

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

In the Matter of  
Michael Bagby  
Respondent

Civil Citation No. 103847  
8715 Dogwood Road

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

This matter came before the Administrative Law Judge on January 11, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 32-3-102; Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1, 500.9, failure to comply with Zoning Order regarding residential property.

On December 19, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector David Janiszewski issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> 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: Michael Bagby, Respondent represented by Barton Jay Sidle, Esquire, and David Janiszewski, Baltimore County Code Enforcement Officer.

Testimony was presented that, upon a citizen complaint, an inspection was carried out 11/17/11 on the subject property, which revealed that the paving of a roadway and the razing of a barn pursuant to a 2006 Zoning Order, had not been carried out. As a result of a re-inspection on 12/19/11 a Citation was issued. The Inspector was informed by Counsel that there had not been compliance due to lack of funds and that a Chapter 7 Bankruptcy action had been filed. Counsel for the Respondent stated at the hearing that the subject property was likely to be foreclosed upon in the short term.

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 imposed.

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 17<sup>th</sup> day of January 2012

Signed: ORIGINAL 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.