

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

In the Matter of
Betty Walton
Respondents

Civil Citation No. 113468
4525 Hawksbury Road

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

This matter came before the Administrative Law Judge on November 21, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 18-2-608, Baltimore County Zoning Regulations (BCZR) section 101; 102.1; 1B01.1: Failure to remove temporary storage from residential property.

On November 2, 2012, 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 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$800.00 (Eight Hundred dollars).

The following persons appeared for the Hearing and testified: Bette Walton, Respondent and, David Janiszewski, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection of the subject property was carried out on 6/25/12, revealing the presence of two temporary storage units on the property. A Correction Notice was issued, requiring the removal of the units within sixty days. A subsequent inspection on 11/2/12 noted that the units had not been removed from the site and a Citation was issued, mailed and posted. A pre-hearing inspection noted no change. The Respondent testified that due to flooding and asbestos removal issues, her personal items and goods had been removed to the storage units. The property is in the midst of the necessary repairs.

Having heard the testimony and evidence presented at the Hearing:

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IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$800.00 (Eight Hundred dollars).

IT IS FURTHER ORDERED that the \$800.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the remaining \$800.00 civil penalty will be imposed if the subject property is not brought into compliance by December 21, 2012.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$800.00 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 ___3___ day of December 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.

LMS/sma