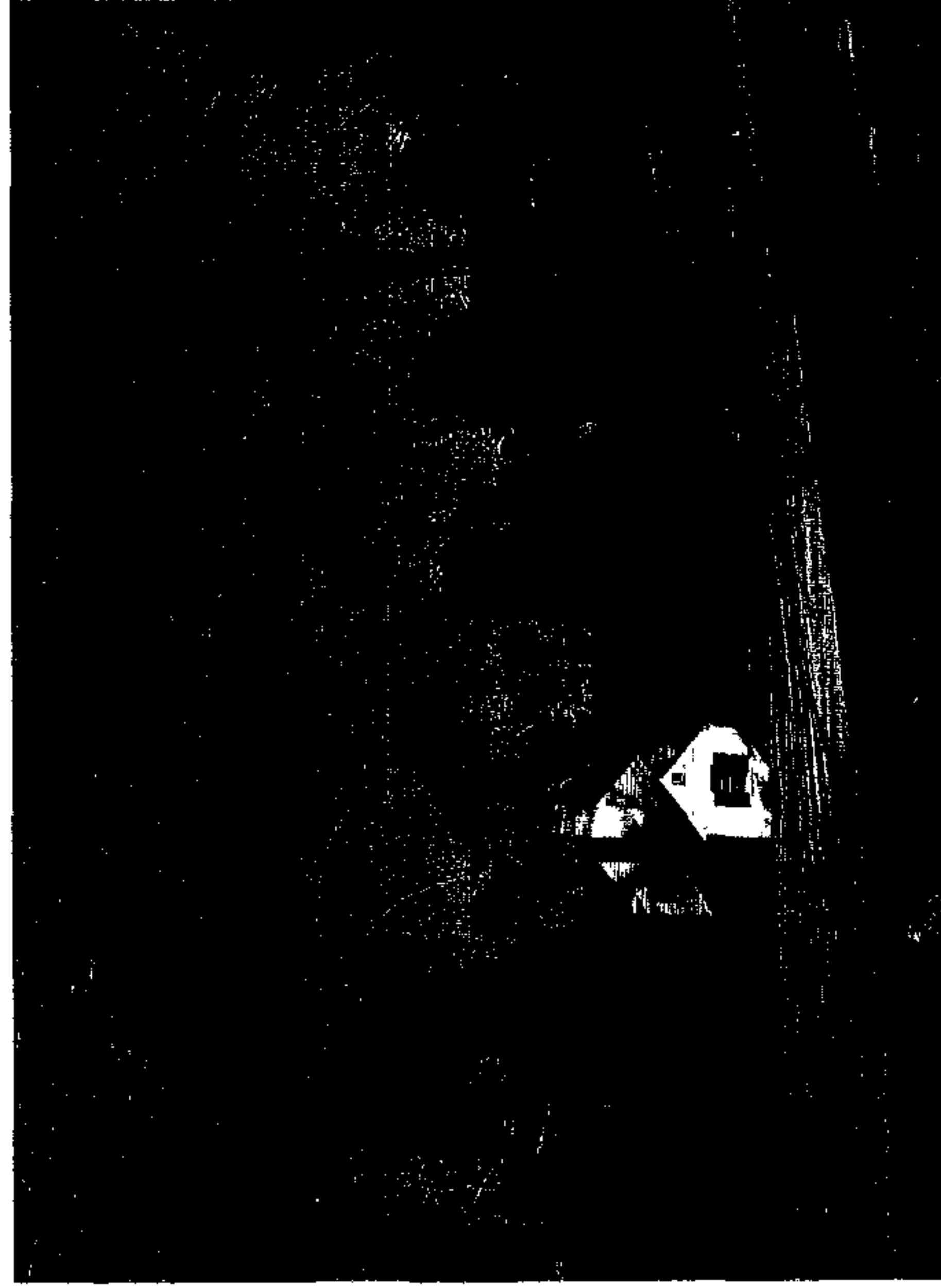
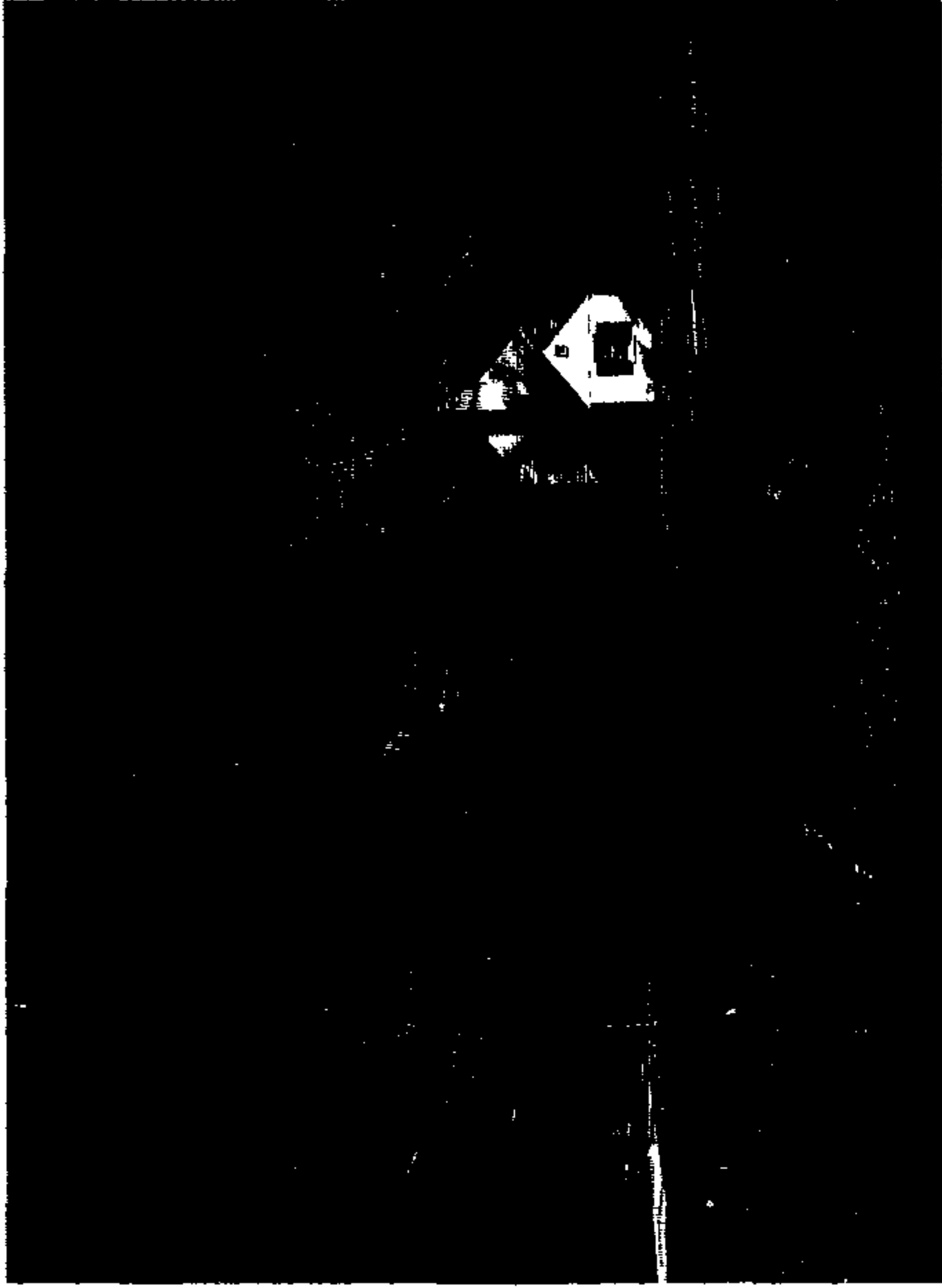
④

15

Little Garage



4



04-267

4

Little Garage

11

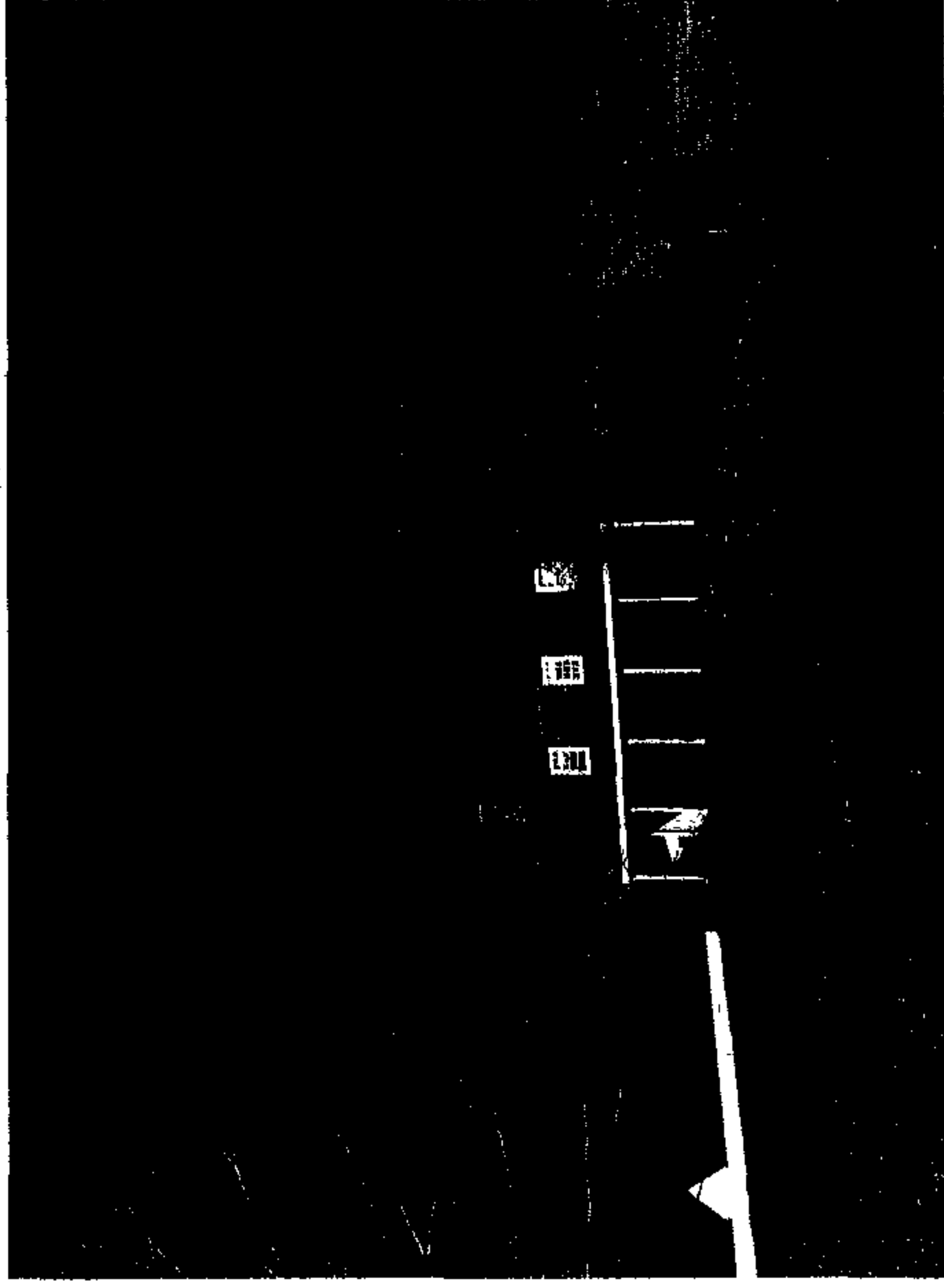
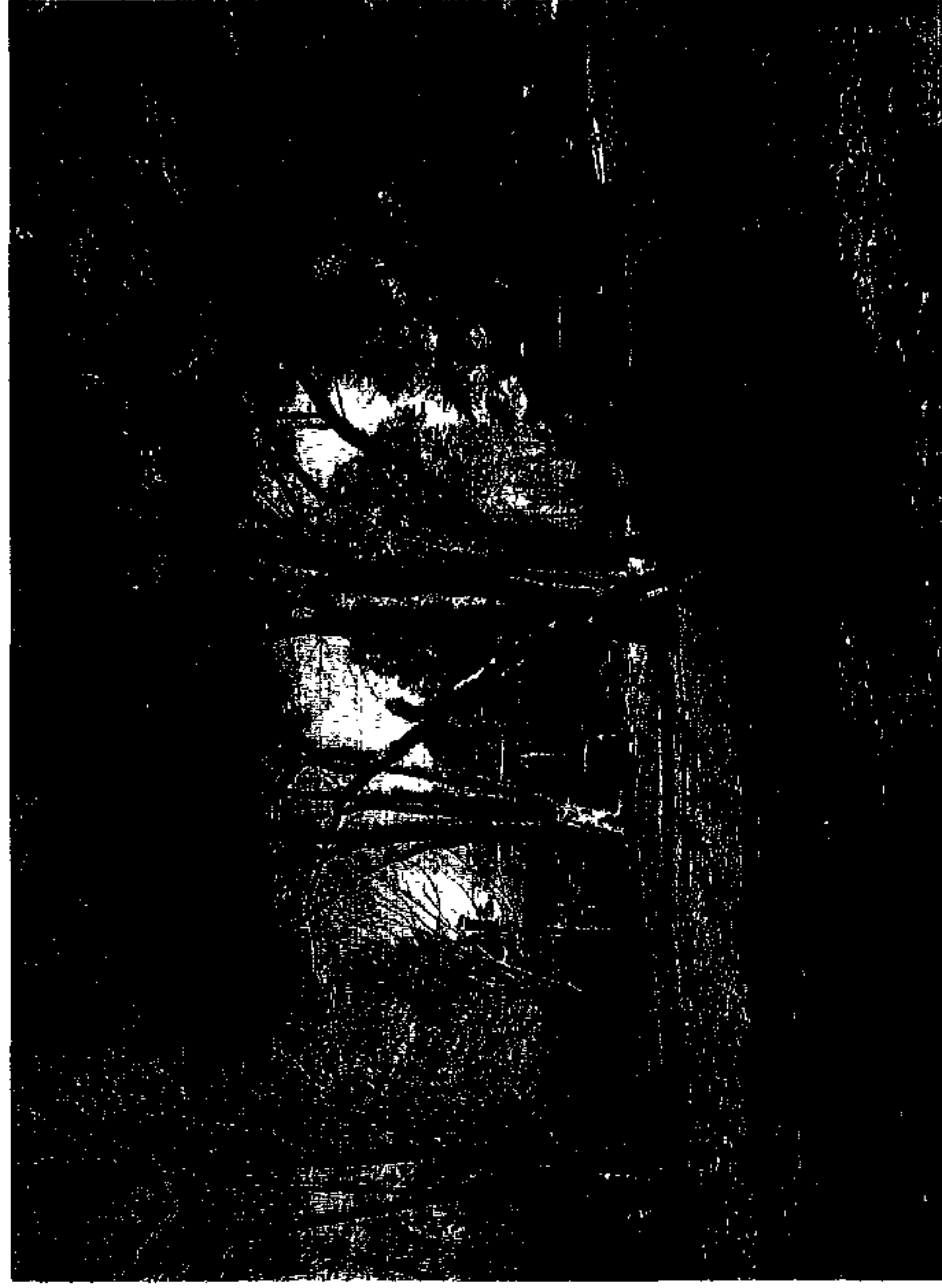
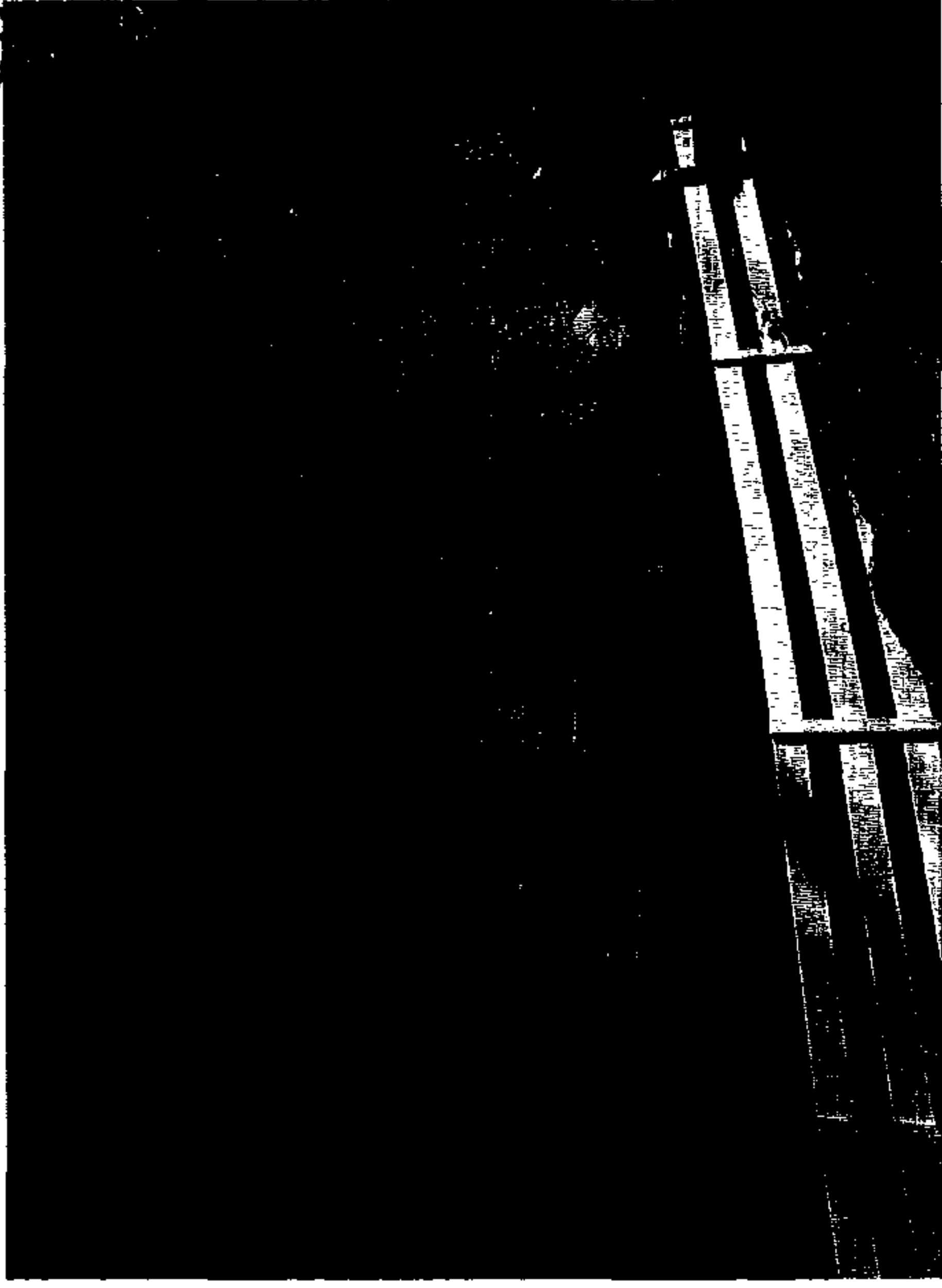
12/01/2003 11:22:58 AM

Little Garage

5



6



7

Little Garage

8

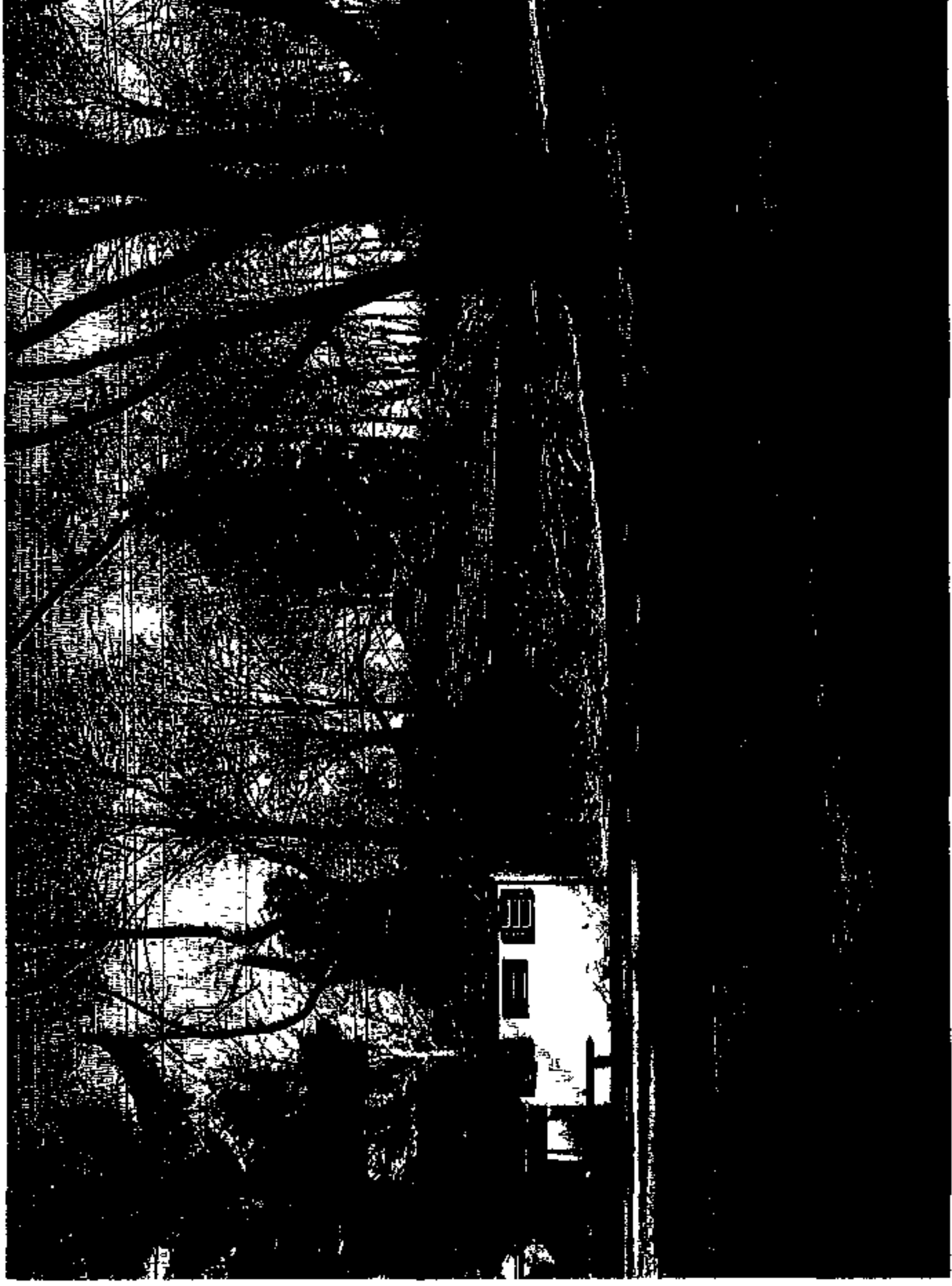
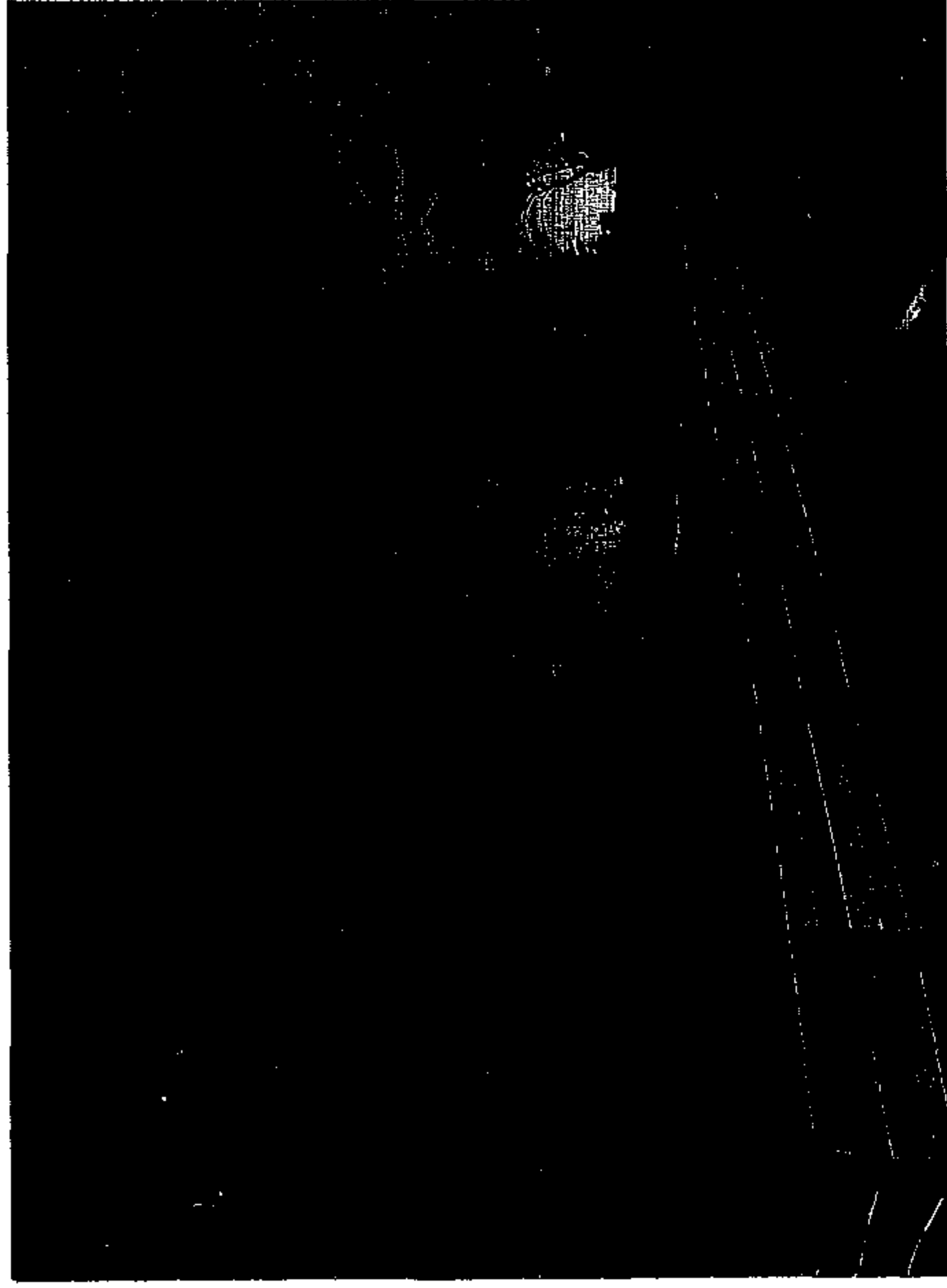
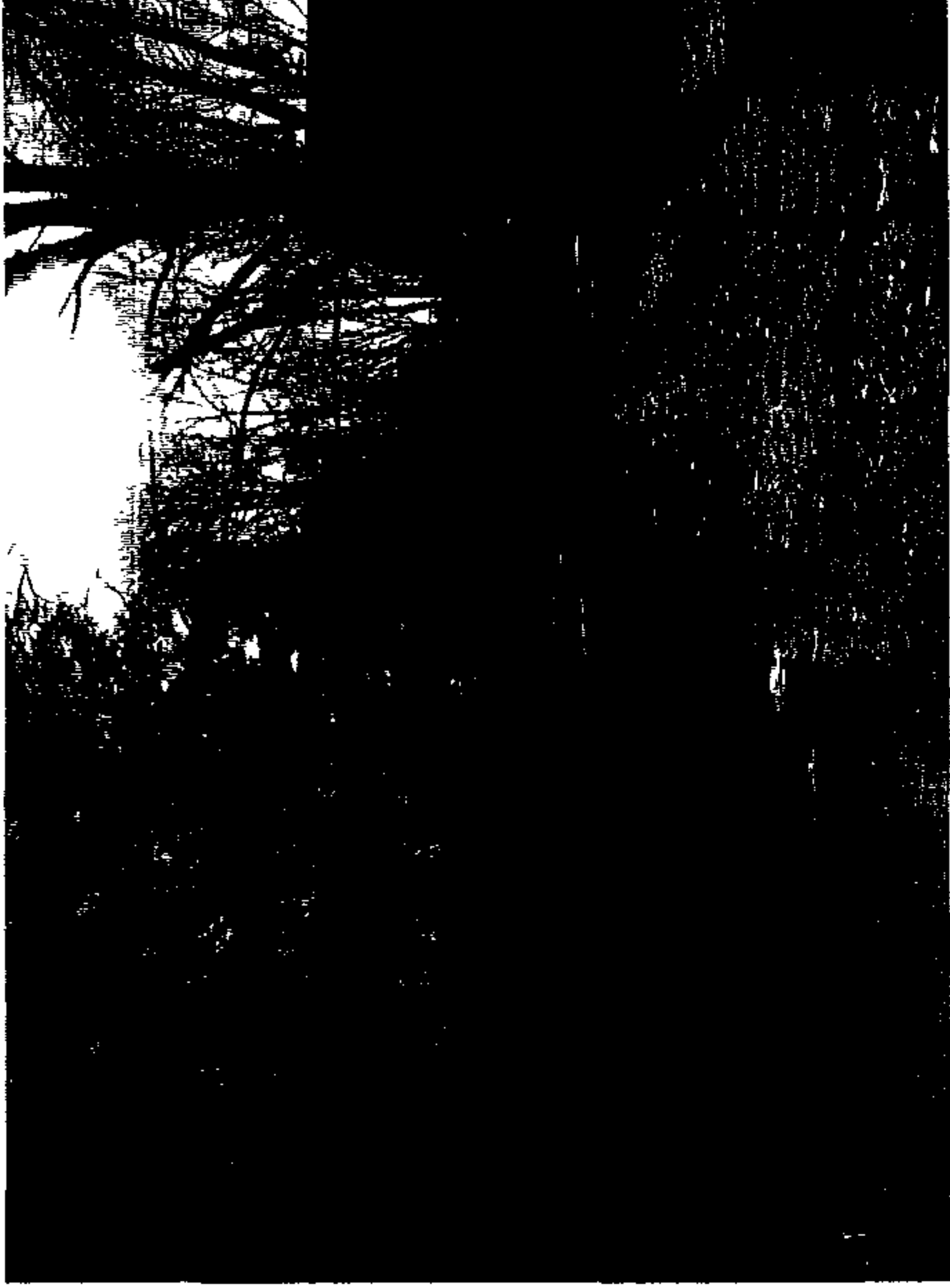
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9

04-267-A

Little Garage ①



04-267-A

Little Garage ②

②

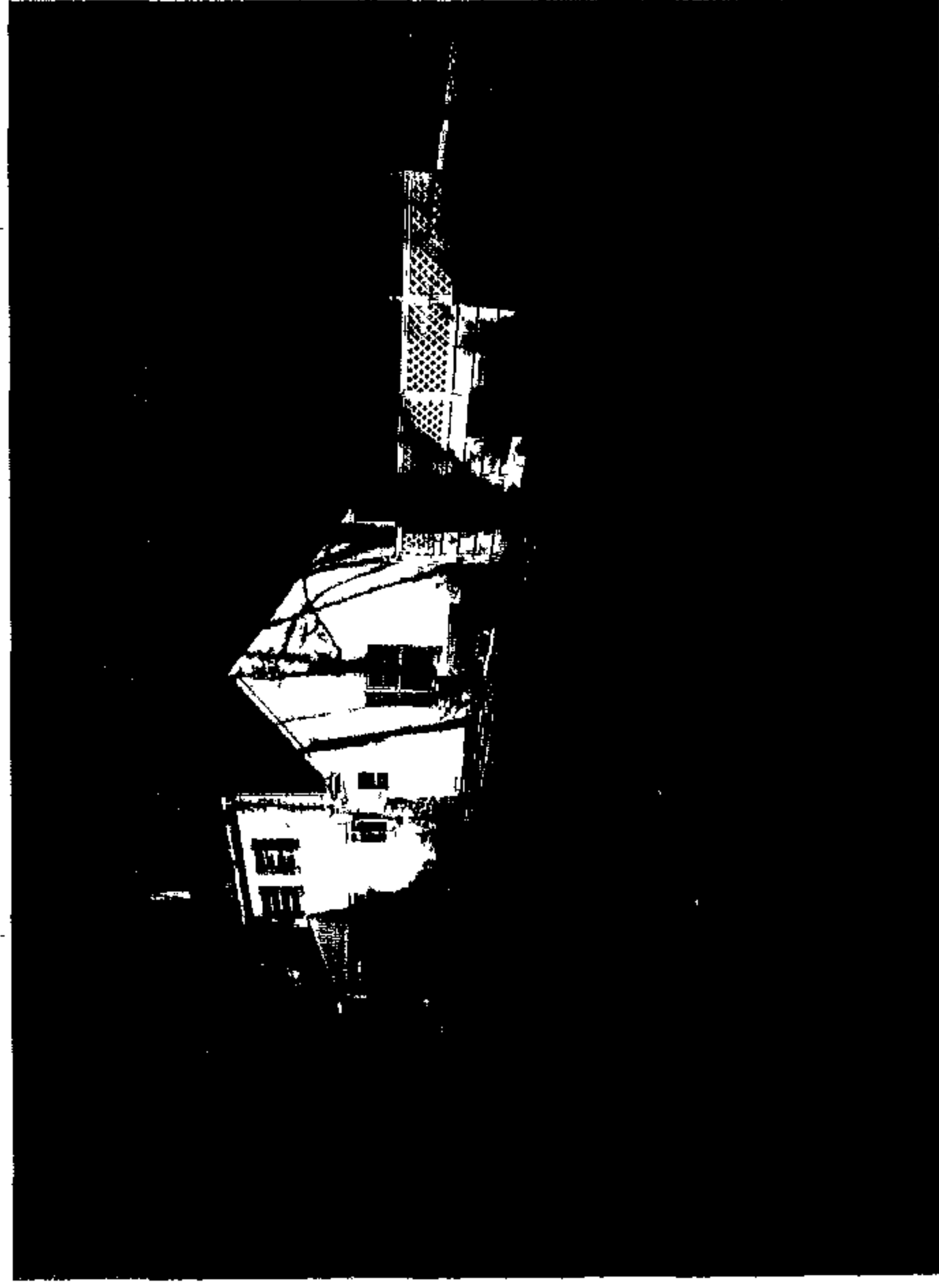
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Little Garage

11



12



04-267-17

13

Little Garage

14

12/01/2003 11:20:23 AM