

IN THE MATTER OF
BARE HILLS I, LLC-LEGAL OWNER
CBS RADIO, INC.-LESSEE/PETITIONER
PETITION FOR VARIANCE ON THE
PROPERTY LOCATED E/S CLARKVIEW
ROAD, 1900'S C/LINE FALLS ROAD
(1423 CLARKVIEW ROAD)

3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 07-339-A
*

* * * * *

ORDER OF DISMISSAL

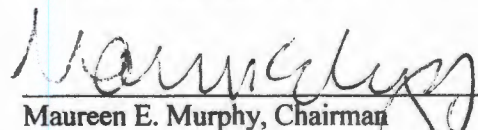
This matter comes to the Board of Appeals by way of an appeal filed by Office of People's Counsel, from a decision of the Zoning Commissioner dated April 26, 2007, in which the requested zoning relief was granted.

WHEREAS, the Board is in receipt of a Request to Withdraw Petition filed by David H. Karceski, Esquire on behalf of CBS Radio, Inc., Lessee/Petitioner (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Lessee/Petitioner requests that the Petition for Variance that is the subject matter of this appeal be withdrawn and dismissed without prejudice,

IT IS THEREFORE ORDERED this 26th day of October, 2009 by the Board of Appeals of Baltimore County that the Petition for Variance filed in Case No.: 07-339-A be and the same is hereby **WITHDRAWN AND DISMISSED**, and that the Zoning Commissioner's Order dated April 26, 2007, including any and all relief granted therein, is rendered **null and void**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Chairman


Andrew M. Belt


Robert W. Witt



County 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

To File
TMR

October 26, 2009

David H. Karceski, Esquire
Venable, LLP
210 W. Pennsylvania Ave, Ste 500
Towson, MD 21204

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of People's Counsel
The Jefferson Building, Suite 204
105 W. Chesapeake Avenue
Towson, MD 21204

RE: *In the Matter of: Bare Hills I, LLC – Legal Owner*
CBS Radio, Inc. – Lessee
Case No.: 07-339-A

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,

Theresa Shelton/kc

Theresa R. Shelton
Administrator

TRS/klc
Enclosure

Duplicate Cover letter

c: Erich Steinnagel/CBS Radio
David Kinniard/Bloomfield & Associates
Geoffrey Schultz/McKee & Associates
Kris Culp
Arnold F. "Pat" Keller, III, Director/Planning
Nancy West, Assignment County Attorney

William J. Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
John E. Beverungen, County Attorney

October 15, 2009

David H. Karceski

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HAND DELIVERED

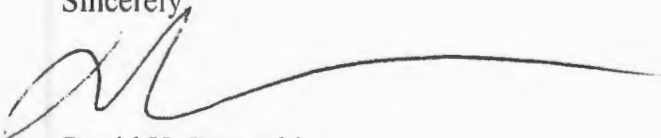
Ms. Theresa R. Shelton
Administrator
County Board of Appeals of Baltimore County
The Jefferson Building, Suite 203
105 West Chesapeake Avenue
Towson, MD 21204

Re: Petition for Variance
Property: 1423 Clarkview Road
Case No. 07-339-A

Dear Ms. Shelton:

The purpose of this letter is to confirm that our client, CBS Radio, Inc., is hereby withdrawing the Petition for Variance filed in Case No. 07-339-A for the above-referenced property, without prejudice.

Sincerely,



David H. Karceski

DHK/rab

cc: Mr. Erich Steinnagel
Peter Zimmerman, Esquire, People's Counsel

RECEIVED

OCT 15 2009

BALTIMORE COUNTY
BOARD OF APPEALS