

IN THE MATTER OF
JOHN AND VICTORIA POSEY
POSEY PROPERTY/TUFTON FARMS
(RESUBDIVISION OF LOT 4)

8TH ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

RE: DEVELOPMENT PLAN HEARING
PETITION FOR SPECIAL HEARING
DEPRM – REVOCATION OF
SITE ANALYSIS PLAN

(13101 DOVER ROAD)

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: CBA-10-032/CBA-10-033
ZONING 07-470-SPH
HOH CASE NO.: VIII-231

* * * * *

ORDER OF DISMISSAL

This case comes before this Board on appeals filed by Lawrence E. Schmidt, Esquire and Gildea & Schmidt, LLC , on behalf of John Posey, Victoria Posey and Wells Development Corporation, Petitioners/Appellants, from the decision of the Hearing Officer/Zoning Commissioner dated February 25, 2010 and the appeal of the decision/notification by the Department of Environmental Protection and Resource Management ("DEPRM") and the Office of Planning which revoked the approval of a Site Analysis Plan for the above property.

WHEREAS, the Board is in receipt of a Hand Delivered letter filed May 25, 2010, by Lawrence E. Schmidt, Esquire and Gildea & Schmidt, LLC , on behalf of John Posey, Victoria Posey and Wells Development Corporation, Appellants (a copy of which is attached hereto and made a part hereof); and

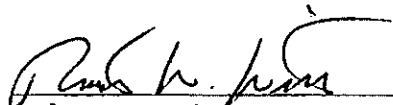
WHEREAS, said Counsel requests on behalf of the Appellants that the appeals filed in HOH Case No.: VIII-231; CBA Case Nos. CBA-10-032 and CBA-10-033 and Zoning Case No.: 07-470-SPH be dismissed with prejudice as of May 25, 2010;

IT IS HEREBY ORDERED this 2nd day of June, 2010 by
the Board of Appeals of Baltimore County that said appeals taken in CBA-10-032 and
CBA-10-033, to include Zoning Case No.: 07-470-SPH and HOH Case No.: VIII-231, be
and the same are hereby **WITHDRAWN AND DISMISSED WITH PREJUDICE.**

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott, Panel Chair


Wendell H. Grier


Robert W. Witt

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JASON T. VETTORI

May 25, 2010

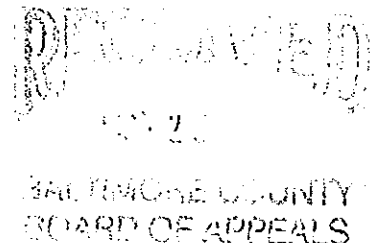
Sent via Hand Delivery

Theresa R. Shelton

County Board of Appeals of Baltimore County

105 W. Chesapeake Avenue, Suite 203

Towson, MD 21204



Re: 13101 Dover Road
Case Nos.: 10-032/10-033
PDM No.: VIII-231

Dear Ms. Shelton:

Pursuant to Rule 3 of the Board of Appeals' Rules of Practice and Procedure, we are hereby dismissing, with prejudice, the appeals of both the Hearing Officer's decision and the appeal of DEPRM's action in revoking the approval of the Site Analysis Plan. Therefore, further hearing dates will not be required.

Thank you very much for your consideration of this matter. With kind regards, I remain

Very truly yours,

Lawrence E. Schmidt

Lawrence E. Schmidt

LES: jkl

CC: J. Carroll Holzer, Esquire, Holzer & Lee

Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County

Kenneth J. Wells, KjWellsInc.