

**Code Enforcement Litigation Report
September 2016**

NAME OF MATTER: Alvis, Charles and David (Deed is David and Christine)

Location: 7810 Renshaw Road, Pasadena, MD 21122 (Lot 17)

Violation: Outside storage of unregistered vehicles

DISPOSITION: The Defendants failed to appear and a Judgment was entered in favor of the County. The Judgment is for \$1,035.50 jointly and severally. The Defendants have thirty (30) days to abate the violation on the subject property.

JUDGE: Nunn

NAME OF MATTER: Belle Grove MHC LLC

Location: 21 Nann Avenue, Brooklyn Park, MD 21225

Violation: Construction of shed, addition and interior/exterior renovations without the required permit

DISPOSITION: This case was entered *nolle prosequi* because the Defendant abated the violation prior to the trial date.

JUDGE: Legum

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: This case was before the Court for a review hearing. Mr. Belt was present and provided proof that he has in fact been working on the comments and presented communications with the County to verify this fact. As a result of the effort that had been made by the Belts, the Inspector agreed to postpone this matter until January 26, 2017.

JUDGE: Legum

NAME OF MATTER: Burnham, Keith and Beverly

Location: 7406 Belclare Court, Jessup, MD 20794

Violation: Grading without an approved permit and stormwater management plan

DISPOSITION: The Defendants were present and entered into a Consent Judgment for each citation, whereby they agreed to diligently pursue abatement of the violation. Each Defendant was ordered to pay fines of \$1,500.00 (for a total of \$3,000.00), but the fines were suspended pending compliance:

JUDGE: Legum

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 due to lack of service by the Clerk's office. The Court reset this matter for October 6, 2017.

JUDGE: N/A

NAME OF MATTER: Castillo, Pedro & Linda

Location: 102 Orchard Road, Riva, MD 21140

Violation: Contempt – Outside storage of junk and debris in the **Chesapeake Bay Critical Area**

DISPOSITION: Defendant Pedro Castillo failed to appear. Judgment of \$2,000.00 entered for contempt, and Defendant Ordered to remove junk and solid waste and unregistered vehicles within thirty (30) days. If Defendant fails to do so, the County is authorized to remove the items at Defendant's expense.

JUDGE: McKenna

NAME OF MATTER: Evergreen Ventures, LLC

Location: 4760 Bayfields Road, Harwood, MD 20776

Violation: Contempt – Construction of a home without permits; noncompliance with the following expired permits: B02106661, B02107720, B02186527, E02156335, M02093453, P02066730 and P02120233

DISPOSITION: Consent Order entered. Defendants are required to apply for a demolition permit and to complete the demolition by February 28, 2017.

JUDGE: McKenna

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: Review hearing occurred; the County advised the Court that only about 5% progress has been made and that deadline is September 30, 2016. Defendant has failed to hire a contractor to remove items from the property as required in the previous Consent Judgments. A review hearing was set for October 6, 2016.

JUDGE: McKenna

NAME OF MATTER: Grubbkruger, Johnathon, et al.

Location: 230 Armstrong Lane, Pasadena, MD 21122

Violation: Grading without a permit

DISPOSITION: All citations went to trial. Johnathon Grubbkruger, ITree Services LLC, and ITree Discount Services, were all found not guilty of the violations.

JUDGE: Legum

NAME OF MATTER: Hugel, William

Location: 4019 Belle Grove Road, Baltimore, MD 21225

Violation: Failure to exterminate rodent infestation on property

DISPOSITION: This case was postponed prior to Court at the Defendant's request.

JUDGE: N/A

NAME OF MATTER: Izzo, William and Ann

Location: 900 Windsong Drive, Arnold, MD 21012

Violation: Outside storage of unregistered vehicles

DISPOSITION: This case was entered *nolle prosequi* prior to Court because the property was sold.

JUDGE: Legum

NAME OF MATTER: Kaminski, Bernard, III (EBC Citation 2Z35141549)

Location: 907 Pulaski Avenue, Glen Burnie, MD 21060

Violation: Construction of a pier extension without an approved building permit in the **Chesapeake Bay Critical Area**

DISPOSITION: This matter was postponed until January of 2017. The Administrative Hearing Officer denied Defendant's variance request and he has filed an appeal with the Board of Appeals. This matter is being postponed until the conclusion of the appeal matter.

JUDGE: Legum

NAME OF MATTER: Kaminski, III, Bernard (Circuit Court 02-C-07-121475 DN)

Location: 907 Pulaski Avenue, Glen Burnie, MD 21060

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

DISPOSITION: A Consent Judgment was signed by the parties in Court. The Defendant has until November 2, 2016, to obtain an issued grading permit or demolition permit. Upon obtaining the permit, Defendant must complete the plantings by February 1, 2017. Failure to obtain the necessary permits and complete execution of work as stated therein shall result in the County notifying Defendant that it will complete all necessary work. Any costs associated with the work done by the County shall be at the Defendant's expense.

JUDGE: Mulford

NAME OF MATTER: Kaminski, Bernard, III (Building Citation)

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 Defendant failed to appear at Court. A Judgment was entered in favor of the County seeking an additional \$5,000 fine. The Defendant has sixty (60) days to abate the violations before a daily fine of \$200 per day begins to accrue. Currently, the Defendant has numerous violations on the property and cannot obtain permits for the deck until the other violations have been addressed. However, the deck as currently built does not meet County Code regulations.

JUDGE: Legum

NAME OF MATTER: K & K Adams, Inc.

Location: 5601 Belle Grove Road and 8 Thomas Avenue, Baltimore, MD 21225
(contiguous properties under same ownership)

Violation: Contempt – (1) Unauthorized grading in the Chesapeake Bay Critical Area without permit or Site Development Plan; and (2) Unauthorized reconstruction and renovations to an existing accessory structure on the Thomas Avenue property without building or trade permits

DISPOSITION: Petition for Contempt was dismissed and the underlying Judgment to remain in place. A lien of \$4,000 Judgment is to be filed in the County's lien index, and the prior Order to be filed in the County's Land Records.

JUDGE: McKenna

NAME OF MATTER: Kraft, James A., Jr. and Lorraine E.

Location: 7208 Judy Road, Glen Burnie, MD 21060

Violation: Contempt – Construction of shed without required building permit

DISPOSITION: This case was removed from the docket prior to Court because the Defendant was not served.

JUDGE: N/A

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: Consent Order entered. Defendant agreed not to use the property for a rooming house or bed and breakfast home. All future use to be as allowed in an R2 zone and property shall comply with all changes in the zoning code in the future. County to give Defendant notice of any alleged violations of Order and parties shall make a good faith effort to resolve any dispute.

JUDGE: McKenna

NAME OF MATTER: Matthews, Marion E.

Location: 220 Saint Antons Way, Arnold, MD 21012

Violation: Outside storage of unregistered vehicles

DISPOSITION: This case was dismissed because the Defendant abated the violation prior to Court.

JUDGE: Nunn

NAME OF MATTER: MBM Investments, LLC

Violation: Location: 7918 Solley Road, Glen Burnie, MD 21060

Violation: Contempt – Unauthorized construction of an approximate 50' x 80' accessory structure with four (4) bay doors without building or trade permit(s); unauthorized construction of an approximate 25' x 25' residential addition without building or trade permit; unauthorized construction of a shed greater than 8' x 8' without a building permit; unauthorized grading resulting in approximately 30,000 square feet of disturbance, inclusive of asphalt and gravel parking/storage areas; and stockpiled materials without a grading permit or Stormwater Management Plan authorizations

DISPOSITION: Postponed to December 1, 2016 in order to give Defendant a chance to complete permits.

JUDGE: McKenna

NAME OF MATTER: Morris, William R. and Smithson, Teresa M.

Location: 371 Dutch Ship Court, Pasadena, MD 21122

Violation: Contempt – Construction of a shed without permits in the **Chesapeake Bay Critical Area**

DISPOSITION: This case was removed from the docket prior to Court because the Defendant was not served.

JUDGE: N/A

NAME OF MATTER: Myers, David Wayne, et al. (EGC)

Location: 775 Dividing Road, Severna Park, MD 21146

Violation: Cutting/removal of trees in the **Chesapeake Bay Critical Area** buffer modification zone for which approval had been previously denied

DISPOSITION: A hearing took place in District Court on the County's Motion to Lift Stay (requesting the Court to proceed with the enforcement action). The judge took the matter under advisement and requested post-hearing memos by October 13, 2016.

JUDGE: Mulieri

NAME OF MATTER: Pangle, Jr., Dallas L. & Susan F.

Location: 7576 Brightwater Beach Road, Glen Burnie, MD 21060

Violation: Contempt – Outside storage of vehicles not properly tagged and maintenance of solid waste in the **Chesapeake Bay Critical Area**

DISPOSITION: Review hearing held to report on Defendant's compliance with June Order requiring abatement by December 2016. Reported to the Court that Defendants have made little progress towards compliance. Next review hearing is scheduled for November 3, 2016.

JUDGE: McKenna

NAME OF MATTER: Patel, Bhailal and Hemangini, et al

Locations: 1871 Betson Avenue, Odenton, MD - Tax Map 21, Block 17, Parcel 98 (Patel)
1863 Betson Avenue, Odenton, MD - Tax Map 21, Block 17, Parcel 99 (Bengough)
0000 Bucklina Avenue, Odenton, MD - Tax Map 21, Block 17, Parcel 104 (Patel)
1874 Bucklina Avenue, Odenton, MD - Tax Map 21, Block 17, Parcel 105 (Patel)

Violations: Contempt – (1) Unauthorized construction of an approximate 28' x 80' addition (in two separate phases) to an existing structure between approximately 2005 and 2007 without building or trade permit(s); and (2) unauthorized ongoing grading and stockpiling activities resulting in greater than 5,000 square feet of disturbance on each of the subject properties without grading permit or stormwater management authorization(s)

DISPOSITION: This case was postponed to November 3, 2016.

JUDGE: McKenna

NAME OF MATTER: Rice, Delmus and Nylona

Location: 282 Poplar Road, Millersville, MD 21108

Violation: Unsafe structure

DISPOSITION: Delmus Rice appeared and entered into a Consent Judgment whereby he agreed to abate the violation within ninety (90) days. Additionally, a \$125.00 fine and \$45.00 in costs (for a total of \$170.00) were ordered. Nylona Rice failed to appear. A Default Judgment was entered whereby she is to abate the violation within ninety (90) days. A \$125.00 fine and \$20.00 in costs (for a total of \$145.00) were ordered (for a combined total of \$315.00).

JUDGE: Nunn

NAME OF MATTER: Rupli, William

Location: 5776 Swamp Circle Road, Deale, MD 20751

Violation: Contempt – Installation of hot tub with electric without proper permits in the **Chesapeake Bay Critical Area**

DISPOSITION: The County and Defendant's legal counsel agreed to postpone the matter until January 2017, as the Inspector is on medical leave until December. However, the Judge denied the request for postponement and set the matter for October 6, 2016.

JUDGE: Nunn

NAME OF MATTER: Rupli, William (EBC)

Location: 5776 Swamp Circle Road, Deale, MD 20751

Violation: Contempt – (1) Construction of an addition without a permit; (2) construction of an in-ground pool in non-compliance of building permit B02214246; (3) construction of a porch without a permit; and (4) construction of a fence with an expired permit – all within the **Chesapeake Bay Critical Area**

DISPOSITION: This matter was postponed until January 26, 2017. The inspector is out on medical leave.

JUDGE: Legum

NAME OF MATTER: Shelton, William and Charlene

Location: 324 Fairhaven Road, Tracy's Landing, MD 20779

Violation: Grading over 5,000 square feet without an approved grading permit and stormwater management plan

DISPOSITION: All parties entered into a Consent Judgment whereby Defendants agreed to diligently pursue and complete all required permits and approvals. A \$1,500.00 fine was Ordered against each Defendant, but suspended pending compliance. Costs of \$32.50 were ordered against each Defendant (for a total of \$65.00).

JUDGE: McKenna

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: The Defendant provided verification that the subject property was foreclosed. Ownership of the property has been transferred to Christiana Trust. In light of this, the case was dismissed.

JUDGE: Nunn

NAME OF MATTER: Weed, Harold and Farmer, Kimberly

Location: 1292 Myers Station Road, Odenton, MD 21113
Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: This matter was entered *nolle prosequi*. According to the inspector, the vehicles that were not tagged previously were now registered or no longer on the property. There were new cars on the property that were not tagged, but the inspector was unable to determine if they had been on the property for more than sixty (60) days.

JUDGE: Legum

NAME OF MATTER: Willard, Robert H. & Beverly G. (Injunction)

Location: 1226 Plauteau Place, Annapolis, MD 21409
Violation: Contempt – Expiration of required building permits; construction without permits.

DISPOSITION: This case was postponed until October 6, 2016. Defendant has almost completed the permits.

JUDGE: McKenna

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

Location: 53 Hill Road, Severna Park, MD 21146
Violation: Contempt – Construction of garage with living area without required building permit

DISPOSITION: Defendants failed to appear. A Fifth Judgment of Constructive Civil Contempt was entered. A fine of \$3,000 against each Defendant was entered (for a total of \$6,000). Defendants ordered to revise building permit B02230688 within fifteen (15) days and to complete the permit within sixty (60) days. If Defendants fail to do so, the County is authorized to enter the property and abate the violation at Defendants' expense.

JUDGE: McKenna