IN RE: PETITION FOR ADMIN. VARIANCE E/S of N. Alter Street, 624 ft. S centerline of Bedford Road 3rd Election District 4th Councilmanic District **(7127 N. Alter Street)** Eva & Roland Wilson *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-571-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, Eva and Roland Wilson. The variance request is for property located at 7127 N. Alter Street in Baltimore County. The variance request is from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.6.a and V.B.6.b (CMDP) 1971-1992 Regs., to permit a window to street right-of-way setback of 15 ft. in lieu of 25 ft. and a window to property line setback of 11 ft. in lieu of 15 ft., and to amend the Final Development Plan of "Brookside Manor", Lot #2 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 on May 15, 2005, 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 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

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

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 3 day of June, 2005, that a variance from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.6.a and V.B.6.b (CMDP) 1971-1992 Regs., to permit a window to street right-of-way setback of 15 ft. in lieu of 25 ft. and a window to property line setback of 11 ft. in lieu of 15 ft., and to amend the Final Development Plan of "Brookside Manor", Lot #2 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.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

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
William J. Wiseman III, Zoning Commissioner

June 3, 2005

Mr. & Mrs. Roland Wilson
7121 N Alter Street
Baltimore, Maryland 21206

Re: Petition for Administrative Variance
Case No. 05-571-A
Property: 7121 N Alter Street

Dear Mr. & Mrs. Wilson:

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

JVM:raj
Enclosure

c: Dan Dutton
7110 Golden Ring Road
Baltimore, MD 21221

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 7121 ~~7127~~ N Alter Street

which is presently zoned DR, 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 B.C.Z.R and V.B.6.a. and V.B. 6.b (CMDP) 1971-1992 Regulation To Permit A Window To Street Right of way Setback of 15 ft in lieu of 25 ft and a window To property line Setback of 11 ft in lieu of 15 ft
And To Amend The Final Development Plan of Brookside Manor Lot #12

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):

Roland Wilson
Name - Type or Print

Roland Wilson
Signature

Eva Wilson
Name - Type or Print

Eva Wilson
Signature

7121 N Alter Street — **410-486-8084**
Address — Telephone No.

Baltimore — **MD** — **21206**
City — State — Zip Code

Representative to be Contacted:

Dan Dutton
Name

7110 Golden Ring Road — **410-780-0062**
Address — Telephone No.

Baltimore — **MD** — **21221**
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. 05 571 A

Reviewed By JL **Date** 5/06/05

Estimated Posting Date 5/15/05

REV 10/25/01

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 *7121 N Alter Street*
Address

Baltimore *MD* - *21206*
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 on the front of our house. We will only have 15ft to our from property line and we need 25ft. We already have a front patio and awning in this location. This is the only place we can build the room. We only have on the 11ft north & 12ft on the south from our house to the two side property lines and the rear would put our room going into the bathroom or the bedroom. The front would give use a nice porch. It would not be out of place, seeing out neighbor already has a patio room on the front of his house.

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.

Roland Wilson 4/23/05
Signature

Eva Wilson
Signature

Roland Wilson
Name - Type or Print

Eva Wilson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of April, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Roland & Eva Wilson

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

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

My Commission Expires

REV 10/25/01

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 *7121 N Alter Street*
Address

Baltimore *MD* - *21206*
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.

Roland Wilson 4/23/05
Signature

Eva Wilson
Signature

Roland Wilson
Name - Type or Print

Eva Wilson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of April, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Roland & Eva Wilson

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

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

REV 10/25/01

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 7121 ~~7127~~ N Alter Street

which is presently zoned DR.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 BCZR and V.B.1.a. and V.B.6.b. (CMDP) 1971-1992 Regulation To Permit A Window To Street Right of way Setback of 15ft. in Lieu of 25ft. and a window to property Line Setback of 11ft. in Lieu of 15ft And To Amend the Final Development Plan of Brookside Manor Lot #12

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):

Roland Wilson
Name - Type or Print

Roland Wilson
Signature

Eva Wilson
Name - Type or Print

Eva Wilson
Signature

7121 N Alter Street — **410-486-8084**
Address — Telephone No.

Baltimore — **MD** — **21206**
City — State — Zip Code

Representative to be Contacted:

Dan Dutton
Name

7110 Golden Ring Road — **410-780-0062**
Address — Telephone No.

Baltimore — **MD** — **21221**
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. 05 571 A

Reviewed By VL **Date** 5/06/05

Estimated Posting Date 5/15/05

REV 10/25/01

577

Zoning Description for 7121 N Alter Street

Beginning at a point on the East side of N Alter Street which is 60foot wide at the distance of 624 feet south of the centerline of nearest improved intersection street Bedford Road which is 50 feet wide. *Being lot # 12, Block A, Section#1&2, in the subdivision of Brook Manor Addition as recorded in the Baltimore Counter Plat Book # 37, Folio#24 containing 6,600 sq. ft. Also Known as 7121 N Alter Street and located in the 3rd Election district, ~~2nd~~ 4TH Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

JL 511

No. 443602

DATE 5/06/05

ACCOUNT 001 006 6150

AMOUNT $ 130.00

RECEIVED FROM: Chauncey Pitt Ross

FOR: Res Var - Amend FDP

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
5/06/2005	5/06/2005	10:00:31	2

FOR USER WALKIN TOWN IND
RECEIPT # 312476 5/06/2005 OF131
Dept 5 520 ZONING VERIFICATION
R NO. 443602
Receipt Tot $130.00
$130.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-571-A

Petitioner/Developer: ROLAND + EVA WILSON

Date of Hearing/Closing: 5/30/0

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

ATTN: Kristen Matthews ((410) 887-3394)

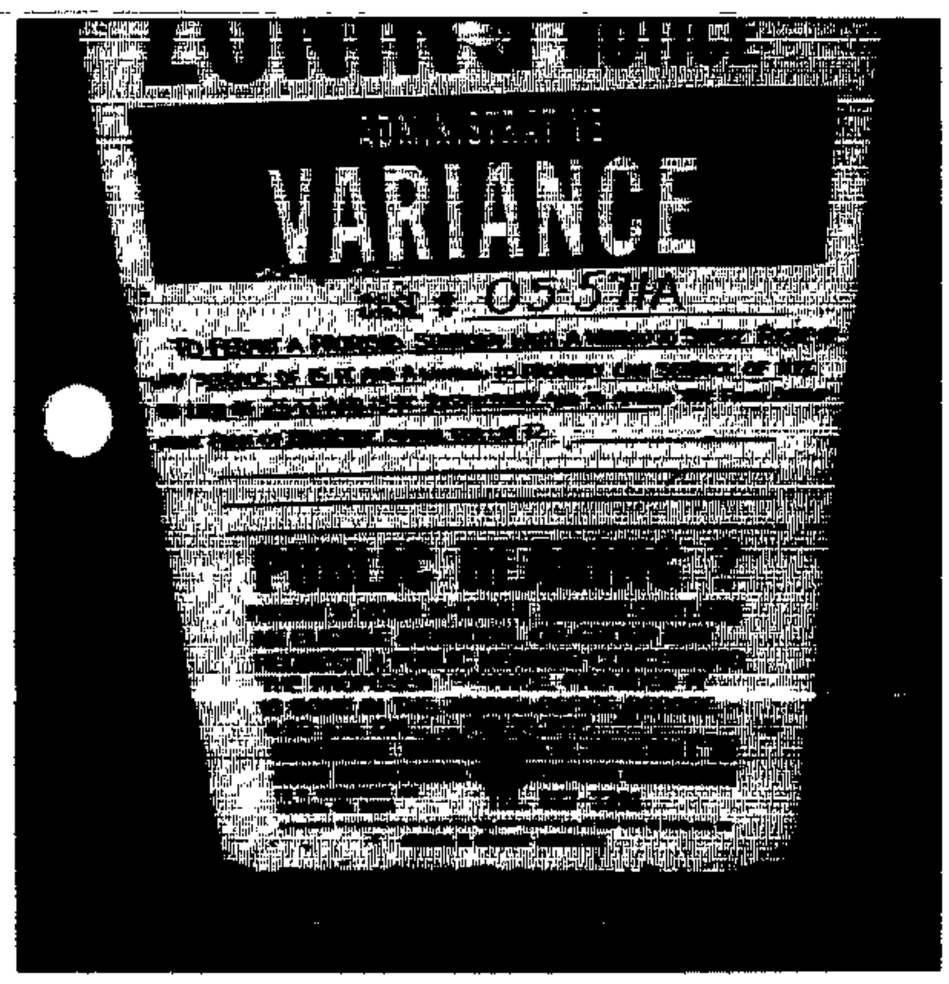
Ladies and Gentlemen:

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

7121 N. ALTER ST

The sign(s) were posted on 5/15/05
(Month, Day, Year)

Sincerely,



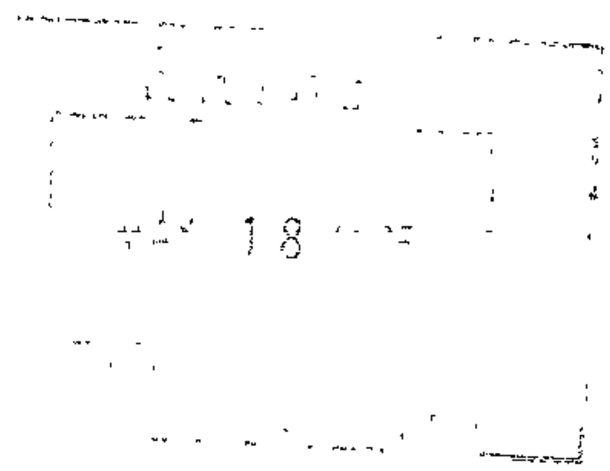
Robert Black 5/17/0
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)



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: 571

Petitioner: Gerard Anderson

Address or Location: 7121 N Alter ST

PLEASE FORWARD ADVERTISING BILL TO.

Name: Champion

Address: 7110 Golden Ring Rd
Balto Md 21221

Telephone Number: 410 780-0062

Revised 2/20/98 - SCJ

HAS POSTER, GIVEN HAS COPY

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-571 -A Address 7127 N. ALTER ST.

Contact Person: JOHN LEWIS Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/06/05 **Posting Date:** 5/15/05 **Closing Date:** 5/30/05

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 05-571 -A Address 7121 N. ALTER ST.

Petitioner's Name ROLAND & EVA WILSON Telephone 410 486 8040

Posting Date: 5/15/05 **Closing Date:** 5/30/05

Wording for Sign: To Permit A PROPOSED SUNROOM WITH A WINDOW TO STREET RIGHT OF WAY SETBACK OF 15 FT. AND A WINDOW TO PROPERTY LINE SETBACK OF 11 FT. IN LIEU OF 25 FT. AND 15 FT. RESPECTIVELY, AND TO AMEND THE FINAL DEVELOPMENT PLAN OF BROOKSIDE MANOR FOR LOT 12.

WCR - Revised 6/25/04

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

May 31, 2005

Roland Wilson
Eva Wilson
7121 N. Alter Street
Baltimore, Maryland 21206

Dear Mr. and Mrs. Wilson:

RE: Case Number: 05-571-A, 7121 N. Alter Street

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 6, 2005.

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

WCR: clb

Enclosures

c: People's Counsel
Dan Dutton 7110 Golden Ring Road Baltimore 21221

Fire Department

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

Baltimore County

James T Smith, Jr, County Executive
John J Hohman, Chief

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

May 23,2005

ATTENTION: Zoning Review Planners

Distribution Meeting of April 4, 2005

Item No. 568,570,571,573,574,575,576,577,579,580,581,582

Pursuant to your request, the above referenced plan(s) have been reviewed by this Office and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Department has no comments at this time.
If you have any questions contact my office.

Acting Lt. Warren T. Moffitt
Fire Marshal's Office
410-887-4880
MS-1102F

Cc:file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 25, 2005

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 31, 2005
Item No: 568, 570, 571, 573, 575, 576, and 577

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-05252005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr JDO

DATE: June 14, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 23, 2005

__X__ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

~~05-568~~
05-571
05-573
05-574
05-575
05-576
05-577
05-580
05-581
05-582

Reviewers: Sue Farinetti, Dave Lykens

S \Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 23, 2005

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-571, 5-573 and 5-576**
Administrative Variance(s)

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By: _____

Division Chief: _____

MAC/LL

RECEIVED

MAY 24 2005

ZONING COMMISSIONER

\\NCH_NW\VOL3\WORKGRPS\DEVREV\ZAC\nocomment.doc

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

State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 5·20·05

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

RE: Baltimore County
Item No. 571 JLL

Dear. Ms. Matthews:

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,

Steven D. Foster, Chief
Engineering Access Permits Division

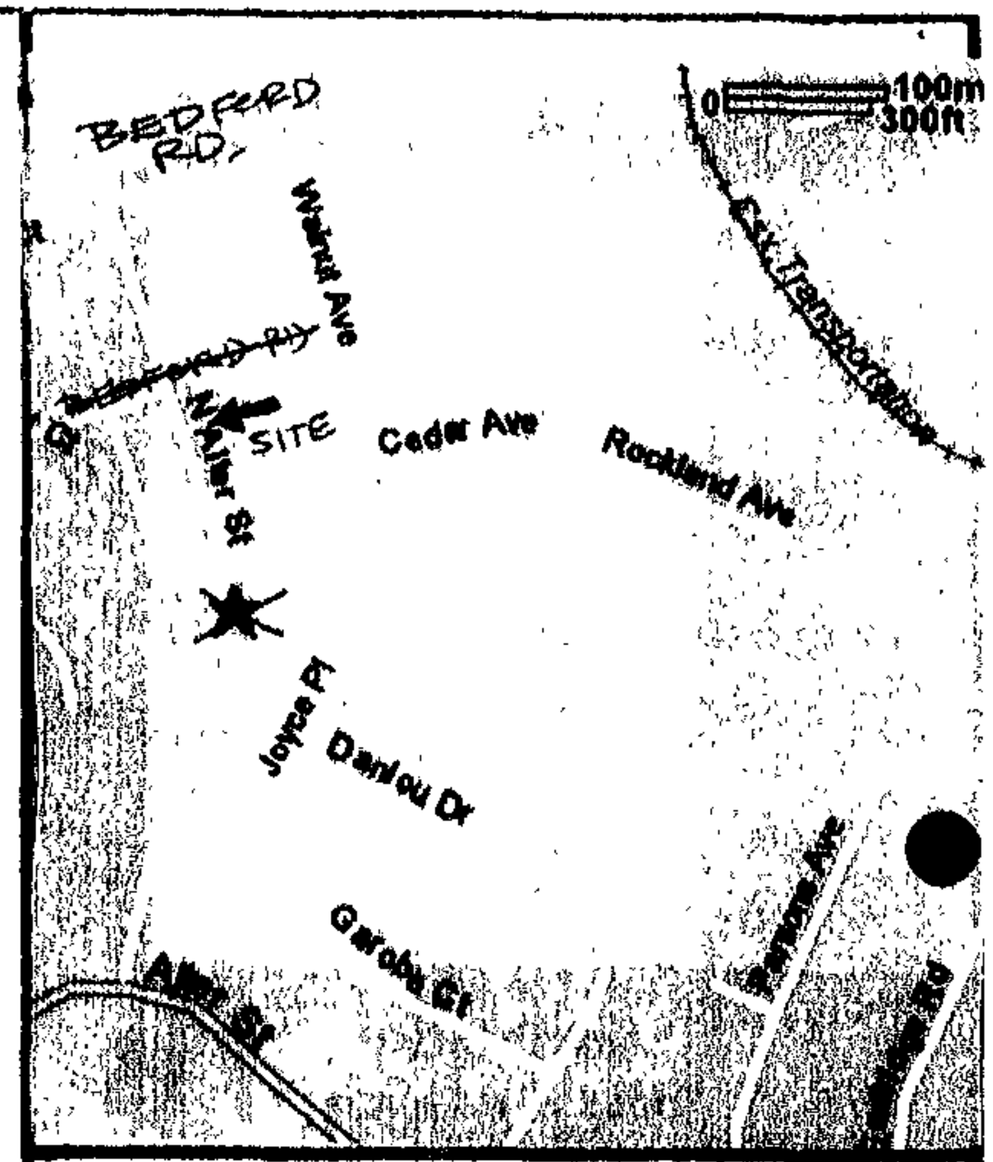
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

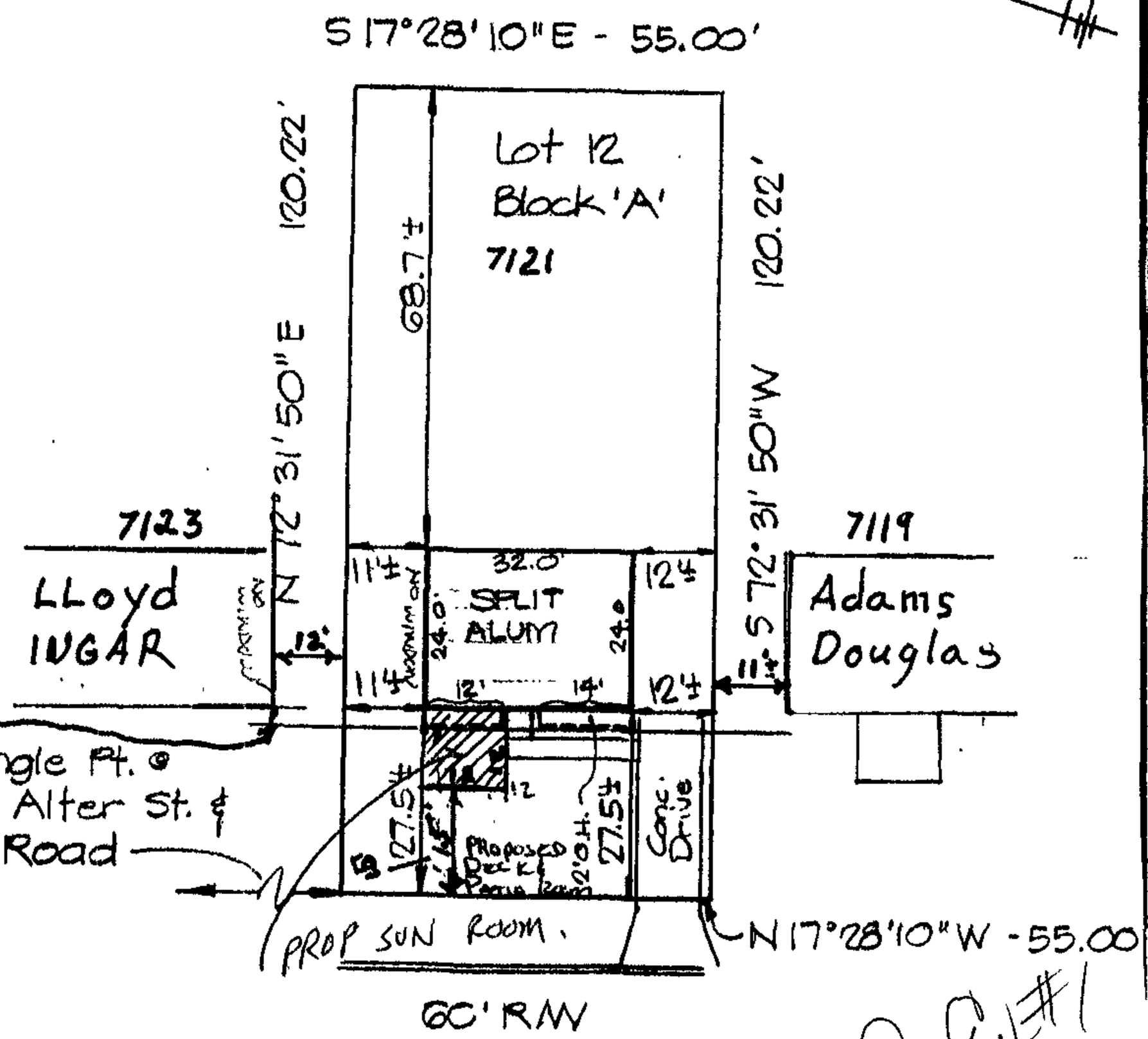
PROPERTY ADDRESS 7121 N. Alter St

SUBDIVISION NAME Brookside Manor

PLAT BOOK # 37 FOLIO # 24 LOT # 12 SECTION # 1+2

OWNER Wilson, Roland + Eva





Pet Ex #1

LOCATION INFORMATION

ELECTION DISTRICT 3

COUNCILMANIC DISTRICT 4

1" = 200' SCALE MAP # NF 6·F

ZONING DR.5.5

LOT SIZE ACREAGE _____ SQUARE FEET 6,600

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

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

PRIOR ZONING HEARING

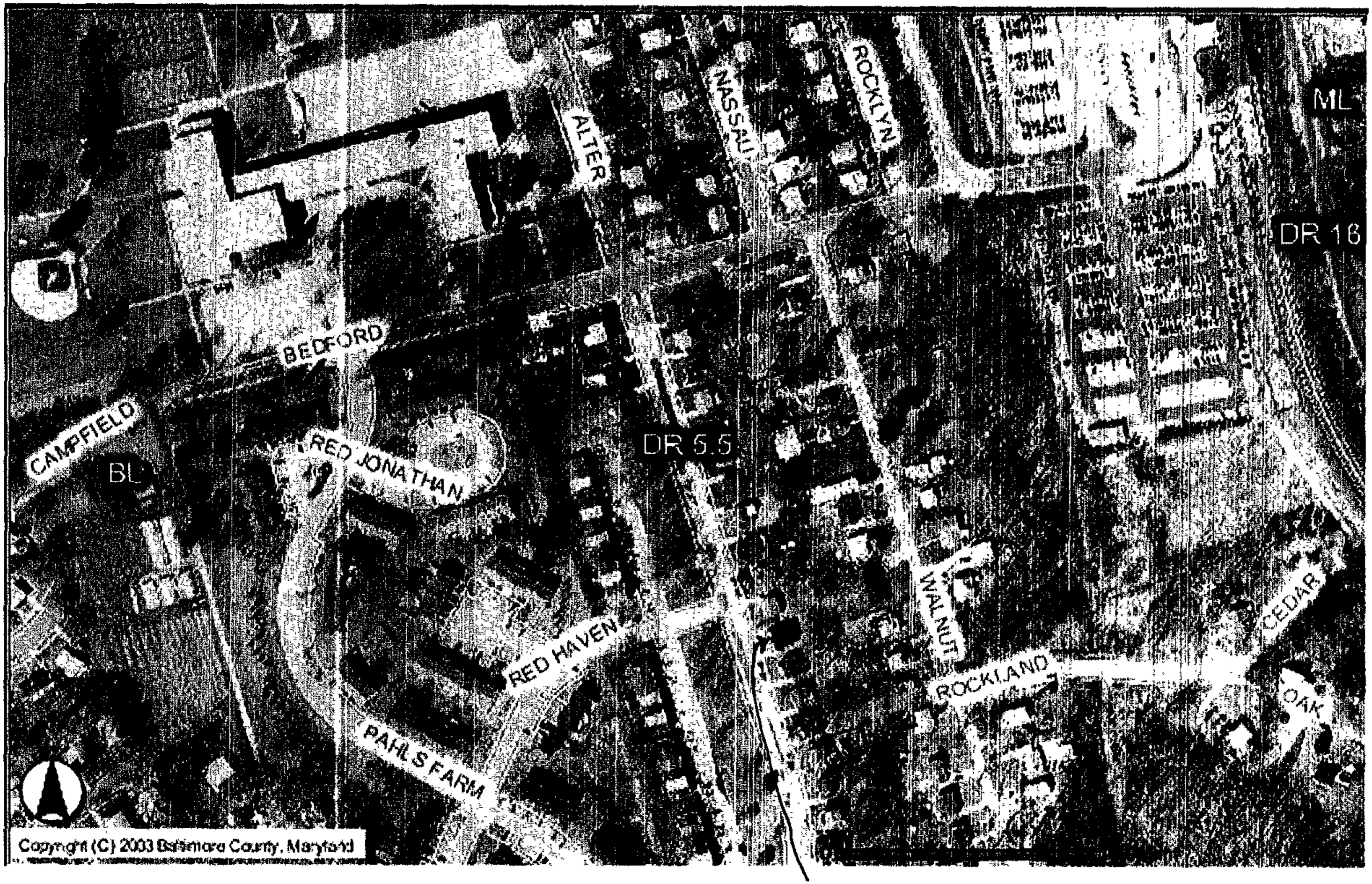
ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
JL	05 571 A	

Prepared Gerard Andersen

SCALE OF DRAWING 1" = 30'

571



7121 N. Alter ST

7121 N Alter Street

7119 N Alter Street

Neabor:
Neighbor with room

Home in nieghborhood

571