

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

In the Matter of

Civil Citation No. 102521

Middleborough LLC
Christopher D'Anna, Resident Agent
2210 Corsica Road
Baltimore MD 21221

2206 Corsica 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 December 21, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310, 312; Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1A, 1B01.1D, 410, failure to cease use of property as a class II Trucking Facility-remove shipping containers, failure to cease open dump conditions, failure to cease use of property as a contractor/construction storage yard on residential property.

On November 29, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Christina Frink 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 \$21,600.00 (twenty one thousand six hundred dollars).

The following persons appeared for the Hearing and testified: Christopher D'Anna, trustee to the property and, Christina Frink, Baltimore County Code Enforcement Officer.

Testimony revealed that the Respondent is guilty of storing a shipping container on the subject property, which is zoned residential. Mr. D'Anna stated that the container is used to store building material for a house that he intends to renovate on the property. The container could stay on the

property if he would apply for and obtain a valid building permit for the work to be done on site. He indicated that he would do so and was given 30 days to get said building permit.

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).

IT IS FURTHER ORDERED that the \$1,000.00 civil penalty be suspended, on condition that a building permit is issued for the property within 30 days from the date of this Order.

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

ORDERED this 23rd day of December 2011

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.