

IN THE MATTER OF
THE APPLICATION OF
CROSSROADS RESERVE, LLC
LEGAL OWNER / PETITIONER
FOR A SPECIAL EXCEPTION ON
PROPERTY LOCATED ON THE SE/S
OF BELAIR ROAD; 32 FT NE OF THE
C/L OF KAHLSTON ROAD
(9653 A and 9655 BELAIR ROAD)

11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* * * * *

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 11-002-X

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Francis X. Borgerding, Jr., Esquire, on behalf of Ray Brehm and John Ruppert, Appellants, from a decision of the Deputy Zoning Commissioner dated September 20, 2010, in which the requested relief was granted subject to conditions.

WHEREAS, the Board is in receipt of a Motion to Dismiss with prejudice of the appeal filed February 10, 2011, by the Francis X. Borgerding, Jr., Esquire, on behalf of Ray Brehm and John Ruppert, Appellants, (a copy of which is attached hereto and made a part hereof); and


WHEREAS, said Appellant requests that the appeal taken in this matter be withdrawn and dismissed with prejudice as of February 10, 2011;

IT IS ORDERED this 17th day of February, 2011 by the Board of Appeals of Baltimore County that the appeal taken in Case No. 11-002-X be and the same is hereby **DISMISSED** with prejudice.

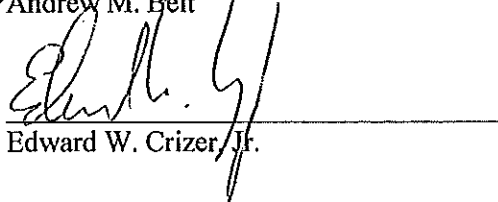
**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Lawrence S. Wescott, Chairman



Andrew M. Belt



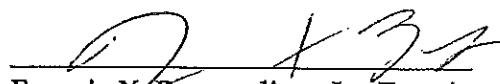
Edward W. Crizer, Jr.

IN RE: PETITION FOR SPECIAL EXCEPTION *	BEFORE THE
SE side of Belair Road; 32 feet	
NE of the c/1 Kahlston Road *	BOARD OF APPEALS
11 th Election District	
5 th Councilmanic District *	FOR
(9653A and 9655 Belair Road)	
	* BALTIMORE COUNTY
Crossroads Reserve, LLC	
Legal Owner *	Case No. 2011-0002-X
Bismark Real Estate Partners	CBA No.
Developer/Contract Purchaser *	
* * * * *	

MOTION TO DISMISS

Ray Brehm and John Ruppert, by and through their attorney, Francis X. Borgerding, Jr., hereby move to dismiss the Appeal of the Deputy Zoning Commissioner's Findings of Fact and Conclusions of Law in the above-captioned case with prejudice pursuant to Rule 3.b. of the Rules of Practice and Procedure of County Board of Appeals.

Respectfully submitted,


 Francis X. Borgerding, Jr., Esquire
 409 Washington Avenue, Suite 600
 Towson, Maryland 21204
 (410) 296-6820
 Attorney for Appellant

RECEIVED
 FEB 10 2011
 BALTIMORE COUNTY
 BOARD OF APPEALS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2 day of ^{February}~~January~~, 2011, a copy of the foregoing

Motion was sent by first class mail, postage prepaid, to:

G. Scott Barhight
Whiteford, Taylor & Preston, LLP
1 W. Pennsylvania Ave., Suite 300
Towson, Maryland 21204


FRANCIS X. BORGERDING, Esquire

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