

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

In the Matter of

Civil Citation No. 115127

Jeffrey Sterrette, Jr.

4641 Hawksbury 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 October 17, 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 after sixty days on residential property.

On October 1, 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 \$1,000.00 (One thousand dollars).

The following persons appeared for the Hearing and testified: Jeffrey Sterrette, 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 7/30/12, revealing the presence of a large "storage pod" in front of the otherwise vacant structure located on the site. A Correction Notice was issued, allowing for the permitted 60 days for the pod to be there. A re-inspection of the site on 10/1/12 noted that the unit was still on the property. Accordingly, a Citation was issued, mailed and posted. A pre-hearing inspection on 10/15/12 noted no change. The Respondent did not dispute the situation and testified that a "short sale" had been arranged for the property and the pod was to be picked up that day.

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 \$300.00 (Three hundred dollars).

IT IS FURTHER ORDERED that \$200.00 of the \$300.00 civil penalty be suspended, with an immediate \$100.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$200.00 civil penalty will be imposed if the subject property is not brought into compliance by October 24, 2012.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$200.00 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 ___26___ day of October 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.