IN RE: PETITION FOR ADMIN. VARIANCE

West Side of Carthage Court, 227'
South of Lucern Road
2nd Election District
4th Councilmanic District
(10 Carthage Court)

Vonda Pickford-Rabb & Sivicia Pickford Henson Petitioners

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 06-346-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, Vonda Pickford-Rabb and Sivicia Pickford Henson. The variance request is for property located at 10 Carthage Court in the Randallstown area of Baltimore County. The variance request is from 1B01.2.C.1.b and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed open projection (carport) with a front yard setback of 17 feet in lieu of the minimum required 18 3/4 feet and a rear yard setback of 17 feet in lieu of the minimum required 22 1/2 feet, and to amend the latest Final Development Plan for the "Rifkin Property", Lot 7. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Department of Environmental Protection and Resource Management (DEPRM) dated February 15, 2006, a copy of which is attached hereto and made a part hereof.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on January 29, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In this case, 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 \_\_\_\_\_ day of February, 2006, that a variance from 1B01.2.C.1.b and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed open projection (carport) with a front yard setback of 17 feet in lieu of the minimum required 18 3/4 feet and a rear yard setback of 17 feet in lieu of the minimum required 22 1/2 feet, and to amend the latest Final Development Plan for the "Rifkin Property", Lot 7, 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.

- 2. The Petitioner must be in compliance with the ZAC comment received from the Department of Environmental Protection and Resource Management (DEPRM) dated February 15, 2006, a copy of which is attached hereto and made a copy hereof.
- 3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

OHN V. MURPHY

**DEPUTY ZONING COMMISSIONER** 

FOR BALTIMORE COUNTY

JVM:dlw



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 21, 2006

Vonda Pickford-Rabb Sivicia Pickford Henson 10 Carthage Court Randallstown, Maryland 21133

> Re: Petition for Administrative Variance Case No. 06-346-A Property: 10 Carthage Court

Dear Ms. Rabb and Ms. Henson:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted with restrictions 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

for Baltimore County

JVM:dlw Enclosure

c: People's Counsel; Case File



## Petition for Administrative Variance

#### to the Zoning Commissioner of Baltimore County

for the property located at 10 CARTHAGE COURT Randal stown MD which is presently zoned residential DR 5.5

I/We do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

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) BOI.2.C.I.b & 301.1.A.BCZR, to permit a proposed open projection (carport) with a front yard setback of 17 feet in lieu of the minimum required 184 feet and a rear yard setback of 17 feet in lieu of the minimum required 224 feet, and to amend the latest Final Development Plan for the Riftin Property, Lot 7.

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.

			is the subject of this F	Petition.	
Contract Purchaser/L	.essee:		Legal Owner(s):		
		•	VONDA PI	KFORD-RABB	, 1
Name - Type or Print		<u> </u>	Name - Type or Print	K-ford-Kabb	<u> </u>
Signature			Signature		. 1
Address		Telephone No.	Name - Type or Print	CKFORD HENSO	
City	State	Zip Code	Signature	Aftered Henro	
Attorney For Petition	<u>er:</u>		10 CARTH	AGE COURT/4	10-496-400 Telephone No.
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·		City RANDALLS T	own MD State	21133 Zip Code
			Representative t	o be Contacted:	
Signature					I
Company	·····	· · · · · · · · · · · · · · · · · · ·	Name		
Address	<del></del>	Telephone No.	Address	, <u>.</u>	Telephone No.
Scity Scity	State	Zip Code	City	State	Zip Code
A Public Hearing having bee	n formally demand	ed and/or found to be at the subject matter of t	required, it is ordered by the	ne Zoning Commissioner of hearing, advertised, as requ	Baltimore County, ired by the zoning
regulations of Baltimore County	y and that the proper	ly be reposted.	,		r I
	_		Zoning Comm	issioner of Baltimore County	<u> </u>
ECASE NO.	06-34	6 - A Rev	iewed By JUP	,Date	6
RE 10/25/01		Est	imated Posting Date	1/29/06	.

# 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.

competent to testify thereto in the event that a p	oublic hearing is schedu	Jied in the future with req	gard thereto.		
That the Affiant(s) does/do presently reside at	10 CARTHAGE COURT				
	RANDALLS TOWN	MD State	21133 Zip Code		
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts upo ip or practical difficulty)	n which I/we base the r	•		
We, the homeowners, base our reque of the carport for the following reason	est for a variance in the ons or needs. The carpo	construction ort			
1. Offers protection for our vehicle	es from the elements—a	nd-			
2. Offers increased security with a	dditional driveway ligh	ting.			
3. Our driveway restricts the use of making it difficult to enter and	of our side-load garage, exit it.				
4. Due the placement of the house of an adequate size on the east s	driveway on the lot, ar side would require a var	ny structure riance.			
5. Community regulations do not p	prohibit any structure or	i private property.			
6. Structure will enhance the use of	f our home as well as th	ie appearance.			
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a long and long	additional information.  Signati	Affiant(s) will be require  Siring P. Hend  - Type or Print	**************************************		
STATE OF MARYLAND, COUNTY OF BALTIM HEREBY CERTIFY, this day of North of Maryland, in and for the County aforesaid, per londa Pickford - Rab the Affiant(s) herein, personally known or satisfa	vember sonally appeared		a Notary Public of the State		
AS WITNESS my hand and Notarial Seal	Notary Public	1 2	mall.		
	My Commission	on Expires / d -/	7-05		

#### Zoning Description for

#### 10 Carthage Court / Randallstown, MD 21133

Beginning at a point on the <u>west</u> side of <u>Carthage Court</u>, which is <u>40'</u> wide at the distance of <u>227' south</u> of the nearest improved intersecting street of <u>Lucern Road</u> which is <u>60'</u> wide.

Being Lot <u>#7</u>, in the subdivision of <u>Rifkin Property</u> as recorded in the Baltimore County Plat Book # <u>73</u>, Folio # <u>101</u>, containing <u>12,928</u> square feet.

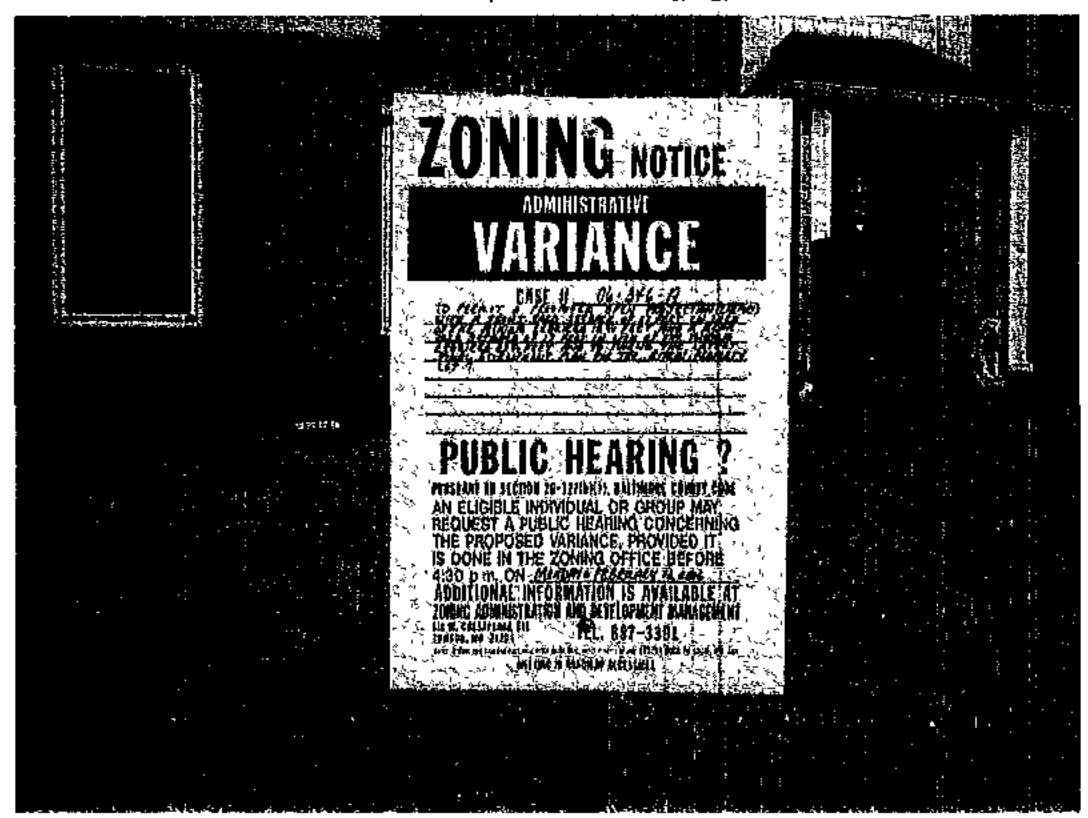
Also known as <u>10 Carthage Court</u>, located in the <u>2<sup>nd</sup> Election District</u>, <u>4<sup>th</sup> Councilmanic District</u>.

	CASHIER'S WALIDATION	
D No.	NT NT STATE OF THE	
BALTIMORE COUNTY, MARYLAN OFFICE OF BUDGET & FRIGHT	PRECEIVED FROM: FOR: FOR: FOR: WHITE CASHIER FINK AGBICY FOR: WHITE CASHIER FINK AGBICY FOR: FOR: FOR: FOR: FOR: FOR: FOR: FOR:	

# CERTIFICATE OF POSTING

	RE: Case No: 06-346-A
	Petitioner/Developer: PICKFORD - RABB   HEWSON
	MICKFORD - KABB HENSON
	Date Of Hearing/Closing: 2/13/06
Baltimore County Department of Permits and Development Mana County Office Building, Room 111 West Chesapeake Avenue	gement
Attention:	
Ladies and Gentlemen:	
sign(s) required by law were pos	e penalties of perjury that the necessary sted conspicuously on the property
nt	ETHAGE COURT
This sign(s) were posted on	Month, Day, Year) Sincerely,
	(Signature of sign Poster and Date)
	Martin Ogle
	Sign Poster
	16 Salix Court
	Address
	Balto. Md 21220
	(443-629 3411)

im000569 (1152x864x24b jpeg)



water 1/29/06

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number	06- 346	-A Add	ress 10 Cartl	rage Court	
	1: Jeffrei	į		Phone Number: 4	10-887-3391
Filing Date: _	1/18/06	Posting Da	ate: 1/29/06	Closing Date	: 2/13/06
Any contact m through the cor	ade with this of ntact person (plan	fice regarding the ner) using the case	status of the ac	dministrative variand	e should be
reverse reposting is again	side of this form) g must be done of responsible for a	and the petitioner only by one of the signal associated costs	is responsible for its responsible for its second in the coning name of the coning name of the coning in the conin	osters on the approve or all printing/posting e approved list and otice sign must be versely the remain there through	g costs. Any the petitioner visible on the
a formal	request for a p	date is the deadline ublic hearing. Plearing is not be process is not be process.	ease understand	t or owner within 1,0 I that even if there ne closing date.	00 feet to file is no formal
commiss order the (typically	sioner. He may: at the matter be within 7 to 10 da	(a) grant the request set in for a publicated averaged	rested relief; (b) ic hearing. You heth	by the zoning or deny the requested will receive writtener the petition has been you by First Class	l relief; or (c) n notification een granted,
(whether commiss changed	r due to a neight sioner), notification giving notice of certification of this	nbor's formal reque on will be forwarde the hearing date, til	est or by order ed to you. The me and location.	of the zoning or description of the zoning or description on the property of the sign was be altered sign must be	eputy zoning erty must be was originally
		(Detach Along	Dotted Line)		
Petitioner: Th	is Part of the Fo	rm is for the Sign	Poster Only	<u> </u>	
	USE THE	ADMINISTRATIVE	VARIANCE SIG	N FORMAT	
Case Number Petitioner's Nar	06-346 -1 ne Pickford-1	- I.		e Court Telephone 410-49	16-4003
Posting Date:	1/29/06		Closing Date	: 2/13/06	
Wording for Sig	gn: <u>To Permit (</u>	r proposed open	projection (car	rport) with a fr	ont yard
			■ *	feet and a rear	
			<b>—</b>	to feet, and to	amend
the latest f	inal Developme	ut Plan for the Ri	fitin Property	y Lot T.	·
<b>.</b>	`			WCR -	Revised 6/25/04



## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10 CARTHAGE COURT Randal stown, MD which is presently zoned residential DRS.5

I/We do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

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) 1801,2C,1b & 301,1A, BCZR, to permit a proposed open projection (carport) with a front yard setback of 17 feet in lieu of the minimum required 184 feet and a rear yard setback of 17 feet in lieu of the minimum required 22 feet, and to amend the latest final Development Plan for the Riftin Property, Lot 7.

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.

		is the subject of this Petition.
Contract Purcha	ser/Lessee:	Legal Owner(s):
		VONDA PICKFORD-RABB
Name - Type or Print	<u></u>	Name (Type or Print)
Signature		Signature
Address	Telephone No.	SIVICIA PICKFORD HENSON  Name - Type or Print
Addicas	TOTOPHONE ITO	Signature Victorial Hensen
City	State Zip Code	
Attorney For Pe	<u>titioner:</u>	10 CARTHAGE COURT / 410-496-4002 Address Telephone No.
		RANDALLS TOWN MD 21133
Name - Type or Print	<del></del>	City State Zip Code
		Representative to be Contacted:
Signature	· · · · · · · · · · · · · · · · · · ·	
Company		Name
3	•	,
Address	Telephone No.	Address Telephone No.
CILY	State Zip Code	City State Zip Code
O	·	
		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
egulations of Baltimore	County and that the property be reposted.	
		Zoning Commissioner of Baltimore County
	06-346-A	Reviewed By JMP Date 1/18/06
EASENO.		
RE <b>1</b> 0/25/01		Estimated Posting Date 1/29/06
1 A M		

# 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.

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That the Affiant(s) does/do presently reside at	10 CARTHADDES	TAGE COU	RT	
	RANDALL5	TOWN	MD State	21133 Zíp Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the faction of the faction	cts upon which fficulty):	h I/we base the r	equest for an Administrativ
We, the homeowners, base our reque of the carport for the following reason	est for a variance ons or needs. Th	e in the constru ne carport	uction	
1. Offers protection for our vehicle	es from the elem	ents -and-		
2. Offers increased security with a	dditional drivew	ay lighting.		
<ol> <li>Our driveway restricts the use of making it difficult to enter and</li> </ol>	of our side-load gexit it.	garage,		
4. Due the placement of the house of an adequate size on the east s	driveway on the side would requi	e lot, any struc ire a variance.	ture	
5. Community regulations do not p	prohibit any struc	cture on privat	e property.	•
6. Structure will enhance the use of	f our home as we	ell as the appe	arance.	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature	additional inform	s filed, Affiant lation.  Signature	<i>,</i> ^	ed to pay a reposting and
Name - Type or Print Lick-ford Kabb	<del></del>	Name - Type or	Print Plens	<u> </u>
CTATE OF MADVE AND CONTRACTOR OF THE			. * * * * * * * * * * * * * * * * * * *	********
STATE OF MARYLAND, COUNTY OF BALTIM HEREBY CERTIFY, this day ofday of	ember sonally appeare	ad 20		a Notary Public of the State
Vunda: L. Pickfurd Rabb a the Affiant(s) herein, personally known or satisfa	nd Siv ctorily identified	to me as such	Henson 1 Affiant(s).	<del></del>
AS WITNESS my hand and Notarial Seal	A d	ela DY	naora	TAD .
	Notary My Cor	Public mmission Expi	ires /2-//7	,/08

# 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

February 13, 2006

Vonda Pickford-Rabb Sivicia Pickford Henson 10 Carthage Court Randallstown, Maryland 21133

Dear Ms. Rabb and Ms. Henson:

RE: Case Number: 06-346-A,10 Carthage Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 18, 2006.

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,

On Roll Roll

On Some State of the Sound Sound

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



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

# 

#### BALTIMORE COUNTY, MARYLAND

#### **Inter-Office Correspondence**



TO:

Timothy M. Kotroco

FROM:

R. Bruce Seeley, DEPRM

DATE:

February 15, 2006

SUBJECT:

Zoning Item # ZAC 06-346-A

Address

10 Carthage Court

(Pickford-Rabb Property)

Zoning Advisory Committee Meeting of January 30, 2006

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
  - Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This project will require a variance from Article 33. Title 3. Protection of Water Quality, Streams, Wetlands and Floodplains.

S:\Devcoord\ZAC06-346.doc

Reviewer:

D. Lykens

Date: February 6, 2006

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S:\Devcoord\ZAC06-346.doc

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** February 1, 2006

100 000

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-346 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 Dave Green in the Office of Planning at 410-887-3480.

Prepared By:

**Division Chief:** 

CM/LL



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

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

#### Maryland Department of Transportation

Date: 1.24.06

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

RE:

Baltimore County

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

1. 1. Areal

**Engineering Access Permits Division** 

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** February 13, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 6, 2006

Item Nos. (346) 347, 348, 350, 351, 353, and 355

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

FIRE this

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-02132006.doc



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 January 26, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: January 30, 2006

Item No.: 346,647,348,349,350,351,352,353,354

Pursuant to your request, the referenced plan(s) have been reviewed 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.

Acting Lieutenant William F Connolly Fire Marshal's Office 410-887-4880 MS-1102F

cc: File

The Zoning Commissioner of Baltimore County c/oThe Department of Permits and Development Management 111 West Chesapeake Avenue
Towson, Maryland 21204

November 4, 2005

We, as neighbors and homeowners of the address stated below, are aware that our neighbors, who live at the address of - 10 Carthage Court, Randallstown, Maryland, - are petitioning for a construction variance and do not oppose the granting of the variance for the construction a carport to their home.

Name Print

Signature

Telephone Number

Name & Print

Name & Print

Mark Land Sol 188

Signature

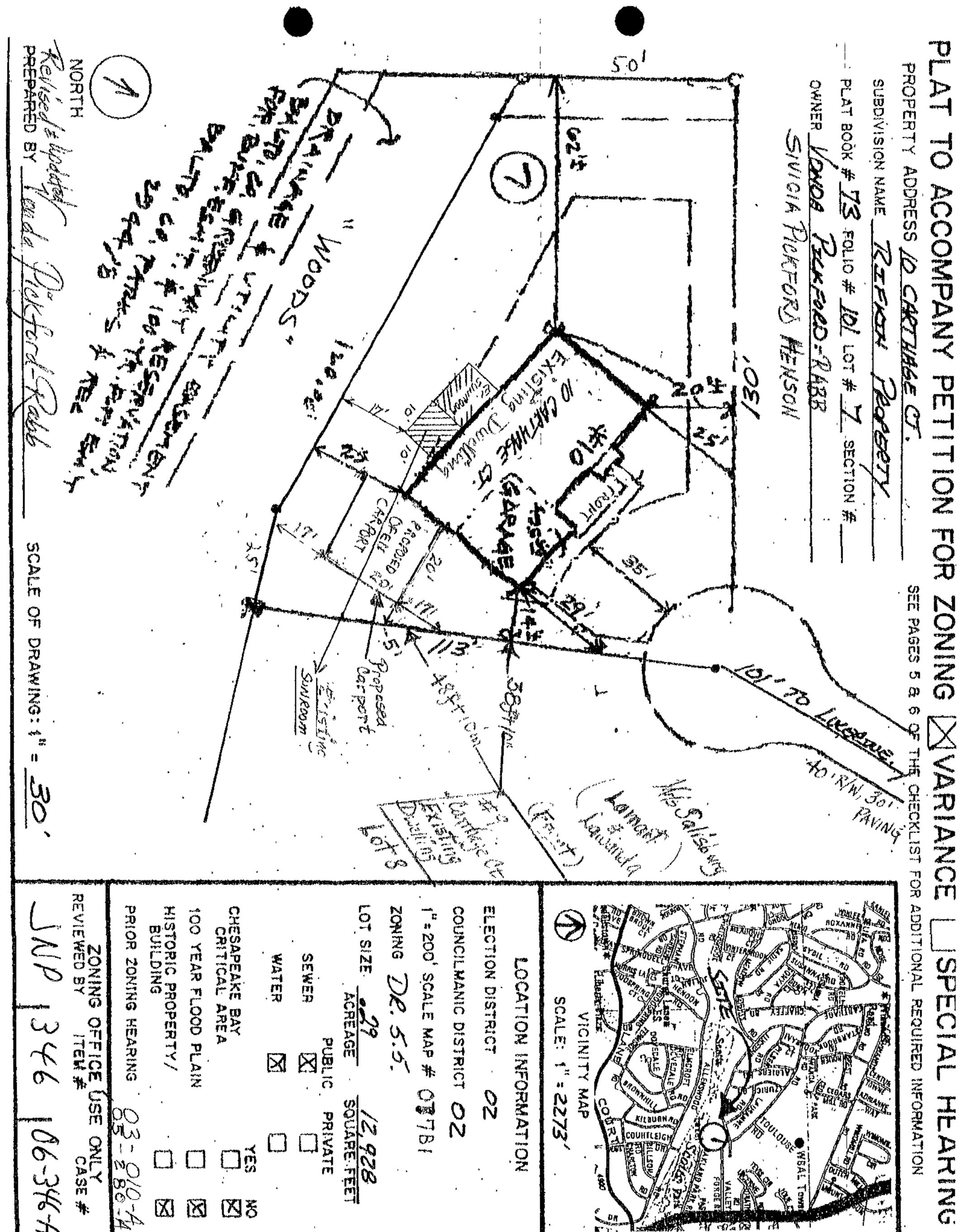
CI Carethaport, 21132

11-6/05

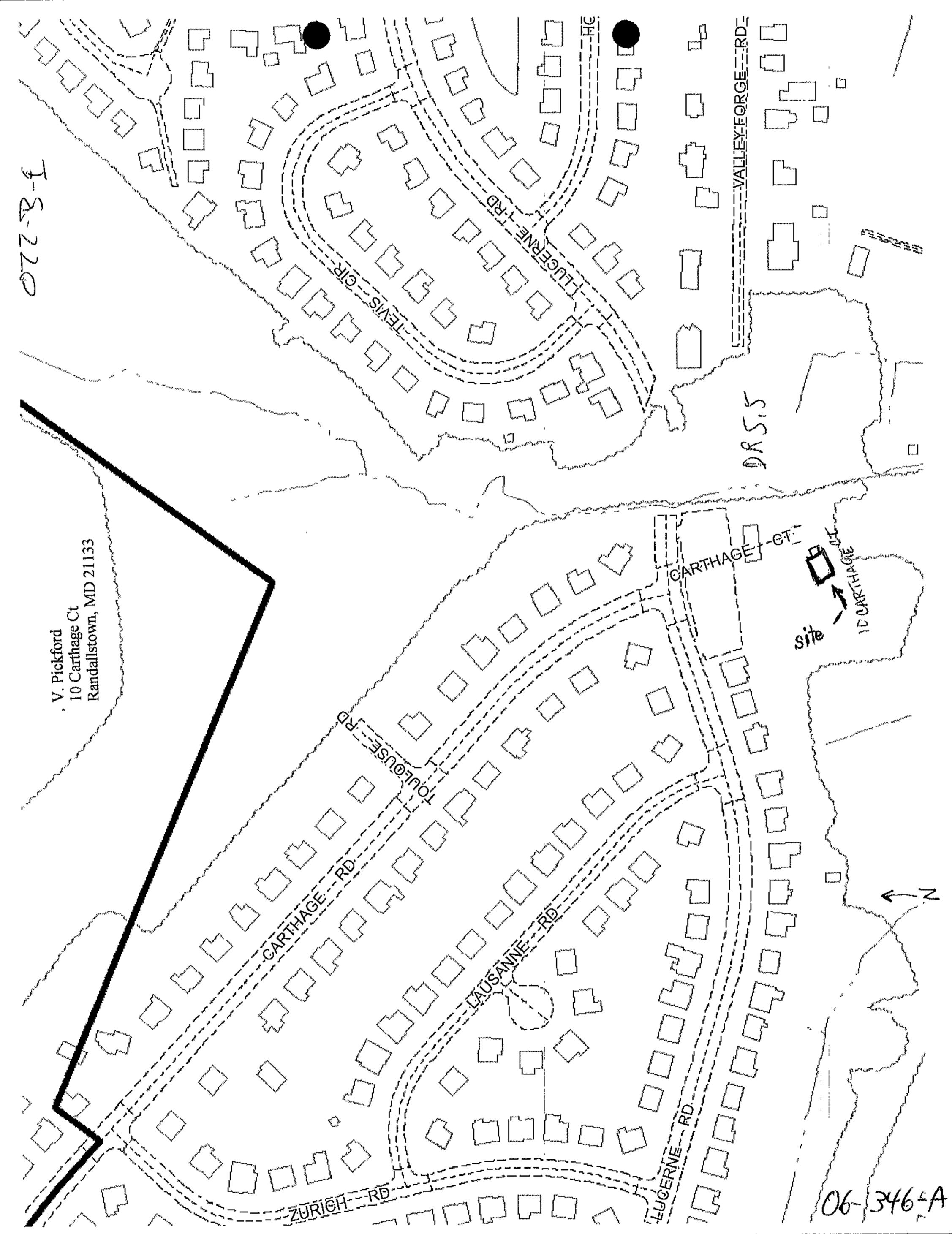
Date

Address

06-346-A



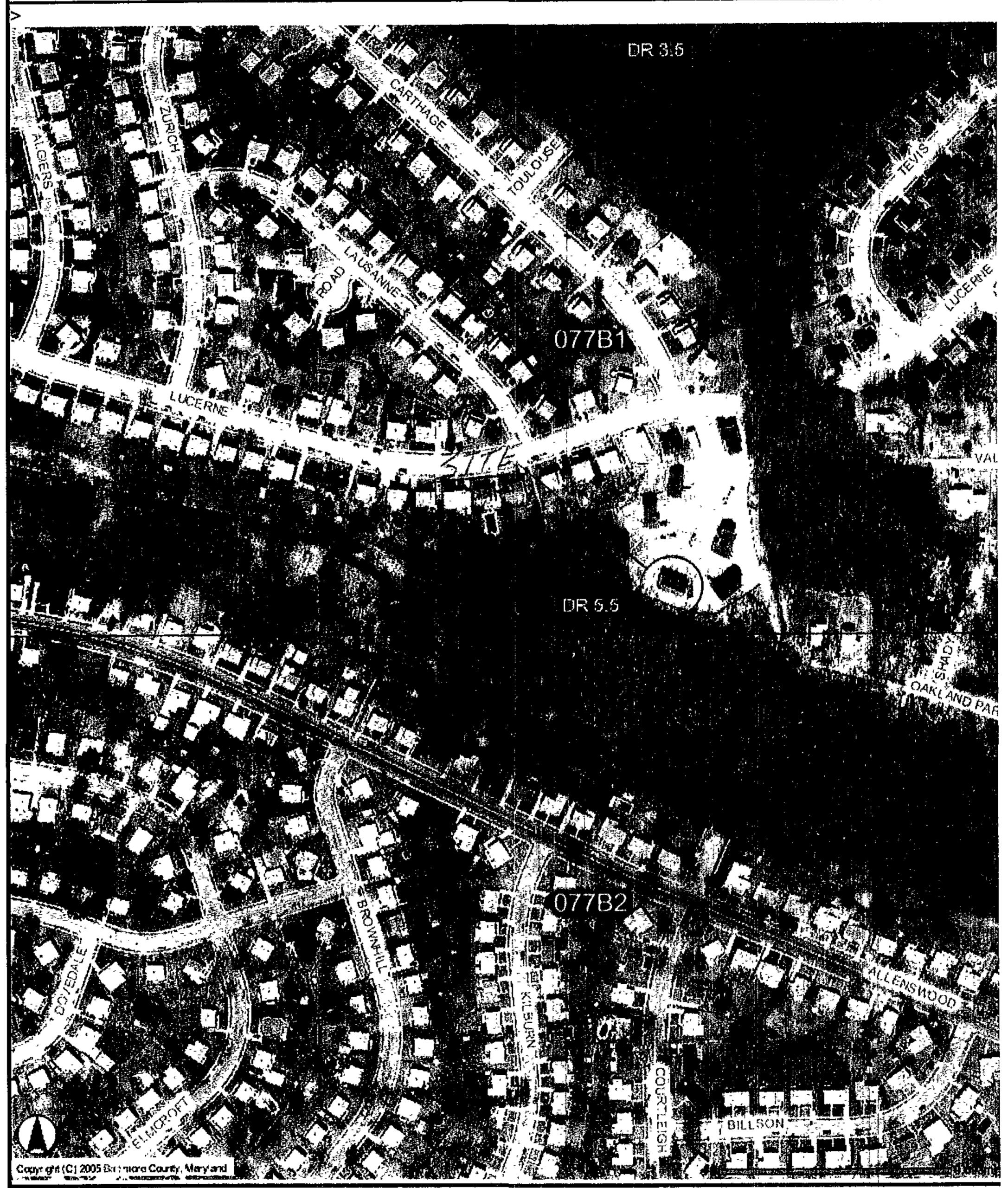
P2+#1





Vonda Pickford 10 Carthage Ct. Randalistown, MD 21133

#### Baltimore County - My Neighborhood



http://bamaps1.co.ba.md.us/arcims\_path/bcgims?ServiceName=Zoning&ClientVersion=4.0&Form='Frue... 11/1/2005 06-346-A

Salusbury Court
q carthage Court

Home of Petitioner Vonda Pickford 10 Carthage Court





Drive way (neighbor's home

Petitioner's Home/Driveway

10 Carihage Ct.

(V. Pickford Rabb



Driveway no Garage etilitance.