

IN THE MATTER OF
DMS Development – Legal Owner
101 York Road
Towson, MD 21204

Re: Appeal of Forest Conservation Variance Request

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. CBA-15-003

* * * * *

ORDER OF DISMISSAL

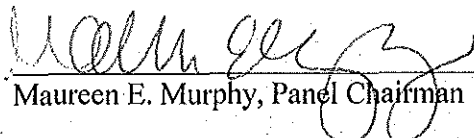
This matter comes to the Board of Appeals by way of an appeal filed by J. Carroll Holzer, Esquire on behalf of the American Legion, Towson Post #22, Inc., Frederick Hofferbert, Jr., Commander, and Paul Moran, Adjutant, Protestants/Appellants, from a letter dated October 6, 2014 from Vincent J. Gardina, Director of Department of Environmental Protection and Sustainability (DEPS), wherein the requested forest conservation variance was approved.

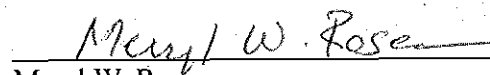
WHEREAS, the Board convened for a hearing in this matter on Thursday, February 19, 2015;

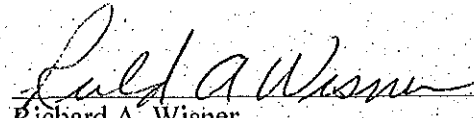
WHEREAS, at the above referenced hearing, J. Carroll Holzer, Esquire on behalf of Protestants/Appellants, withdrew the appeal of the forest conservation variance; therefore

IT IS ORDERED this 20th day of February, 2015 by the Board of Appeals of Baltimore County that the appeal taken in Case No. CBA-15-003 be and the same is hereby **DISMISSED**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Panel Chairman


Meryl W. Rosen


Richard A. Wisner



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

February 20, 2015

G. Scott Barhight, Esquire
Jennifer R. Busse, Esquire
Whiteford, Taylor & Preston, L.L.P.
One West Pennsylvania Avenue, Suite 300
Towson, Maryland 21204

J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, Maryland 21286

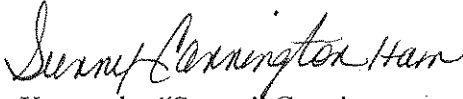
RE: In the Matter of: DMS Development – Legal Owner
Case No: CBA-15-003

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,


Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure
Duplicate Original Cover Letter

c: DMS Development
John Canoles/Eco-Science Professionals, Inc.
Matthew Bishop/Morris & Ritchie Associates
Frederick Hofferbert, Jr./The American Legion Towson Post #22, Inc.
Paul Moran/The American Legion Towson Post #22, Inc.
Vincent J. Gardina, Director/EPS
Patricia M. Farr, Manager/Environmental Impact Review/EPS
Nancy West, Assistant County Attorney
Michael Field, County Attorney/Office of Law