

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

In the Matter of

Civil Citation No. 113721

William Karaberis
Michele Karaberis

715 Chesaco Avenue

Respondents

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

This matter came before the Administrative Law Judge on September 19, 2012 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 431: Failure to remove commercial vehicle from residential property.

On September 4, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Ryan Fisher 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: Respondent and, Ryan Fisher, Baltimore County Code Enforcement Officer and William J. Karaberis, Owner/Respondent..

Testimony revealed that, upon a citizen complaint an inspection of the subject property was carried out on 6/29/12, revealing junk, trash and debris, open dumping conditions and a commercial vehicle parked in the driveway of the residence. A Correction Notice was issued. In the course of several re- inspections from 7/31/12 to 9/4/12, the Inspector noted that the property had generally been cleaned up, but that the commercial vehicle remained in the driveway. On 9/4/12 a Citation was issued, mailed and posted. A pre-hearing inspection on 9/19/12 noted that the said commercial vehicle remained. The Respondent testified that he has cleaned up the subject property and is now aware of the code regulations regarding the truck. He understands that the commercial signs on the truck must be behind the front face of the residence. To that end , he will be removing the commercial sign on the back of the truck and will only park the vehicle on the parking pad on the side of the house in the future.

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 \$900.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$100.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$900.00 civil penalty will be imposed if the subject property is not brought into compliance by October 1, 2012.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$900.00 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the 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 September 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.