



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
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March 31, 2016

Floyd and Renay Rothstein
7209 Verbena Road
Baltimore, Maryland 21209

J. Carroll Holzer, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286

RE: In the Matter of: Floyd and Renay Rothstein – Legal Owners
Case No.: 16-076-A

Dear Messrs. Rothstein and Holzer:

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: Adam Rosenblatt, Esquire
Michael and Yelena Shirkin
Mervyn Pinerman
Allan Sherr
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

IN THE MATTER OF
FLOYD AND RENAY ROTHSTEIN - LEGAL
OWNERS/PETITIONERS
PETITION FOR VARIANCE
FOR THE PROPERTY LOCATED AT
7209 VERBENA ROAD

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 16-076-A

* * * * *

ORDER OF DISMISSAL

This case comes to the Board of Appeals on appeal from the December 3, 2015 Opinion and Order of the Administrative Law Judge wherein the Petition for Variance from Sections 205.2 and 205.3 of the 1969 Edition of the Baltimore County Zoning Regulations to 1) permit a front yard setback of 24 feet from the front lot line in lieu of the required 40 feet and a front yard setback of 50 feet from the centerline of Verbena Road in lieu of the required 65 feet; and 2) permit a side yard setback of 3 feet in lieu of the required 15 feet was denied.

On December 30, 2015, Petitioners Floyd and Renay Rothstein filed a Notice of Appeal. A hearing was scheduled to be held before this Board on Thursday, March 3, 2016 at 10:00 a.m., for which proper notice was given.

The Board convened at 10:15 a.m., J. Carroll Holzer, Esquire appeared on behalf of Protestants, Michael and Yelena Shirkin, at the scheduled time of hearing; Floyd and Renay Rothstein, Petitioners/Appellants, did not appear, nor did anyone on their behalf.

On the record and in open hearing, J. Carroll Holzer, 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.

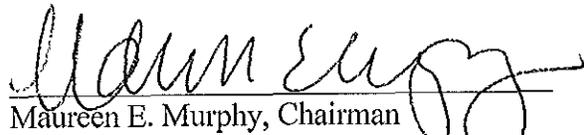
IT IS THEREFORE ORDERED this 31st day of March, 2016 by

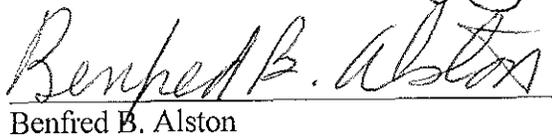
In the matter of Floyd and Renay Rothstein/Case no 16-076-A/Dismissal

the Board of Appeals of Baltimore County that the appeal filed in Case No. 16-076-A be and the same is hereby **DISMISSED WITH PREJUDICE** for Failure to Appear. The Opinion and Order of the Administrative Law Judge dated December 3, 2015, in which the Petition for Variance was denied remains the 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*. If no such petition is filed within 30 days from the date of this Order, the subject file will be closed.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Chairman


Benfred B. Alston


Andrew M. Belt