

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

In the Matter of

Civil Citation No. 121725

Laura Benton-Covelly

138 Othoridge 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 30, 2013 for a Hearing on a citation for violations under the Baltimore County Zoning Regulation (BCZR) sections 101; 102.1; 1B01.1A; 428: failure to cease the illegal outside storage of an unlicensed and inoperable motor vehicle on residential property.

On January 14, 2013, pursuant to BCC § 3-6-205, Inspector Kimberly Wood 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: Linsley Benton and Rachel Zepp, Respondents, and Kimberly Wood, Baltimore County Code Enforcement Officer.

Ms. Wood presented photographs which depicted the motor vehicle in question, which was missing a rear wheel and was thus "inoperable." The Respondents testified that the vehicle has current tags and insurance, and that they only drive the car in the summer months. The Respondents indicated they were unaware that County regulations required the car to display current tags and be fully operational when stored on residential property.

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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 suspended in full.

IT IS FURTHER ORDERED that the suspended \$1,000.00 civil penalty will be imposed if the subject property is not brought into compliance within 30 days from the date of this Order.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this ___31___ 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.

JEB/sma