ORDER REGENVED FOR FILING
Date
By

IN RE: PETITION FOR ADMIN. VARIANCE NE/S Stockton Road, 860' SE of the c/i

Woodbark Lane

(2002 Stockton Road)

10<sup>th</sup> Election District
3<sup>rd</sup> Council District

James P. Krebs & Helen Karagiozis Petitioners

- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* Case No. 04-102-A

\*

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

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, James P. Krebs and Helen Karagiozis. The Petitioners seek relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 feet in lieu of the required 35 feet for a proposed 17' x 10' addition to an existing dwelling. The subject property and requested relief are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code, which allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information contained therein, I find that the relief requested meets the spirit and intent of Section 307.1 of the B.C.Z.R. and will not result in any

detriment to the health, safety and general welfare of the surrounding locale. The Petitioners submitted a signed Petition of support from the adjacent property owners, including those who would be most affected by the request, which indicate that they have no objections to the proposal. Moreover, there were no adverse comments submitted by any County reviewing agency. For all of these reasons, I am persuaded to grant the variance.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of September 2003 that the Petition for Administrative Variance seeking relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 feet in lieu of the required 35 feet for a proposed 17' x 10' addition to an existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

AWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

### Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



### Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

September 24, 2003

Mr. James P. Krebs Ms. Helen Karagiozis 2002 Stockton Road Phoenix, Maryland 21131

RE: PETITION FOR ADMINISTRATIVE VARIANCE NE/S Stockton Road, 860' SE of the c/l Woodbark Lane (2002 Stockton Road)

10<sup>th</sup> Election District – 3<sup>rd</sup> Council District James P. Krebs & Helen Karagiozis - Petitioners Case No. 04-102-A

Dear Mr. Krebs & Ms. Karagiozis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

ce:

People's Counsel; Case File





# Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property located at 2002 Stockfor Rd. Mi31 Mi

		which is presently zoned RC2
This Petition shall be filed with the owner(s) of the property situate in Emade a part hereof, hereby petition	he Department of Pern Baltimore County and whi for a Variance from Sect	nits and Development Management. The undersigned, in the is described in the description and plat attached hereto
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of the zoning regulations of Baltimor of this petition form.	re County, to the zoning	law of Baltimore County, for the reasons indicated on the b
Property is to be posted and advertisely or we, agree to pay expenses of above regulations and restrictions of Baltimore	sed as prescribed by the re Variance, advertising, po County adopted pursuant	zoning regulations. osting, etc. and further agree to and are to be bounded by the zor 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:		Legal Owner(s):
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Signature		Name - Type or Print
Signature	<u></u>	Signature
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City	,	Name - Type or Print Helen Haragions
State	Zip Code	Signature Signature
Attorney For Petitioner:		2002 Stackton Rd-410-472-
		Address Noenix MD 21131 Telephone
Name - Type or Print		City State Zip Co
gnature	<del></del>	Representative to be Contacted:
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Sold that the pr	operty be reposted.	Joning Commissioner of Baltimore County  Zoning Commissioner of Baltimore County
ASE NO. 04-10725/01	openy be reposted.	The production of the 20r

## 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.

Mark - 4 J A PAP 4 J 1	
That the Affiant(s) does/do presently reside	Яİ

REV-10/25/01

Address Moenix MD 71131.

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):

- 1. The existing home lacks a dining room.
- 2. There is insufficient square footage in the home to allow for a dining room for my wife, myself and my 2 children.
- 3. There is an existing brick patio, which includes an existing roof and entrance/exit to the rear of the home.
- 4. There are no other existing entrances/exits on either of the ends of the home.
- 5. None of the current neighbors adjacent to this property are opposed to enclosing this brick patio.

That the Affiant(s) acknowled advertising fee and may be rec	ge(s) that if a formal ulred to provide additi	demand is filed, Affiant onal information.	(s) will be required to pay a reposting and	ď
Signature	· · · · · · · · · · · · · · · · · · ·	The same of the sa	elen Haragioris	na.
Signature Javues P. Kroks	110-853-77	174(W)	teten Karagiozis A10-521-7	18
Name - Type or Print	410-477-690	Name - Type of	910-472-69	ध
STATE OF MARYLAND, COL	_ /			
I HEREBY CERTIFY, this of Maryland, in and for the Col	unty aforesaid, persons	37 July appeared	25, before me, a Notary Public of the Stat	e
the Affiant(s) herein, personal	v known or satisfactor	CAGIOZIS  Iv identified to me as suc	h Affiant(s).	
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AS WITNESS my hand and N	otarial Seal			
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· - · · ·	I	Notary Public		
		My Commission Exp	pires	_

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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.

competent to testify thereto in the event that a	public hearing is so	cheduled in the futu	re with regard there	to.
That the Affiant(s) does/do presently reside at	Address 7/4	2 STOCKTON	14.	· · · · · · · · · · · · · · · · · · ·
	City	Chix Mis	131	Zip Code
That based upon personal knowledge, the following variance at the above address (indicate hards)	lowing are the fact	s upon which I/we		•
1. The existing home lack	s a dining room.			
2. There is insufficient square, wife, myself and my 2		ne home to allow	for a dining room	for my
3. There is an existing bri to the rear of the home.		ncludes an existin	ng roof and entrand	e/exit
4. There are no other exis	ting entrances/ex	its on either of th	e ends of the home	∂.
<ol> <li>None of the current neithis brick patio.</li> </ol>	ighbors adjacent	to this property at	re opposed to encle	osing
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide Signature  Signature  James P. Walds  10-853	formal demand is additional information of the second contract of th	tion.  Helen	Karagionia	a reposting and  Aro-521-76
		Name - Type or Print		910-472-640
STATE OF MARYLAND, COUNTY OF BALTI  I HEREBY CERTIFY, this day of day of of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in and for the County aforesaid, potential of Maryland, in an another of Maryland, in an a	ersonally appeared	75	pefore me, a Notary	Public of the State
AS WITNESS my hand and Notarial Seal				
	Notary	Public Public		

REV 10/25/01



## Petition for Administrative Variance

for the property located at

to the Zoning Commissioner of Baltimore County

which is presently zoned

This Petition shall be filed with a owner(s) of the property situate in made a part hereof, hereby petition	<del>                                  </del>			
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of the zoning regulations of Baltimo	ore County, to the zon	ing law of Baltimore County	, for the reasons indica	ated on the back
Property is to be posted and advert I, or we, agree to pay expenses of aboregulations and restrictions of Baltimor	ove Variance, advertising	a, posting, etc. and further agre	ee to and are to be boun nore County.	ded by the zoning
		I/We do solemnly de perjury, that I/we are is the subject of this	clare and affirm, under the the legal owner(s) of the Petition.	he penalties of property which
Contract Purchaser/Lessee:		Legal Owner(s):	zmes P. Kreb	\$
Name - , y; 4 ≤	······································	Name - Type or Print	hilling	<u> </u>
Signatur _		Signature	Helen Kara	90215
Address	Telephone No.	Name - Type or Print		<del></del>
City	te Zip Code	Signature	Haragiopis	1. A. L.
Attorney For Petitioner:	· · · · ·	Address Acer	STOCKTON RO.	10-472-69 31 Telephone No.
Name - Type or Print	<u> </u>	City	State	Zip Code
Signature	<del></del>	Representative :	to be Contacted:	
Company		Name Sec	E Borx.	<del>, -   -   -   -   -   -   -   -   -   - </del>
Address	Telephone No.	Address	<del></del>	Telephone No
City	te Zip Code	City	State	Zip Code
A Public Hearing having been formally of this day of regulations of Baltimore County and that the	attem topidile ant tent	o be required, it is ordered by to of this petition be set for a public	the Zoning Commissioner of hearing, advertised, as re-	f Baltimore County, juired by the zoning
	•	<del></del>	· · · · · · · · · · · · · · · · · · ·	<u> </u>
CASE NO TO	7. ()	•	nissioner of Baltimore Coun	ty
CASE NO		Reviewed By		5 · 3 · 2 · 2 · 2 · 2 · 2 · 2 · 2 · 2 · 2
REV 10/25/01		Estimated Posting Date	()4. () / ~ ¢	~ O

### **Zoning Description**

Zoning Description for 2002 Stockton Road.

Beginning at a point on the <u>Northeast</u> side of <u>Stockton Road</u> which is <u>18 feet</u> wide at the distance of <u>860 feet Southeast</u> of the centerline of the nearest improved intersecting street <u>Woodbark Lane</u> which is <u>16 feet</u> wide. Containing <u>30,927 square feet</u>. Also known as <u>2002 Stockton Road</u> and located in the <u>10<sup>th</sup> Election District</u>, <u>3<sup>rd</sup> Councilmanic District</u>.

"As recorded in Deed Liber 13164, Folio 451" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location. Typical metes and bounds: S.24 01'30" W. 273.91ft., N.62 50' W. 113.13ft., S.27 10' W. 273ft., N.62 50' W. 98.12ft.

DISTRIBUTION
WHITE - CASHI FOR: DATE FROM: RECEIVED MISCELLANEOUS OFFICE OF BUDGET & FINANCE BALTIMORE CASHIER COUNTY, MAR PINK -RECEIPI AGENCY **AMOUNT** ACCOUNT YELLOW -CUSTOMER 47 RE IFT # 153967 RIE JAN 1000 STATE OF STATE OF STATE OF THE OFFICE OF STATE OF श्ताका निवास 0.93.GI ATION 

## CERTIFICATE OPPOSTING

·	RE: Case No.: 04-102-A
	Petitioner/Developer:
	KREBS
	Date of Hearing/Closing: 9/22/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Becky HART	
Ladies and Gentlemen:	•
This letter is to certify under the penalties of were posted conspicuously on the property le	perjury that the necessary sign(s) required by law
	STOCKTON RD.
The sign(s) were posted on	9/7/03
• • • • • • • • • • • • • • • • • • •	(Month, Day, Year)
ASE # 04-102-A	Sincerely,
VADIANCE	(Signature of Sign Poster and Date)
CASE & G. 102. A MARKET CONTROL OF THE CONTROL OF T	RICHARD E. HOFFMAN (Printed Name)
	904 DELLANDO DO

(City, State, Zip Code)

(Telephone Number)

2002 STOCKTON RD.

POSTED 9/7/03

Dalle 12/1/03

PBC HARNOT

2002 STOCKTON RD.

POSTED 9/7/03

Delale 19/1/03

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 05-	102	-A	Address_	2007	STECKTOW FO.
Conta	ct Person:	Planner	Please Print Your N.	A A-VIX	51	Phone Number: 410-887-3391
Filing	Date:	8-ZC.c	23 Postii	ng Date: _	09.07.0	3 Closing Date: <u>09-77-0</u>
Any o	ontact made the contact	with this off person (plan		the status	of the adn	ninistrative variance should be
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2.	a formal red	luest for a pi	ublic hearing.	Please t	inderstand t	or owner within 1,000 feet to file that even if there is no formal closing date.
	order that the (týpically with	er. He may: ne matter be nin 7 to 10 da	(a) grant the set in for a vs of the closi	requested public hea ing date) a	relief; (b) do tring. You s to whether	the zoning or deputy zoning eny the requested relief; or (c) will receive written notification the petition has been granted, you by First Class mail.
	commissione changed givi	er), notifications of the second seco	bor's formal r n will be forv he hearing da	equest or varded to te. time an	by order of you. The solution A	hat must go to a public hearing the zoning or deputy zoning sign on the property must be as when the sign was originally ered sign must be forwarded to
	•		Detaile	Alon ) Dotted L	- ·	
Petitic	ner: This Pa	art of the For	m is for the S	 Sign Poste	r Only	l a
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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

### **ZONING REVIEW**

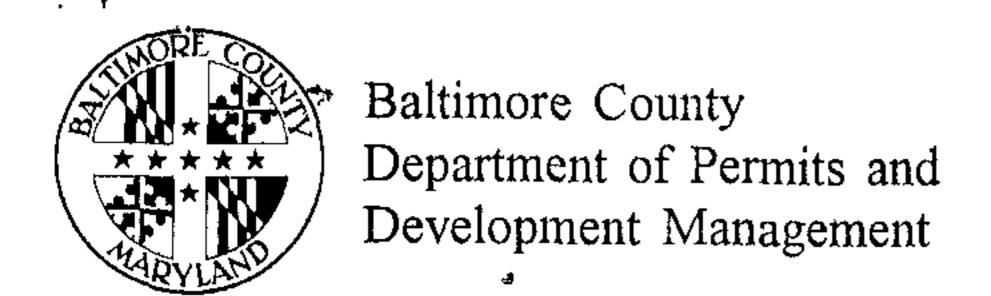
# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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.

•
or Newspaper Advertising:
em Number or Case Number: Off- 102- A
etitioner: James 1. Krebs
ddress or Location: 2002 Stockton Rd. Molnik, MD 21131
LEASE FORWARD ADVERTISING BILL TO:
ame:
ddress: 2002 Stockton Rd. Moenix MD 21131
elephone Number: 410-472-6909



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

September 22, 2003

James Krebs Helen Krebs 2002 Stockton Road Phoenix, MD 21131

Dear Mr. and Mrs. Krebs:

RE: Case Number: 04-102-A, 2002 Stockton Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 26, 2003.

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,

u. Calliball

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:

**Enclosures** 

c: People's Counsel



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

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

September 11, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: September 8, 2003

Item No.:

Dear Ms. Hart:

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.

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

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File

Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary
Nell J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 9.10.03

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

RE: Baltimore County

Item No. 102 (LTM)

Dear. Ms. Hart:

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,

Kenneth A. McDonald Jr., Chief

Engineering Access Permits Division

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

TO:

Tim Kotroco

FROM:

R. Bruce Seeley RBS /TGT

DATE:

October 9, 2003

SUBJECT:

Zoning Item <u>04-102</u>

Address

14520 Cuba Road

Zoning Advisory Committee Meeting of: September 8, 2003

The proposed addition must be a minimu of 20 feet to the septic area and 30 feet to the well. An inspection of the well and the septic system may be required prior to permit approval.

Reviewer: Sue Farinetti

Date: October 9, 2003

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SEP 1 8 2003
ZONING COMMISSIONER

**SUBJECT:** 

Zoning Advisory Petition(s): Case 04-102 – Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Section Chief:

AFK/LL:MAC

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

DATE: September 26, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 15, 2003. Item Nos. 099, 101, 102, 103, 104, 106, 107, 108, and 109

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

RWB:CEN:jrb

cc: File

Zoning Review
Department of Permits and Development Management
111 West Chesapeake Ave.
Room 111
Towson, MD 21204

8/19/03

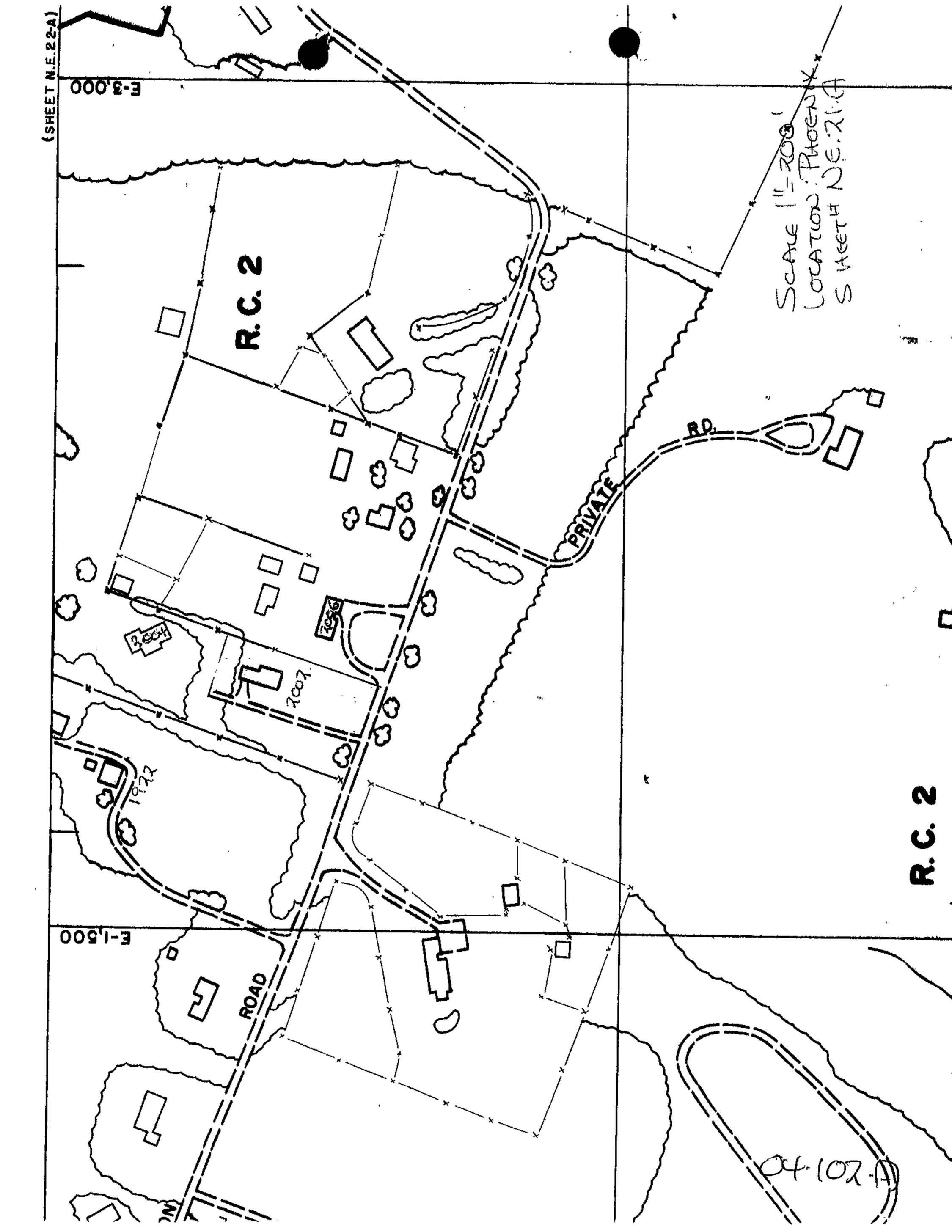
#### Dear Zoning Commissioner,

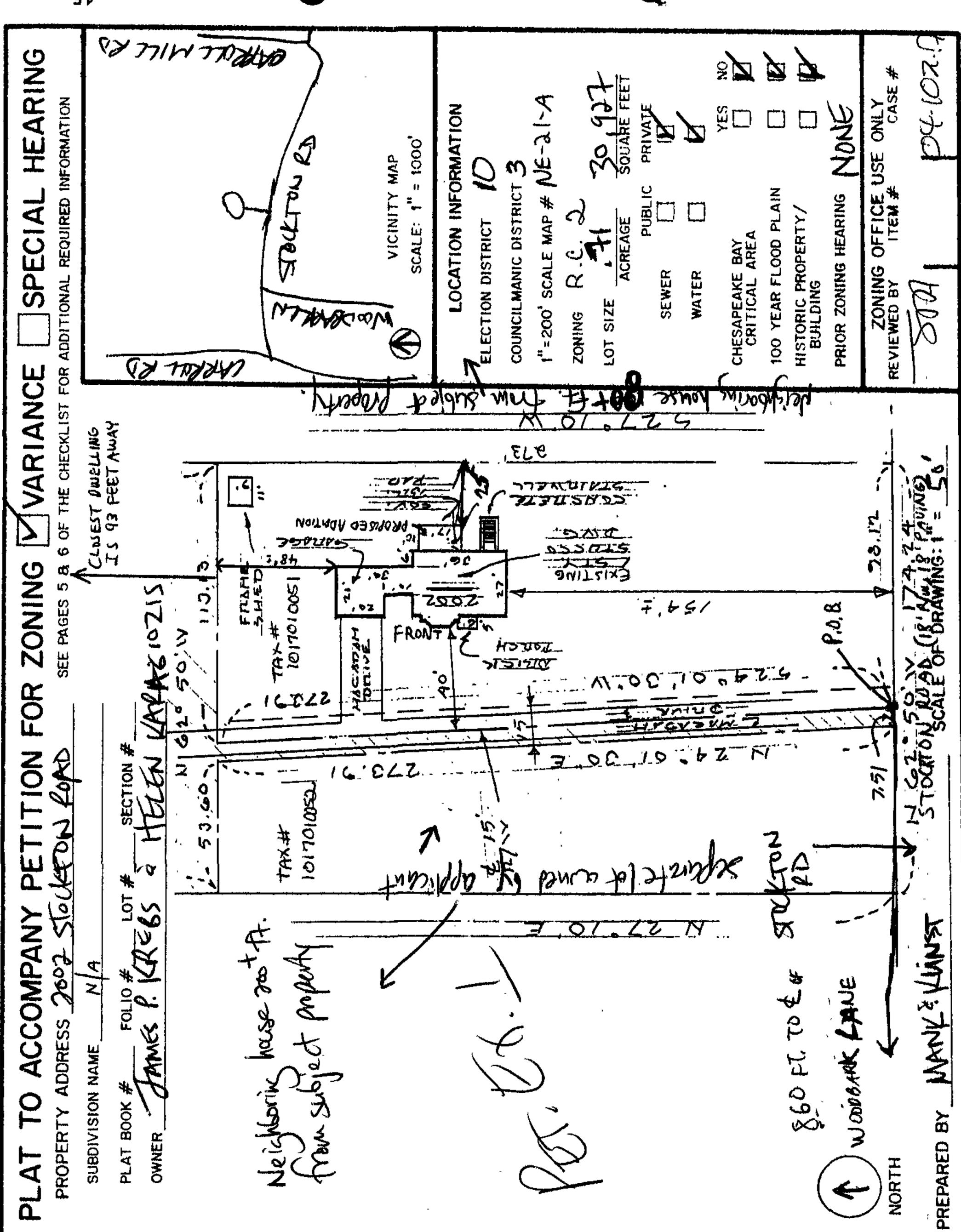
This letter serves as support from my neighbors in my attempt to enclose the brick patio of my home at 2002 Stockton Road, Phoenix, MD 21131 for the purposes of creating a 17'x10' dining room in the space. Below are the addresses, names and signatures of several of my neighbors. If I can be of further assistance, please contact me at 410-472-6909 or 410-853-3774. Thanks for your time.

Sincerely, Yours,
James P. Krebs

By signing the petition below, you are stating that you are not opposed to, or in protest of my attempt to enclose the brick patio in the rear of my home at 2002 Stockton Road, Phoenix, MD 21131 for the purposes of creating a 17'x10' dining room in the space.

Address	Printed Name	Signature	Date
2004 Steikbuld. Mo ciisi	DOLLGW		B(14 (2)
2020 STOCKTON RO AND SHI31	EDMOND J. MeDONNER M.D.	Exernel Medance	8/14/03
2020 Stocklan Rd	Chris M. Donnell	This Melmal	2 8-14-03
c1922 Stockton Rd	LisaDillon	yioad	8-14-03
Donald & Smith &	DUN SMITHSD	A OO 6 5 TOCKTONG	18-1403
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2006 STOCKTON RD	DOUALD L. SMITH TH	Donald & South	8/17/03
2006 Stockton RD	RAMPHY SMITH	Kathy Smuch	8/17/03
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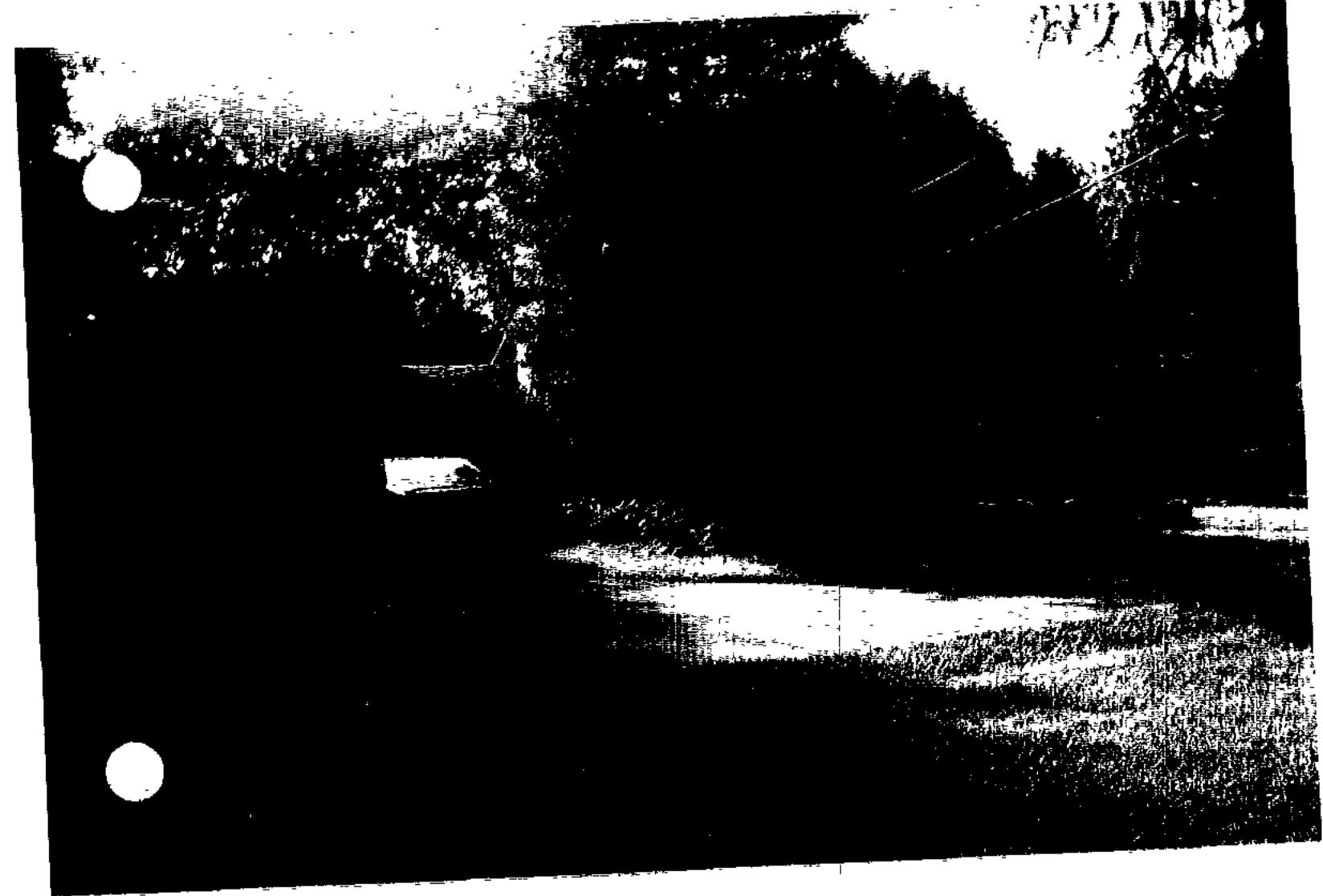






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