



# BOARD OF APPEALS APPLICATION

RECEIVED

APPLICATION FOR VARIANCE, APPEAL, OR WAIVER

NOV 11 2019

City of Snellville  
Planning & Development Department  
2342 Oak Road, 2<sup>nd</sup> Floor  
Snellville, GA 30078  
Phone 770.985.3514 Fax 770.985.3551 [www.snellville.org](http://www.snellville.org)

CITY OF SNELLVILLE  
PLANNING & DEVELOPMENT

CASE # **BOA 19-00575**

2240 PINEHURST RD #1900575  
BOA VARIANCE #19-10  
PARCEL- 5040A 044

**Applicant is:** (check one)  
 Owner's Agent  
 Contract Purchaser  
 Property Owner

**Owner:** (if not the applicant, there are additional property owners and attach additional sheets.)

BOBBY HOWARD  
Name (please print)  
2240 Pinehurst Rd.  
Address  
Snellville, GA 30078  
City, State, Zip Code  
7-982-3732 4-583-1099  
Phone Number(s) cell  
Fax

\_\_\_\_\_  
Name (please print)  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_  
Phone Number(s) Fax

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Application for:** (check one)  
 Appeal  Variance from Zoning Ordinance  Variance from Municipal Code  Waiver of Development Regulations

Section(s) of Zoning Ordinance VARIANCE request is for: 7.1 ACCESSOR USES OR STRUCTURES "D" "E"  
Section(s) of Municipal Code VARIANCE request is for: \_\_\_\_\_  
Section(s) of Development Regulations WAIVER request is for: \_\_\_\_\_  
Property Address/Location: 2240 Pinehurst Rd District: 5<sup>th</sup> Land Lot: 40A Parcel(s): LOT 2 Block B  
State the purpose of this request: Build 12x20 SHED

**At a minimum, the following items are required with submittal of this application. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

- ✓ Pre-submittal appointment shall be requested and completed a minimum of five (5) business days prior to Application deadline to ensure application is complete, accurate, and includes all required attachments/exhibits and required signatures;
- ✓ Payment of the appropriate application and public notice sign fees. Make checks payable to *City of Snellville*;
- ✓ Letter of Intent explaining the reason for the request for the variance, appeal, or waiver;
- ✓ The names, addresses, and original signatures of the owners of the subject parcel(s) and their agents, if any;
- ✓ Analysis of impact (if variance application) or details of grievance (if appeal) or details of waiver request (if waiver) as per Section 14.5;
- ✓ A current legal description of the subject parcel(s). If the property proposed for a variance, appeal, or waiver includes multiple parcels, provide a separate legal description for each individual parcel, together with a composite legal description for all parcels;
- ✓ Verification from county Tax Assessor that all property taxes have been paid and account is current (for all parcels subject to this application). Applicant to obtain confirmation of taxes paid using original Verification Sheet (attached);
- ✓ A Certificate of Title (for all parcels subject to this application);
- ✓ Map indicating the subject parcel(s) and the adjoining parcel(s), identified by property owner(s) name and tax parcel number;
- ✓ VARIANCE or WAIVER applications only: Nine (9) copies and one (1) original of the proposed Site and Concept Plan and one (1) 11" x 17" (or smaller) reduction of the plan, drawn to scale, showing: (a) north arrow; (b) district, land lot(s) and parcel number(s); (c) the dimensions with bearing and distance; (d) acreage; (e) location of the tract(s), (f) the present zoning and land use classification of all adjacent parcels, (g) the proposed location of structures, driveways, parking and loading areas; (h) the location and extent of required buffer areas; and (i) location of floodplains. Site and Concept Plan shall be prepared by an architect, engineer, landscape architect, or land surveyor whose Georgia state registration is current and valid. Site plan must be stamped and sealed by one of the four above-mentioned professionals no more than six (6) months prior to the date of submittal. All documents must be folded to 8-1/2" x 11";
- ✓ Nine (9) stapled or bound copies of: (a) completed application; (b) Letter of Intent; and (c), Any and all supporting documents. In addition, one (1) unbound application (original) bearing original signatures and all other required documents.
- ✓ A CD-ROM containing a digital file of: (a) site plan in .pdf and .dwg file formats, (b) legal description(s) in .pdf file format, and (c) completed and signed Variance, Appeal, and Waiver application (and all supporting documents) in .pdf file format;

If request is for an APPEAL, please discuss your grievance in detail. You may attach additional sheets and provide additional documentation as appropriate:

N/A

A VARIANCE from the terms of the Snellville Zoning Ordinance or Development Regulations shall not be granted by the Board of Appeals unless and until the applicant has **demonstrated** the following. You may attach additional sheets and provide additional documentation as appropriate:

- 1) **Demonstrate** that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same zoning district.  
*while my GOAL IS TO ALWAYS IMPROVE MY PROPERTY and this will do this IN A COST effective way and the support of all of my neighbors to make the improvements is appreciated.*
- 2) **Demonstrate** that literal interpretation of the provisions of the Zoning Ordinance or Development Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance or Development Regulations.  
*The Board approved a very similar REQUESTS IN 2011 for another PROPERTY I owned Here In the City.*
- 3) **Demonstrate** that the special conditions and circumstances do not result from the actions of the applicant.  
*My intent is to improve my property for the long term enjoyability of my Home. REAR YARD & Privacy Fence*
- 4) **Demonstrate** that granting the variance (or waiver) requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance or Development Regulations to other lands, structures, or buildings in the same zoning district.  
*Granting the variance would confer on the applicant special Privilege. However, similar variances have been approved IN the PAST.  
My case IN 2011 CASE # BOA-11-09 IS AN example of this.*

**Please Note:** Non-conforming uses of adjacent properties cannot be considered as grounds to justify a variance. Peculiar conditions or circumstances which are the result of actions of the owner of property covered by this application cannot be considered as grounds justifying a variance. A "use variance", i.e. a variance for the purpose of using land or a structure, or combination thereof for a purpose prohibited by the present zoning classification of the property covered by this application will not be granted.

**BOARD OF APPEALS CERTIFICATIONS**

In the event an owner's agent or contract purchaser is filing this application, both of the certifications below must be completed. If the owner is filing the application, only the Owner's Certification must be completed.

APPLICANT'S CERTIFICATION

The undersigned below, or as attached, is authorized to make this application. The undersigned is aware that, should this request be denied by Board of Appeals, no application affecting any portion of the same property shall be submitted less than twelve months from the date of denial.

John Howard 11-11-19  
Signature of Applicant Date

JOHN HOWARD  
Type or Print Name and Title

Notary Seal

Cornelia Wilson 11-11-19  
Signature of Notary Public Date

Cornelia Wilson 11/11/19

Cornelia B Wilson  
NOTARY PUBLIC  
Gwinnett County, GEORGIA  
My Comm. Expires 08/07/2021

OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that, in granting any variance or waiver, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the Zoning Ordinance and/or Development Regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the Zoning Ordinance and punishable under Section 16.3 of the Zoning Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the waiver is granted, shall be deemed a violation of the Development Regulations and punishable under Section 13.5.2 of the Development Regulations. If an application for a variance or waiver is denied by the Board of Appeals, a reapplication for such for such variance or waiver may not be made earlier than twelve (12) months from the date of the original application.

Check here if there are additional property owners and attach additional "Owner's Certification" sheets.

John Howard 11-11-19  
Signature of Owner Date

JOHN HOWARD  
Type or Print Name and Title

Notary Seal

Cornelia Wilson 11/11/19  
Signature of Notary Public Date

Cornelia B Wilson  
NOTARY PUBLIC  
Gwinnett County, GEORGIA  
My Comm. Expires 08/07/2021

Neighbors Contacted regarding Proposed Project at 2240 Pinehurst Road by Bobby Howard.

I made contact Sunday 11/10/2019 with each of the following neighbors regarding my proposed building of a shed in my backyard and showed a rendering of proposed building. I also advised them they would be receiving a letter from the City of Snellville.

None expressed any objection nor concern to me regarding the project.

Mohammad Noorullah  
2250 Pinehurst Road

Brian Hopper  
2138 Dogwood Circle

Hendrick Reid (spoke to his son) He would relay to his father. I have not heard from him any objection.  
2015 North Rd

Juan Salmeron  
2005 North Road

My belief is, this structure does not in any way infringe on the community, cause any danger, obstruction, nuisance, noise nor will the building structure cause any concern, hindrance, amongst any of my neighbors or visitors to our neighborhood, or emergency personnel. My home is a home where memories are being created and good times shared; it's a space where my family and their loved ones will grow together for generations.

Again, I believe the accessory building fits nicely with the my residence and the existing structures throughout the community and the neighbors are in support of me and this project.

Return to: Terry L. Lloyd, PC  
10 Lumpkin Street  
Lawrenceville, GA 30046

STATE OF GEORGIA  
COUNTY OF GWINNETT

**QUITCLAIM DEED**

**THIS INDENTURE**, made the 9<sup>th</sup> day of 2014, 2014, between **Nancy Howard**, of the County of Gwinnett, and the State of Georgia, as party of the first part, hereinafter called Grantor, and **John Howard** of the County of Gwinnett, and the State of Georgia, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH:** That **GRANTOR**, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged by these presents does hereby remise, convey and forever **QUITCLAIM** unto the said **GRANTEE**,

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 40 OF THE 5<sup>TH</sup> DISTRICT OF GWINNETT COUNTY, GEORGIA, BEING LOT 2, BLOCK B OF DOGWOOD ESTATES SUBDIVISION, PER PLAT RECORDED IN PLAT BOOK N, PAGE 111, IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF GWINNETT COUNTY, GEORGIA RECORDS, WHICH PLAT IS REFERRED TO AND INCORPORATED HEREIN BY REFERENCE.**

**THIS QUITCLAIM DEED IS GIVEN PURSUANT TO A DIVORCE BETWEEN THE PARTIES IN THE SUPERIOR COURT OF GWINNETT COUNTY, CIVIL ACTION FILE NO. 13-A-09547-7.**

**TO HAVE AND TO HOLD** the said described premises to **GRANTEE**, so that neither **GRANTOR** nor any person or persons claiming under **GRANTOR** shall at any time, by any means or ways, have, claim or demand any right to the title to said premises or appurtenances, or any rights thereof.

**IN WITNESS WHEREOF**, the **GRANTOR** has signed and sealed this Deed, the day and year first above written.

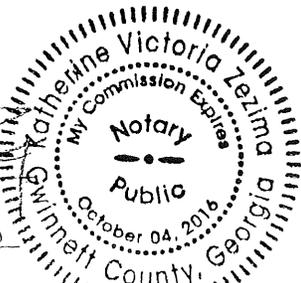
Nancy Howard (SEAL)  
NANCY HOWARD

Signed, sealed and delivered in the presence of:

[Signature]  
UNOFFICIAL WITNESS

Sworn to and subscribed before me  
This 9<sup>th</sup> day of April, 2014.

Katherine Victoria  
NOTARY PUBLIC  
My commission expires 10/4/2016





# BILL DETAIL

[View/Pay Your Taxes](#) / [Account Detail](#) / [Bill Detail](#)

## Tax Account

**Mailing Address:**

HOWARD JOHN ROBERT  
2240 PINEHURST RD  
SNELLVILLE , GA 30078-2565

**SITUS:**

2240 PINEHURST RD

**Tax District:**

SNELLVILLE

**Parcel ID**

R5040A044

**Property Type**

Real Property

**Last Update**

11/10/2019 6:06:43 PM

**Legal Description**

BB DOGWOOD ESTATES

## Tax Values

Description	Market Value	Assessed Value
Land	\$36,000.00	\$14,400.00
Improvement	\$144,500.00	\$57,800.00
Total	\$180,500.00	\$72,200.00

**Class Codes**

101-Residential SFR

### Assessments

Operation		Net Tax	Savings
<u>School Taxes</u>		\$1,343.54	\$78.80
<u>STATE OF GEORGIA TAXES</u>		\$0.00	\$0.00
<u>City of Snellville Taxes</u>		\$317.49	\$13.76
<u>County Incorporated No Police</u>		\$405.42	\$414.70
	Sub Total	\$2,066.45	\$507.26
Bond		Net Tax	Savings
<u>School Taxes</u>		\$137.18	\$0.00
<u>County Incorporated No Police</u>		\$0.00	\$0.00
	Sub Total	\$137.18	\$0.00
Special Assessment		Net Tax	Savings
<u>SNELLVILLE STORMWATER FEES</u>		\$57.33	\$0.00
	Sub Total	\$57.33	\$0.00
	Total Tax	\$2,260.96	\$507.26

### Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	23728429	10/15/2019	2019	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Due:</b>				\$0.00	\$0.00	\$0.00	\$0.00

### Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2019	23728429	U19.17466	\$2,260.96	10/11/2019

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Select Language ▼

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**Administration Login**



# GWINNETT COUNTY ENVIRONMENTAL HEALTH RESIDENTIAL SEWAGE/ADDITION PERMIT APPLICATION

Application Date: 10-11-19

Map # \_\_\_\_\_

### OWNER INFORMATION (Please Print)

Name BOBBY HOWARD  
Address 2240 PINETURST RD  
City, State, Zip SNELLVILLE GA 30078  
Home Phone (no) 982-3732  
Work Phone ( ) \_\_\_\_\_  
Fax ( ) \_\_\_\_\_  
Other Phone (404) 583-1099 (BEST)  
E-MAIL BOBBYHOWARD1959@GMAIL.COM

### APPLICANT INFORMATION (Please Print)

Name SAME AS  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Home Phone ( ) \_\_\_\_\_  
Work Phone ( ) \_\_\_\_\_  
Fax ( ) \_\_\_\_\_  
Other Phone ( ) \_\_\_\_\_  
E-MAIL \_\_\_\_\_

### PROPERTY INFORMATION (must be completed)

New Construction on Undeveloped Lot       Addition to Existing Property/Structure

Address: 2240 PINETURST Rd City SNELLVILLE  
Subdivision DOGWOOD ESTATES Lot 2 Block B  
Current # Bedrooms 3 # Bedrooms After Addition(s) 3  
Building Design: Basement / Crawl Space / Slab (Basement w/ Plumbing)  
Stub out location: Basement / Crawl Space / Slab (Basement w/ Plumbing)  
Lot Size (Sq. Ft.)\*\* 27986 Soil Type (if known) \_\_\_\_\_  
Property Water: Public / Well Tax ID 5040A044

Garbage Disposal:  Yes /  No

Check all that are on or within 100' of property:

Creeks \_\_\_ Ponds \_\_\_ Wells, Springs, Sink Hole \_\_\_ Embankments \_\_\_ Gullies \_\_\_

Locations: \_\_\_\_\_

Describe Addition:

12 X 20 STORAGE SHED

**APPROVED**

GWINNETT COUNTY ENVIRONMENTAL HEALTH

A Westcott  
DATE

10-16-19

Type of Septic Field Product Requested:

\*\*Square Feet = Acres x 43,560

## Existing On-site Sewage Management System Performance Evaluation Report Form

<b>Property Owner/ System Owner Name:</b> BOBBY HOWARD		<b>Tax ID: R5040A044</b>		<b>Reason for Existing Sewage System Evaluation: (circle)</b> (1) Loan Closing for Home Sale (2) Refinance (3) Home Addition (Non-bedroom) Type: _____ (4) Swimming Pool Construction <input checked="" type="radio"/> (5) Structure Addition to Property Type: ADDING A... (6) Mobile Home Relocation
<b>Property/ System Address:</b> 2240 Pinehurst Rd		Snellville GA 30078		
<b>Subdivision Name:</b>	<b>Lot:</b>	<b>Block:</b>		
<b>Existing System Information:</b> Water Supply (circle)		Number of Bedrooms/GPD: 3	Garbage Grinder: (circle) <input type="radio"/> (1) Yes <input checked="" type="radio"/> No	
<input checked="" type="radio"/> Public <input type="radio"/> (2) Private Well <input type="radio"/> (3) Community				

### SECTION A - System on Record

<input checked="" type="radio"/> Yes <input type="radio"/> (2) No	Existing On-site Sewage Management System inspection records indicate that all components of the system were properly constructed and installed at the time of the original inspection.	<b>Comments:</b> NO RECORDS SUBMITTED _____ _____ _____ _____		
<input checked="" type="radio"/> Yes <input type="radio"/> (2) No	A copy of the original On-site Sewage Management System Inspection Report is attached.			
<input type="radio"/> (1) Yes <input checked="" type="radio"/> No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years <b>or</b> the system was installed within that timeframe.			
<input checked="" type="radio"/> Yes <input type="radio"/> (2) No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system.			
<b>Evaluating Environmentalist:</b> LEW		<b>Title:</b> EHS 4	<b>Date:</b> 10/16/2019	I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by

### SECTION B - System Not on Record

<input type="radio"/> (1) Yes <input type="radio"/> (2) No	No inspection records are on file showing the On-site Sewage Management System was inspected and approved at the time of the installation.	<b>Comments:</b> _____ _____ _____ _____ _____		
<input type="radio"/> (1) Yes <input type="radio"/> (2) No	The septic tank was uncovered at the time of the evaluation and it appears to meet the required design, construction and installation criteria.			
<input type="radio"/> (1) Yes <input type="radio"/> (2) No	Documentation from a Georgia Certified Installer has been provided as to the condition of the septic tank and its respective components, certifying its design, construction, and installation criteria. A copy is attached.			
<input type="radio"/> (1) Yes <input type="radio"/> (2) No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years <b>or</b> the system was installed within that timeframe.			
<input type="radio"/> (1) Yes <input type="radio"/> (2) No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system; however, appropriateness of the sizing and installation cannot be verified since no initial inspection records exist.			
<b>Evaluating Environmentalist:</b>		<b>Title:</b>	<b>Date:</b>	I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by

### SECTION C - System Not Approved

<input type="radio"/> (1) Yes <input type="radio"/> (2) No	The On-site Sewage Management System was disapproved at the time of the initial installation and is thus not considered an approved system.	<b>Comments:</b> _____ _____ _____		
<input type="radio"/> (1) Yes <input type="radio"/> (2) No	Evaluation of the system revealed evidence of system failure or malfunction, and will therefore require corrective action in order to obtain approval of the system.			
<input type="radio"/> (1) Yes <input type="radio"/> (2) No	Evaluation of the system revealed conditions which would adversely affect the proper functioning of the system, and will therefore require corrective action in order to obtain approval of the system.			
<b>Evaluating Environmentalist:</b>		<b>Title:</b>	<b>Date:</b>	I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by

### SECTION D - Addition to Property or Relocation of Home (section completed in conjunction with A, B, or C above)

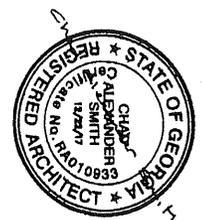
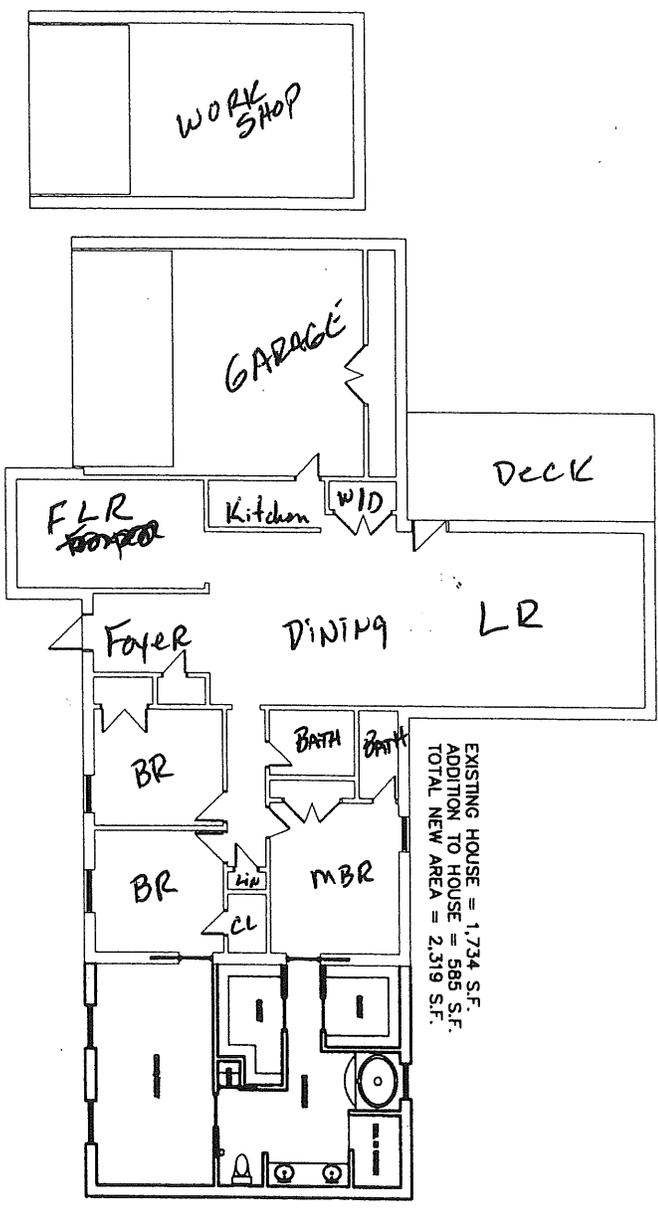
<input checked="" type="radio"/> Yes <input type="radio"/> (2) No	An existing On-site Sewage Management System is located on the property listed above and has been evaluated in accordance with Section A or B above.	<b>Comments:</b> ADDING A 12'X20' STORAGE SHED		
<input checked="" type="radio"/> Yes <input type="radio"/> (2) No	A site evaluation on this date as well as the provided information indicate that the proposed construction to home or property <b>or</b> that the proposed relocation of the home should not adversely affect the proper functioning of the existing system provided that no additional sewage load is added to the system for the listed size	Number of Bedrooms/GPD: 3	Garbage Grinder: (circle) <input type="radio"/> (1) Yes <input checked="" type="radio"/> No	
<b>Evaluating Environmentalist:</b> LEW		<b>Title:</b> EHS 4	<b>Date:</b> 10/16/2019	I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.



OVERALL FLOOR PLAN

SCALE: 1/16" = 1'-0"

future floor plan.



SHEET TITLE  
OVERALL FLOOR PLAN

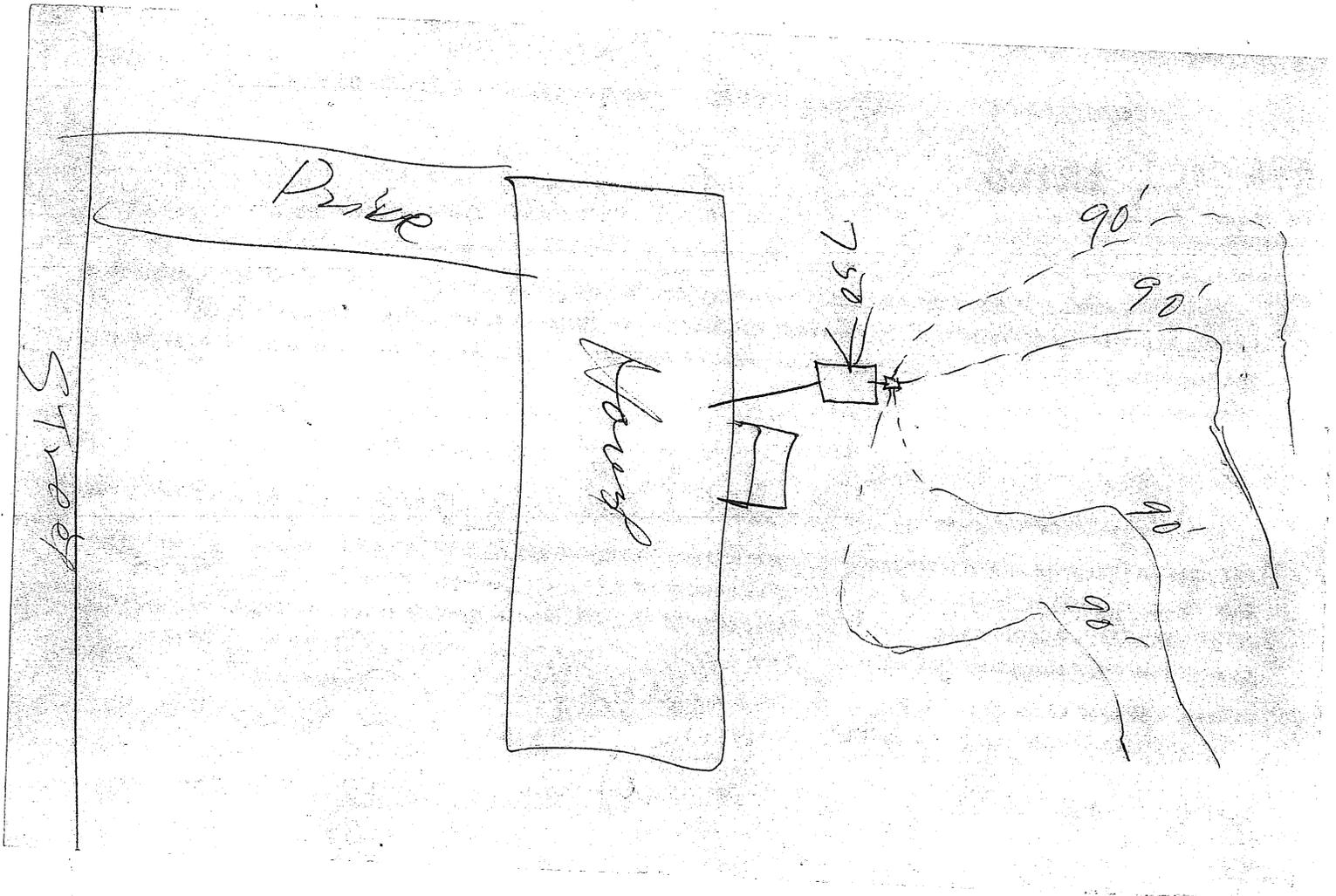
SHEET NUMBER  
**A200**

PROJECT  
ADDITIONS FOR  
HOWARD HOUSE  
2240 PINEHURST ROAD  
SNELLVILLE, GEORGIA 30078

ARCHITECT  
**cas** architecture

PROJECT 17106	DATE 12.22.2017	FILE 17106_A200.dwg
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www.casarc.com



5040 A 044

PERMIT FOR SEWAGE DISPOSAL SYSTEM - GWINNETT COUNTY HEALTH DEPARTMENT

*RM*

PERMIT NO.

12120

2240 Lixhurst Rd

OWNER

*Mc Culley, Kenneth*  
*Beth B. Woodward*

DATE

2-6-69

LOCATION

Lot # 2  
Snellville

I HEREBY APPLY FOR A PERMIT TO CONSTRUCT (REPAIR) (CLEAN OUT) A SEWAGE DISPOSAL SYSTEM AT THE ABOVE ADDRESS IN ACCORDANCE WITH REQUIREMENTS OF THE SANITARY REGULATIONS OF GWINNETT COUNTY WITH WHICH I AM FAMILIAR. THE BUILDING IS TO CONTAIN: 3 BEDROOMS ..... GARBAGE GRINDER ..... WASHING MACHINE ..... SINK ON SEPARATE SYSTEM LOAN .....

APPLICANT

*EH*  
*Howard Turnage*

BASED ON INFORMATION FURNISHED BY

PERMIT IS HEREBY GRANTED HIM TO CARRY

OUT WORK AS SPECIFIED AND DESCRIBED HEREON. SEPTIC TANK DIMENSIONS: (3 1/2 X 7 X 5) (4 X 8 X 5) OTHER .....

TILE FIELD: SQ. FEET OF TRENCH BOTTOM 90 ..... TOTAL LENGTH OF TILE LINES 50 FEET. WIDTH OF TRENCH 30 INCHES.

NO. OF LINES 4 ..... LENGTH OF EACH LINE 90 FEET. DEPTH OF TILE 36 INCHES. TYPE OF FILTER MATERIAL B-S

SINK OR WASH TRAP DIMENSIONS: (2 X 3 X 3) (3 DIA. X 3) TILE FIELD: LENGTH ..... FT. WIDTH ..... INCHES.

NEAREST LOT LINE AT ..... FRONT:  ..... SIDE:  ..... REAR: ..... FEET.

DISTRIBUTION BOX REQUIRED

1, 30 or 20' elev

DATE OF INSPECTION 2/7/69

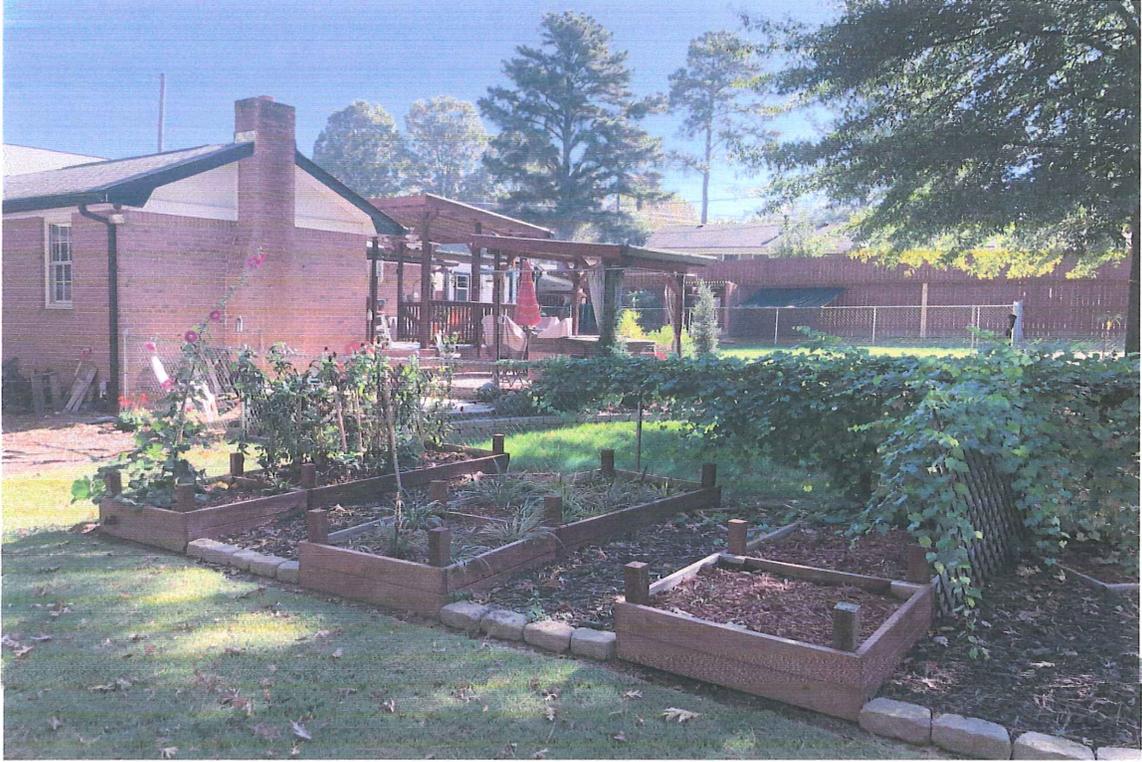
WATER SUPPLY

BY

*Howard Reese*  
FOR THE DEPARTMENT OF HEALTH



REAR YARD



REAR YARD



FRONT YARD



Front YARD



**Building Location**