

IN THE MATTER OF	*	BEFORE THE
<u>ALBERT KOON YU AND KIRBY HOM</u>	*	BOARD OF APPEALS
- LEGAL OWNERS		
HOWARD AND JUDITH DUBICK	*	OF
-PETITIONERS FOR		
SPECIAL HEARING ON THE PROPERTY	*	BALTIMORE COUNTY
LOCATED AT 202-204 EASTERN BOULEVARD	*	
	*	
15 TH ELECTION DISTRICT	*	CASE NO.: 14-023-SPH
7 TH COUNCILMANIC DISTRICT	*	

* * * * *

ORDER OF DISMISSAL

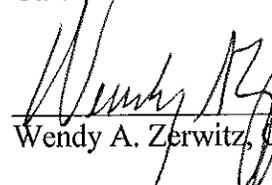
This matter comes to the Board of Appeals by way of an appeal filed by Edward Covahey, Jr., Esquire on behalf of Albert Koon Yu and Kirby Hom, Legal Owners and Howard and Judith Dubick, Petitioners, from a decision of the Administrative Law Judge dated September 30, 2013, in which the requested Petition for Special Hearing was granted with restrictions.

WHEREAS, the Board is in receipt of a voluntary letter of withdrawal of the Petition for Special Hearing, filed January 31, 2014 and signed by Edward Covahey, Jr, Esquire, Counsel for Legal Owners and Petitioners, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Petitioners requests that the Petition for Special Hearing taken in this matter be withdrawn as of January 31, 2014,

IT IS THEREFORE ORDERED this 4th day of February, 2014 by the Board of Appeals of Baltimore County that the Petition for Special Hearing taken in Case No. 14-023-SPH be and the same is hereby **DISMISSED WITH PREJUDICE**, thereby rendering the September 30, 2013 Opinion and Order of the Administrative Law Judge as **null and void** in this matter.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



 Wendy A. Zerwitz, Chairperson

RECEIVED
JAN 31 2014

RE: PETITION FOR SPECIAL HEARING
(202-204 Eastern Boulevard)
15th Election District
7th Councilmanic District
Albert Koon Yu & Kirby Hom,
Legal Owners
Howard L. & Judith M. Dubick
Contract Purchaser/Lessee

* BEFORE THE
* BOARD OF APPEALS
* FOR
* BALTIMORE COUNTY
*
* CASE NO.: 14-023-SPH

BALTIMORE COUNTY
BOARD OF APPEALS

Petitioners

MOTION TO WITHDRAW

Please withdraw the Petition filed in the above-captioned matter and dismiss same in accordance with Rule 3.B.2 of the Rules of Practice and Procedure of the Baltimore County Board of Appeals.



EDWARD C. COVAHEY, JR.
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, MD 21204
410-828-9441
Attorneys for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29 day of January, 2014, a copy of this Motion to Withdraw was mailed via first class mail to Peter Max Zimmerman, People's Counsel, and Carole S. DeMilio, Deputy People's Counsel, Office of People's Counsel, Jefferson Building, 105 West Chesapeake Avenue, Room 204, Towson, Maryland, 21204.



EDWARD C. COVAHEY, JR.



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

February 4, 2014

Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: *In the Matter of: Albert Koon Yu and Kirby Hom – Legal Owners
Howard and Judith Dubick - Lessees/Petitioners*
Case No.: 14-023-SPH

Dear Mr. Covahey:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in cursive script that reads "Sunny Cannington".

Krysundra "Sunny" Cannington
Administrator

Enclosure

c: Albert Koon Yu Hom and Kirby Hom
Alex K. Hwang, Associate
Howard and Judith Dubick
Brian Dietz
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law