

Office of Administrative Hearings for Baltimore County
105 West Chesapeake Avenue Suite 103
Towson, Maryland 21204

In the Matter of

Civil Citation No. 102139

Catherine Conover

10700 Anglo Hill Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on January 5, 2012 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 428; 1B01.1D, 1B01.1 and Baltimore County Code (BCC) section 13-4-201, 13-7-312, illegal parking/storage of unlicensed-damaged vehicles, open dump/ junk yard, illegal service garage activities, lack of lids for trash/garbage containers, accumulation of debris, materials, etc on residential property.

On November 15, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Paul Cohen issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$35,000 (thirty five thousand dollars).

The following persons appeared for the Hearing and testified: James Farmer and Catherine Conover, Respondent's and, Paul Cohen Baltimore County Code Enforcement Officer.

Testimony was presented that, based upon an email complaint, an inspection of the subject property was carried out on 10/12/11, revealing two inoperative motor vehicles, junk, trash and debris, car parts, tree limbs, tall grass and weeds, as well as garbage cans without proper lids. A Correction Notice was issued. A re-inspection of 11/15/11 noted no change in the condition of the property and a Citation was issued, mailed and posted. A subsequent inspection revealed that the grass had been cut and some minor improvement had taken place; however, the property was still in need of considerable cleanup. Hugh Allbrooks, who lives at the property with the Respondent and her three children, testified that efforts to clean up the property had been severely hampered by a serious injury to him, resulting in two hospitalizations. The Respondent herself is physically disabled. He further stated that, as an auto mechanic, he believed that he could carry out repairs on the BMW on the property and obtain tags for it. The Cadillac needs to be removed. He agrees that the property is presently an eyesore and agrees to a schedule to bring it into compliance.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$ 500.00.

IT IS FURTHER ORDERED that the \$500.00 civil penalty be suspended if the unlicensed Cadillac is removed from the subject property within 7 days of the date of this Order; the remaining BMW vehicle is removed within 30 days, and the entire property brought into compliance within 90 days of this Order.

IT IS FURTHER ORDERED that the suspended \$500.00 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if the Respondent fails to bring the subject property into full compliance within 90 days of the date of this Order, Baltimore County is authorized to send a contractor to enter upon the property and correct the violation by removing the untagged vehicle. The costs and expenses of the property clean are the responsibility of the owner.

IT IS FURTHER ORDERED that if any suspended civil penalty which is ultimately imposed is not paid within thirty days of billing, the said civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this _____ day of January 2012

Signed: _____
Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE: Pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent or Baltimore County may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$225.00 and the posting of security in the amount of the penalty assessed.