IN RE: PETITION FOR RESIDENTIAL

ZONING VARIANCE

N/S Taiper Court, 55 ft. W of

c/l of Wengate 2 Taiper Court

4th Election District 3rd Councilmanic District Kenneth Dickerman.et ux

Petitioners

\* DEFORE THE

ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 98-363-A

\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Kenneth Dickerman, and Patricia Dickerman, his wife, property owners, for that property known as 2 Taiper Court in the subdivision known as Painters Mill 2A in Baltimore County. The Petitioners/property owners herein seek a variance from Sections 504 and 301.1.a. of the Baltimore County Zoning Regulations (BCZR) and from Section V.B.6.a of the Comprehensive Manual of Development Policy (CMDP) to allow an open projection setback of 4 ft. in lieu of the required 11.25 ft. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) 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 Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

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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.

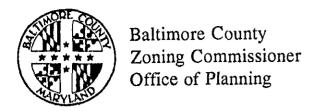
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of April 1998 that the Petition for a Zoning Variance from Sections 504 and 301.1.a. of the Baltimore County Zoning Regulations (BCZR) and from Section V.B.6.a of the Comprehensive Manual of Development Policy (CMDP) to allow an open projection setback of 4 ft., in lieu of the required 11.25 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The 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.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:mmn



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

April 29, 1998

Mr. and Mrs. Kenneth Dickerman 2 Taiper Court Owings Mills, Maryland 21117

> RE: Petition for Administrative Variance Case No. 98-363-A Property: 2 Taiper Court

Dear Mr. and Mrs. Dickerman:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached 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 of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

South GSM

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

#### Petition for Administrative Variance

#### to the Zoning Commissioner of Baltimore County

for the property located at Z TAIPER COURT, OWINGS MILLS 21111
which is presently zoned DRIGGE

This Petition shall be filed with the Dept. of Permits & 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)

AND I.B. G. a OLD CMUD TO ALLUN AN OPEN PROJECTION SETISACE OF

4' IN LIEU OF THE RETHINED 11.25' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

CURRENT DRIG ZONING DOES NOT PROVIDE SUPPLIENT building SETBACK LINES FOR OUR LUT TO MOD OR MODIFY MY NEW OR BRISTING OPEN MIK STRUCTURE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee  (Tope or Print Name)  Signature	ick esma	ν	Legal Owner(s)  KENNETH FARICIA DICKERNAM  (Type or Print Name)  Signature
	MD T	21117_	TEICIA DICKHEMAN (Type or Pint Name)
City Attorney for Petitioner  (Type or Print Name)	State	Zipcode	ZThipte Court 40.356.BI95
Signature			City State Zipcode Name, Address and phone number of representative to be contacted
Adgress	Phone N		KENNETH DICKERMAN 2 TRIPLE LOURT 410.356.8195
City	State	Zipcode	Address Phane No
		to be required it is ord	ered, by the Joning Commissioner of Baltimore County, this day of

A Public Hearing having been requested and/or found to be required, it is properly by the Loning Commissioner of admiration county, in two newspapers of general that the subject matter of this petition be set for a public hearing, advertised, as required by the Loning Regulations of Baltimore County, in two newspapers of general circulation. Introduction throughout Baltimore County, and that the property be reposted.

Joning Commissioner of Baltimore County

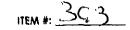


REVIEWED BY: \_\_\_\_\_ DATE:

ESTIMATED POSTING DATE:



Printed with Soybean Ink on Recycled Paper



# 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 AIPER COURT
OWINGS MILLS MD 21117 City State Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
EXISTING DECK PROVIDES NO BACK YARD ACCESS
EXISTING DECK SIZE IS INSUFFICIENT FOR FAMILY ACTIVITIES, AND
DECK PHENITHES.
3. Existing Peck is Visually unpleasing And Devalues The Hume
4. SIDE YARD DECK WOLLD LIMIT THE IMPORT TO BACK YARD
5. NO ADTALENT RESIDENTIAL LAND OMNERHALD.
6. 50' VEGETATION BYFFER BETWEEN HOUSE MUD STREET.
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.  (signature)  Kennend Pickennam  (type or print name)  (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  1 HEREBY CERTIFY, this 2nd day of April . 1978, before me, a Notary Public of the State of Maryland, in and for the County atoresaid, personally appeared
Kenneth Dickerman & Patricia René Dickerman
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/hei/their knowledge and belief.
AS WITNESS my hand and Notarial Seal.
April 2 1998  Cause of Budosh  Mi Commission Expires: Jan 1, 2000

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

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That the Affiant(s) does/do presently reside at	2 TAI	PER C	OYKT	
•	OWINGS	MILLS	MD State	21117 Zip Code
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or	wing are the fac prestical difficulty)	ts upon which 1/v	ve base the request fo	or an Administrative
. EXISTING DECK PROVIDES	NO BA	er Avid	ALLESS	
2. EXISTING DECK SIZE IS	INSHPPI	CIENT F	or Family	ACTIVITIES, AND
DECK FLENITYRE.				
3. Existing PELK IS VISUA	YLY UN	PLEASING	AND DEV	ALUNG THE HUME
4. SIDE YARD DECK UDG	un Un	VIT THE	. IMPACT	10 BACK YARD
5. NO ADJACENT RESID	<u> יייי</u>	1-120 00	UNCHIP.	
6. 50' VEGETATION BUT	PER B	<b>いっちりゅう</b>	4047£ 400	STREET.
That Affiant(s) acknowledge(s) that if a protes may be required to provide additional information of the second of	on.		ATRICAM R	g and advertising tee and  Liskesman  ENÉ DICKERMA
I HEREBY CERTIFY, this 2ND day of of Maryland, in and for the County atoresaid, p			98 , before me, a	Notary Public of the State
Kenneth bickerma	1	<u> </u>	i René	Dickerman
the Affiants(s) herein, personally known or sati that the matters and facts hereinabove set forth	sfactorily identi are true and co	fied to me as suc errect to the best	th Affiantt(s), and ma of his/her/their know	ide oath in due form of law liedge and belief.
AS WITNESS my hand and Notarial Seal.	TAR.	NOTARY PUBLIC	sug Bi	idosh
41 1	TARI.	Commission E	Expires: Jan	1, 2000

### Petition for Administrative Variance

#### to the Zoning Commissioner of Baltimore County

for the property located at Z TAIPER COURT, OWINGS MILLS 21111
which is presently zoned DRIG

This Petition shall be filed with the Dept. of Permits & 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)

SOY BOZR, 301.12 (1971 BCZR), POLICY 5-11, C, 3, b. (OLD POLICY MANUAL)

AND I, 13, 6, A OLD CMOP TO ALLOW AN OPEN PROJECTION SETBACK OF

4'IN LIEW OF THE REQUIED 11.25'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

CURRENT DRIG ZONING DOES MOT PROVIDE SUPPLIENT building SETBACK LINES FOR OUR LOT TO MOD OR MODIFY MY NEW OR BRISTING OPEN MR STRUCMER.

Property is to be posted and advertised as prescribed by Zoning Regulations.

i, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

City State Zipo	code . Address Phone No.
Address Phone No.	2 Thippe Loury 410,356,8195
	KENNETH DICKERMAN
Signature	City State Zipcode Name, Address and phone number of representative to be contacted
(Type or Print Name)	Address Phone No. 356.8195
Attorney for Petitioner;	
Owned MILLS MD 21117	ode Stantin Sono Jukerman
2 TAIPER COURT	(Type of Print Name)
Signature + -	Signature
KENNETY DIKERMAN	(Type or Print Name)
Contract Purchaser/Lessee:	Legal Owner(s):
	(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Zoning Commissioner of Bailimore County

REVIEWED BY: CLM DATE: 3.10218
ESTIMATED POSTING DATE: 1240.98

€\$

Printed with Saybean Ink on Recycled Paper ITEM #: 343



#### **Property Description**

ZONING DESCRIPTION FOR: 2 Taiper Court, Owings Mills MD 21117.

Beginning at a point on the North side of Taiper Court which is 60 feet wide at the distance of 50 feet west of the centerline of the nearest improved intersecting street Wengate which is 50 feet wide. Being lot #1, Section 2A in the subdivision of Painter Mills Section 2a as recorded in Baltimore County Plat Book # 45, Folio #74, containing 3,038 square feet. Also known as 2 Taiper Court and located in the 4<sup>th</sup> Election District, 3<sup>rd</sup> Councilmanic District.

BALTIMORE COUNTY, MARYL/ OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT  No. 0528	1 Bala Balanda 1
DATE 3 100.19 ACCOUNT B-001-6150  363 CAM \$ 50.66	CPLICESS (NOTIFIC TIME) 4/03/1998 4/03/1990 10:50:E5 6FT WSO2 CAPITER JUTE INC DROBER C 5 MISCHLANDUS CAPITEEFIFT REGISTER 059998 0FTN CRIMO. 052914
RECEIVED DICY-RR LA AVA	Justimure County, Harytand
FOR: 2 TAIRIR COURT	2-A
- ADMIN 08.30	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

#### CERTIFICATE OF POSTING

ADMINO VAR.

RE:	Case No.:	98	-36	3	_	A	
							ومعرد مسدو

Petitioner/Developer: KEN DICKERMAN, ETAL

Date of Hearing/Closing:) 4/27/98

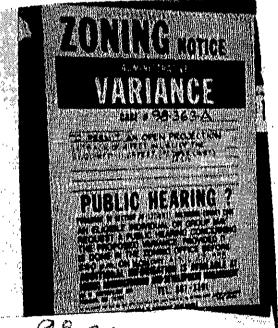
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #2 TAIPER COURT

The sign(s) were posted on \_\_\_



Sincerely. Signature of Sign Poster and Date

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD, 21030 (City, State, Zip Code)

410-666-5366; CELL-410-905-8571 (Telephone Number)

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 363
Petitioner: KENNETH & PATRICIA DICKERMAN
Location: Z TAIPER COURT DWINGS WILLS, MD 21117
PLEASE FORWARD ADVERTISING BILL TO:
NAME: KENNETH DICKERMAN
ADDRESS: 2 TAILER COURT OWINGS MILLS MD 21117
PHONE NUMBER: 410, 35%, 8195

(Revised 09/24/96)

98.363.A

AJ:ggs

		prepared by: Scale of Drawing: 1'=
	Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	North date:
	Chesapeake Bay Critical Area: 🔲 📋 Prior Zoning Hearings:	
	square feet	
	Election District: Councilmanic District: 3 1°=200° scale map#:	
•	LOCATION INFORMATION	
	Wicinity Map scale: 1'=1000'	
<del></del>	on an or an	Plat book# ,tolio# ,lot# ,section#
	Variance Special Hearing	Plat to accompany Petition for Zoning Variance

#### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

} <del></del>
Case Number 98- 363 -A Address 2 Taipen CT
Contact Person: Kate M. Phone Number: 410-887-3391
Filing Date: 3 102 Posting Date: 4/12/98 Closing Date: 4/2/7/98
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. <a href="POSTING/COST">POSTING/COST</a> : The petitioner must use one of the sign posters on the approved list and he/she is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
<ol> <li>DEADLINE: The closing date is the deadline for a neighbor to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.</li> </ol>
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 98- 363 -A Address 2 TAIDAC Ct
Posting Date: 12 Apr. 198 Closing Date: 27 Apr. 98
Wording for Sign: To Permit ap open projection A SetbAck of
I in lies of the Required 11.25
U

### BALTIMORE COUNTY DEPARTMENT OF PERMITSAND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### APPROVED SIGN POSTERS

Stacy Gardner Shannon-Baum Signs, Inc. 105 Competitive Goals Drive

Baltimore, MD 21784

Richard Hoffman

904 Dellwood Avenue Fallston, MD 21047

Garland E. Moore 3225 Ryerson Circle

Baltimore, MD 21227

Tom Ogle

325 Nicholson Road Baltimore, MD 21221

Patrick M. O'Keefe, Sr.

523 Penny Lane Hunt Valley, MD 21030 Telephone: Toll Free: (410) 781-4000 (800) 368-2295

Fax:

(410) 781-4673

Telephone:

(410) 879-3122

Telephone:

(410) 242-4263

Mobile:

(410) 382-4470

Telephone: (410) 687-8405

Mobile: (410) 262-8163

Fax:

(410) 687-4381

Telephone:

(410) 666-5366 (410) 905-8571

Cell: Fax:

(410) 628-2574

(410) 882-2469

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST BE ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 12/10/97



David L. Winstead Secretary Parker F. Williams Administrator

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

RE: Baltimore County 4.7.3% Item No. 363

Dear Ms. Eubanks:

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.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

Engineering Access Permits

1. J. Dolla

Division

LG

### LTIMORE COUNTY, MARYLAND

### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

POM

FROM:

R. Bruce Seeley . R. S. W. Permits and Development Review

SUBJECT:

Zoning Advisory Committee Meeting Date: Committee

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP



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

April 13, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 13, 1998

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

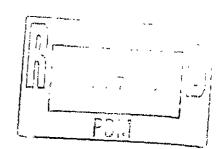
8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

363 and 364

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





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

April 13, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 13, 1998

Item No.: See Below Zoning Agenda:

Gentlemen:

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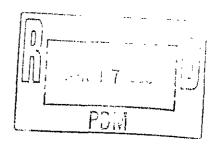
8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

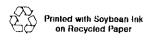
363 and 364

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File







### Maryland Department of Transportation State Highway Administration

David L. Winstead Secretary Parker F. Williams Administrator

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

Baltimore County 4.7.38 RE: Item No.

363

Dear Ms. Eubanks:

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.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

**Engineering Access Permits** 

P. J. Bredle

Division

LG

## TIMORE COUNTY MARYLAND

### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

POM

FROM:

R. Bruce Seeley . R. 155/4 Permits and Development Review

DEPRM

SUBJECT:

Zaning Advisory Committee

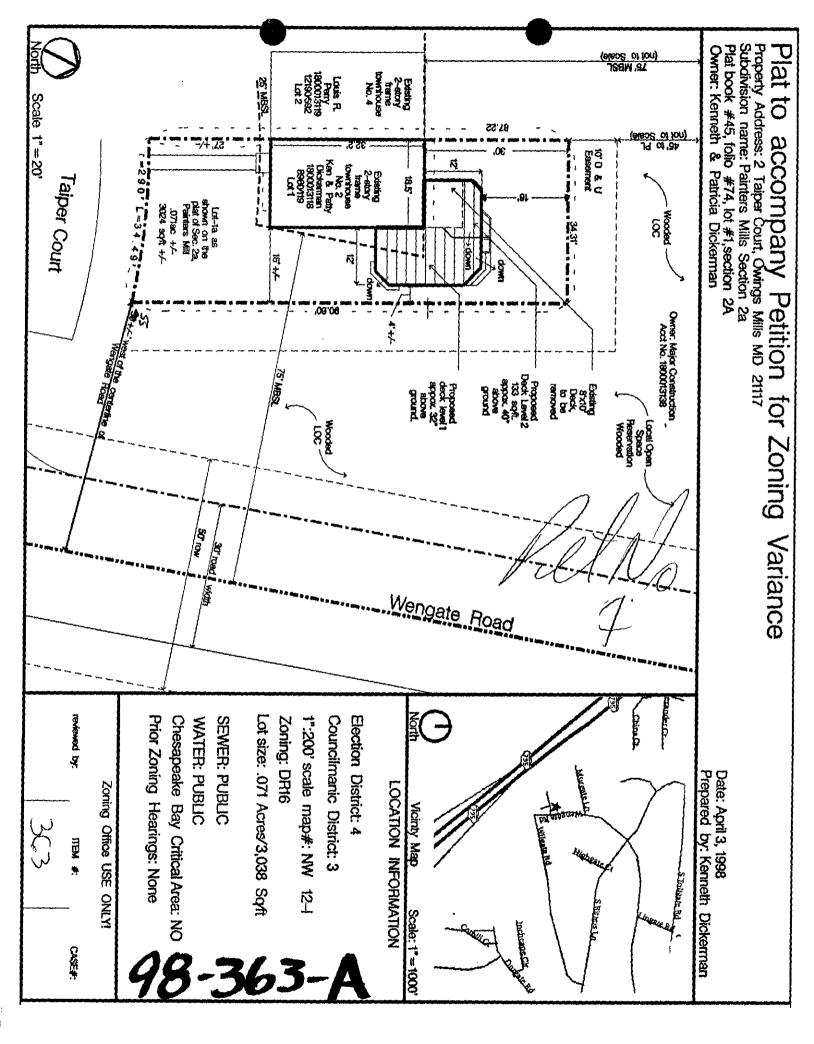
Meeting Date:

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP



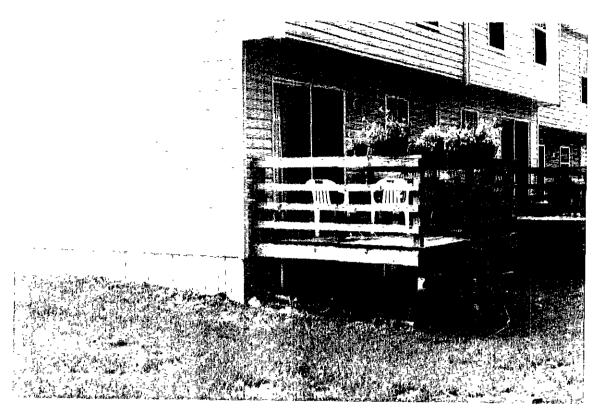


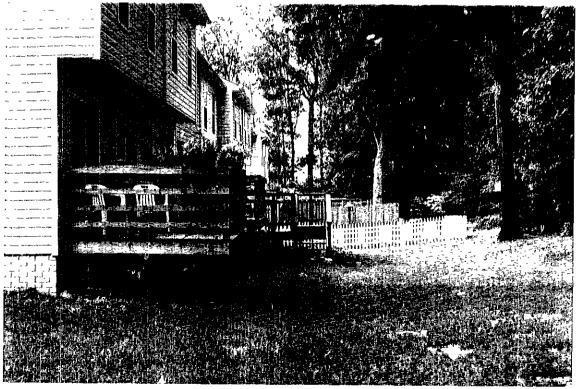


# 98-363-A

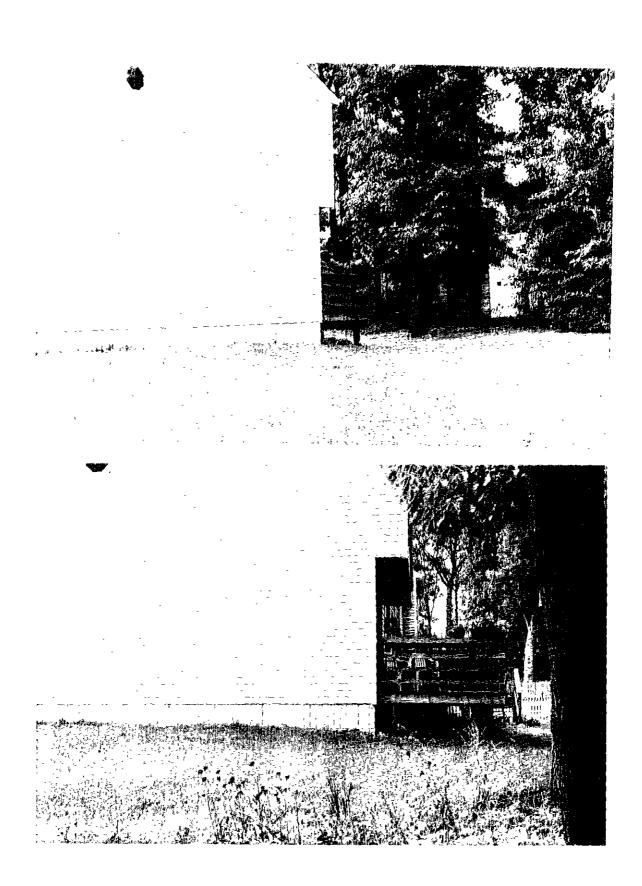








## 98.363-A



48-363-A

