

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 71616

Stephen N Boyd
Donna M Boyd

7753 Bradshaw 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 29, 2011 for a Hearing on a citation for violations under the Baltimore County Zoning Regulation (BCZR) section 101, 102.1, 1A04, tree service operation and contractor's equipment storage yard in a RC5 zone on residential property.

On February 24, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Keith Parker 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 \$1,600.00 (one thousand six hundred dollars).

The following persons appeared for the Hearing and testified: Stephen N Boyd, Respondent and, Keith Parker, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen's complaint, an inspection of the property on 2/16/11 revealed junk and trash as well as the presence of a number of large commercial like vehicles and pieces of contractor-like machinery used in tree and wood cutting, handling and transportation, including two tractors. A re-inspection on 2/24/11 resulted in a correction notice being issued for a vehicle and camper and a citation for the contractors equipment being stored on the premises. On 3/15/11 the inspector noted that the Respondent was in the process of cleaning up the property, after the removal of a tenant. A correction notice was, however, issued. A pre-hearing inspection revealed the removal of the vehicles, equipment and unlicensed vehicles. Trash, junk and debris still remained.

The Respondent explained the junk and trash as the result of the former tenant. He testified that his home is heated by wood and the significantly large amounts of wood, in sizes varying from tree trunks to brush debris, were all generated for his personal needs. He did note, however, that the commercial vehicles and equipment had been removed to an appropriately licensed location in Catonsville.

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 \$200.00 (two hundred dollars).

IT IS FURTHER ORDERED that \$150.00 of the \$200.00 civil penalty be suspended, with an immediate \$50.00 fine imposed at this time for the violations cited.

IT IS FURTHER ORDERED that the remaining \$150.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

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

ORDERED this 14th day of April 2011

Signed: 

Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent 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 \$150 and the posting of security to satisfy the penalty assessed.