

**Code Enforcement Litigation Report
February 2016**

NAME OF MATTER: Alder, Wilmer and Dixie

Location: 8033 Clark Station Road, Severn, MD 21144

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

DISPOSITION: This case was postponed to April 7, 2016 at the Defendant's request. He plans to obtain legal counsel.

JUDGE: Legum

NAME OF MATTER: Bateman, Leonard J., III

Location: 8469 Bussenius Road, Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear. A Judgment was entered that imposed a fine of \$125.00 plus \$45.00 in service costs (for a total of \$170.00). Defendant was ordered to remove all unregistered and/or inoperable vehicles within 30 days.

JUDGE: Legum

NAME OF MATTER: Belt, Corey and Zanett

Locations: 736 Queenstown Road, Severn, MD 21144 & 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: We were before the Court on a review to see if the Defendants had obtained their required permits. The Defendants presented the Court with a sketch plan that they claim their engineer is submitting to apply for the grading permit. I informed the Court that the County was not in receipt of any application by the Defendants for a grading permit. Judge McKenna stated that he would postpone the matter until March 31, 2016 and that this is the last postponement.

NAME OF MATTER: Burdeaux, Randall and Dawn

Location: 7722 West Drive, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicles

DISPOSITION: This matter was postponed until March 3, 2016 in order for the Defendants to gain compliance.

JUDGE: Legum

NAME OF MATTER: Burns, William and Brooke, et al

Location: 610 Eliot Road, Pasadena, MD 21122

Violation: Construction of shed without required permit

DISPOSITION: Defendants abated the violation on the subject property. Therefore, the County requested that all three citations be entered *nolle prosequi*, and the Court granted the County's request.

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 taken off the docket because service has not yet been made.

JUDGE: Legum

NAME OF MATTER: Cappuccio, Sean

Location: 1231 Scots Lane, Odenton, MD 21113

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

DISPOSITION: Defendant failed to appear. A Judgment was entered in citation #0Z35140378 that imposed a fine of \$250.00 plus \$30.00 in service costs (for a total of \$280.00). A Judgment was also entered in citation #6Z35140377 that imposed a fine of \$250.00 plus \$30.00 in service costs (for an additional \$280.00). Additionally, Defendant was ordered to remove all junk and solid waste and remove all unregistered and/or inoperable vehicles within 30 days.

JUDGE: Legum

NAME OF MATTER: Casiello, Bartholomew and Theresa

Location: 3277 Breckenridge Way, Riva, MD 21140
Violation: Construction of an accessory structure without the required permit

DISPOSITION: This matter was postponed prior to court.

JUDGE: Legum

NAME OF MATTER: Covill, Keith

Location: 416 Hillsmere Drive, Annapolis, MD 21403
Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear. Therefore, the County requested entry of its proposed Order, which the Court granted. Defendant ordered to pay a civil penalty to the County in the amount of \$125 within 10 days of the Court's Judgment. Additionally, Defendant must remove all vehicles not displaying a current registration plate and a validation sticker issued for the current year, and removing all vehicles that are inoperable, wrecked, partially dismantled or destroyed from the subject property within 30 days of the Judgment.

JUDGE: Legum

NAME OF MATTER: Davis, Oscar and Geraldine

Location: 7725 Leaside Court, Hanover, MD 21076
Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear. A Judgment was entered in #1Z35140358 against Oscar Davis that imposed a fine of \$125.00 plus \$30.00 in service costs (for a total \$155.00). A Judgment was also entered in #0Z35140357 against Geraldine Davis that imposed a fine of \$125.00 plus \$30.00 in service costs (for an additional \$155.00). Additionally, Defendants were ordered to remove all unregistered and/or inoperable vehicles within 30 days. Citation #1Z35140356 was a duplicate citation charged in error and thus was entered *nolle prosequi*.

JUDGE: Legum

NAME OF MATTER: Dempsey, John and Dianna

Location: 4944 Elm Street, Shady Side, MD 20764
Violation: Outside storage of unregistered vehicles, junk and debris

DISPOSITION: This matter was postponed for 60 days in order for the Defendants to gain compliance.

JUDGE: Legum

NAME OF MATTER: Eisinger, Anne

Location: 358 Hall Road, Crownsville, MD 21032

Violation: Storage of unregistered vehicle(s)

DISPOSITION: This matter was taken off the Court's docket prior to trial because service had not yet been made.

JUDGE: Legum

NAME OF MATTER: Eurice, Joyce

Location: 700 East Shore Road, Pasadena, MD 21122

Violation: No certificate of use; use not permitted (for construction business)

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

JUDGE: N/A

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 was held and the next review is set for March 1, 2016.

JUDGE: Legum

NAME OF MATTER: Fye, Brad and Tracey

Location: 1039 Landon Lane, Arnold, MD 21012

Violation: Construction of a deck and shed without the required permits

DISPOSITION: This case was dismissed as the violations have been abated.

JUDGE: Legum

NAME OF MATTER: Garvin, Edward E. & Julia D.

Location: 3228 Harness Creek Road, Annapolis, MD 21403

Violation: Grading and construction without a permit

DISPOSITION: This contempt action was dismissed as the Defendant is currently in compliance with the Court's Order. The underlying Judgments are still in place.

JUDGE: Legum

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 out of scope of permit – no building permit revision

DISPOSITION: This case was postponed to March 1, 2016.

JUDGE: Legum

NAME OF MATTER: Gregg, Jennifer W.

Location: 251 Wiltshire Lane, Severna Park, MD 21146

Violation: Keeping more than 4 chickens on a lot less than 20,000 sq. ft.

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

JUDGE: Legum

NAME OF MATTER: Jacobs, Darrin Michael, David L. and Shirley A.

Location: 7766 Solley Road, Glen Burnie, MD 21060

Violation: Contempt – Construction of an accessory structure without permits; grading without a permit; no stormwater management plan

DISPOSITION: Case postponed to April 5, 2016.

JUDGE: Legum

NAME OF MATTER: Jacobs, William and Debra Poole

Location: 382 Mountain Road, Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles, junk and debris

DISPOSITION: This matter was postponed for 90 days to allow the Defendant time to abate the violation. The case has been reset for May 3, 2016.

JUDGE: N/A

NAME OF MATTER: Jelich, John and Nancy ats. AACo.

Location: Lots 4 and 5, Defense Highway, Gambrills

Violation: Contempt – Outside storage of inoperable, unregistered vehicle; expansion of nonconforming use

DISPOSITION: The Defendant was found in violation of the Non Conforming Use and the judge levied a \$1,000 fine with all suspended. The County will seek a \$500 daily penalty if the Defendant violates the Judgment again.

JUDGE: Spencer

NAME OF MATTER: Kelley, Robert F.

Location: 771 Tobbin Court, Severn, MD 21144

Violations: Contempt – Unsafe deck; storage of unregistered vehicles; junk and debris

DISPOSITION: This matter was removed from the docket prior to court because the Defendant had not yet been served.

JUDGE: N/A

NAME OF MATTER: Logan, Wallace C.

Location: 0 Old Mill Road, Pasadena, MD 21122

Violation: Contempt – Unsafe structure open to casual entry

DISPOSITION: The Court found Defendant in constructive civil contempt of its previous Judgment dated June 4, 2015. The Court enrolled a fine of \$2,000 against the Defendant but stayed payment so long as Defendant removed all resulting debris from the unsafe structure's demolition by March 3, 2016. The Court additionally awarded costs in the amount of \$92.88, and it scheduled the matter for a follow-up hearing on March 3, 2016.

JUDGE: Spencer

NAME OF MATTER: Martin, James

Location: 1045 Dorsey Road, Glen Burnie, MD 21061

Violation: Operating a vehicle storage/tow yard without an approved Zoning Certificate of Use

DISPOSITION: This case was dismissed as the Defendant has removed the sign and obtained a certificate of use for the property.

JUDGE: Legum

NAME OF MATTER: Meade, Richard C.

Location: 1037 Oak Tree Lane, Annapolis, MD 21409

Violation: Outside storage of unregistered vehicles, junk and debris

DISPOSITION: The hearing was cancelled as service had not yet been made on the Defendant. It is currently rescheduled for April 7, 2016.

JUDGE: N/A

NAME OF MATTER: Neugebauer, Robert and Judy

Location: 214 Arundel Road, Pasadena, MD 21122

Violation: Outside storage of junk and debris

DISPOSITION: This case was entered *nolle prosequi* because the violation was abated.

JUDGE: Legum

NAME OF MATTER: Patch, Maryann C.

Location: 8120A Edgewater Road, Baltimore, MD 21226

Violation: Outside storage of unregistered vehicles, junk and debris

DISPOSITION: This case was postponed to May 5, 2016 in order to allow the Defendant more time to abate the violation.

JUDGE: Legum

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 permits or stormwater management authorization(s)

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

JUDGE: Legum

NAME OF MATTER: Pines Improvement Association, Inc., et al

Location: 6.068 Acres Community Lots, Pines on the Severn, Tax Map 39, Block 23, Parcel 174, Tax Account 3656-9001-8114

Violation: Development activities including grading and tree cutting of over 3,600 s.f., but less than 5,000 s.f., within the **Chesapeake Bay Critical Area Buffer**, Limited Development Area, without permits or approvals

DISPOSITION: Stipulation of Dismissal filed. Both the County's Complaint and PCIA's Cross-Complaint are dismissed with prejudice. Robertson and PCIA entered into a settlement agreement that the County is not a party regarding the violation on PCIA's property. Robertson paid the County a \$1,000 fine. PCIA has obtained an approved planting plan and the plantings will be installed this Spring.

JUDGE: N/A

NAME OF MATTER: Plummer, Richard T.

Location: 13 Jessie Road, Harwood, MD 20776

Violations: Contempt – Unauthorized construction of two (2) additions to an accessory structure (horse barn) without a building permit; unauthorized grading affecting an area of approximately 20,000 square feet of land without a grading permit or approved stormwater management plan

DISPOSITION: Review hearing held. Next review set for June 2, 2016.

JUDGE: Legum

NAME OF MATTER: Pyle, Cory and Renee

Location: 2041 Kurtz Avenue, Pasadena, MD 21122

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

DISPOSITION: Defendants requested a postponement of the review hearing which was granted over the County's objection. The review hearing is now set for April 7, 2016.

JUDGE: Miller

NAME OF MATTER: Rousselle, Reid A. - Building/Grading

Location: 7460 E. Furnace Branch Road, Glen Burnie, MD 21060

Violations: Contempt - Unauthorized historical construction without permits; unauthorized grading without permits

DISPOSITION: This case was postponed until June 2, 2016.

JUDGE: Legum

NAME OF MATTER: Russell Properties, LLC

Location: 2808 Glen Isle Road, Riva, MD 21140

Violation: Construction of interior and exterior renovations without the required building permit; Open to casual entry

DISPOSITION: This matter has been reset for April 7, 2016 as Defendant's engineer is submitting a septic site plan.

JUDGE: Legum

NAME OF MATTER: Schegel, Michael and Cynthia

Location: 8207 Wapati Court, Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles

DISPOSITION: This matter was set for *nolle prosequi* prior to the court date.

JUDGE: N/A

NAME OF MATTER: Smith, Kelly (EZC)

Location: 207 Doris Avenue, Baltimore, MD 21225

Violation: Outside storage of unregistered vehicles, junk and debris

DISPOSITION: This matter was postponed for 30 days. A health code violation case for this property was handled the previous month so the County is allowing 30 days to see if there is improvement.

JUDGE: Legum

NAME OF MATTER: Smith, William and Jeanne

Location: 1335 Howard Road, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant William Smith passed away in 2007. Therefore, the County asked that the Court enter the citation *nolle prosequi*, and the Court granted the County's request. Defendant Jeanne S. Smith failed to appear. Therefore, the County sought entry of its proposed Judgment, which the Court granted. Defendant must pay a civil penalty in the amount of \$250 within 10 days of the Judgment. Defendant must abate the violation within 30 days of the Judgment. Defendant additionally to pay service costs in the amount of \$30 (for a total of \$280).

JUDGE: Legum

NAME OF MATTER: Tran, Qui

Location: 314 Elizabeth Avenue, Baltimore, MD 21225

Violation: Noncompliance of B02276921, B02277086, B02277283 and P02186514

DISPOSITION: Defendant has not been served and did not appear in court. Case reset for March 1, 2016.

JUDGE: Legum