

**BEFORE THE BOARD OF APPEALS  
FOR MONTGOMERY COUNTY, MARYLAND**

IN RE:

*Appeal of David Beigel*

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\*  
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Docket No.: A-6880

**Appellant's Dismissal With Prejudice**

Appellant David Beigel, by and through undersigned counsel, hereby submits this Appellant's Dismissal With Prejudice of the above-captioned Appeal in accordance with the terms of a settlement agreement between Appellant and Intervenor ERB Properties, LLC.

Respectfully submitted,

*Michele McDaniel Rosenfeld*

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Rockville, MD 20850  
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(301) 204-0913

*Attorney for Appellant David Beigel*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by electronic mail and US Mail, postage paid this 12<sup>th</sup> day of December, 2024 to:

Elana M. Robison, Assistant County Attorney  
[Elana.Robison@montgomerycountymd.gov](mailto:Elana.Robison@montgomerycountymd.gov)  
101 Monroe Street, Third Floor  
Rockville, Maryland 20850  
*Attorney for Respondent Montgomery County, Maryland*

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*Attorney for Intervenor ERB Properties*

*Michele McDaniel Rosenfeld*

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Michele McDaniel Rosenfeld

**BOARD OF APPEALS**  
for  
**MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building**  
**100 Maryland Avenue, Room 217**  
**Rockville, Maryland 20850**  
**(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

**CASE NO. A-6880**

**APPEAL OF DAVID BEIGEL**

**NOTICE OF ADDITIONAL HEARING DATE**

Please take notice that the Board of Appeals for Montgomery County, Maryland, will hold an additional public hearing, if needed, in the Stella B. Werner Council Office Building Second Floor Davidson Memorial Hearing Room, at 100 Maryland Avenue, Rockville, Maryland, **on Wednesday, the 13<sup>th</sup> day of November, 2024, at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on the above-captioned application pursuant to Section 2-112 of the Montgomery County Code. In addition, please note that as previously noticed, the Board will also be holding a hearing on this matter **on Wednesday, the 16<sup>th</sup> day of October, 2024, at 9:30 a.m.**, or as soon thereafter as this matter can be heard. The Board intends to use the October 16<sup>th</sup> date for a motions hearing.

The Appellant charges administrative error on the part of the Department of Permitting Services in its June 24, 2024,<sup>1</sup> issuance of Building Permit No. 1070824. In accordance with Chapter 2A, Administrative Procedures Act, copies of the “Charging Documents” are attached to this Notice.

A pre-hearing conference on this matter was held on September 18, 2024.

Notice forwarded this 11<sup>th</sup> day of October, 2024, to:

**David Beigel**  
**Michele Rosenfeld, Esquire**  
**ERB Properties LLC**  
**Casey L. Cirner, Esquire**  
Elana Robison, Associate County Attorney

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<sup>1</sup> The Appellant’s Appeal form indicates that this Building Permit was issued on June 27, 2024, but the Building Permit that is being appealed shows an issue date of June 24, 2024.

Cliff Royalty, Associate County Attorney  
Washington Suburban Sanitary Commission  
State Highway Administration  
County Board of Education  
Contiguous and confronting property owners  
Local Citizens Associations

County Board of Appeals

  
Barbara Jay  
Executive Director

**Note: All parties who make submissions, after an initial filing, in Special Exception, Variance and Administrative Appeals cases, must furnish copies of the submission to all other parties in the case. For the purpose of this requirement, a party includes: (1) Counsel of record who have formally entered their appearance; (2) Any person to whom the Board of Appeals has granted Intervener status; and (3) The Applicant, Petitioner or Appellant in the case.**

**Submissions must be accompanied by a written statement certifying that copies have been sent to all parties. Effective September 6, 2002, failure to supply such written certification will result in refusal of the submission.**

**Case files are available for public review at the office of the Board of Appeals, Monday through Friday, 8:30 a.m. – 4:00 p.m.**