

<b>IN RE: PETITION FOR SPECIAL EXCEPTION</b>	*	BEFORE THE
<b>(4325 Washington Blvd.)</b>		
13 <sup>th</sup> Election District	*	OFFICE OF
1 <sup>st</sup> Council District		
Octavia L. Carter	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
Petitioner	*	FOR BALTIMORE COUNTY
	*	<b>Case No. 2015-0214-X</b>

\* \* \* \* \*

**ORDER OF DISMISSAL**

The above-captioned matter was scheduled for a public hearing before the Office of Administrative Hearings (OAH) on May 12, 2015 to consider a Petition for Special Exception filed by Octavia L. Carter. The Petitioner sought relief from § 236.2 of the Baltimore County Zoning Regulations (B.C.Z.R) to use the above described property for a contractor’s equipment storage yard.

The May 12, 2015 hearing was opened and then postponed at the request of Petitioner’s attorney, Dino LaFiandra. A neighbor attended and opposed the petition and was represented by counsel. Mr. LaFiandra indicated he would contact the Office of Zoning Review when ready to reschedule the case, and would also provide notice to the neighbor and his counsel.

Counsel for Petitioner was contacted by OAH via email on November 2, 2015 requesting a status update. By letter dated November 9, 2015, counsel indicated that his client and the adjoining neighbor who initially appeared in opposition have amicably resolved the outstanding issues in the case. Having heard nothing further, counsel for Petitioner was again contacted by OAH via email on March 17, 2016 and July 6, 2016 requesting a status update. There being no verbal or written response received from counsel for Petitioner, the relief requested shall be dismissed without prejudice.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 18<sup>th</sup> day of **October, 2016**, that the Petition for Special Exception to use the herein described property for a contractor's equipment storage yard, be and is hereby DISMISSED without prejudice.

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Signed \_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw