

**Code Enforcement Litigation Report
February 2018**

NAME OF MATTER: 151 Arundel Beach, LLC

Location: 151 Arundel Beach Road, Severna Park, MD 21146

Violation: Unauthorized grading in excess of 5,000 s.f. within the **Chesapeake Bay Critical Area** without a permit or approved stormwater management plan

DISPOSITION: The Defendant was unavailable on the hearing date so the County requested a postponement in court in order to give the County an opportunity to file a written Stipulation of Dismissal. The Defendant has paid a \$500.00 fine and has agreed to complete abatement of the violation through the subdivision process. The County filed the dismissal on February 6, 2018.

JUDGE: Mosley

NAME OF MATTER: Aguilar, Toni M. and Layman, William H.

Location: 973 Dogwood Tree Drive, Annapolis, MD 21409

Violation: Outside storage of unregistered vehicles

DISPOSITION: Both Defendants appeared in court, and the parties entered into a Consent Judgment. The Defendants agreed to abate the violation by removing or displaying proper registration on the vehicles within sixty (60) days. The fine of \$125.00 against Toni Aguilar was suspended by the Court pending compliance, with service costs of \$30.00 being imposed as Judgment. The fine of \$125.00 against William Layman, along with service costs of \$30.00, were imposed as Judgment (for a total Judgment of \$185.00).

JUDGE: Robinson

NAME OF MATTER: Alder, Wilmer and Dixie

Location: 8033 Clark Station Road, Severn, MD 21144

Violation: Contempt – Outside storage of unregistered vehicles, junk and debris, cargo container, mobile home

DISPOSITION: Defendant failed to appear in court. An *ex parte* Judgment of Civil Contempt was entered ordering Defendant to pay the previously suspended fine of \$2,000.00 and service costs in the amount of \$50.00 (for a total of \$2,050.00), and abating all violations within thirty (30) days of the Judgment.

JUDGE: Mosley

NAME OF MATTER: Brodziak, Thomas

Location: 408 Melrose Avenue, Glen Burnie, MD 21061

Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear. A Judgment was entered ordering the Defendant to pay the previously imposed fines of \$125.00 and costs of \$45.00 and pay an additional fine of \$125.00 within thirty (30) days (for a total of \$295.00). The Defendant is ordered to abate the violation within thirty (30) days.

JUDGE: Pryal

NAME OF MATTER: Butler, Jr., Dale E.

Location: 315 Ternwing Drive, Arnold, MD 21012

Violation: Outside storage of unregistered vehicles

DISPOSITION: The parties entered into a Consent Judgment in which Defendant agreed to display a valid registration tag on the unregistered vehicle within thirty (30) days of the Judgment. A fine of \$1,000.00 was suspended by the Court pending compliance and service costs of \$75.00 were imposed as Judgment.

JUDGE: Mosley

NAME OF MATTER: Cahill, Matthew

Location: 2001 Cambridge Drive, Crofton, MD 21114

Violation: Outside storage of unregistered vehicles; junk and debris

DISPOSITION: In error, the Court cancelled this hearing for lack of service when service had been accomplished. The matter is now set for April 20, 2018.

JUDGE: N/A

NAME OF MATTER: Castro, Isaias and Ortiz, Gustavo

Location: 2611 Evergreen Road, Odenton, MD 21113

Violation: Contempt – 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: A review hearing was held. The Defendant has taken care of the forestation requirements; however, both parties asked that the hearing be re-set to May 3, 2018 to give the Defendant time to complete his permits.

JUDGE: Mosley

NAME OF MATTER: Countryside Deli (1)

Location: 5901 Southern Maryland Blvd., Lothian, MD 20711

Violation: Failure to maintain and/or provide documentation of fire extinguishing system test/maintenance

DISPOSITION: This case was postponed at the request of the County to June 7, 2018. The Defendant has completed the preliminary inspections and the County is allowing the Defendant more time to abate.

JUDGE: Mosley

NAME OF MATTER: Countryside Deli (2)

Location: 5901 Southern Maryland Blvd., Lothian, MD 20711

Violation: Failure to maintain and/or provide documentation of fire extinguishing system test/maintenance

DISPOSITION: This case was postponed at the request of the County to June 7, 2018. The Defendant has completed the preliminary inspections and the County is allowing the Defendant more time to abate.

JUDGE: Mosley

NAME OF MATTER: Crane, Jennifer L. and Sheppard, Jr., Roger L.

Location: 1008 Joyce Drive, Crownsville, MD 21032

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendants abated the violation prior to trial. The County entered a dismissal.

JUDGE: Mosley

NAME OF MATTER: Cunningham, Brian

Location: 8350 Woodland Road, Millersville, MD 21108
Violation: Construction of deck without the required building permit

DISPOSITION: Defendant failed to appear in court. A Judgment on the Affidavit was entered ordering Defendant to apply for a building permit for the deck within thirty (30) days. A fine of \$500.00 was imposed as Judgment, as well as \$45.00 in service costs (for a total of \$545.00).

JUDGE: Robinson

NAME OF MATTER: Day, Mary Jane/Owens, William

Location: 304 Forest Beach Road, Annapolis, MD 21409
Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: The Defendant abated the violation prior to court, so the County filed a Notice of Dismissal.

JUDGE: N/A

ATTORNEY: CGR

[\$0 NCA]

NAME OF MATTER: Drury, Edwin C., III

Location: 8948 Ft. Smallwood Road, Pasadena, MD 21122
Violation: Outside storage of oversized and unregistered vehicles

DISPOSITION: Defendant failed to appear in court. A Judgment on the Affidavit was entered ordering Defendant to display proper registration on all unregistered vehicles and to remove all oversized vehicles within thirty (30) days. Two fines of \$125.00 each were imposed as Judgment, along with \$60.00 in service costs (for a total Judgment of \$310.00).

JUDGE: Robinson

NAME OF MATTER: Estrada, Jose and Gerver

Location: 22 Chester Circle, Glen Burnie MD 21060

Violation: Outside storage of unregistered vehicles

DISPOSITION: The violation was abated prior to trial and the County entered a *nolle prosequi* for the citations.

JUDGE: N/A

NAME OF MATTER: Floyd, Robert P., III and Laura L.

Location: 713 Harness Creek View Drive, Annapolis, MD 21403

Violation: Construction of a new single family dwelling/garage; building permit B02213715 expired on 5/1/17 with the inspections not being completed

DISPOSITION: Defendants negotiated and were granted a postponement in order to have time to finalize the building permit. The matter is reset to May 1, 2018.

JUDGE: Robinson

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 was postponed to March 1, 2018 due to medical leave of the County inspector.

JUDGE: Mosley

NAME OF MATTER: Fryer, III, Norman E. and Cynthia L.

Location: 6099 Fishers Station Road, Lothian, MD 20711

Violation: Non-compliance of building permit #B02207104

DISPOSITION: Defendants abated the violation prior to trial. The County entered a dismissal.

JUDGE: Mosley

NAME OF MATTER: Goodspeed, John D.

Location: 1724 Westmoreland Trail, Annapolis, MD 21401
Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear. A judgment was entered which ordered the Defendant to pay the previously imposed fines of \$500.00, previously imposed costs of \$50.00, pay an additional fine of \$500.00 for contempt, and pay costs of \$75.00 within thirty (30) days (for a total of \$1,125.00). Defendant was also ordered to abate the violation within thirty (30) days.

JUDGE: Pryal

NAME OF MATTER: Greenwell, Stephen M., Sr. and Crystal L.

Location: 1306 Juniper Street, Shady Side, MD 20764
Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendants abated the violation prior to court, and the County entered a *nolle prosequi*.

JUDGE: Robinson

NAME OF MATTER: Haley, Tamara F. and Michael S. (Injunction)

Location: 3316 Oak Drive, Edgewater, MD 21037
Violation: Outside storage of unregistered vehicles, junk and debris

DISPOSITION: A Consent Judgment was entered. The Defendants must abate the violations within thirty (30) days or the County can abate. Defendants must keep the property clear of junk and unregistered vehicles. The fines of \$2,000.00 each were suspended by the Court but \$75.00 in service costs must be paid.

JUDGE: Mosley

NAME OF MATTER: Han, Hae Y. and Sang K. (Injunction)

Locations: 346 Hunner Road, Pasadena, MD 21122
Violation: Multi-dwelling (4 units) located on property zoned R1

DISPOSITION: A joint postponement request was filed prior to court. Defense counsel has filed for a nonconforming use or a 20-year registered use. The new hearing date will be May 3, 2018.

JUDGE: N/A

NAME OF MATTER: Hyman, Theodore, Jr. and Pamela

Location: 209 Ash Lane, Annapolis, MD 21409

Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: Defendants failed to appear. Judgments of Constructive Civil Contempt were entered. Defendants ordered to pay a fine of \$200.00 each for their contempt of Court, and to remove all unregistered or inoperable vehicles from the subject property within thirty (30) days. If Defendants fail to remove the vehicles, the County is authorized to enter the subject property and remove the vehicles and Defendants forfeit all rights, title and interest to the vehicles. The cost of removal shall be billed to Defendants and constitute a lien on the subject property. Additionally, Defendant Pamela Hyman was ordered to pay the outstanding remainder of the fine imposed in the previous Judgment in the amount of \$110.00. (Total Judgment in the amount of \$510.00.)

JUDGE: Mosley

NAME OF MATTER: Johnson, Michael

Location: 344 Forest Beach Road, Annapolis, MD 21409

Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: A joint postponement was requested. The inspector is filing for a new injunction and reviewing vehicles to determine validity of contempt. Defendant has abated all violations addressed in the underlying Order except possibly a boat trailer.

JUDGE: Mosley

NAME OF MATTER: Kook, Kim Thomas and Hee, Han Young

Location: 7195 Baltimore-Annapolis Boulevard, Glen Burnie, MD 21060

Violation: Outside storage of junk and unregistered vehicles; prohibited signs; two structures erected outside approved scope of Administrative Decision No. 2014-0331-N

DISPOSITION: A joint postponement was filed and granted prior to court. Defendants are attempting to bring the property into compliance. The hearing has been reset for March 1, 2018.

JUDGE: N/A

NAME OF MATTER: Le, Bob M. and Dien, Linh M.

Location: 6212 Flamingo Drive, Glen Burnie, MD 21060

Violation: Contempt – Residential addition under an expired permit (B02294532)

DISPOSITION: Defendants' attorney just had Defendants renew the permit. The matter was postponed to April 26, 2018 to determine if Defendants abate the violation per the permit.

JUDGE: Mosley

ATTORNEY: CGR

[\$0 NCA]

NAME OF MATTER: Lee, Edwin and Jacqueline

Location: 2621 Solomons Island Road, Edgewater, MD 21037

Violation: Overflowing septic tank

DISPOSITION: This case was postponed at the request of the Defendants who indicated that they would like more time to abate the violation. The new hearing date was set for April 3, 2018. Since that time, Defendants have abated the violation and the County entered a *nolle prosequi*.

JUDGE: Robinson

NAME OF MATTER: Meadows, Kenneth

Location: 1215 Riverside Drive, Baltimore, MD 21226

Violation: Outside storage of junk/unregistered vehicles

DISPOSITION: Defendant failed to appear in court. A Judgment on the Affidavit was entered ordering Defendant to display proper registration on all unregistered vehicles and to remove junk from the property within thirty (30) days. Two fines of \$500.00 were imposed as Judgment, as well as service costs of \$60.00 (for a total Judgment of \$1,060.00).

UPDATE: Defendant's wife called to say that he passed away in November, which the County confirmed through the Register of Wills. The County filed a Motion to Strike Judgment, as abated by death, which the Court granted. The Court struck the judgment. The County inspector sent a letter to Defendant's wife to try to abate the violation. He plans to go out to re-inspect and issue new citations to the living property owner if violations are not abated

JUDGE: Robinson

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 April 4, 2018, as the Defendant is working on getting permits.

JUDGE: Mosley

NAME OF MATTER: Nicholson, Matthew P., et al.

Location: 301 Linden Avenue, Edgewater, MD 21037

Violation: Construction of interior and exterior renovations without the required building permit

DISPOSITION: The citations issued against Defendant Nicholson (2Z41782862, 4Z41782857, and 5Z41782858) were entered *nolle prosequi* because the violations were abated prior to court. Defendant Alan Jackson consented to pay a \$100.00 fine for citation 1Z41782861 and a Judgment in that amount was entered. Alan Jackson's remaining citation, 0Z41782860, was entered *nolle prosequi* as part of the agreement because the violations were abated prior to court.

JUDGE: Robinson

NAME OF MATTER: Ortiz, Elizabeth R.

Location: 1253 Scott Town Road, Shady Side, MD 20764

Violation: Demolition and rebuild of a single family dwelling without the required building permit

DISPOSITION: The parties entered into a Consent Judgment whereby a \$625.00 fine was ordered but suspended by the Court pending compliance. Costs of \$85.00 were ordered. The Defendant is ordered to diligently pursue all permits, approvals, and inspections and respond to any comment letters within thirty (30) days of issuance.

JUDGE: Mosley

NAME OF MATTER: Parrish, John M. and Susan R.

Location: 4608 Ritchie Highway, Baltimore, MD 21225

Violation: Contempt – Construction of a deck without the required building permit

DISPOSITION: These cases were removed from the docket prior to court to allow the County more time to effect service on both Defendants.

JUDGE: N/A

NAME OF MATTER: Radziszewski, Mary; Whitt, Tim

Location: 107 Allen Road, Glen Burnie, MD 21060

Violation: Contempt – Outside storage of unregistered vehicles, junk and debris

DISPOSITION: A Consent Judgment of Constructive Civil Contempt was entered. The fine of \$5,000.00 that was suspended by the Court in the prior Judgment shall remain suspended so long as Defendant brings the property into compliance by May 1, 2018. A review hearing is scheduled for May 3, 2018.

JUDGE: Mosley

NAME OF MATTER: Roes, Eric and Tanja

Location: 108 Altona Avenue, Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles and junk; storage lot; auto repair

DISPOSITION: Tanja Roes was the only Defendant on the Court's docket since the County was unable to serve Eric Roes. Defendant requested a postponement to seek the advice of an attorney. The judge postponed the case until May 3, 2018.

JUDGE: Mosley

NAME OF MATTER: Shaffer, Robert

Location: 194 West Meadow Road, Baltimore, MD 21225

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant abated the violation prior to court, and the County entered a *nolle prosequi*.

JUDGE: Robinson

NAME OF MATTER: Smith, Jeffrey

Location: 414 6th Avenue, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicles; operating an electrical contractor's yard in an R5 zoned district

DISPOSITION: The County moved to dismiss this case on the hearing date because an inspection showed that the Defendant had abated the violation prior to court.

JUDGE: Mosley

NAME OF MATTER: Spicer, Marilyn M.

Location: 1828 Cremen Road, Pasadena, MD 21122

Violation: Construction of shed without the required building permit

DISPOSITION: This case was postponed at the request of the Defendant who indicated that she would like more time to remove the shed from her property. The new hearing date is April 3, 2018.

JUDGE: Robinson

NAME OF MATTER: Starlings, Ronald D. (Injunction - Expired Bldg. Permit)

Location: 1422 Shot Town Road, Annapolis, MD 21409

Violation: Unauthorized construction of a deck, carport foundation and retaining walls – under an expired building permit

DISPOSITION: Defendant failed to appear in court. A Judgment on the Affidavit was entered requiring Defendant to diligently pursue the issuance of a building permit for the carport, addition, and retaining wall, as well as obtain a grading permit for the expansion of the gravel driveway. Defendant was ordered to pay \$1,500.00 in fines and \$25.00 in service costs (for a total of \$1,525.00).

JUDGE: Mosley

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: A joint postponement request was filed prior to court. Defense counsel is filing for a 20-year registered use. A new trial date has been set for April 5, 2018.

JUDGE: N/A

NAME OF MATTER: Thompson, Robert, Bret and Julie

Location: 5854 Deale Churchton Road, Deale, MD 20751

Violation: Contempt – Outside storage of unregistered vehicles and junk

DISPOSITION: The parties entered into a Consent Judgment whereby the Defendants were ordered to abate the violation within thirty (30) days. A \$125.00 fine was ordered but suspended by the Court pending compliance. Service costs of \$50.00 were ordered. The Defendants have already paid all previously ordered fines.

JUDGE: Mosley

NAME OF MATTER: Trawick, Vivienne

Location: 7004 Boston Avenue, North Beach, MD 20714

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant abated the violation prior to court, and the County entered a *nolle prosequi*.

JUDGE: Robinson

NAME OF MATTER: Wills, Rock and Kara (Garage Conversion)

Location: 2013 Park Drive, Pasadena, MD 21122

Violation: Conversion of a garage into living space in the **Chesapeake Bay Critical Area** without valid permits

DISPOSITION: The County entered a *nolle prosequi* in both citations because the Defendants abated the violation prior to the trial date.

JUDGE: Robinson

NAME OF MATTER: Zimmerman, Robert and Brenda

Location: 1107 Little Magothy View, Annapolis, MD 21409

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

DISPOSITION: Defendant's attorney entered an appearance at the trial date. A joint postponement request to March 22, 2018 was granted.

JUDGE: Mosley