

IN RE: PETITION FOR SPECIAL HEARING	*	THE
SW corner of Liberty Road and		
Forest Hill Road	*	BALTIMORE COUNTY
2 nd Election District		
2 nd Councilmanic District	*	BOARD
(6411 Liberty Road)		
	*	OF APPEALS
Dennis K. and Elizabeth J. Agboh		
<i>Petitioners</i>	*	CASE NO. 10-004-SPH

* * * * *

RULING AND ORDER ON PEOPLE'S COUNSEL'S MOTION FOR RECONSIDERATION, CLARIFICATION and CORRECTION

This matter comes before the Board on a Motion for Reconsideration filed by People's Counsel for Baltimore County, filed May 27, 2011 for reconsideration, clarification, and correction of the Board's May 19, 2011 opinion. No response in opposition to the Motion was filed by Francis X. Borgerding, Esquire, on behalf of the Property Owner. A public deliberation was held for this Motion on June 22, 2011.

This Board rules that a Motion for Reconsideration should only be necessary when there has been substantive new case law or enactment of a statute not available previously, which would clearly merit a modification of a Board's previous decision. This Board concludes that the Motion for Reconsideration does not point to 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 County at the time of the hearing.

However, the Board has determined that it will add the appropriate language in the Order to be issued in the related case; case number 10-314-SPHXA, clarifying the issue raised in People's Counsel Motion.

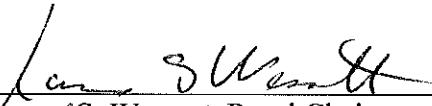
Therefore, after a thorough review of the facts, testimony and law in this case, the Board, has determined that the Motion for Reconsideration is hereby denied. The Board's Opinion and Order issued on May 19, 2011, remains this Board's final decision in this matter.

In the Matter of: Dennis Agboh and Elizabeth Agboh / Case No.: 10-004(SPH)
Motion for Reconsideration (related case 10-314-SPHXA)

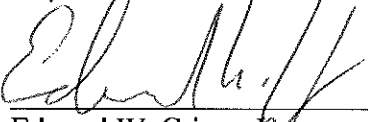
IT IS THEREFORE ORDERED THIS 23rd day of June, 2011, that the Motion for Reconsideration filed in this matter is **DENIED**.

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*.

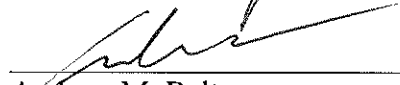
**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Lawrence S. Wescott, Panel Chair



Edward W. Crizer, Jr.



Andrew M. Belt