

**Code Enforcement Litigation Report
April 2018**

NAME OF MATTER: Allen, Nancy

Location: 456 Riverside Drive, Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles

DISPOSITION: Received notification prior to trial date that the case was postponed. Since the Defendant had abated the violations, a Line of Voluntary Dismissal was filed.

JUDGE: N/A

NAME OF MATTER: 29 Brick Church Road, LLC (Injunction)

Location: 29 Brick Church Road, Edgewater, MD 21037

Violation: Unauthorized grading and filling in excess of 5,000 s.f. without a permit or approved stormwater management plan

DISPOSITION: A Consent Judgment was entered. Defendant is to apply to the County within 90 days for all applicable authorizations, including, but not limited to a grading permit and stormwater management approval to abate the violation on the subject property. Defendant to respond to any comments within 60 days of the same. The parties agreed that no reforestation/afforestation is required for the subject property. Defendant to diligently pursue completion of the all permits or plans once issued by requesting, obtaining and passing all required inspections within 30 days of completion of all work under the permits and plans.

JUDGE: Spencer

NAME OF MATTER: Barnett, Richard and Ossman, et al.

Location: 224 Friendship Road, Friendship, MD 20758

Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: Defendant Joseph Butler was left on the docket in error (case was supposed to be reset to July 5, 2018). However, the Defendants abated the violations, so the County dismissed the case in open court.

JUDGE: Spencer

NAME OF MATTER: Belt, Corey and Zanett

Locations: 736 Queenstown Road, Severn, MD 21144 and vacant parcel adjacent to 736 Queenstown Road

Violations: Contempt – (1) Zoning violations: outside storage of unregistered vehicles; junk and debris; contractor's yard; (2) Building violations: construction of shed, deck, fence (over 6'), gazebo, pavilion and garage without building permits; and (3) Grading violations: grading without a grading permit and adding unauthorized impervious surfaces without approved stormwater management plans

DISPOSITION: The County is still waiting on a variance decision. The next review date is set for September 6, 2018.

JUDGE: Spencer

NAME OF MATTER: Cahill, Matthew

Location: 2001 Cambridge Drive, Crofton, MD 21114

Violation: Outside storage of unregistered vehicles; junk and debris

DISPOSITION: Defendant failed to appear in court and a Default Order was entered. The Defendant has to abate the violations within 30 days or the County may abate them at Defendant's expense, plus pay fines and costs totaling \$1,600.

JUDGE: Spencer

NAME OF MATTER: Chisholm, Thomas and Patricia

Location: 8375 Beachwood Park Road, Pasadena, MD 21122

Violation: Construction of shed without the required building permit

DISPOSITION: Thomas Chisholm appeared in court. The parties entered into a Consent Judgment in which Defendant agreed to obtain a building permit for the shed within 60 days of the judgment and a fine of \$500 was suspended pending compliance. Service costs of \$60 were imposed as Judgment. The County agreed to enter a *nolle prosequi* as to Patricia Chisholm's citation.

JUDGE: Legum

NAME OF MATTER: Christopher's Ltd. Restaurant / Gardner, Ronald E.

Location: 1286 S. Route 3, Crofton, MD 21114

Violation: Failure to pay annual administrative fee for wastewater discharge

DISPOSITION: Defendant failed to appear and a Judgment of \$1,000 was entered. Defendant was ordered to pay the outstanding administrative fees of \$200,

to cease all nonresidential uses on the property and to cease discharging wastewater into the County system until such time that the wastewater discharge permit is reactivated.

JUDGE: Legum

NAME OF MATTER: Do, Tien Minh and Tran, Randall (Interior Renovations & Dormer)

Location: 1460 Washington Avenue, Severn, MD 21144

Violation: Interior renovations – Permit B02317944 expired; dormer renovations – Permit B02317944 expired

DISPOSITION: Defendants failed to appear in court. A Judgment on the Affidavit was entered ordering Defendants to diligently pursue the building permit for the interior renovations within 30 days of the Judgment. A fine of \$500 was imposed as Judgment against each Defendant, along with service costs in the amount of \$25 (for a total of \$1,025).

JUDGE: Legum

NAME OF MATTER: Do, Tien Minh and Tran, Randall (Shed Construction)

Location: 1460 Washington Avenue, Severn, MD 21144

Violation: Construction of a shed – Permit B02349307 expired

DISPOSITION: Defendants failed to appear in court. A Judgment on the Affidavit was entered ordering Defendants to obtain a building permit for the shed within 30 days of the Judgment. A fine of \$500 was imposed as Judgment against each Defendant, along with service costs in the amount of \$60 (for a total of \$1,060).

JUDGE: Legum

NAME OF MATTER: Gartleman, Gilbert and Meek, Julie

Location: 8 Lake Shore Drive, Pasadena, MD 21122

Violation: Outside storage of junk and debris

DISPOSITION: This case was set for review on April 5, 2018. The property has been sold to another daughter (not Julie Meek), so the case against Ms. Meek was dismissed since she isn't an owner or occupant anymore. A Consent Judgment was entered with Mr. Gartelman imposing a \$150 fine and ordering 90 days to abate the violations.

JUDGE: Spencer

NAME OF MATTER: Kaminski, Bernard, III

Location: 907 Pulaski Avenue, Glen Burnie, MD 21060

Violation: Contempt – Construction of a second level deck and steps without a building permit, nor a certificate of occupancy, in the **Chesapeake Bay Critical Area**

DISPOSITION: The April 26, 2018 case was postponed by the Court in order to allow the County additional time to effect service. The case has been reset for September 22, 2018.

JUDGE: N/A

NAME OF MATTER: Le, Bob and Dien, Linh

Location: 6212 Flamingo Drive, Glen Burnie, MD 21060

Violation: Contempt – Construction of a residential addition (Permit B02294532 expired)

DISPOSITION: The case was dismissed prior to court at the request of the County Inspector, as the violation was abated.

JUDGE: N/A

NAME OF MATTER: Lee, Edwin and Jacqueline

Location: 2621 Solomons Island Road, Edgewater, MD 21037

Violation: Overflowing septic tank

DISPOSITION: The citations against both Defendants were entered *nolle prosequi* because the violation has been abated.

JUDGE: Legum

**NAME OF MATTER: Lindsay, William Franklin, Jr. and
Lindsay, William Franklin, Sr. (Injunction)**

Location: 8309 Woodland Rd., Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles and oversize vehicles; illegal business in R2 zone

DISPOSITION: The injunction against William F. Lindsay, Jr. was dismissed, as he is currently serving 12 years in jail (starting September 2016), and service could not be completed. William F. Lindsay, Sr. failed to appear in court. A default Judgment was entered in the amount of \$2,500 and the Defendant has 14 days to abate the violations; otherwise the County will abate at the Defendants' expense.

JUDGE: Spencer

NAME OF MATTER: Lowe, Rebecca H.

Location: 6146 Shady Side Road, Shady Side, MD 20764
Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: Defendant filed a postponement for one citation, which was granted. The other citation appeared on the docket, and Judge Legum postponed that citation, as well. The matter was reset for June 5, 2018.

JUDGE: Legum

NAME OF MATTER: Miski, Ahmad

Location: 141 S. Winchester Road, Annapolis, Maryland
Violation: Grading/clearing in excess of 11,000 square feet in the **Chesapeake Bay Critical Area** without approved permits or plans

DISPOSITION: This matter was postponed to May 3, 2018 by consent of the parties. Defendant is in the process of applying for permits.

JUDGE: Spencer

NAME OF MATTER: Smuck, Estate of Stanley J. (EGC)

Location: 110 Arundel Corporation Drive, Glen Burnie, MD
Violation: Grading without a permit or an approved stormwater management plan

DISPOSITION: The hearing set for April 26, 2018 was postponed in order to allow the County additional time to effect alternative service on the Defendant.

JUDGE: N/A

NAME OF MATTER: Spicer, Marilyn M.

Location: 1828 Cremen Road, Pasadena, MD 21122
Violation: Construction of shed without the required building permit

DISPOSITION: The County entered the citation *nolle prosequi* because the violation was abated prior to court.

JUDGE: Legum

NAME OF MATTER: Sutphin, Alvin A. & Mayola L. (Injunction - 3257 Beards Point Rd.)

Location: 3257 Beards Point Road, Davidsonville, MD 21035

Violation: Outside storage of unregistered vehicles, storage containers, oversized vehicles, grading equipment and use not permitted as contractor's yard

DISPOSITION: Prior to the trial date, the court granted the parties' Joint Motion to Postpone. The case has been reset for September 6, 2018.

JUDGE: N/A

NAME OF MATTER: Wandel, David

Location: 8003 Hog Neck Road, Pasadena, MD 21122

Violation: Contempt – Outside storage of unregistered vehicles; no certificate of use

DISPOSITION: This matter was postponed to May 3, 2018 at the request of the County to give Defendant a chance to apply for a nonconforming use and pursue the pending variance application.

JUDGE: Spencer