

<b>IN RE: PETITION FOR ADMIN. VARIANCE</b>	*	BEFORE THE
<b>(6500 Gardenwick Road)</b>		
3 <sup>rd</sup> Election District	*	OFFICE OF ADMINISTRATIVE
2 <sup>nd</sup> Councilmanic District		
Avidan & Ilana Milevsky	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	<b>CASE NO. 2013-0293-A</b>

\* \* \* \* \*

**ORDER OF DISMISSAL**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owners of the property, Avidan & Ilana Milevsky for property located at 6500 Gardenwick Road. The Variance request is from § 427.B.2 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a 6' high fence in the rear yard with a 0' setback in lieu of the required 42" in height as situated within 10' of the adjoining front yard property line.

This matter was originally filed as an Administrative Variance, with a closing date of July 1, 2013. On June 25, 2013, Jerome H. and Elita S. Clayman (6516 Copperfield Road) requested a formal hearing on this matter. The hearing was subsequently scheduled for Monday, August 5, 2013 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Petitioners failed to appear at the scheduled hearing, and the Petition therefore will be dismissed.

THEREFORE, IT IS ORDERED, this 5<sup>th</sup> day of August, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 427.B.2 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a 6' high fence in the rear yard with a 0' setback in lieu of the required 42" in height as situated within 10' of the adjoining front yard property line, be and is hereby DISMISSED without prejudice.

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

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

JEB:dlw