

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(18403 Ensor Farm Court)		
7 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Councilmanic District		
Mark R. and Josephine B. Eber	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2013-0010-SPH

* * * * *

ORDER OF DISMISSAL

This matter came before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed by Charles B. Marek, III, Esquire with Smith, Gildea & Schmidt, LLC, on behalf of the legal owners, Mark R. and Josephine B. Eber. The Petitioners sought special hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine whether or not the Administrative Law Judge should approve:

- (1) An amendment to the Final Development Plan (FDP) entitled “Ensor Property” for Lot 11 only, to permit an in-ground pool in the rear yard, pursuant to §§ 1A00.4 and 1B01.3, and
- (2) For such and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Although a public hearing was scheduled for Wednesday, November 21, 2012, only Charles B. Marek, Esquire, counsel for Petitioners, appeared. Mr. Marek stated on the record that the Landmarks Preservation Commission (LPC) has given Petitioners permission to construct the in-ground pool, and that the need for special hearing relief is no longer necessary. Whereas, the matter shall be dismissed without prejudice.

NOW, THEREFORE, IT IS ORDERED, this 27th day of November, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve:

- (1) An amendment to the Final Development Plan (FDP) entitled “Ensor Property” for Lot 11 only, to permit an in-ground pool in the rear yard, pursuant to §§ 1A00.4 and 1B01.3,

be and is hereby rendered MOOT and the same is hereby DISMISSED WITHOUT PREJUDICE.

Signed
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw