ORDER FROM WED FON FILING
Date Stayloo

IN RE: PETITION FOR VARIANCE

N/S Blair Hill Lane, 572' W

Of Clarkview Road 3rd Election District

2nd Councilmanic District

(6310 Blair Hill Lane)

Blair Hill Lane, LLC

Petitioners

- \* BEFORE THE
- \* DEPUTY ZONING COMMIS SIONER
- \* OF BALTIMORE COUNTY
- \* CASE NO. 00-563-A

\*

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

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Blair Hill Lane, LLC, by and through Gary Case, its member. The variance request is for property located at 6310 Blair Hill Lane, which property is zoned ML. The variance request is from Section 255.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 5 ft. in lieu of the minimum required 30 ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioners' Exhibit 1.

Appearing at the hearing on behalf of the request were Gary Case, owner of the property, Geoffrey Schultz, appearing on behalf of McKee & Associates, Inc., the engineers who prepared the site plan of the property and Howard Alderman, Jr., attorney at law, representing the Petitioners. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.827 acres, more or less, zoned ML. The property is already improved with a one-story masonry building wherein the Petitioners operate a commercial printing company. They have been operating at this location for the past 4 years. They are in need of additional warehouse space, given that they have purchased a new 70,000 lb. printing machine and need

additional space to house this new machine. They have proposed a 25 ft. addition on the west side of their existing building which will be situated 5 ft. from the side property line. The side of the property where the variance is requested borders the Jones Falls Expressway and, therefore, does not adversely affect any surrounding properties. In order to proceed with the construction of this addition, the variance is necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

DAY SAMED FOR FILING DAY SAMED BY SAMED BY

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this day of August, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 255.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 5 ft. in lieu of the minimum required 30 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at his 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.

TIMOTHY M! KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

August 24, 2000

Howard Alderman, Jr., Esquire Levin & Gann, P.A. 305 W. Chesapeake Avenue, Suite 113 Towson, Maryland 21204

> Re: Petition for Variance Case No. 00-563-A

> > Property: 6310 Blair Hill Lane

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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, linkfrows

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

c: Mr. Gary Case
7 Brookfield Garth
Lutherville, MD 21093

Mr. Geoffrey Schultz 5 Shawan Road Cockeysville, MD 21030







For You, For Baltimore County







OPOUR MACENED FOR FILING

# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at	6310 Blair Hill Lane			
which is presently zoned ML				

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

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)

255.1 [which refers to 238.2 (BR)] to allow a rear yard setback of 5 feet in lieu of the minimum required 30 feet.

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

To retain the existing parking areas in the front and sides of the building, the addition must be constructed in the rear, however, the relatively narrow depth of the lot prevents compliance with required setback.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

	perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	<u>Legal Owner(s):</u> Blair Hill Lane, LLC Gary Lawrence Cayce, Authorized Member
Name - Type or Print	Name - Type or Print
Signature	Signature San Ilage
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:  Howard Alderman, Jr. Levin & Gann, P.A.	6310 Blair Hill Lane (410) 296-1117 Address Telephone No Baltimore, Maryland 21209-2132
Signature  Signature  Cospany  (410) 321-0600	City State Zip Code  Representative to be Contacted:  Geoffrey C. Schultz  McKee & Associates, Inc.  Name
Company (410) 321-0600  305 W. Chesapeake Avenue, Suite 113  Telephone No.	5 Shawan Road, Suite 1 (410) 527-1555 Address Telephone No.
City State Zip Code	Cockeysville, Maryland 21030 City State Zip Code
M	OFFICE USE ONLY
Case No. 00 - 563 - A	ESTIMATED LENGTH OF HEARING
Qase No. <u>00 - 563 - A</u>	UNAVAILABLE FOR HEARING Reviewed By JRF Date G30/00

McKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning
Real Fstate Development

June 30, 2000



ZONING DESCRIPTION OF 6310 BLAIR HILL LANE 3<sup>RD</sup> ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

**BEGINNING** at a point on the north side of Blair Hill Lane (30-foot wide private Right-of-Way), said point being 572 feet west of the west side of Clarkview Road (60-foot wide Right-of-Way), thence running South 20 degrees 02 minutes 24 seconds East, 236.57 feet, by a curve to the left having a radius of 9.25 feet and an arc length of 13.80 feet, South 77 degrees 34 minutes 00 seconds West, 171.55 feet, North 15 degrees 54 minutes 09 seconds West, 223.61 feet, and North 69 degrees 57 minutes 36 seconds East, 145.88 feet to the point of beginning.

**CONTAINING** 36,024 square feet or 0.827 acres of land as recorded in Deed Liber 11771. Folio 384.

BEING known as 6310 Blair Hill Lane.

**BEING** a part of Lot 6310 as shown on Resubdivision of Part of Plat One, Northern Central Distribution Center and recorded in Plat Book 56, Page 63.

563 00.563-\*A

No. 083609	NTG WOOD DATABLE NEED THOUSE NEED THOUSE TO THE NEED THOUSE TO THE NEED THOUSE TO THE NEED THOUSE THOUSE THOUSE THOUSE THOUSE THOUSE THOUSE THE NEED THOUSE THOU	Reviert # LGRAS LG	26.00 CK Se.3 Baltimore County, Noryland	Taken by . JRF	
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE C/30/CO ACCOUNT R.COICISO	AMOUNT \$ 75°C OC	FROM: ANT. RUYA PUNHA CO.		DISTRIBUTION

NOTICE OF ZONING HEARING The Zoning Commissioner of Battimore County, by authority of the Zoning Act and - Battimore Caputs, will note Caputs, will note Caputs with The Dubbic hearing in Toward.

Case L. Dit 603 C. Case L. Dit 603 C. Case L. Dit 603 C. Case C. Case

1991, Hearing: Tuesday, Augu 22, 2000 at 17:00 a.m. Room 100, County Offic Building, 111 West Ches LAWRENCE E SCHMIDT Zqning Commissioner for Baltimore County. Design of County County County Special accommodations pecial accommissioners Office at (410) 887-4386.

(2) For information concerning, the File and/or Fearing, Contact the Zoning Fearing, Cont

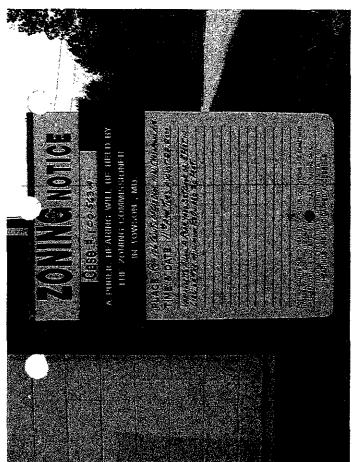
CERTIFICATE OF PUBLICATION

TOWSON, MD,

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on SB CO

THE PEFERSONIAN,

LEGAL ADVERTISING



6310 Blair Hill Lane

#### **CERTIFICATE OF POSTING**

RE: CASE # 00-563-A
PETITIONER/DEVELOPER
(Blair Hill Lane LLC)
DATE OF Hearing
(8-22-00)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: MS. GWENDOLYN STEPHENS

**LADIES AND GENTLEMEN:** 

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

6310 Blair Mill Lane Baltimore , Maryland 21209		
THE SIGN(S) WERE POSTED ON	8-7-00	
	• • • •	
	SINCERELY,	
	(SIGNATURE OF SIGN POSTER & DATE)	
	THOMAS P. OGLE SR	
	325 NICHOLSON ROAD	
	BALTIMORE, MARYLAND 21221	
	410-687-8405	

(TELEPHONE NUMBER)

RE: PETITION FOR VARIANCE 6310 Blair Hill Lane, N/S Blair Hill Ln, 572' W of Clarkview Rd 3rd Election District, 2nd Councilmanic

Legal Owner: Blair Hill Lane, LLC

Petitioner(s)

- **BEFORE THE**
- ZONING COMMISSIONER
- **FOR**
- **BALTIMORE COUNTY**
- Case No. **100** 563

#### **ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47

400 Washington Avenue

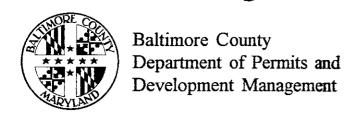
Towson, MD 21204

(410) 887-2188

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28th day of July, 2000 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

July 21, 2000

### **NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-563-A

6310 Blair Hill Lane

N/S Blair Hill Lane, 572' W of Clarkview Road 3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner: Blair Hill Lane, LLC

Variance to allow a rear yard setback of 5 feet in lieu of the minimum required 30 feet.

HEARING: Tuesday, August 22, 2000 at 11:00 a.m. in Room 106. County Office

Building, 111 West Chesapeake Avenue

Arnold Jablon

Director

C: Howard Alderman, Jr., Esquire, Levin & Gann, P.A., 305 West Chesapeake Avenue, Suite 113, Towson, MD 21204
Blair Hill Lane, LLC, c/o Gary Lawrence Cayce, Authorized Member, 6310 Blair Hill Lane, Baltimore, MD 21209-1117
McKee & Associates, Inc., c/o Geoffrey C. Schultz, 5 Shawan Road, Suite 1, Cockeysville, MD 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 7, 2000.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, August 3, 2000 Issue – Jeffersonian

Please forward billing to:

Gary L. Cayce 6310 Blair Hill Lane Baltimore, MD 21209-2132

410-296-1117

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#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-563-A

6310 Blair Hill Lane

N/S Blair Hill Lane, 572' W of Clarkview Road 3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

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Variance to allow a rear yard setback of 5 feet in lieu of the minimum required 30 feet.

HEARING: Tuesday, August 22, 2000 at 11:00 a.m. in Room 106, County Office

Building, 111 West Chesapeake Avenue

LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

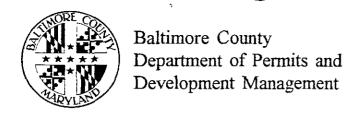
## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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: 00-563-A
Petitioner: BLAIR HILL LANE LLC
Address or Location: 6310 BLAIR HILL LANE
PLEASE FORWARD ADVERTISING BILL TO:  Name:GARY L. CAYCE
Address: 6310 BLAIR HILL LANE
BALTO. MD. 21209-2132 Telephone Number: (410) 296-1117



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353 Fax: 410-887-5708

August 18, 2000

Howard Alderman, Jr., Esquire Levin & Gann, PA 305 West Chesapeake Avenue, Suite 113 Towson, MD 21204

Dear Mr. Alderman:

RE: Case Number: 00-563-A, 6310 Blair Hill Lane

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

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,

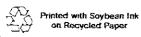
W. Carl Richards, Jr. Supervisor, Zoning Review

W. Carl Richards Jr.

WCR: gdz

**Enclosures** 

C: Blair Hill Lane, LLC, Gary Lawrence Cayce, Authorized Member, 6310 Blair Hill Lane, Baltimore 21209 McKee & Associates, Inc. Geoffrey C. Schultz, 5 Shawan Road, Suite 1, Cockeysville, 21030 People's Counsel



## BALTIMORE COUNTY, MARYLAND

AUG 2 9

**DATE:** August 16, 2000

### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 24, 2000

Item Nos. 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562

and

00-336-SPH

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

RWB:HJO:jrb

cc: File

ZAC-7-27-2000-NO COMMENT ITEMS.doc



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

July 20, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: KIMBERLY DREISH - 561

BLAIR HILL LANE, LLC - 563

Location: DISTRIBUTION MEETING OF JULY 17, 2000

Item No.: 561 & 563

Dear Ms. Stephens:

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.

- 1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File



## BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

July 25, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of July 17, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
552	1815 Circle Road
553	2411 Velvet Ridge Drive
554	4501 Sandwood Road
555	11712A Greenspring Avenue
556	25 Manor Spring Court
557	7118-7210 Castlemoor Road
558	2127 York Road
559	11317 Reisterstown Road
560	8014 Pulaski Highway
563	6310 Blair Hill Road
336	Stocksdale Avenue

Sin 8/22

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and

**Development Management** 

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**DATE:** July 26, 2000

JL 27

SUBJECT:

Zoning Advisory Petition(s): Case(s) 563,01-003, and 01-017

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

**Section Chief:** 

AFK/JL:MAC



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

7.18.00

RE:

Baltimore County

Item No. 563

JRF

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

Dear. Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

w Kenneth A. McDonald Jr., Chief

1. J. Gredh

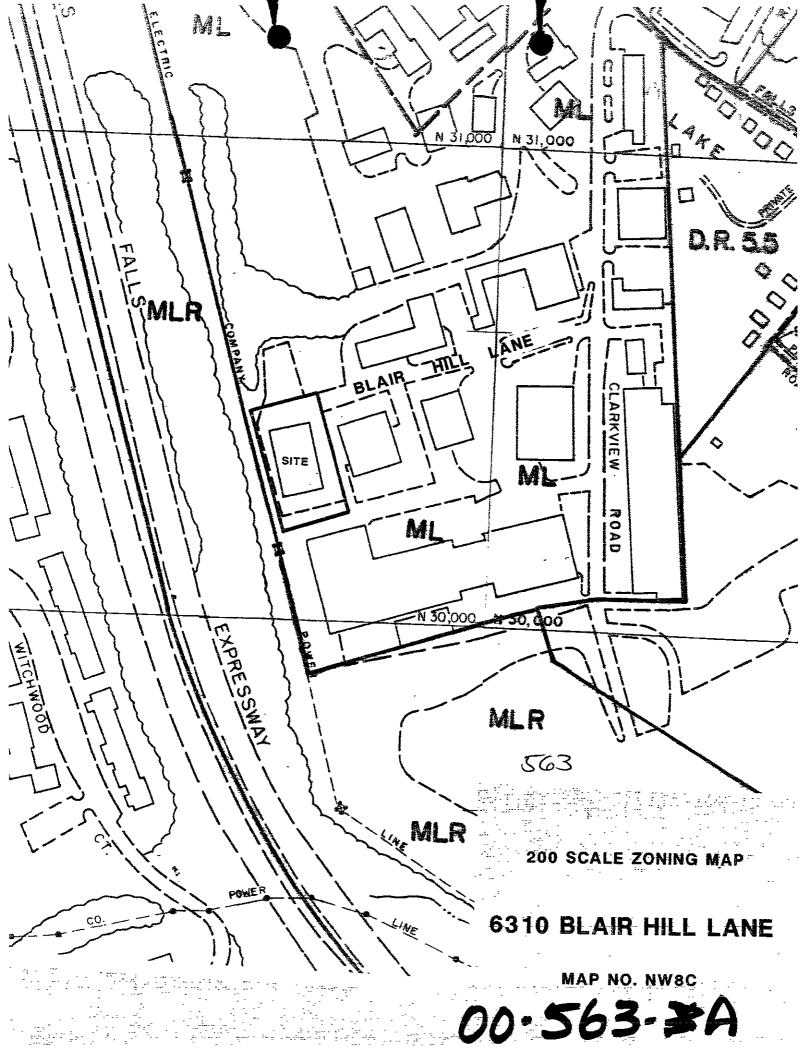
Engineering Access Permits Division

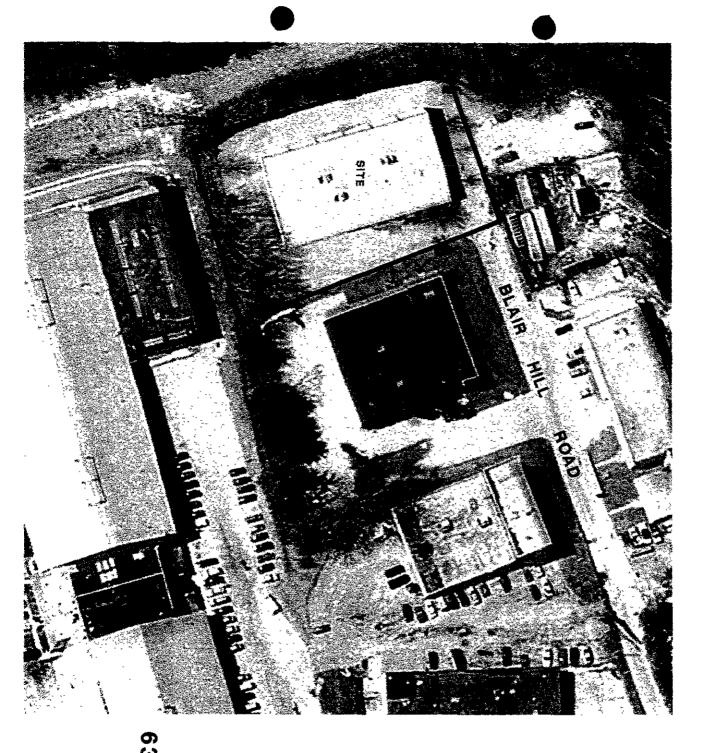
Case Number 00 - 563 - A

## PLEASE <u>PRINT</u> LEGIBLY

## **PETITIONER'S SIGN-IN SHEET**

Name	Address	City, State	Zip Code
GEOFFRET C SCHUTT	5 SHAWAN ROAD	Z1030	21030
Howard LAlderman W)	7 Brook Field Gard	Luther, 12 M	21093
Howard ( Alderman &)	Levin & Gaun lA 305 W. Cheoquice Avec \$113 Towsm 21204	Towson US)	2/202
4	\$13 Towson 21204	2124	
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		****	
			100 - 1111
		Revised 4	/17/00





AERIAL PHOTO

6310 BLAIR HILL LANE

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