IN RE: PETITION FOR ADMIN. VARIANCE

W side Handy Avenue, 400 feet N of

c/l Rich Avenue

1st Election District

1st Councilmanic District

(1014 Handy Avenue)

Veronica Curry

Petitioner

BEFORE THE

DEPUTY ZONING

* COMMISSIONER

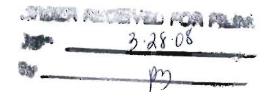
FOR BALTIMORE COUNTY

* Case No. 08-335-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 owner of the subject property, Veronica Curry for property located at 1014 Handy Avenue. The variance request is from Sections 1B02.3.A.5, 1B02.3.B, and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a 1 foot side yard setback and an open projection with a 4 foot side yard setback in lieu of the required 10 foot and 7.5 foot, respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioner wishes to construct a porch measuring 6 feet x 8 feet in size and the proposed addition measures 14 feet x 28 feet in size. The existing dwelling contains 1,200 square feet and additional living space is needed for the growing family. The location of the proposed addition as depicted on the site plan is the desired location so that the interior layout of the home is not disturbed. The Petitioner's property is only 50 feet wide, while the adjacent properties are 150 feet wide and 100 feet wide. The proposed addition is located on the right side of the home, facing property at 1012 Handy Avenue, which is owned by the Petitioner's parents.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated February 11, 2008

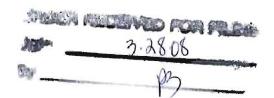


which indicates that the proposed addition will impact the side yard setback of the dwelling negatively. The Petitioner requests a 1 foot setback on the southern side of the dwelling. The Planning Office does not favor setbacks of this nature due to there not being enough area remaining for maintenance and passage without the possibility of disrupting the neighboring property. That Office recommends the Petitioner redesign the proposed addition to not impact the side yard setback to the proposed extent. In this circumstance there should be at least 4 feet remaining between the side building face and the property line.

On February 28, 2008, the Undersigned wrote to the Petitioner asking if the proposed addition could be redesigned so that there is at least 4 feet between the side building face and property line as requested by the Office of Planning. The Petitioner and her contractor, Kris Konstruction, were able to reduce the proposed addition by 4 feet. The proposed addition now measures 10 feet x 28 feet in size.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on February 10, 2008 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 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 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 As day of March, 2008 that a variance from Sections 1B02.3.A.5, 1B02.3.B, and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a 4 foot side yard setback and an open projection with a 4 foot side yard setback in lieu of the required 10 foot and 7.5 foot, respective is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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.

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

THOMAS H. BOSTWICK Deputy Zoning Commissioner

for Baltimore County

THB:pz





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

March 28, 2008

VERONICA CURRY 1014 HANDY AVENUE CATONSVILLE MD 21228

> Re: Petition for Administrative Variance Case No. 08-335-A

Property: 1014 Handy Avenue

Dear Ms. Curry:

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Kris Konstruction Design & Build Group, 1708 Cannongate Road, Forest Hill MD 21050

Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property located at 1014 Hady Handy Ave Correspoille and 21228 which is presently zoned DC 5.5

Deed Reference: 16572/00(Tax Account # 0 t 0 3 2 3 2 3 6 0

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) IBO2.3A.5. + IBO2.3B. (BCZR) 301.1A.

To permit an addition with a 1-foot side yard setback and an open projection with a 4-foot side yard setback in lieu of the required 10-foot and 7.5-foot, respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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.

			d affirm, under the penalties of I owner(s) of the property which
Contract Purchaser/Lessee:		Legal Owner(s):	
		Veronica Curry	
Name - Type or Print		VI HANIL Q NILL	11/
Signature		Signature	W
Address	Telephone No.	Name - Type or Print	0
City State	Zip Code	Signature	Take a
Attorney For Petitioner:		Address Aug	(4tp.) 747- 905B Telephone No
Name - Type or Print		Carronsville Mid	Z1ZZK State Zip Code
Signature		Representative to be (Contacted.
Signature		Decemy Clany	
Company		Name	(443) 340-1229
Address	Telephone No.	Address Machetha was	Telephone No.
City Stale	Zip Code	Eldershing	State Zip Code
A Public Hearing having been formally demaths day of regulations of Baltimore County and that the process of Baltimore County and the Baltimore County and	that the subject matter of sperty be reposted. Rev	Zoning Commissioner	, advertised, as required by the zoning
Say V			
799	/		

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	1014	HANDY	Aue	
and the second proposition to be determined as the second	Address	nsville	md	21228
•	City		State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	owing are the nip or practic	e facts upo al difficulty)	n which I/we base the	request for an Administrative
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TO OUR GROWING Fomily.	and in	obs lity	TO AFFOID TO	move. THE
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our house, without Remode	ding The	exist	eng slove plan	entirely, moreove
our lot, as you can see				
Comparison to most on	the stru	RET. P	local consider	- our request
AND WE Thank you in ad	iven le.			
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide			Affiant(s) will be requ	ired to pay a reposting and
Signature		Signati	Morria Cur	ry
		i /		U
Name - Type or Print			Name - Type or Print	,
STATE OF MARYLAND, COUNTY OF BALTII	MORE, to wi	 t:		
I HEREBY CERTIFY, this 24 th day of	Januare		Zook, before me,	a Notary Public of the State
of Maryland, in and for the County aforesaid, pe	ersonally app	peared		
the Affiant(s) herein, personally known or satisf	actorily iden	tified to me	as such Affiant(s).	
AS WITNESS my hand and Notarial Seal				,)
	No	otary Bublic	1100	$\widehat{}$
	M	Commissi	on Expires 12 /27	100

Zoning Description

ZONING DESCRIPTION FOR 1014 HANDY AVE, CATONSVILLE

Beginning at a point on the West side of Handy Avenue which is 50' wide at the distance of 400' North of the centerline of the nearest improved intersecting street, Rich Ave. which is 40' wide. Being lot # 134, in the subdivision of Douglas Park as recorded in Baltimore County Plat Book # 7, Folio # 170, containing 7,500 square feet. Also known as 1014 Handy Avenue and located in the 1st election district, and 1st councilmanic district.

BALTIMORE COUNTY, MARYLAND PAID RECEIPT No. 09768 OFFICE OF BUDGET AND FINANCE MISCELLANEOUS RECEIPT ACTUAL TIPE Date: 1/19/2008 1/29/2008 09:09:73 REB METO MATE JEVA JEE >>RECEIPT # 339898 1/29/2008 Sub Rev Sub BS TELL Rept Amount Dept 5 528 ZERTHE VERTEIGNATION Fund Agcy Orgn Orgn Source Rev Catg Acct 0097768 May Recpt Tot 465,00 \$65,00 CM \$,00 CA Baltimore County, Haryland Total: Rec From: APPLIED + APPROVED PERMITS LLC For: D. THOMPSON CASHIER'S VALIDATION DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



CERTIFICATE OF POSTING

RE: Case No: <u>08-335-A</u>

	Petitioner/Developer: CURRY TELEMY CLANCY Date Of Hearing/Closing: 2/25/08
Baltimore County Department of Permits and Development Man County Office Building, Room 111 West Chesapeake Avenue	agement
Attention:	
•	ne penalties of perjury that the necessary osted conspicuously on the property
at	1014 HANDY AVE.
This sign(s) were posted on	(Month, Day, Year) Sincerely, Martin Ogle Sign Poster 16 Salix Court Address Balto. Md 21220 (443-629 3411)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case N	Number 08-	335	-A	Address _	1014	HANDY	AVE.	
Contac	ct Person: _	DONNA .	HOMPSON Please Print Your Nar	me				410-887-3391
Filing	Date:	29/08	Please Print Your Nar Postin	g Date: 🤞	2/10/08	Clo	sing Date	: 2/25/08
Any co	ontact made	with this off	ice regarding ner) using the c	the status	of the a	administrat	ive varian	ce should be
	reverse side reposting mi is again res	of this form) ust be done o ponsible for a	etitioner must us and the petition of the petition of the observation of the state of the posting date no	oner is respone sign possions.	ponsible sters on t zoning r	for all prin he approve notice sign	ting/postin ed list and must be	g costs. Any the petitioner visible on the
	a formal red	quest for a p	date is the dead ublic hearing. g, the process	Please u	nderstan	d that eve	n if there)00 feet to file is no formal
	commissione order that tl (typically witl	er. He may: he matter be hìn 7 to 10 da	ng date, the fi (a) grant the i set in for a p lys of the closin hearing. The c	requested oublic hear ng date) as	relief; (b) ring. Yo s to whetl) deny the ou will rec her the pe	requested eive writte tition has t	d relief; or (c) en notification been granted,
((whether du commissione changed givi	e to a neigh er), notificatio ing notice of t	RING AND RE bor's formal re n will be forwa he hearing date change and a	equest or arded to y e, time and	by order you. Th d location	of the zo e sign on . As wher	ning or d the prop the sign	leputy zoning erty must be was originally
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Petitio	ner: This P		m is for the Si	_	-			
	-	USE THE A	DMINISTRATI	VE VARIA	NCE SIG	N FORMA	ΛT	
Case N	lumber 08-		Address	s 101H	HANI	DY AVE	<u> </u>	
Petition	er's Name _	<u> </u>	1			Telephone	F 76 5	747-9058
	g Date:		8		sing Date	_	25/08	
	To permit a with a 4-foo respectively	ot side yard se	th a 1-foot side etback in lieu c	e yard sett of the requ	pack and pired 10-1	an open p foot and 7	orojection .5-foot,	- - -

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.

Item Number or Case Number	:08-335-A
Petitioner:	URRY
Address or Location: 1013	
PLEASE FORWARD ADVER	TISING BILL TO:
Name: MS.VE	RONICA CURRY
Address: 1014 H	ANDY AVE
CATON	SVINE, MO 21228
	,
Telephone Number:	410-747-9058



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Directo.

Department of Permits and
Development Management

February 25, 2008

Veronica Curry 1014 Handy Avenue Catonsville, MD 21228

Dear Ms. Curry:

RE: Case Number: 08-335-A, 1014 Handy Avenue

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 29, 2008. This letter is not an approval, but only a NOTIFICATION.

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:amf

Enclosures

People's Counsel

Jeremy Clancy 7051 Macbeth Way Eldersburg 21784



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111, 2007
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 11, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 04, 2008

Item Number: 325,326,328,329,330,331,332,333,334 335 336,338,339

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.

1The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4880 (C)443-829-2946 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: February 7, 2008

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 11, 2008

Item Nos. 07-456, 08-325, 326, 328, 329, 330, 331, 333, 334, 335, 336, 338, and 339

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- 02072008.doc



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor John D. Porcari, Secretary Neil J. Pederson, Administrator

Maryland Department of Transportation

Date: FEB. 4, 2008

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

RE: Baltimore County

Item No. 8-335 -A
1014 HANDY AVENUE
CUILRY PROPERTY
APPLIANCE OF THE VORIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-385-4.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Engineering Access Permits

Division

SDF/MB

DATE: February 11, 2008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Amold F, 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

1014 Handy Avenue

INFORMATION:

Item Number:

8-335

Petitioner:

Veronica Curry

Zoning:

DR 5.5

Requested Action:

Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and site plan. It appears that the proposed addition will impact the side yard set back of the dwelling negatively. The petitioner requests a 1-foot setback on the southern side of the dwelling. The Office of Planning does not favor setbacks of this nature due to their not being enough area remaining for maintenance and passage without the possibility of disrupting the neighboring property. This office recommends the petitioner redesign the proposed addition to not impact the side yard setback to the proposed extent. In this circumstance there should at least be 4 feet remaining between the side building face and the property line.

Alternately with the cooperation of the adjacent owner, an easement for maintenance could be established.

For further information concerning the matters stated here in, please contact Dennis Wertz at 410-887-

3480.

Reviewed by:

Division Chief:

AFK/LL: CM



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

February 28, 2008

VERONICA CURRY 1014 HANDY AVENUE CATONSVILLE MD 21228

Re: Petition for Administrative Variance

Case No. ()8-335-A

Property: 1014 Handy Avenue

Dear Ms. Curry:

Your request for Administrative Variance has been given to me for review. We are in receipt of Zoning Advisory Committee (ZAC) comments from the Office of Planning that recommends the addition be redesigned so that there is at least four feet between the side building face and the property line. I am enclosing a copy of this ZAC comment for your review.

Please write to me at your earliest convenience if you are able to modify the site plan and comply with their recommendation. If not, I will schedule a public hearing on this matter. I will keep the record on this case open until I hear from you in writing.

Thank you for your attention and cooperation in this matter.

Very truly yours,

THOMAS H. BOSTWICK Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure



1708 Cannongate Rd., Forest Hill, MD 21050 Call Toll Free 1-877-638-1803 MHIC # 45316

March 13, 2008

Thomas H. Bostwick Baltimore County Maryland County Courts Building 401 Bosley Avenue, Suite 405 Towson, MD 21204

Re: Case No 08-335-A

Dear Mr. Bostwick:

This is in response to your letter dated February 28, 2008 regarding a variance for Veronica Curry residing at 1014 Handy Avenue, Catonsville, MD 21228. We are able to modify the site plan and reduce the building by 3 feet in order to comply with the recommendations to get the 4 feet set back that is required between the side building face and the property line. The building will be 11 feet instead of 14 feet so that we may obtain a building permit.

BY:____

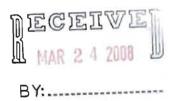
If you have any additional questions, please contact our office at (410) 638-1803. Thank you for your help in this matter.

Sincerely,

Donna Muszynski Office Manager

Donna Muszynski

March 20, 2008



Mr. Thomas H. Bostwick

Re: Petition for Administrative Variance

Case No. 08-335-A

Property: 1014 Handy Avenue

Deputy Zoning Commissioner for Baltimore County County Courts Building 401 Bosley Avenue, Suite 405 Towson, MD 21204

Dear Mr. Bostwick:

I am writing to you to inform you that I will be able to modify the site plan to comply with the Zoning Advisory Committee (ZAC), from the Office of Planning. The Committee recommended that the new addition to my home be at least four feet between the side building face and the property line. My parents, George & Laura Christian, are my next door neighbors at 1012 Handy Avenue, and they have been supportive of this addition from day one.

I am enclosing drawings that I have currently, of the addition, and soon I will forward the modified site plan to show that the new addition will be four feet from the property line. I have a contract with Kris Konstruction Company, @ 1708 Cannongate Road, in Forest Hill, MD 21050, and Mr. Kris recently submitted the new site plan to me that is enclosed with this letter.

Please contact Mr. Kris at 410-638-1803, or contact me at 410-583-6214, if additional information is needed. My home number is 410-747-8925 and my cell number is 443-831-5243.

Thank you for your assistance in this matter.

Sincerely yours,

Veronica G. Curry (soon to be Braswell)

Throng G. Cury

Homeowner

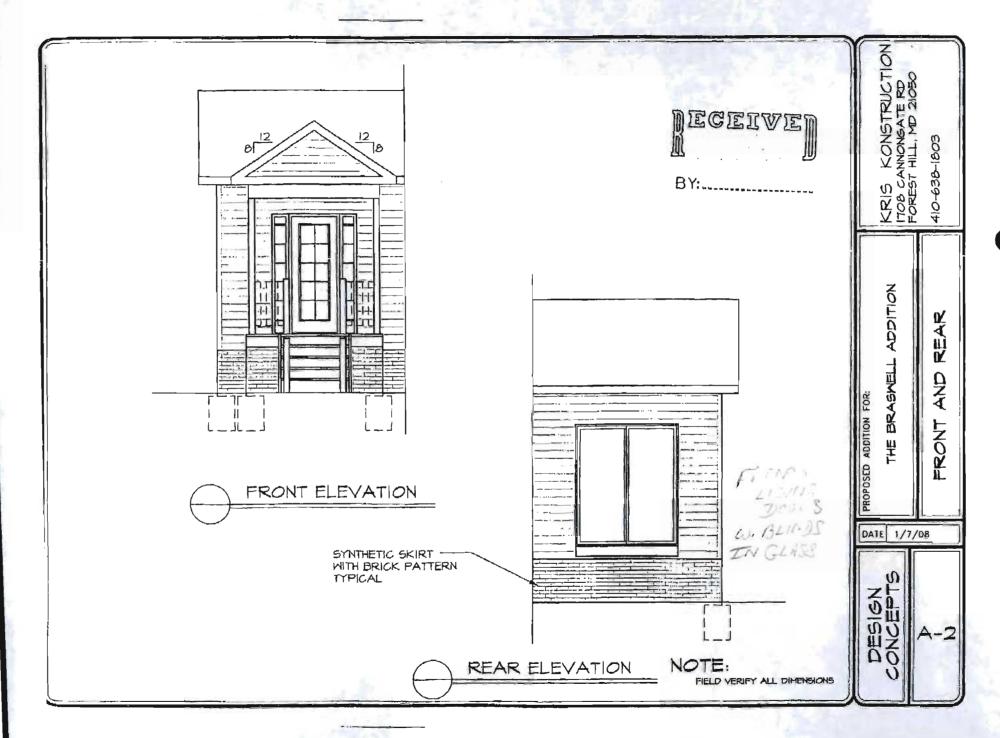
attached are the elenation drawings nat the revised site plan -

14

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE PROPERTY ADDRESS 1014 HANDY DUE. COMPANY PEGES 5 8 6 OF THE CHECKLIST FOR	OR ADDITIONAL REQUIRED INFORMATION
PLAT BOOK # T FOLIO # 170 LOT # 134 SECTION # NA	-15
	System &
OWNER_VERDICA CUTTY 50' LOT 135 LOT 134 8 LOT 131 Willie: Annie Proposition	VICINITY MAP
EXISTING EXISTING EXISTING FRONT FRONT FORT FORT	LOCATION INFORMATION ELECTION DISTRICT 5 ^t COUNCILMANIC DISTRICT 5 ^t I"=200' SCALE MAP # DAYC3 ZONING DR S.S LOT SIZE 017 7 SDD ACREAGE SQUARE FEET PUBLIC PRIVATE SEWER PUBLIC PRIVATE SEWER YES NO CHESAPEAKE BAY CRITICAL AREA
HANDY AVE (50'E W. 40' PAVING)	HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING
NORTH PREPARED BY SCALE OF DRAWING: 1" = 30'	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE # DT. 335 08-335-A



08-335-A



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p.2

EXISTING HOUSE REMOVE EXISTING WALL NEW GIRDER TRUSS ABOVE 5'-6" NEW ROOM <u>-</u>-5-6 3056 3056 13056 3056 3056 3'-8" 3'-8" 3'-8" 3'-8" 3'-8" 28'-0" FLOOR PLAN EXISTING WALL

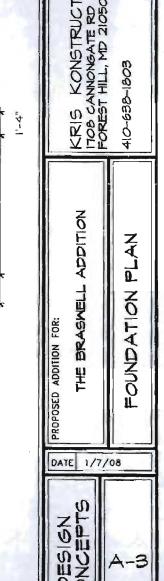
NEW WALL

p.5

p.6

Ģ





6'-IO I/2"

FOUNDATION PLAN

NOTE:

FIELD VERIFY ALL DIMENSIONS

EXISTING WALL

NEW WALL

bushard -

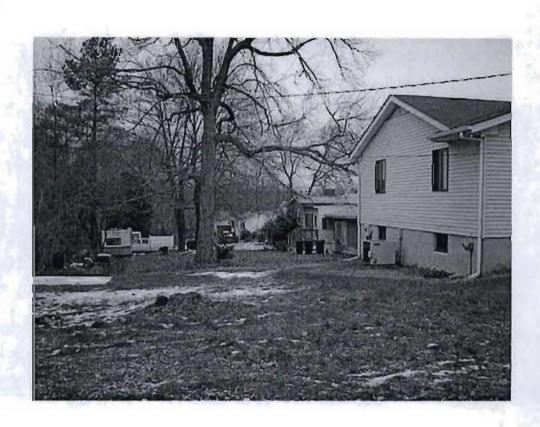


FROM OF SUST. PROPERTY





REAR OF SUBJ Prop.



Rear of Suby propurty

3

proposed escation



LEET SIDE OF SUDJ POR

(b)

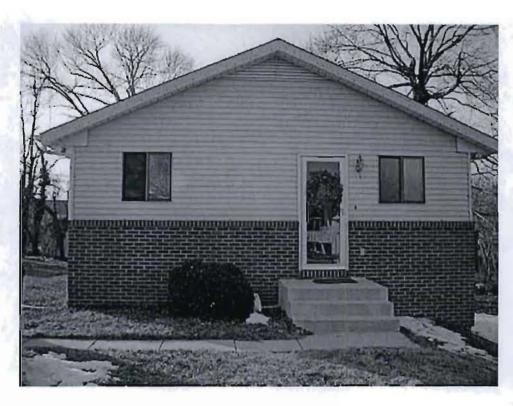
Front of Ex. House





cest side or subj. p-1.





From or subj. prop.



Rear yard.





Roor yard.