

IN THE MATTER OF
THE APPLICATION OF
APEX Ground Properties, LLC
LEGAL OWNERS and PETITIONERS
for Special Hearing and Variance on the property
located at 7400 Dogwood Road
2nd Election District
4th Councilmanic District

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 17-297-SPHA

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Kathleen Skullney, Esquire, *pro se* and as attorney for the Greater Patapsco Community Association, Cathy Wolfson, President and Brittany Karabanoff, Protestants. Protestants appealed both, the decision of the Administrative Law Judge dated July 3, 2017 wherein the relief requested was granted, and the Order on Motion for Reconsideration issued by the Administrative Law Judge dated August 25, 2017 wherein the Protestant's Motion for Reconsideration was denied.

WHEREAS, the Board is in receipt of a Withdrawal of Zoning Petitions filed by Anthony J. DiPaula, Esquire on behalf of APEX Ground Properties, LLC, Petitioner (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Petitioner requests that the Petitions for Special Hearing and Variance that are the subject matter of this appeal be withdrawn and dismissed without prejudice,

IT IS THEREFORE ORDERED this 26th day of October, 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Rule 3.b.2, the Petitions for Special Hearing and Variance filed in Case No. 17-297-SPHA, be and the same are hereby **WITHDRAWN AND DISMISSED without prejudice.**

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Andrew M. Belt, Chairman

**IN THE MATTER OF
APEX Ground
Properties, LLC**

(7400 Dogwood Road)
2nd Election District
4th Councilmanic District

Owner/Petitioner
Appellee

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* **Zoning Case No: 17-297-SPHA**

*

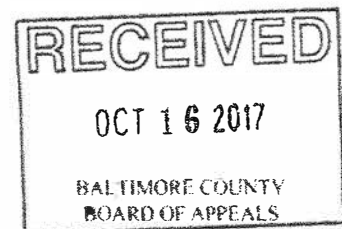
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WITHDRAWAL OF ZONING PETITIONS

Apex Ground Properties, LLC, Owner/Petitioner/Appellee, by its attorney, Anthony J. DiPaula and the Law Offices of Anthony J DiPaula, P.A., respectfully withdraws the Petition for Special Hearing and Petition for Variances without prejudice, thereby rendering this appeal moot, and allowing the zoning relief granted in Case No. 2013-0267-SPHXA to remain in full force and effect and unchanged.



Anthony J. DiPaula, Esq.
Law Offices of Anthony J. DiPaula, P.A.
34 South Main Street
Bel Air, Maryland 21014
(410) 893-4255
ajdipaula@dipaulalaw.com
Attorney for Petitioner/Appellee



CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 13TH day of October, 2017, a copy of the foregoing Withdrawal of Zoning Petitions was mailed, first class postage prepaid to:

Kathleen S. Skullney, Esq.
10813 Davis Avenue
Granite, Maryland 21163
Attorney for Protestants/Appellants

Peter Max Zimmerman
Carole S. Demilio
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, Maryland 21204



Anthony J. DiPaula



Board of Appeals of Baltimore County

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410-887-3180
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October 26, 2017

Anthony J. DiPaula, Esquire
Law Offices of Anthony J. DiPaula, P.A.
34 South Main Street
Bel Air, Maryland 21014

Kathleen S. Skullney, Esquire
10813 Davis Avenue
Granite, Maryland 21163

RE: In the Matter of: *APEX Ground Properties, LLC*
Case No.: 17-297-SPHA

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,

A handwritten signature in cursive script that reads "Sunny Cannington".

Krysundra "Sunny" Cannington
Administrator

KLC/taz
Duplicate Original Cover Letter
Enclosure

c: Allen E. Terrill, Jr./APEX Ground Properties, LLC
Cathy Wolfson, President/Greater Patapsco Community Association, Inc.
Brittany Karabanoff
Thomas J. Hoff
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