

IN THE MATTER OF : BEFORE THE
CHARLES M. BARNES : HOWARD COUNTY
T/A REMEMBRANCE BIBLE, INC. : BOARD OF APPEALS
Appellant : HEARING EXAMINER
: BA Case No. 697-D

Request for Reconsideration of Decision
and Order in BA Case No. 697-D

.....

ORDER

On April 16, 2013, Appellant submitted a Motion for Reconsideration of the Hearing Examiner Decision and Order in Board of Appeals Case No. 697-D, dated April 1, 2013, which petition was denied as supported by findings and facts set forth in the decision. The Hearing Examiner stayed the time to appeal the decision pending responses by parties and the issuance of the reconsideration order, pursuant to Rule 11.2. On April 29, 2013, the Examiner extended the time for the submission of responses to May 10, 2013 because counsel for the Department of Planning and Zoning (DPZ) had not received a copy of the request.

Discussion

Rule 11.5 of the Board of Appeals Hearing Examiner Rules of Procedure permits the Hearing Examiner to revise a decision only upon a finding of a mistake of fact or mistake of law. Appellant's reconsideration request alleges a mistake of law with respect to DPZ's determination that that the pole barn at issue was an accessory structure, not a principal structure. Because this argument simply reiterates the same claims made at the hearing, it is not sufficient to warrant a revision of the Decision and Order.

Charles M. Barnes t/a Remembrance Bible, Inc.

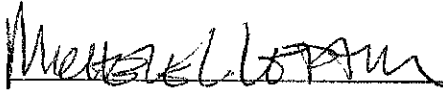
Upon consideration, it is this 15th Day of May 2013, by the Howard County

Board of Appeals Hearing Examiner **ORDERED:**

That the Motion for Reconsideration is **DENIED.**

HOWARD COUNTY BOARD OF APPEALS

HEARING EXAMINER



Michele L. LeFavre

Date Mailed: _____

Notice: A person aggrieved by this decision may appeal it to the Howard County Board of Appeals within 30 days of the issuance of the decision. An appeal must be submitted to the Department of Planning and Zoning on a form provided by the Department. At the time the appeal petition is filed, the person filing the appeal must pay the appeal fees in accordance with the current schedule of fees. The appeal will be heard *de novo* by the Board. The person filing the appeal will bear the expense of providing notice and advertising the hearing.