



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: CV12-002/12315-00000-00010
Date Received: 1/9/12
Application Accepted By: S.P. Fee: \$1,760
Comments: Assigned to Shannon Pine, 645-2208
spine@columbus.gov

LOCATION AND ZONING REQUEST: 35-57

Certified Address (for Zoning Purposes) ~~0000~~ Sunnyside Lane, Columbus, OH Zip 43214

Is this property currently being annexed into the City of Columbus Yes No
If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-110760-00

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): C4

Recognized Civic Association or Area Commission: Clintonville AREA Commission

Proposed use or reason for Council Variance request: To obtain lot splits to separate 4 two family dwellings into individual lots.

Acreage: 1.11

APPLICANT: Name KENNETH W. PELTIER

Address 4065 SATURN RD City/State HILLIARD, OH Zip 43026

Phone # 614-850-8097 Fax # _____ Email: spel@columbus.rr.com

PROPERTY OWNER(S): Name Kenneth W & Barbara Peltier

Address 4065 Saturn Road City/State Hilliard, OH Zip 43026

Phone # 614 850-8097 Fax # _____ Email: spel@columbus.rr.com

Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT

Attorney Agent

Name Marie Foeller / DENNIS SWARTZ - BUYERS + SELLERS REALTY

Address 7640 Slate Ridge Blvd City/State Reynoldsburg, OH Zip 43068

Phone # 614 755-2000 Fax # 614 755-2704 Email: mariefoeller@netscape.net

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE Kenneth W Peltier

PROPERTY OWNER SIGNATURE Kenneth W Peltier

ATTORNEY (AGENT) SIGNATURE Marie Foeller

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer



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CV12-002

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code
Section 3307.10 Variances by City Council

- A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of Public Streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance requested as detailed below:

I am trying to get a lot split on the land I own that is on one parcel with split zoning. With current zoning no one

can purchase the parcel because it is non conforming unless they pay cash. I had the whole parcel for sale

for over 4 years with no offers so I am now trying to split the parcel into 4 separate lots so I can sell each

building separately.

Doing this will not change or impair health, safety or welfare of the public. It will make it easier for me to

sell.

Signature of Applicant Kenneth W. Packer Date 1/9/12

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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV12-002

STATE OF OHIO _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME KENNETH W. PELTIER
of (1) MAILING ADDRESS 4065 SATURN RD HILLIARD, OH 43026

deposed and states that (he/she) is the applicant, agent, or ~~duly authorized attorney for same~~ and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per CERTIFIED ADDRESS FOR ZONING PURPOSES 55-57 SUNNYSIDE LANE COLUMBUS, OH 43214
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Kenneth & Barbara Peltier
4065 Saturn Road
Hilliard, OH. 43026

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

KENNETH W. PELTIER
614-850-8097

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) Clintonville AREA Commission
ATTN: NICK CIPITI
4040 N. HIGH ST. #37
COLUMBUS, OH 43214

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property(7)

(7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

(8) Kenneth W. Peltier

Subscribed to me in my presence and before me this 9th day of January, in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8) Debora Baker

My Commission Expires:

Feb 1, 2014

Notary Seal Here



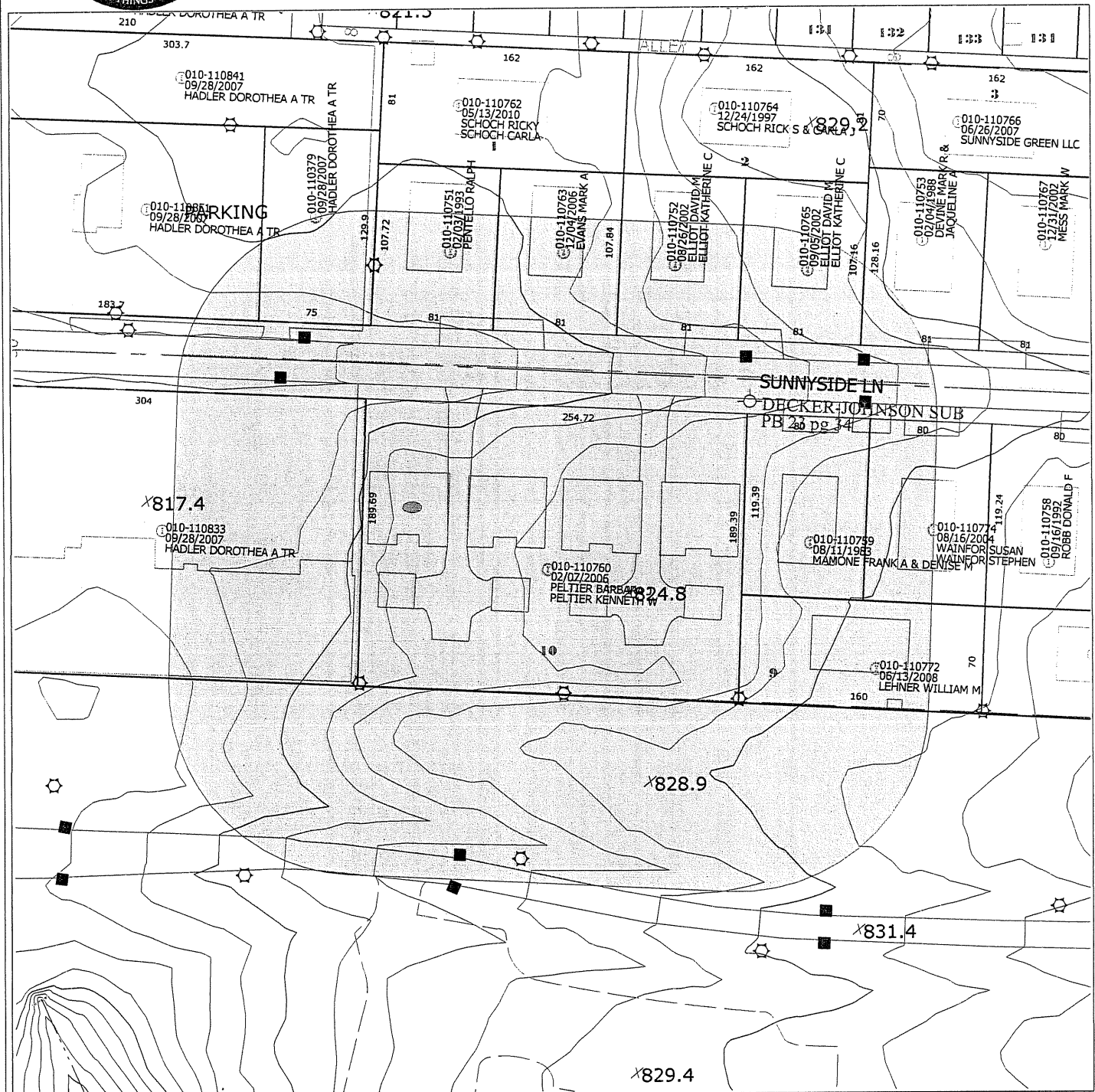
DEBORA BAKER
NOTARY PUBLIC
STATE OF OHIO
MY COMM. EXP.
FEB 1, 2014

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CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s DATE: 1/4/12



Disclaimer

Scale = 97'



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

APPLICANT/PROPERTY OWNER

CIVIC ASSOCIATION

AGENT

Kenneth W & Barbara Peltier
4065 Saturn Rd
Hilliard, OH 43026

Clintonville Area Commission
c/o Nick Cipiti
4040 N High St #37
Columbus, OH 43214

Buyers & Sellers Realty
c/o Dennis Swartz
7640 Slate Ridge Blvd
Reynoldsburg, OH 43068

SURROUNDING PROPERTY OWNERS:

Mailing addresses of all property owners within 125'

State of Ohio
5220 N High St
Columbus, OH 43214

Dorothea A Hadler, Tr
2000 W Henderson Rd Ste 500
Columbus, OH 43220

Ralph Pentello
12829 Duncan Plains Rd
Johnstown, OH 43031

David M & Katherine C Elliot
14608 Centerburg Rd
Sunbury, OH 43074

Mark R & Jacqueline A Devine
PO Box 14357
Columbus, OH 43214

Frank A & Denise M Mamone
7747 Chancel Dr
Columbus, OH 43235

Mark A Evans
3695 Kilkenny Dr
Columbus, OH 43221

William M Lehner
65 Sunnyside Ln
Columbus, OH 43214

Susan & Stephen R Wainfor
3960 Kioka Ave
Columbus, OH 43220

CV12-002



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PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # CV12-002

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] KENNETH W. PELTIER

Of [COMPLETE ADDRESS] 4065 SATURN RD HILLIARD, OH 43026

deposes and states that [he/she] is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following formats

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. <u>KENNETH W. PELTIER</u> <u>4065 SATURN RD</u> <u>HILLIARD, OH 43026</u>	2. <u>BARBARA J. PELTIER</u> <u>2905 1ST LANE</u> <u>VERO BEACH, FL 32968</u>
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Kenneth Peltier

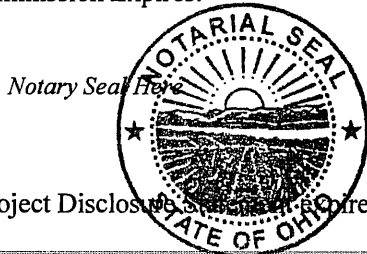
Subscribed to me in my presence and before me this 9th day of January, in the year 2012

SIGNATURE OF NOTARY PUBLIC

Debra Baker

My Commission Expires:

Feb 1, 2014



DEBRA BAKER
NOTARY PUBLIC
STATE OF OHIO
MY COMM. EXP.

FEB 1, 2014

This Project Disclosure expires 90 days after date of notarization.

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Please make all checks payable to the Columbus City Treasurer

DESCRIPTION OF A 0.275 ACRE
LYING SOUTH OF SUNNYSIDE LANE
AND EAST OF NORTH HIGH STREET

TRACT 1

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Farm Lot 86, Quarter Township 3, Township 2, Range 18, United States Military Lands, and being part of Lot 10 of DECKER-JOHNSON SUBDIVISION of record in Plat Book 23, Page 34, as conveyed as Parcel Four to Barbara J. and Kenneth W. Peltier, of record in Instrument Numbers 200105170109115 and 200602090025861, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Beginning at a 1 inch rebar found in the southerly right-of-way line of Sunnyside Lane (50 feet wide) and at the northerly common corner of said Lot 10 and the tract conveyed as Parcel X to Dorothea A. Hadler, Trustee, of record in Instrument Number 200709280170567;

Thence South 89° 51' 00" East, a distance of 63.34 feet, along the southerly right-of-way line of said Sunnyside Drive and the northerly line of said Lot 10, to an iron pin set;

Thence South 00° 09' 08" West, a distance of 189.54 feet, across said Lot 10, to an iron pin set in the line common to said Lot 10 and the 236.26 acre tract conveyed to The State of Ohio, of record in Deed Book 1238, Page 468;

Thence North 89° 54' 00" West, a distance of 62.83 feet, along the line common to said Lot 10 and 236.26 acre tract, to a 1 inch rebar found at the southerly common corner of said Lot 10 and Parcel X;

Thence North 00° 00' 00" East, a distance of 189.60 feet, along the line common to said Lot 10 and Parcel X, to the **Point of Beginning**, containing 0.275 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the bearing of South 89° 51' 00" East for the Southerly right-of-way line of Sunnyside Lane, of record in Plat Book 23, Page 34, Recorder's Office, Franklin County, Ohio.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

The above description is based on an actual field survey performed in September of 2011.



LANDMARK SURVEY GROUP, INC.

Scott D. Grundei 10/13/11
Scott D. Grundei, P.S. Date
Registered Surveyor No. 8047

**DESCRIPTION OF A 0.279 ACRE
LYING SOUTH OF SUNNYSIDE LANE
AND EAST OF NORTH HIGH STREET**

TRACT 3

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Farm Lot 86, Quarter Township 3, Township 2, Range 18, United States Military Lands, and being part of Lot 10 of DECKER-JOHNSON SUBDIVISION of record in Plat Book 23, Page 34, as conveyed as Parcel Four to Barbara J. and Kenneth W. Peltier, of record in Instrument Numbers 200105170109115 and 200602090025861, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Beginning, for reference, at a 1 inch rebar found in the southerly right-of-way line of Sunnyside Lane (50 feet wide) and at the northerly common corner of said Lot 10 and the tract conveyed as Parcel X to Dorothea A. Hadler, Trustee, of record in Instrument Number 200709280170567;

Thence South 89° 51' 00" East, a distance of 127.28 feet, along the southerly right-of-way line of said Sunnyside Drive and the northerly line of said Lot 10, to an iron pin set at the **Point of True Beginning**;

Thence South 89° 51' 00" East, a distance of 64.19 feet, continuing along the southerly right-of-way line of said Sunnyside Drive and the northerly line of said Lot 10, to an iron pin set;

Thence South 00° 06' 49" West, a distance of 189.43 feet, across said Lot 10, to an iron pin set in the line common to said Lot 10 and the 236.26 acre tract conveyed to The State of Ohio, of record in Deed Book 1238, Page 468;

Thence North 89° 54' 00" West, a distance of 64.16 feet, along the line common to said Lot 10 and 236.26 acre tract, to an iron pin set;

Thence North 00° 06' 16" East, a distance of 189.49 feet, across said Lot 10, to the **Point of True Beginning**, containing 0.279 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the bearing of South 89° 51' 00" East for the Southerly right-of-way line of Sunnyside Lane, of record in Plat Book 23, Page 34, Recorder's Office, Franklin County, Ohio.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

The above description is based on an actual field survey performed in September of 2011.



LANDMARK SURVEY GROUP, INC.

Scott D. Grundei 10/13/11
Scott D. Grundei, P.S. Date
Registered Surveyor No. 8047

**DESCRIPTION OF A 0.279 ACRE
LYING SOUTH OF SUNNYSIDE LANE
AND EAST OF NORTH HIGH STREET**

TRACT 2

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Farm Lot 86, Quarter Township 3, Township 2, Range 18, United States Military Lands, and being part of Lot 10 of DECKER-JOHNSON SUBDIVISION of record in Plat Book 23, Page 34, as conveyed as Parcel Four to Barbara J. and Kenneth W. Peltier, of record in Instrument Numbers 200105170109115 and 200602090025861, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Beginning, for reference, at a 1 inch rebar found in the southerly right-of-way line of Sunnyside Lane (50 feet wide) and at the northerly common corner of said Lot 10 and the tract conveyed as Parcel X to Dorothea A. Hadler, Trustee, of record in Instrument Number 200709280170567;

Thence South 89° 51' 00" East, a distance of 63.34 feet, along the southerly right-of-way line of said Sunnyside Drive and the northerly line of said Lot 10, to an iron pin set at the **Point of True Beginning**;

Thence South 89° 51' 00" East, a distance of 63.94 feet, continuing along the southerly right-of-way line of said Sunnyside Drive and the northerly line of said Lot 10, to an iron pin set;

Thence South 00° 06' 16" West, a distance of 189.49 feet, across said Lot 10, to an iron pin set in the line common to said Lot 10 and the 236.26 acre tract conveyed to The State of Ohio, of record in Deed Book 1238, Page 468;

Thence North 89° 54' 00" West, a distance of 64.10 feet, along the line common to said Lot 10 and 236.26 acre tract, to an iron pin set;

Thence North 00° 09' 08" East, a distance of 189.54 feet, across said Lot 10, to the **Point of True Beginning**, containing 0.279 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the bearing of South 89° 51' 00" East for the Southerly right-of-way line of Sunnyside Lane, of record in Plat Book 23, Page 34, Recorder's Office, Franklin County, Ohio.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

The above description is based on an actual field survey performed in September of 2011.



LANDMARK SURVEY GROUP, INC.

Scott D. Grundei, P.S.
Registered Surveyor No. 8047

Date

**DESCRIPTION OF A 0.276 ACRE
LYING SOUTH OF SUNNYSIDE LANE
AND EAST OF NORTH HIGH STREET**

TRACT 4

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Farm Lot 86, Quarter Township 3, Township 2, Range 18, United States Military Lands, and being part of Lot 10 of DECKER-JOHNSON SUBDIVISION of record in Plat Book 23, Page 34, as conveyed as Parcel Four to Barbara J. and Kenneth W. Peltier, of record in Instrument Numbers 200105170109115 and 200602090025861, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Beginning, for reference, at a 1 inch rebar found in the southerly right-of-way line of Sunnyside Lane (50 feet wide) and at the northerly common corner of said Lot 10 and the tract conveyed as Parcel X to Dorothea A. Hadler, Trustee, of record in Instrument Number 200709280170567;

Thence South 89° 51' 00" East, a distance of 191.47 feet, along the southerly right-of-way line of said Sunnyside Drive and the northerly line of said Lot 10, to an iron pin set at the **Point of True Beginning**;

Thence South 89° 51' 00" East, a distance of 63.25 feet, continuing along the southerly right-of-way line of said Sunnyside Drive and the northerly line of said Lot 10, to a 3/4 inch iron pin found at the northerly common corner of said Lot 10 and Lot 9 of said DECKER-JOHNSON SUBDIVISION;

Thence South 00° 00' 00" West, a distance of 189.38 feet, passing a 3/4 inch iron pin found at a distance of 119.31 feet, along the line common to said Lots 10 and 9, to a 3/4 inch iron pin found at the southerly common corner of said Lots 10 and 9 and in the northerly line of the 236.26 acre tract conveyed to The State of Ohio, of record in Deed Book 1238, Page 468;

Thence North 89° 54' 00" West, a distance of 63.63 feet, along the line common to said Lot 10 and 236.26 acre tract, to an iron pin set;

Thence North 00° 06' 49" East, a distance of 189.43 feet, across said Lot 10, to the **Point of True Beginning**, containing 0.276 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the bearing of South 89° 51' 00" East for the Southerly right-of-way line of Sunnyside Lane, of record in Plat Book 23, Page 34, Recorder's Office, Franklin County, Ohio.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

The above description is based on an actual field survey performed in September of 2011.

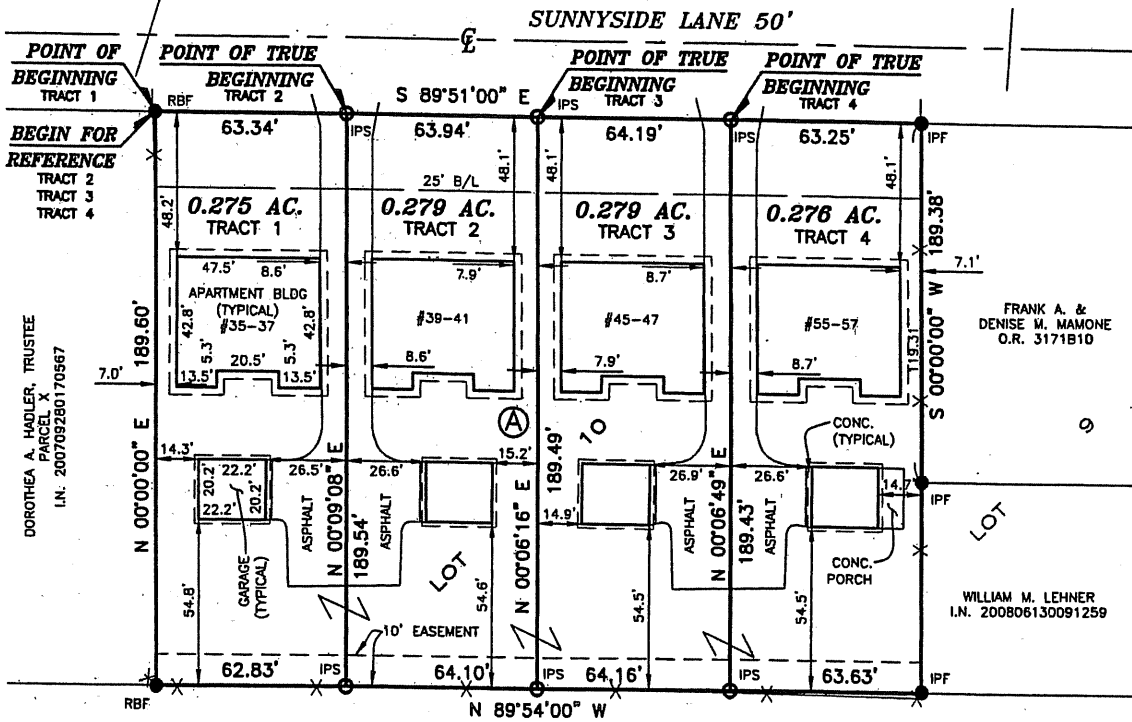


LANDMARK SURVEY GROUP, INC.

Scott D. Grunde 10/13/11
Scott D. Grunde, P.S. Date
Registered Surveyor No. 8047

LEGEND

- RBF 1" REBAR FOUND
- IPF 3/4" IRON PIN FOUND
- IPS IRON PIN SET



DOROTHEA A. HADLER, TRUSTEE
PARCEL X
I.N. 200709280170567

FRANK A. &
DENISE M. MAMONE
O.R. 3171B10

WILLIAM M. LEHNER
I.N. 200806130091259

BARBARA J. & KENNETH W. PELTIER
PARCEL FOUR
I.N. 200105170109115
I.N. 200602090025861

THE STATE OF OHIO
236.26 AC.
D.B. 1238, PG. 468

SURVEY OF
FOUR (4) TRACTS
LYING IN

LOT 10 OF DECKER-JOHNSON SUBDIVISION
PLAT BOOK 23, PAGE 34
FARM LOT 86, QUARTER TOWNSHIP 3,
TOWNSHIP 2, RANGE 18
UNITED STATES MILITARY LANDS
CITY OF COLUMBUS, COUNTY OF FRANKLIN
STATE OF OHIO

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF S 89°51'00" E FOR THE SOUTHERLY RIGHT-OF-WAY LINE OF SUNNYSIDE LANE, OF RECORD IN PLAT BOOK 23, PAGE 34, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

NOTE:

THIS SURVEY DOES NOT REPRESENT ALL EASEMENTS THAT MAY AFFECT THIS TRACT AND DOES NOT REPRESENT ANY UNDERGROUND UTILITIES THAT MAY AFFECT THIS TRACT. ALL IRON PINS SET ARE 3/4" I.D. IRON PIPES 30" LONG, WITH RED PLASTIC CAP STAMPED "LANDMARK SURVEY"

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION IN SEPTEMBER OF 2011 AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE.



0 50' 75' 100'



SCALE IN FEET
SCALE: 1"=50'

LS GI LANDMARK SURVEY GROUP, INCORPORATED

2099 WEST FIFTH AVENUE, COLUMBUS, OHIO 43212
PHONE: (614) 485-9000 FAX: (614) 485-9003

DATE: 10/6/11

FILE NO. 132196

DRAWN BY: TNW

Scott D. Grundeel 10/13/11

SCOTT O. GRUNDEI, P.S.
REGISTERED SURVEYOR NO. 8047

DATE

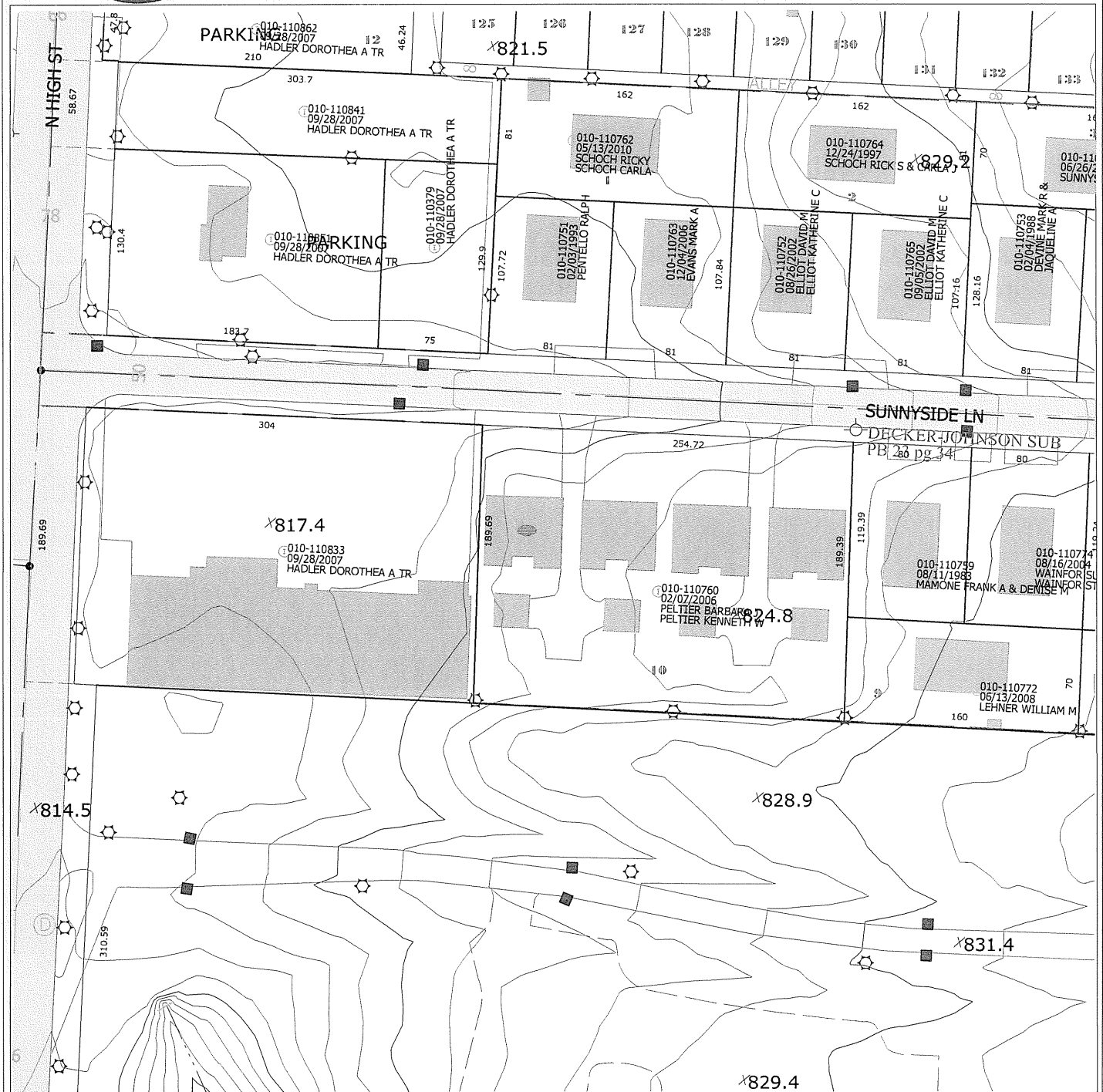
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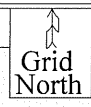
CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s DATE: 1/4/12



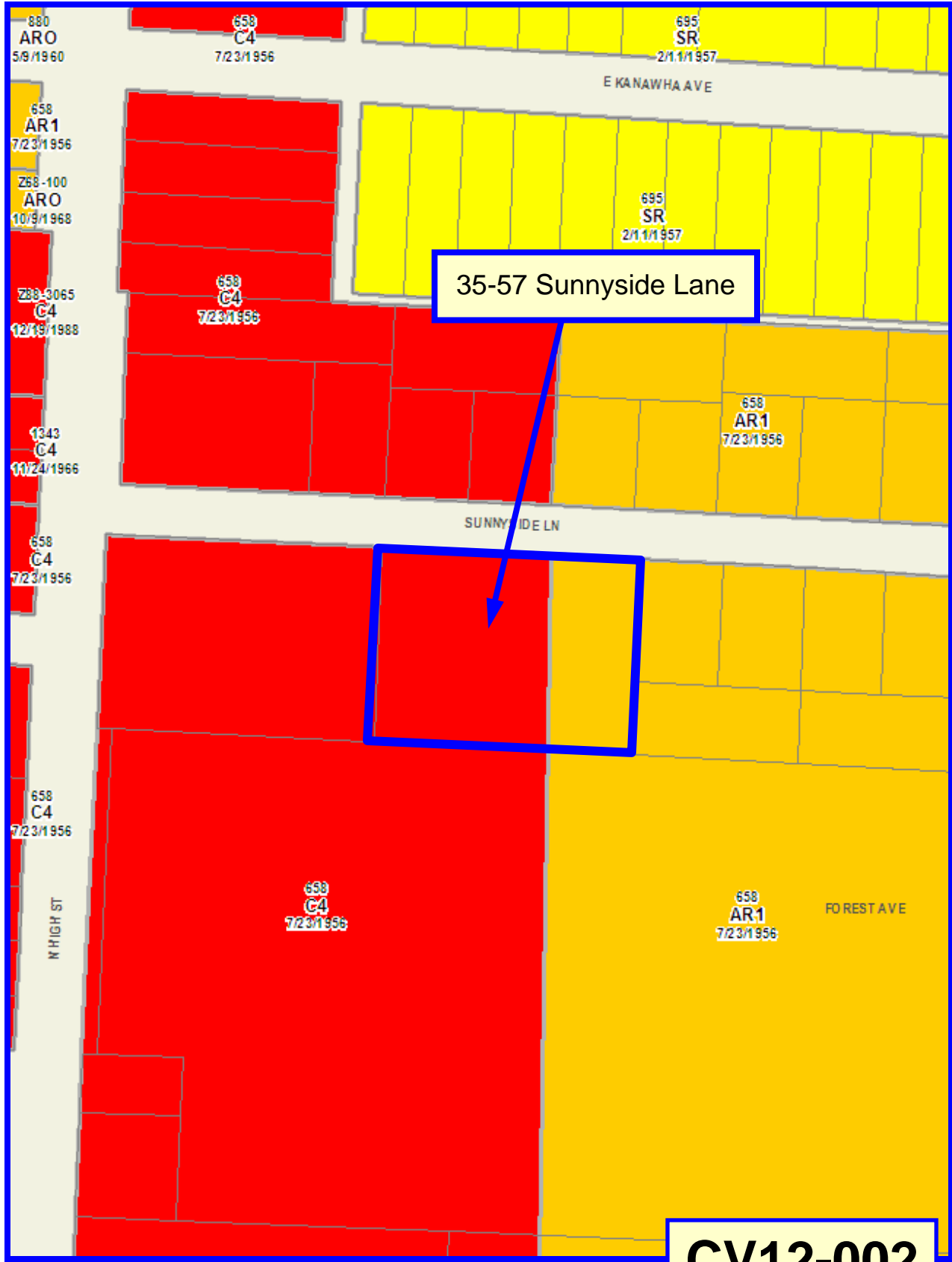
Disclaimer

Scale = 100



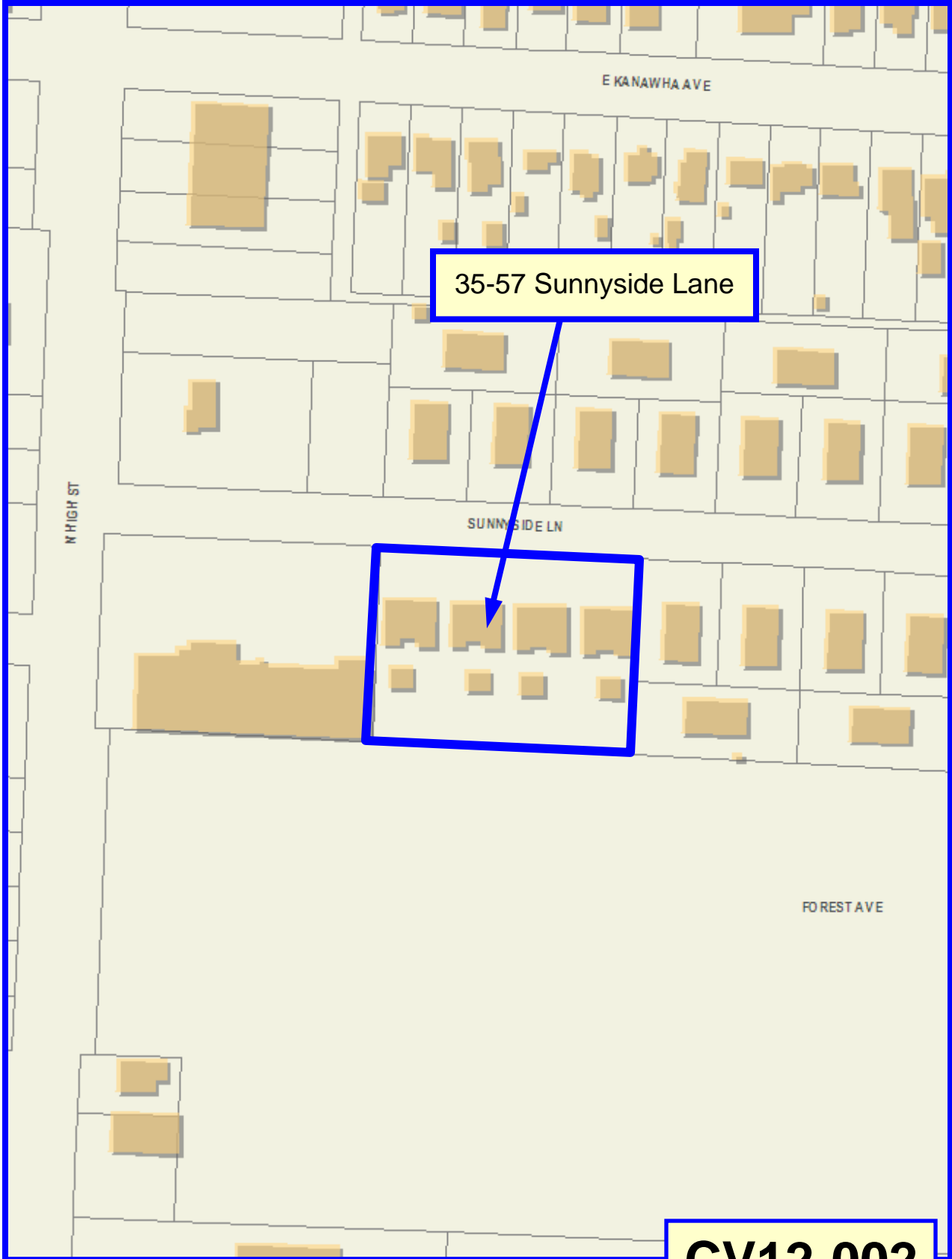
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Real Estate / GIS Department



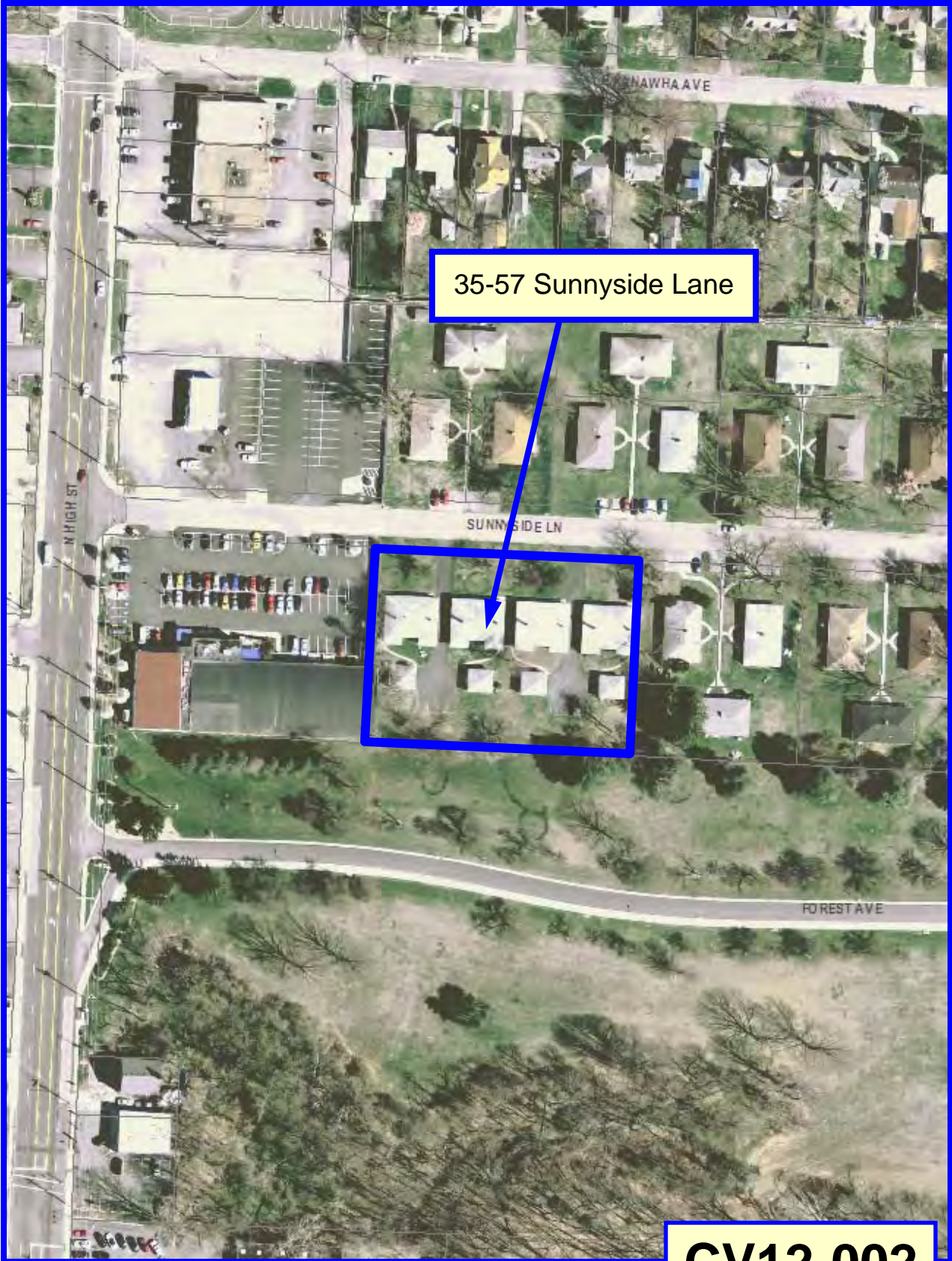
35-57 Sunnyside Lane

CV12-002



35-57 Sunnyside Lane

CV12-002



35-57 Sunnyside Lane

CV12-002