

IN THE MATTER OF
PAUL SMITH, JOSEPH SMITH & SONS
1600 SPARROWS POINT BOULEVARD
BALTIMORE, MD 21219

* BEFORE THE
* BOARD OF APPEALS
* FOR
* BALTIMORE COUNTY
* Case No. CBA-18-006

RE: Citation Case No.: 1709747

* * * * *

**RULING ON LIMITED MOTION FOR RECONSIDERATION
AND TO ALTER/AMEND ORDER**

This matter comes before the Board on a Limited Motion for Reconsideration and to Alter/Amend Order filed by Howard L. Alderman, Jr., Esquire on behalf of Paul Smith and Joseph Smith & Sons, Respondents, on March 16, 2018. The Board convened for a public deliberation on the motion on April 17, 2018.

After a thorough review of the arguments made, the Board unanimously concludes that the Limited Motion for Reconsideration does not allege any fraud, mistake or irregularity in the conduct of the hearing in this case, nor does the Board find there is any indication of the existence of new law or evidence not available to the Respondents at the time of the February 15, 2018 Order that would merit a modification of the Board's decision. The Limited Motion for Reconsideration is hereby denied. The Board's Opinion and Order issued on February 15, 2018 remains this Board's final decision in this matter.

IT IS THEREFORE ORDERED THIS 15th day of May 2018, that the Limited Motion for Reconsideration and to Alter/Amend Order filed in this matter is **DENIED**.


In the Matter of Paul Smith and Joseph Smith & Sons, Inc.

Case No: CBA-18-006

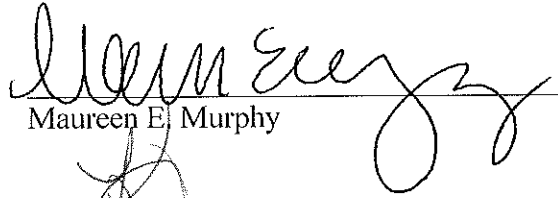
Ruling on Limited Motion for Reconsideration and to Alter/Amend Order

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*.


**BOARD OF APPEALS OF
BALTIMORE COUNTY**



Andrew M. Belt, Panel Chairman



Maureen E. Murphy



Kendra Randall Jolivet



Board of Appeals of Baltimore County

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SECOND FLOOR, SUITE 203
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May 1, 2018

Marissa L. Merrick, Assistant County Attorney
Department of Permits, Approvals & Inspections
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Towson, Maryland 21204

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

RE: *In the Matter of: Paul Smith, Joseph Smith & Sons*
Case No.: CBA-18-006

Dear Counsel:

Enclosed please find a copy of the Ruling on Limited Motion for Reconsideration and to Alter/Amend Order 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,

A handwritten signature in cursive script that reads "Krysundra Cannington".

Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure
Duplicate Original Cover Letter

c: Paul Smith, Joseph Smith & Sons
Kyrle W. Preis, III, Chief/Baltimore County Fire Department
Lawrence J. Majchrzak, Director/Fire Marshal's Office
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law