

IN THE MATTER OF
RICHARD AND SUSAN LEHMANN
LEGAL OWNERS AND PETITIONERS
FOR SPECIAL HEARING ON THE PROPERTY
LOCATED AT 7700 CROSSLAND ROAD

3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: 16-060-SPH

* * * * *

AMENDED ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Richard C. Burch, Esquire on behalf of Henry Kahn and Marlene Trestman, Protestants and Appellants, from a decision of the Administrative Law Judge dated May 18, 2016, in which the requested Petition for Special Hearing was denied.

The Board previously heard argument, and held a public deliberation on Motions to Dismiss filed by both parties. Both Motions to Dismiss were denied and the Board determined that a hearing on the merits of this case would be heard. A hearing was scheduled for April 25, 2017 and subsequently postponed by request of the Petitioners. No further hearing dates have been scheduled.

WHEREAS, pursuant to Board of Appeals Rules of Practice and Procedure, Rule 3(b)(2), the Board is in receipt of a Notice of Voluntary Withdrawal and Dismissal of the Petition for Special Hearing, dated July 18, 2017 from Dino C. La Fiandra, Esquire, Counsel for Richard and Susan Lehmann, Petitioners, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Notice requests that the Petition for Special Hearing taken in this matter be withdrawn as of July 18, 2017;

WHEREAS, the Board previously issued an Order of Dismissal in this matter on August 16, 2017, which inadvertently included language from a form Order. Pursuant to Board of Appeals Rules

of Practice and Procedure, Rule 11, the Board retains revisory power over the opinions and orders for 30 days after issuance.

IT IS THEREFORE ORDERED this 13th day of September, 2017 by the Board of Appeals of Baltimore County that, in accordance with Board of Appeals Rules of Practice and Procedure Rule 3(b)(2) and Rule 11, the Petition for Special Hearing in Case No. 16-060-SPH be and the same is hereby **WITHDRAWN AND DISMISSED, with prejudice.**

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*.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Panel Chair



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 13, 2017

Dino C. La Fiandra, Esquire
PK Law
901 Dulaney Valley Road, Suite 500
Towson, Maryland 21204

Richard C. Burch, Esquire
Mudd, Harrison & Burch, L.L.P.
401 Washington Avenue, Suite 900
Towson, Maryland 21204-4835


RE: In the Matter of: *Richard and Susan Lehmann*
Case No.: 16-060-SPH

Dear Counsel:

Enclosed please find a copy of the Amended 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/taz
Duplicate Original Cover Letter
Enclosure

c: Richard and Susan Lehmann
Henry Kahn / Marlene Trestman
Richard E. Matz, P.E.
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