

IN THE MATTER OF	*	BEFORE THE
<u>ROBERT PRITCHARD AND LYNN FONTANA</u>	*	BOARD OF APPEALS
- LEGAL OWNERS /PETITIONERS		
<u>RICHARD AND MARCIE ROSARIO</u>	*	OF
- CONTRACT PURCHASERS/PETITIONERS		
PETITION FOR VARIANCE	*	BALTIMORE COUNTY
FOR THE PROPERTY LOCATED AT		
12202 HAPPY HOLLOW ROAD	*	CASE NO.: 13-256-A
8 <sup>TH</sup> ELECTION DISTRICT	*	
2 <sup>ND</sup> COUNCILMANIC DISTRICT	*	

\* \* \* \* \*

**ORDER OF DISMISSAL**


This matter comes to the Board of Appeals by way of an appeal filed by Edith Hellmers, Dianne Schroeder, and Robyn Costello, from a decision of the Administrative Law Judge dated June 7, 2013 in which the requested Petition for Special Hearing was granted.

**WHEREAS**, the Board is in receipt of a letter of withdrawal of the Petition for Variance, filed September 4, 2013 and signed by Richard and Marie Rosario, Contract Purchasers/ Petitioners, (a copy of which is attached hereto and made a part hereof); and

**WHEREAS**, said Contract Purchasers/Petitioners request that the Petition for Variance taken in this matter be withdrawn as of September 4, 2013,

**IT IS THEREFORE ORDERED** this 11<sup>th</sup> day of September 2013 by the Board of Appeals of Baltimore County that the Petition for Variance taken in Case No. 13-256-A be and the same is hereby **DISMISSED without prejudice**, thereby rendering the June 7, 2013 Order of the Administrative Law Judge **null and void** in this matter.

**BOARD OF APPEALS  
OF BALTIMORE COUNTY**

  
\_\_\_\_\_  
Andrew M. Belt, Chairman

County Board of Appeals of  
Baltimore County  
105 W. Chesapeake Avenue, Ste. 203  
Towson, Maryland 21204

Re: APPEAL TO THE BOARD OF APPEALS  
Location: 12202 Happy Hollow Road  
8th Election District  
2nd Council District  
Richard H. Rosario and  
Marcie S. Rosario, Petitioner  
Case No. 2013-0256-A


Dear Clerk:

As the Legal Owners/Petitioners in the above referenced Petition for Administrative Variance, please accept this request of the Petition for Administrative Variance in the accordance with Rule 3.b.2 of the Rules of Practice and Procedure of the Baltimore County Board of Appeals.

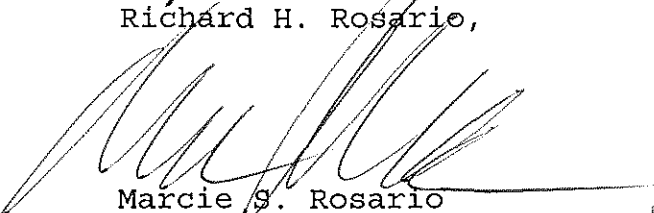
As Legal Owners/Petitioner we wish to have the petition withdrawn and dismissed without prejudice. As such, this withdrawal is being filed not less than 10 days before the scheduled hearing date, September 17, 2013. We the Legal Owners/Petitioners understand and acknowledge that the withdrawal of our petition will render the Administrative Law Judge's June 7, 2013 decision moot.

Thank you for your time and consideration of this most important matter.

Sincerely,



Richard H. Rosario,



Marcie S. Rosario

RECEIVED

SEP 4 2013

BALTIMORE COUNTY  
BOARD OF APPEALS

KC



## 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

September 11, 2013

Richard and Marcie Rosario  
9603 Deereco Road, Ste 300  
Timonium, MD 21093

RE: *In the Matter of: Robert Pritchard and Lynn Fontana – Legal Owners*  
*Richard and Marcie Rosario – Contact Purchasers/Lessees*  
Case No.: 13-256-A

Dear Mr. and Mrs. Rosario:

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  
Acting Administrator

Enclosure

Duplicate Original Cover Letter

c: Robert Pritchard and Lynn Fontana  
Edith Hellmers  
Dianne Schroeder  
Robyn Costello  
Leonard Aumiller  
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