

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

In the Matter of

Civil Citation No.104737

Mary Susan Engle

5711 Allender 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 18, 2012 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 500.1, 500.9, failure to comply with Zoning Commissioner's Order dated July 7, 2010 on residential property.

On December 20, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Keith Parker 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 \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Mr. & Mrs. Buck (Mary Susan Engle and husband), Respondents and, Keith Parker Baltimore County Code Enforcement Officer.

Testimony revealed that the Respondent filed for a request for a kennel back in July of 2010, in that she had more than three adult dogs on her property. That request was denied by Deputy Zoning Commissioner, Tom Bostwick. She then reduced the number of dogs on her property to the permitted three. Since that time, her brother in law has temporarily moved in with her and brought with him one additional dog. Testimony revealed that the dog is old and feeble and any attempt to find another home for him is not practicable. In addition, this living situation is temporary and may cure itself. Inspector Parker testified that these Respondents have been very cooperative with him and recommends that some additional time be given to the Respondents, to allow this situation to resolve itself.

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 \$1,000.00 (one thousand dollars). However, the entire \$1,000.00 fine shall be suspended at this time. The Respondents shall have 9 months to either find another home for the 4th dog or to see if the temporary living situation with her brother in law changes, thereby causing the dog to move out with them.

ORDERED this 19th day of January 2012

Signed: ORIGINAL SIGNED
Timothy M. Kotroco
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.