

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

In the Matter of

Civil Citation No. 72820

Pullen Tour Services, LLC
5608 Kallen Court
Baltimore, MD 21227

3118 Hammonds Ferry Road

Respondents

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

This matter came before the Administrative Law Judge on March 14, 2012 for a Show Cause Hearing on a prior citation for violations under the Baltimore County Code (BCC) section 32-3-102, 500.9 Baltimore County Zoning Regulations (B.C.Z.R.) Zoning Commissioners Policy Manuel (Z.C.P.M.), violation of commercial site plan and/or a zoning order on residential property.

On March 6, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Chip Raynor 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 \$15,000.00 (fifteen thousand dollars).

The following persons appeared for the Hearing and testified: Mr. Pullen, Respondent and, Patrick Richardson, Engineer and, Chip Raynor, Baltimore County Code Enforcement Officer.

Testimony was presented that, pursuant to an earlier Order in which a Site Plan was to be filed but was not within the time allotted, a search by the Inspector revealed that the said Plan had not been completed and approved. Patrick Richardson of Richardson Engineering, LLC. Testified that they had met with the County in January 2012 that discussions and work to complete the Plan and other items to the County's satisfaction were moving to a conclusion and were sure that all agreements could be completed within a time line presented at the hearing.

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 \$15,000.00 (fifteen thousand dollars).

IT IS FURTHER ORDERED that the \$15,000.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the \$15,000.00 civil penalty will be imposed if a Site Plan for the subject property is not approved by June 15, 2012 and Environmental and RA Agreements on the said property are not entered into by September 30, 2012.

IT IS FURTHER ORDERED that the \$15,000.00 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 21 day of March 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.