



## 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

April 21, 2016

Howard L. Alderman, Jr., Esquire  
Levin & Gann, P.A.  
Nottingham Centre, 8<sup>th</sup> Floor  
502 Washington Avenue  
Towson, Maryland 21204

G. Macy Nelson, Esquire  
Law Offices of G. Macy Nelson, LLC  
401 Washington Avenue, Suite 803  
Towson, Maryland 21204

RE: In the Matter of: *Sarah J. Dew, Julia M. Dew and Bailey M. Dew – Legal Owners*  
Case No.: 15-288-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,

Krystina "Sunny" Cannington  
**Administrator**

KLC/tam  
Enclosure  
Duplicate Original Cover Letter

c: Julia M. Dew  
Sarah J. Farley  
Bailey A. Dew  
Geoffrey C. Schultz/Polaris Land Consultants  
Office of People's Counsel  
Lawrence M. Stahl, Managing Administrative Law Judge  
Andrea Van Arsdale, Director/Department of Planning  
Arnold Jablon, Deputy Administrative Officer, and Director/PAI  
Nancy C. West, Assistant County Attorney/Office of Law  
Michael E. Field, County Attorney/Office of Law

Stephen and Judith Edgar  
Robert and Laura Wilke  
Brice G. Dowell  
Deane Schwatka  
Frank and Regina Duff  
Bonita Busta

IN THE MATTER OF  
SARAH J. DEW, JULIA M DEW, AND  
BAILEY M. DEW - LEGAL OWNERS  
PETITION FOR VARIANCE ON THE PROPERTY  
LOCATED AT 16332, 16334 AND 16342  
MATTHEWS ROAD

8<sup>TH</sup> ELECTION DISTRICT  
3<sup>RD</sup> COUNCILMANIC DISTRICT

\* BEFORE THE  
\* BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO.: 15-288-A

\* \* \* \* \*

**ORDER OF DISMISSAL**

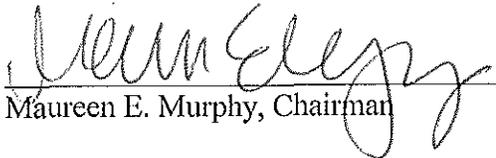
This matter comes to the Board of Appeals by way of an appeal filed by G. Macy Nelson, Esquire from a decision of the Administrative Law Judge dated September 16, 2015 in which the requested Petition for Variance was denied and from an Order on Motion for Reconsideration dated October 23, 2015 wherein the Motion for Reconsideration was granted and the Amended Petition for Variance was granted.

**WHEREAS**, the Board is in receipt of a Withdrawal of Petition for Variance –Without Prejudice, filed April 19, 2016 by Howard L. Alderman, Jr., Esquire, Counsel for Petitioners, Sarah J. Dew, Julia, M. Dew, and Bailey A. Dew, (a copy of which is attached hereto and made a part hereof); and

**WHEREAS**, said Counsel for Petitioners requests that the Petition for Variance filed in this matter be withdrawn as of April 19, 2016 without prejudice.

**IT IS THEREFORE ORDERED** this 21<sup>st</sup> day of April, 2016 by the Board of Appeals of Baltimore County that the Petition for Variance filed in Case No. 15-288-A be and the same is hereby **DISMISSED without prejudice**, thereby rendering the September 16, 2015 and October 23, 2015 decisions of the Administrative Law Judge **null and void** in this matter.

**BOARD OF APPEALS  
OF BALTIMORE COUNTY**

  
Maureen E. Murphy, Chairman

BEFORE THE COUNTY BOARD OF APPEALS  
FOR BALTIMORE COUNTY

RECEIVED

APR 19 2016

BALTIMORE COUNTY  
BOARD OF APPEALS

IN RE: **PETITION FOR VARIANCE**  
(16332, 16334 & 16342 Matthews Road)  
8<sup>th</sup> Election District  
3<sup>rd</sup> Councilmanic District

Case No.: 2015-0288-A

*Sarah J. Dew, Julia M. Dew & Bailey A. Dew,*

Petitioners/Owners

**WITHDRAWAL OF PETITION FOR VARIANCE – WITHOUT PREJUDICE**

Case No. 2015-0288-A

Sarah J. Dew, Julia M. Dew & Bailey A. Dew (“Petitioners”), Owners 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 withdraw their Petition for Variance in Case No. 2015-0288-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, 8<sup>th</sup> Floor  
502 Washington Avenue  
Towson, Maryland 21204  
410-321-0600  
410-296-2801 (Fax)  
*Attorneys for Petitioners*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 19<sup>th</sup> day of April, 2016, a copy of the foregoing

Withdrawal of Petition for Variance Without Prejudice and proposed Order were 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

G. Macy Nelson, Esquire  
David S. Lynch, Esquire  
401 Washington Avenue, Suite 803  
Towson, MD 21204



Howard L. Alderman, Jr.