

IN THE MATTER OF
SIDNEY AND JEAN SILBER – APPLICANT
11611 WOODLAND DRIVE
TIMONIUM, MD 21093

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. CBA-15-008

RE: Appeal of Fence Waiver to retain a 7 foot
high plastic deer fence less than 2 feet from
the property line, in lieu of the 6 foot height
allowed by part 122.1 of the Baltimore
County Building Code

* * * * *

ORDER OF DISMISSAL

This case comes to the Board on appeal from the January 8, 2015 decision of the Administrative Law Judge granting an application for fence waiver to retain a 7 foot high plastic deer fence less than 2 feet from the property line as well as an 8 feet high metal fence and gate less than 4 feet from the same property line, in lieu of the six (6) feet height allowed by part 122.1(2) of the Baltimore County Building Code.

On February 5, 2015, Dr. Svetlana Savchenko, filed a Notice of Appeal from the decision of the Administrative Law Judge. A hearing was scheduled to be held before this Board on Tuesday, March 24, 2015 at 10:00 a.m., for which proper notice was given. Douglas Silber, Esquire, appeared at the scheduled time of hearing on behalf of the Applicants Sidney and Jean Silber. The Appellant, Dr. Svetlana Savchenko, did not appear, nor did anyone on her behalf.

The Board convened at 10:15 a.m., and, on the record and in open hearing, Douglas Silber, Esquire moved for dismissal for failure to appear. Upon consideration of the fact that the Notice had the correct address and was not returned, the Board granted said Motion for Dismissal and will so order.

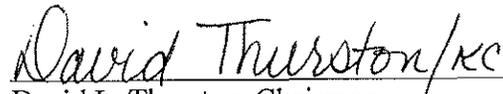
IT IS THEREFORE ORDERED this 7th day of April, 2015 by the Board of Appeals of Baltimore County that the appeal filed in Case No. CBA-15-008 be and the same is hereby **DISMISSED WITH PREJUDICE** for Failure to Appear. The decision of the Administrative Law Judge, dated January 8, 2015, wherein the fence waiver was granted, remains the

Case No. CBA-15-008 /Sidney and Jean Silber

Final Order in this matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



David L. Thurston, Chairman



Andrew M. Belt



Benfred B. Alston



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
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410-887-3180
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April 7, 2015

Douglas N. Silber, Esquire
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Jonathan A. Azrael, Esquire
Azrael, Franz, Schwab & Lipowitz, LLC
10 East Chesapeake Avenue, 5th Floor
Towson, Maryland 21286

RE: In the Matter of: Sidney and Jean Silber -- Applicant
Case No: CBA-15-008

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review** filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in cursive script that reads "Sunny Cannington".

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure
Duplicate Original Cover Letter

c: Jean Silber
Dr. Svetlana Savchenko
Sergey Brindarov
Gene Kutlik
Lawrence M. Stahl, Managing Administrative Law Judge
Jeff Radcliffe, Code Enforcement/PAI
Donald Brand, Building Engineer/PAI
Carl Richards, Zoning Supervisor/PAI
Arnold Jablon, Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael Field, County Attorney/Office of Law