

1 Kressel, Referee.

2 In this appeal petitioners challenge the county's approval
3 of a partition dividing an 11 acre tract into three lots. Of
4 particular concern to petitioners is the proposed location of
5 the road serving the lots. They contended before the county
6 governing body that the proposed road would be so close to
7 their residence as to constitute an invasion of privacy and a
8 violation of setback requirements contained in the county
9 zoning ordinance. Their petition to this Board reiterates
10 those concerns, focusing principally on the alleged ordinance
11 violations.

12 The case has been briefed and argued. Petitioners, who are
13 not represented by counsel, now move to withdraw the appeal.
14 The Board conducted a conference by telephone with the parties
15 on July 23, 1985 to discuss the motion. During the conference
16 Petitioner Ray Barbee confirmed that petitioners wish to
17 terminate the appeal even though it is now before the Board for
18 decision.

19 Based on the foregoing, this appeal is dismissed.

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