

IN THE MATTER OF

*

BEFORE THE

CHARLESTOWN RETIREMENT COMMUNITY

*

BOARD OF APPEALS

701 MAIDEN CHOICE LANE

1ST ELECTION DISTRICT

*

OF

1ST COUNCILMANIC DISTRICT

*

BALTIMORE COUNTY

DRC No.: 102610A

*

CASE NO.: CBA-11-010 and
CBA-11-011

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Peter Max Zimmerman, People's Counsel for Baltimore County, and an appeal filed by the Kensington Improvement Association, Pocco Rice, Individually and as President, et al. from a decision of the Director of the Department of Permits and Development Management dated November 15, 2010 in which the requested refinement to the previously approved CRG plan was approved.

WHEREAS, the Board is in receipt of a voluntary letter of withdrawal of the request for a refinement to the previously approved CRG Plans, and withdrawal of the request for zoning confirmation ("spirit and intent"), dated July 28, 2011 and signed by Patricia A. Malone, Esquire, Counsel for Charlestown Retirement Community, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel requests that the requests for refinement and zoning confirmation in this matter be withdrawn as of July 28, 2011,

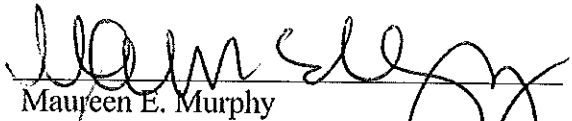
IT IS THEREFORE ORDERED this 3rd day of August, 2011 by the Board of Appeals of Baltimore County that the requests for refinement and zoning confirmation in DRC No: 102610A, Case No: CBA-11-010 and CBA-11-011, be and the same is hereby **DISMISSED without**

prejudice, thereby rendering the November 15, 2010 Order of the Director of the Department of Permits and Development Management as **null and void** in this matter.

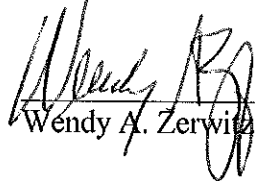
**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Lawrence S. Wescott, Chairman



Maureen E. Murphy



Wendy A. Zerwitz

Patricia A. Malone
Of Counsel

t 410.494.6206
f 410.821.0147
pamalone@venable.com

July 28, 2011

Arnold Jablon, Deputy County
Administrative Officer
Director, Baltimore County Department
of Permits, Approvals and Inspections
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED
JUL 28 2011 KC
BALTIMORE COUNTY
BOARD OF APPEALS

County Board of Appeals of Baltimore County
c/o Theresa R. Shelton, Administrator
Jefferson Building
Second Floor, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204

Re: **In the Matter of Charlestown Retirement Community**
DRC No. 102610A/PDM No. I-225
Case No. CBA-11-010
Case No. CBA-11-011

Dear Mr. Jablon and Mrs. Shelton:

On behalf of my client Charlestown Retirement Community (CRC), I am writing to withdraw the request for a refinement to the prior approved CRG Plans. This request was filed in October of 2010 (DRC No. 102610A) and, after recommendation by the Development Review Committee, was approved by Mr. Jablon in a letter dated November 15, 2010.

Additionally, at this time, CRC is withdrawing its request for zoning confirmation ("spirit and intent") as outlined in a letter, dated October 25, 2010, written to and countersigned by W. Carl Richards, Zoning Supervisor.

CRC has chosen to pursue the necessary approvals for campus improvements through the filing of a Petition for Special Hearing and appearance before the County Review Group for review of the amended plan. Judge Stahl, Managing Administrative Law Judge, granted the Petition for Special Hearing, and, sitting as the County Review Group as the

Arnold Jablon, et al.
July 28, 2011
Page 2

designee for both the Office of Planning and the Department of Public Works, he also approved the amended CRG Plan. I have attached a copy of these approvals for your convenient reference.

Now that the issues involved in the referenced appeals have been resolved through these other proceedings, and the decisions involved have become final with the expiration of the thirty day appeal periods without appeal, we request that the Board of Appeals dismiss the pending appeals.

Very truly yours,



Patricia A. Malone

PAM/bl

cc: Peter Max Zimmerman, Esquire
People's Counsel for Baltimore County
Marilyn A. Maitland, President
Kensington Improvement Association
Mr. Pocco Rice
Ms. Susan L. Mazonni
Mrs. Edith E. Robinson