

IN THE MATTER OF
 THE APPLICATION OF
TREVOR AND KELLY WELLS -LEGAL OWNERS
 FOR SPECIAL EXCEPTION ON PROPERTY
 LOCATED ON THE NE/S MIDDLETOWN ROAD,
 2570 NW OF RUHL RD (21225 MIDDLETOWN RD)
 (Case No. 04-343-X)
 AND
 FOR SPECIAL EXCEPTION ON PROPERTY
 LOCATED AT 21225 MIDDLETOWN ROAD
 (Case No. 06-073-X)

BEFORE THE
 COUNTY BOARD OF APPEALS
 OF
 BALTIMORE COUNTY
 Case No. 04-343-X and
 Case No. 06-073-X

6TH Election District
 3RD Councilmanic District

ORDER OF DISMISSAL OF PETITION (04-343-X)
and DISMISSAL OF APPEAL (06-073-X)

The subject cases came to the Board on appeals filed by Peter Max Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel, and by J. Carroll Holzer, Esquire, on behalf of Josephine and Francis Galczynski, Donald and Stacey Waynick, and Anita Gerwig from the decision of the Zoning Commissioner dated September 30, 2004, in which the special exception request was dismissed as moot (Case No. 04-343-X); and on appeal filed by J. Carroll Holzer, Esquire, on behalf of Josephine and Francis Galczynski, Sr., from the decision of the Zoning Commissioner dated May 3, 2007 in which the requested special exception was granted with restrictions (Case No. 06-073-X).

WHEREAS, the Board is in receipt of a letter of withdrawal of Petition for Special Exception dated September 11, 2007, filed in Case No. 04-343-X by Bruce Doak of Gerhold, Cross and Etzel, on behalf of Trevor and Kelly Wells, Petitioners, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, the Board is in receipt of a Notice of Withdrawal of Appeal dated September 11, 2007, filed in Case No. 06-073-X by J. Carroll Holzer, Esquire, on behalf of Josephine and Francis Galczynski, Sr., Appellants /Protestants, (a copy of which is also attached hereto and made a part hereof); and

WHEREAS, Mr. Doak on behalf of Trevor and Kelly Wells, Petitioners, requests that the Petition for Special Exception filed in Case No. 04-343-X be withdrawn as of September 11, 2007; and

WHEREAS, Mr. Holzer, on behalf of Josephine and Francis Galczynski, Sr., Appellants
/Protestants, requests that the appeal filed in Case No. 06-073-A be withdrawn as of September 11, 2007;

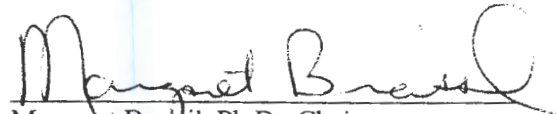
IT IS THEREFORE this 27th day of September, 2007, by the County Board of
Appeals of Baltimore County

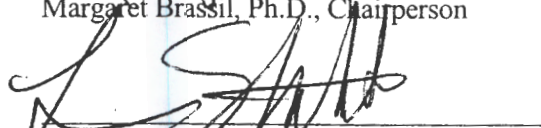
ORDERED that said Petition for Special Exception filed in Case No. 04-343-X be and the same is
hereby **WITHDRAWN AND DISMISSED** pursuant to the attached letter of withdrawal, causing the
appeals filed in Case No. 04-343-X to become moot; and it is further

ORDERED that the decision of the Zoning Commissioner in Case No. 04-343-X, including any and
all relief granted to Petitioners therein, is rendered null and void; and it is further

ORDERED that the appeal filed in Case No. 06-073-X be and the same is hereby **WITHDRAWN
AND DISMISSED**, allowing the ruling of the Zoning Commissioner in Case No. 06-073-A to stand as a
final Order.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Margaret Brassil, Ph.D., Chairperson


Lawrence M. Stahl


Robert W. Witt

September 11, 2007

Ms. Kathleen C. Bianco
County Board of Appeals
Room 49, Old Courthouse
Towson, MD 21204

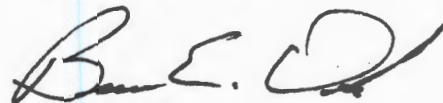
Re: Case No. 04-343-X /In the Matter of: Trevor Wells, et ux
Withdrawal of Petition

Dear Ms. Bianco:

I am writing on behalf of the Petitioners in the subject matter, Trevor and Kelly Wells, who are hereby withdrawing the Petition for Special Exception filed in Case No. 04-343-X.

Should you have any questions, please contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bruce Doak", with a stylized flourish at the end.

Bruce Doak

c: J. Carroll Holzer, Esquire