

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

In the Matter of

Civil Citation No. 1404725

Stephen Boyd  
Donna Boyd  
7753 Bradshaw Road  
Kingsville, MD 21087

7753 Bradshaw Road

Respondent

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

This matter came before the Administrative Law Judge on October 21, 2014 for a Hearing on a citation for violations under the Baltimore County Code (BCC) sections 13-7-312; 13-5-302(b), Baltimore County Zoning Regulations (BCZR) sections 1B01.1D; 101; 102.1; 415A: Remove accumulations of debris, materials, etc.; House and accessory structure in disrepair; Remove open dump/junk yard; Remove contractors equipment storage yard; License/remove untagged recreational vehicle from residential property.

On October 15, 2014, pursuant to BCC § 3-6-205, Inspector Christina Frink issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$12,400.00 (Twelve thousand four hundred dollars).

The following persons appeared for the Hearing and testified: Stephen Boyd and Nicolas Boyd, Respondents, and Christina Frink, Baltimore County Code Enforcement Officer.

Evidence was presented that upon a community complaint, an inspection of the subject property was carried out on 9/11/14, revealing numerous violations of Code, including tall grass, untagged motor and recreational vehicles, concrete, tractor, trailers, a stump grinder, improper storage of wood not eighteen inches off the ground, and considerable miscellaneous junk, trash and debris on the site. In addition, the structure on the property was found to have damaged and missing gutters and downspouts. A Correction Notice was issued on 9/16/14. On 10/15/14 the Inspector walked the property with the Respondent, noting that the property was substantially in compliance, though some additional items remained to be done. The Respondent was advised that the property repairs still

needed to be done under permit, no commercial vehicles were to be allowed on the property except in the furtherance of work under a valid permit, and only one recreational vehicle was allowed to be parked on the property. A Citation was issued, mailed and posted on 10/15/14 for these remaining items. Photographs taken by the Inspector were entered into evidence.

The Respondent testified that some of the vehicles on site were for exhibition at "shows" and that they were "enthusiasts". Other machinery was for property maintenance. He was advised that, if a permit was appropriate under zoning and properly granted, he might construct an accessory structure to house "show" vehicles and other permitted items. He indicated that he would do so, as well as obtaining the necessary permit to repair the structure on the property. He requested a reasonable time to obtain the necessary permissions and complete construction. The property must otherwise be in compliance with County Code.

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 the \$5,000.00 civil penalty be suspended in full.


IT IS FURTHER ORDERED that the remaining \$5,000.00 civil penalty will be imposed if the subject property is not brought into full compliance by June 21, 2015. Full compliance shall include:

1. all exterior repairs to the house and accessory structures to include the gutters/downspouts, exposed/rotten wood, missing fascia/trim
2. if more than one tractor, it must be stored inside an enclosed structure or removed
3. wood to be properly stacked
4. cease contractor storage yard - removed commercial equipment (stump grinder, log splitter, concrete pipe, plow heads) or store inside enclosed structure
5. one recreational vehicle allowed with current tags and properly stored
6. all trailers must have a current tag and properly stored
7. cease open dump/junk yard conditions - hot tub, vehicle parts and debris, etc...

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$5,000.00 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.

ORDERED this \_\_\_24\_\_\_ day of November 2014

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.