



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

December 3, 2015

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204

Edward J. Gilliss, Esquire
Royston, Mueller, McLean & Reid, LLP
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204

RE: In the Matter of: Recovermat Mid-Atlantic, LLC – Legal Owners/Petitioner
Petition for Variance
Case No.: 14-178-A

Dear Counsel:

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 Ham".

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure
Duplicate Original Cover Letter

c: See Distribution List attached

c: Recovermat Mid-Atlantic, LLC
North Point Recycling, LLC
Robert D. Capalongo, RLA/CNA Engineers
Paul Tharp
Katie Heam
Dale Fields, Business Licensing/Motor Vehicle Administration
Phil Dacey, Esquire/Motor Vehicle Administration
Office of People's Counsel
Arnold Jablon, Deputy Administrative Officer, Director/PAI
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

IN THE MATTER OF
PETITION FOR VARIANCE BY
RECOVERMAT MID-ATLANTIC, LLC
- LEGAL OWNERS /PETITIONER FOR
THE PROPERTY LOCATED ON THE
W/S HALETHORPE FARMS ROAD, 395' S OF
C/L TRIDENT COURT
(2202 HALETHORPE FARMS ROAD)
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: 14-178-A

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Howard L. Alderman, Jr., Esquire on behalf of Recovermat Mid-Atlantic, LLC, Legal Owners/Petitioners, from a decision of the Administrative Law Judge dated October 1, 2014 in which the requested Petition for Special Hearing was granted with restrictions.

WHEREAS, the Board is in receipt of a voluntary of withdrawal of the Petition for Variance, filed November 3, 2015 and signed by Howard J. Alderman, Jr., Esquire, Counsel for Recovermat Mid-Atlantic, LLC, Legal Owners/Petitioners, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Petitioners requests that the Petition for Variance in this matter be withdrawn without prejudice as of November 3, 2015; and

IT IS THEREFORE ORDERED this 3rd day of December, 20 15 by the Board of Appeals of Baltimore County that the Petition for Variance in Case No. 14-178-A be and the same is hereby **DISMISSED without prejudice**, thereby rendering the October 1, 2014 Order of the Administrative Law Judge as null and void as to the Petition for Variance only. The Administrative Law Judge's Order dated October 1, 2014 with regard to the consolidated matter, 14-278-SPH, shall retain its full force and effect.

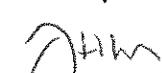
**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Jane M. Hanley, Panel Chairman



Benfred B. Alston



James H. West

**BEFORE THE COUNTY BOARD OF APPEALS
FOR BALTIMORE COUNTY**

IN RE: **PETITION FOR VARIANCE**
(2202 Halethorpe Farms Road)
13th Election District
1st Councilmanic District

Case No.: **2014-0178-A**

Recovermat Mid-Atlantic, LLC,

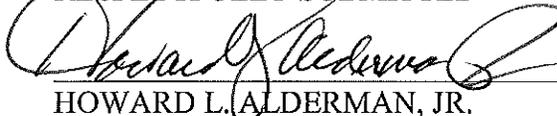
Legal Owner

WITHDRAWAL OF PETITION FOR VARIANCE – WITHOUT PREJUDICE

Case No. 2014-0178-A

Recovermat Mid-Atlantic, LLC (“Recovermat”), Owner of the above-referenced property, in accordance with *Code of Baltimore County Regulations, Rules of Practice and Procedure of the Baltimore County Board of Appeals*, Rule 3.b.2., hereby withdraws its Petition for Variance in Case No. 2014-0178-A. As this withdrawal has been filed before a hearing on the appeal of the variance has been finally scheduled, the withdrawal of the Petition for Variance and the relief requested therein is **without prejudice**.

RESPECTFULLY SUBMITTED



HOWARD L. ALDERMAN, JR.

Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600
410-296-2801 (Fax)
Attorneys for Recovermat Mid-Atlantic, LLC

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BALTIMORE COUNTY
BOARD OF APPEALS

CERTIFICATE OF SERVICE

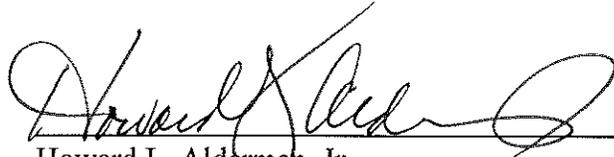
I HEREBY CERTIFY that on this 3rd day of November, 2015, a copy of the foregoing

Withdrawal of Petition for Variance Without Prejudice was mailed, postage prepaid, First Class United States Mail to:

Peter Max Zimmerman, Esquire
Carole S. Demilio, Esquire
People's Counsel for Baltimore County
The Jefferson Building
105 W. Chesapeake Avenue, Suite 204
Towson, MD 21204

and

Edward J. Gilliss, Esquire
RMMR, LLP
102 W. Pennsylvania Ave, Suite 600
Towson, MD 21204



Howard L. Alderman, Jr.