

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

In the Matter of

Civil Citation No. 119601

Victor Armstrong

519 Grovethorn Road

Respondent

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

This matter came before the Administrative Law Judge on January 23, 2013 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310 and Baltimore County Zoning Regulations (BCZR) sections 1.B01.1 & 1B01: failure to remove junk yard conditions; failure to remove all construction equipment; and failure to remove all lumber, bricks, etc. on residential property.

On January 10, 2013, pursuant to BCC § 3-6-205, Inspector George Williams 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 \$12,000.00 (Twelve thousand dollars).

The following persons appeared for the Hearing and testified: Victor Armstrong, Respondent, and George Williams, Baltimore County Code Enforcement Officer.

Mr. Williams testified that the premises are littered with junk, trash, debris, and contractor's equipment, and that the county has received complaints (from neighbors) about the property since 2009. Numerous photos were submitted which substantiated the charged violations. Mr. Armstrong acknowledged that he needed to clean up the property, and he testified that he has attempted—but been thwarted by county officials—to construct a shed or garage to store the materials.

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 \$5,000.00 (Five thousand dollars).

IT IS FURTHER ORDERED that \$4,500.00 of the \$5,000.00 civil penalty be suspended, with an immediate \$500.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$4,500.00 civil penalty will be imposed if the subject property is not brought into compliance within 30 days of this Order.

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 ___28___ day of January, 2013.

Signed: Original Signed
John E. Beverungen
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.