

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(14721 Manor Road)		
10 th Election District	*	OFFICE OF
3 rd Council District		
Jacqueline R. Frank,	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2019-0437-SPH

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Hearing filed on behalf of Jacqueline R. Frank, legal owner (“Petitioner”). The Special Hearing was filed pursuant to Section 104.1 of the Baltimore County Zoning Regulations (“BCZR”) to approve a nonconforming apartment building use (i.e., three-apartment/dwelling units) on the subject property.

By Opinion and Order dated September 3, 2020, the undersigned denied the Petition for Special Hearing.

On October 1, 2020, Lawrence E. Schmidt, Esq., counsel for Petitioner, filed via e-mail a timely Motion for Reconsideration of the September 3, 2020 Opinion and Order.

In addition, Peter Max Zimmerman, People’s Counsel for Baltimore County, filed via e-mail an Answer to Petitioner’s Motion for Reconsideration on October 9, 2020.

I have reviewed the Motion for Reconsideration filed on behalf of the Petitioner and the response of the People’s Counsel for Baltimore County. I find nothing in the Motion to Reconsider that would justify altering my finding that there was a failure to prove to my satisfaction that there

had been no discontinuance of the property's use as set out in Section 104.1 of the BCZR. The burden rests upon the Petitioner and she has not met that burden, for the reasons set forth in my Opinion and Order of September 3, 2020.

THEREFORE, IT IS ORDERED, this **13th** day of **October, 2020** by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration, be and is hereby DENIED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

Signed
LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS:dlw