

**Code Enforcement Litigation Report
July 2016**

NAME OF MATTER: Aria Landing, LLC

Location: 445 Crain Highway, Glen Burnie, MD 21061

Violation: Construction of addition and shed without the required building permit

DISPOSITION: A Consent Judgment was entered which orders the Defendant to complete all required permits for the addition on the property. A fine of \$125.00 was ordered and suspended pending abatement.

JUDGE: Mosley

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: Corey Belt was not present, but Zanett Belt appeared. Mrs. Belt stated that they been relying on their engineer to respond to an April 18, 2016 Comment Letter from the County, and that she did not know it was not completed. The County informed the Court that this review was in regards to an October 1, 2015 contempt action and asked for the full \$5,000 fine. The Court imposed \$1,000 in fines on each Defendant (for a total of \$2,000) and suspended the balance. A review hearing has been set for September 29, 2016.

JUDGE: Mosley

NAME OF MATTER: Bishop, Hubert G.

Location: 1737 Saint Margarets Road, Annapolis, MD 21409

Violations: Unauthorized grading in the **Chesapeake Bay Critical Area**; unauthorized construction without a permit

DISPOSITION: The Defendant entered into a consent agreement whereby he was ordered to pay a \$500 fine for each case, which was suspended pending compliance. The Defendant owes service costs in the amount of \$50.00 (Case #D-02-CV-16-003803) and \$25.00 (Case #D-02-CV-16-003802) (for a total of \$75.00). The Defendant must apply for any required State and Federal approvals within 30 days. A review hearing is set for December 8, 2016.

JUDGE: Mosley

NAME OF MATTER: Cahill, Matthew

Location: 2001 Cambridge Drive, Crofton, MD 21114

Violation: Outside storage of unregistered vehicles; junk and debris

DISPOSITION: This matter was removed from the docket because it had not yet been served. The hearing has been reset for August 4, 2016.

JUDGE: N/A

NAME OF MATTER: Castro, Isaias and Ortiz, Gustavo

Location: 2611 Evergreen Road, Odenton, MD 21113

Violation: Unauthorized construction of four (4) accessory structures (horse barn w/second story; an enclosed structure w/open porch and bar area; a round pavilion, and a footbridge spanning a watercourse) – without any building or trade permit(s); and unauthorized grading affecting an area of approximately 50,000 square feet of land and placement of mechanical stabilization – also without a grading permit or approved stormwater management plan

DISPOSITION: Defendant entered into a consent agreement whereby he was ordered to pay previously imposed fines, and a contempt fine of \$1,000, which can be purged if the Defendant abates the violation. The violation is to be abated by April 30, 2017. A review hearing is set for May 25, 2017.

JUDGE: Mosley

NAME OF MATTER: Frazier, Connie (Brewis, Robert)

Location: 8270 Edwin Raynor Boulevard, Pasadena, MD 21122

Violation: Contempt – Storage of unregistered/untagged vehicles, commercial equipment, junk and debris, and portable storage containers

DISPOSITION: This matter did not appear on the Court's docket, so no hearing occurred; the next review hearing will be August 4, 2016.

JUDGE: N/A

NAME OF MATTER: Goode, James and Margaret

Location: 815 Oregon Avenue, Linthicum Heights, MD 21090

Violations: Contempt – Grading without a permit; no approved stormwater management plan; construction of fence without a permit; performing work outside of scope of permit without a building permit revision

DISPOSITION: Defendants were found in contempt. Previously suspended fines of \$2,500 on each of the four (4) matters were suspended again. Defendants ordered to complete all permits and plans on the subject property by October 1, 2016. Review hearing scheduled for October 6, 2016.

JUDGE: Mosely

NAME OF MATTER: Herold-Jacobs, Beverly

Location: 1476 Shot Town Road, Annapolis, MD 21401

Violation: Outside storage of unregistered vehicles, junk and oversized vehicles; non-conforming use

DISPOSITION: The Defendant entered into a consent agreement, whereby a fine of \$500.00 and costs of \$47.50 were ordered and suspended pending abatement. The Defendant was ordered to abate the violations within 120 days of the Judgment.

JUDGE: Mosely

NAME OF MATTER: Hugel, William

Location: 4019 Belle Grove Road, Baltimore, MD 21225

Violation: Failure to exterminate rodent infestation on property

DISPOSITION: The Defendant failed to appear but sent a representative from the property. The Court postponed the case to September 6, 2016 to give the Defendant another opportunity to appear.

JUDGE: Parks

NAME OF MATTER: Kaminski, III, Bernard

Location: 907 Pulaski Avenue, Glen Burnie, MD 21060

Violation: Unauthorized grading and clearing in the **Chesapeake Bay Critical Area**

DISPOSITION: The Defendant was present at Court before Judge Vitale. After speaking with the inspector, we were informed that the current revision of the Defendant's Grading Permit is still under review by the County. Based on this information, a postponement until September 16, 2016 was agreed to.

JUDGE: Vitale

NAME OF MATTER: Landry, Frances M.

Location: 8008 Quarterfield Road, Severn, MD 21144

Violation: Outside storage of unregistered vehicles, oversized vehicles, junk and debris

DISPOSITION: The Defendant failed to appear for the review hearing. The inspector stated that the property was still in violation. The Court imposed the original \$1,500 fine that had been suspended.

JUDGE: Johnson

NAME OF MATTER: Marcum, Cynthia R.

Location: 2644 Queen Anne Circle, Annapolis, MD 21403

Violation: Operating a "rooming house" and/or bed and breakfast without a Certificate of Use

DISPOSITION: This matter was postponed to September 1, 2016.

JUDGE: Mosely

NAME OF MATTER: Ohn-Nuree Mission Church

Location: 1027 Andover Road, Linthicum, MD 21090

Violation: Contempt – Construction of six (6) separate additions to an existing church in separate phases between approximately 2003 and 2013 without required building or trade permit(s)

DISPOSITION: This case was postponed at the Defendant's request to August 25, 2016 to allow the County to complete a final inspection.

JUDGE: Mosley

NAME OF MATTER: Quinn, Bernard, Jr.

Location: 7428 Hawkins Drive, Hanover, MD 21076

Violation: Contempt – Untagged dismantled vehicles; solid waste; junk and debris

DISPOSITION: Defendant failed to appear. Judgment of Constructive Civil Contempt entered. Fine of \$3,000 imposed. Defendant to remove junk and solid waste and unregistered vehicles within 30 days. If Defendant fails to do so, County is authorized to enter property to do so at Defendant's expense.

JUDGE: Legum

NAME OF MATTER: Revels, Aaron & Therly

Location: 1900 Surf Circle, Pasadena, MD 21122
Violation: Contempt – Construction without a permit

DISPOSITION: Defendants failed to appear. Testimony was provided by the County that the Defendants failed to comply with the February 10, 2011 Order to obtain a septic permit, building permit, and grading permit. The Judge found the Defendants in contempt and signed a modified order which requires a \$100 daily fine and compliance by September 28, 2016. Subsequently, Defendants sent a letter to Judge Ahalt requesting a new hearing. No ruling has been made regarding this request to date.

JUDGE: Ahalt

NAME OF MATTER: Schedel, John R. Jr. and Angela

Location: 649 S. Lakeland Road, Severna Park, Maryland
Violation: Grading in the **Chesapeake Bay Critical Area** (removal of 49,000+ square feet of trees from sloped buffer and addition of deck and planter boxes in sloped buffer)

DISPOSITION: On July 7, 2016, all parties were present for a pre-trial hearing with Judge Lerner. Because a settlement letter to the Defendants from the County is being discussed, the hearing was postponed. The County and the Defendants believe that a settlement will be reached prior to any further Court proceedings.

JUDGE: Lerner

NAME OF MATTER: Spiegel, Theodore and Juliann

Location: 1493 River Road, Crownsville, MD 21032
Violation: Contempt – Noncompliance of building permit B02201112

DISPOSITION: Defendants failed to appear. A Default Judgment was entered against each Defendant. Theodore Spiegel was ordered to pay the previously imposed fine of \$250.00, a fine of \$500.00 for contempt, service costs of \$47.50 (for a total of \$797.50), and to abate the violation by September 5, 2016. Juliann Spiegel was ordered to pay the previously imposed fine of \$250.00, a fine of \$500.00 for contempt, service costs of \$23.75 (for a total of \$773.75), and to abate the violation by September 5, 2016.

JUDGE: Mosley

NAME OF MATTER: Wahmhoff, John E.

Location: 263 Carvel Road, Pasadena, MD 21122

Violation: Contempt – Unsafe structure in the **Chesapeake Bay Critical Area**; garage open to casual entry

DISPOSITION: This case was removed from the docket due to lack of out-of-state service. Defendant claims he no longer owns the property due to bankruptcy, but has not yet provided proof to the County. Matter reset for hearing on September 1, 2016.

JUDGE: N/A

NAME OF MATTER: Weed, Harold and Farmer, Kimberly

Location: 1292 Myers Station Road, Odenton, MD 21113

Violation: Outside storage of unregistered vehicles, junk and debris

DISPOSITION: This matter was postponed until September 6, 2016. Ms. Farmer's attorney claims that she will no longer own the property due to pending divorce proceedings.

JUDGE: Parks

NAME OF MATTER: Wilson, William and Patricia ats. AACo.

Location: 53 Hill Road, Severna Park, MD 21146

Violation: Contempt – Construction of garage and living area without required permit

DISPOSITION: Defendants entered into a consent agreement, under which they are required to complete building permit number B02230688 within 30 days by requesting the permit be renewed, and by requesting, obtaining, and passing all required inspections. If Defendants fail to do so, the illegal renovations are to be removed. Fine of \$3,000 against each Defendant suspended pending compliance with the Judgment. Service costs of \$25 for each Defendant were reduced to Judgment against each Defendant. Matter set for review hearing on September. 1, 2016.

JUDGE: Mosley