

IN THE MATTER OF
THE APPLICATION OF
JASON AND HERBERT TART
/ LEGAL OWNER
PETITION FOR ADMINISTRATIVE
VARIANCE, ON THE PROPERTY
LOCATED N/S FORGE ROAD 356' NE
C/LINE OF KERRIES COURT
(5022 FORGE ROAD)

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 10-057-A

1ST ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* * * * *

ORDER OF DISMISSAL


This matter comes to the Board of Appeals by way of an appeal filed by Paul Frey, Individually, on 9808 Kerries Court, Perry Hall, MD and on behalf of the Enclave at the Villages of Honeygo, Inc., the area community association, from a decision of the Zoning Commissioner dated November 2, 2009, in which the requested zoning relief was granted.

WHEREAS, the Board is in receipt of a Motion to Dismiss Appeal filed on May 27, 2010, via facsimile, and signed by Paul Frey, the sole individual Appellant and on behalf of the Enclave at the Villages of Honeygo, Inc., (a copy of which is attached hereto and made a part hereof); and

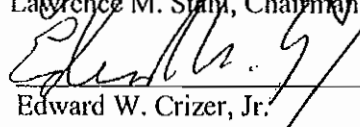
WHEREAS, said Appellant has indicated that a settlement has been reached in this matter and the Appellant requests that the appeal taken in this matter be withdrawn and dismissed with prejudice as of May 27, 2010,

IT IS ORDERED this 28th day of May, 2010 by the Board of Appeals of Baltimore County that the appeal taken in Case No. 10-057-A be and the same is hereby **WITHDRAWN AND DISMISSED WITH PREJUDICE.**

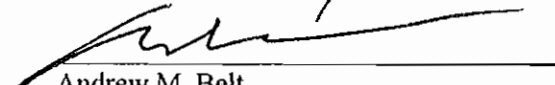
**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Lawrence M. Stahl, Chairman



Edward W. Crizer, Jr.



Andrew M. Belt

RE: PETITION FOR ADMINISTRATIVE
VARIANCE
5022 Forge Road; N/S Forge Road,
365⁺ NE c/line of Kerries Court
1st Election & 5th Councilmanic Districts
Legal Owner(s): Jason & Herbert Tart Jr.

* BEFORE THE COUNTY
* BOARD OF APPEALS
* FOR
* BALTIMORE COUNTY
* BA 10-057-A

Petitioner(s)

* * * * *

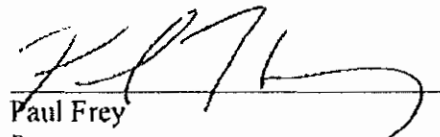
MOTION TO DISMISS

Protestant, Paul Frey, hereby files this Motion to Dismiss his appeal in this matter with prejudice. The grounds of the Motion are as follows:

1. Protestant, Petitioner and the Enclave at the Villages of Honeygo, Inc., the area community association, have reached and entered into a Settlement Agreement, whereby Protestant has agreed to dismiss its appeal to the County Board of Appeals of Baltimore County with prejudice.

WHEREFORE, due to the settlement of the matter, Protestant asks that its appeal be dismissed with prejudice.

Respectfully submitted,

 5/27/10
Paul Frey
Protestant

RECEIVED

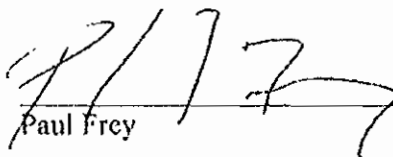
MAY 27 2010

BALTIMORE COUNTY
BOARD OF APPEALS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Protestant's Motion to Dismiss was mailed this 21 day of May, 2010, postage prepaid, to the following:

Lawrence E. Schmidt
600 Washington Ave.
Suite 200
Towson, Maryland 21204

 5/27/10
Paul Frey