

**Code Enforcement Litigation Report
October 2017**

NAME OF MATTER: Adams, Roland R.

Location: 330 B Forest Beach Road, Annapolis, MD 21409

Violation: Contempt – Outside storage of junk and unregistered vehicles

DISPOSITION: The court postponed the case to November 7, 2017 at the Defendant's request to give him more time to abate.

JUDGE: Mosley

NAME OF MATTER: Albright, Nick

Location: 5205 6th Street, Baltimore, MD 21225

Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: The County moved to dismiss the contempt action because the Defendant abated the violation prior to the hearing date. The court dismissed the contempt, but the underlying Order remains in place.

JUDGE: Miller

NAME OF MATTER: Beatty, Charles F. and Brian K. Sr.

Location: 177 Kenwood Road, Pasadena, MD 21122

Violation: Construction of a roof over an existing deck without a building permit

DISPOSITION: This case was entered *nolle prosequi*, as the building permit was perfected.

JUDGE: Robinson

NAME OF MATTER: Bibb, Paula J.

Location: 228 Sunset Drive, Glen Burnie, MD 21060

Violation: Contempt – Outside storage of unregistered vehicles

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

JUDGE: Mosley

NAME OF MATTER: Brodziak, Thomas

Location: 408 Melrose Avenue, Glen Burnie, MD 21061

Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: This case was removed from the docket prior to court in order to allow the County more time to effect service on the Defendant.

JUDGE: N/A

NAME OF MATTER: Bryan, Andre T.

Location: 1711 St. Margaret's Road, Annapolis, MD 21409

Violation: Outside storage of unregistered vehicles and oversized vehicles

DISPOSITION: This matter was entered *nolle prosequi*, as Defendant abated both violations prior to court.

JUDGE: Robinson

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 and the parties entered into a revised Consent Judgment whereby the Defendant must abate the violations by December 31, 2017. The Court ordered a \$20,000.00 fine but suspended it pending compliance with the Judgment. Costs were not applicable in this case. A review hearing is set for February 1, 2018.

JUDGE: Miller

NAME OF MATTER: Dempsey, John D. and Diana T.

Location: 4944 Elm Street, Shady Side, MD 20764

Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: Defendants were present, but only one Defendant appeared on the court's docket, so the case was postponed to November 7, 2017.

JUDGE: Robinson

NAME OF MATTER: Einfeldt, James

Location: Locust Trail, Crownsville, MD 21032

Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: This case was dismissed as the violation was abated prior to court.

JUDGE: Miller

NAME OF MATTER: First Choice Home Buyers, LLC

Location: 226 Dubois Road, Annapolis, MD 21401

Violation: Construction of deck and retaining wall without the required building permit

DISPOSITION: Defendant sold the property before trial, so the case was entered *nolle prosequi*. The inspector is working with the new owners to obtain the proper building permits.

JUDGE: Robinson

NAME OF MATTER: Fischbein, William S.

Location: 7908 Marydell Avenue, Pasadena, MD 21122

Violation: Failure to properly secure an unsafe pool

DISPOSITION: Defendant failed to appear in court. A Judgment on affidavit was entered ordering Defendant to secure steps to the unsafe pool within thirty (30) days of the Judgment. A \$500 fine and service costs of \$75 (for a total of \$575) were imposed as Judgment.

JUDGE: Robinson

NAME OF MATTER: Hamlett, Joshua and Sherry

Location: 16 Ballman Court, Baltimore, MD 21225

Violation: Failure to maintain exterior property and premises free from any accumulation of rubbish and garbage

DISPOSITION: Defendants failed to appear in court. A Judgment on affidavit was entered ordering Defendants to remove garbage and rubbish on the property within thirty (30) days of the Judgment. A \$250 fine and service costs of \$60 (for a total of \$310) were imposed as Judgment.

JUDGE: Robinson

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

Locations: 346 Hunner Road, Pasadena, MD 21122

Violation: Multi-dwelling (4 units) located on property zoned R1

DISPOSITION: This matter was reset to February 1, 2018, as the Defendants have submitted a request for nonconforming use.

JUDGE: Miller

NAME OF MATTER: Holmes, Robert and Ann Colleen

Location: 0, 6962, 6964 Ridge Road, Hanover, MD 21076

Violation: Contempt – Outside storage of unregistered vehicles; contractor's yard in a residential zone, oversized vehicles; junk and debris; no certificate of use

DISPOSITION: The property has been sold by Defendants (foreclosure). The case has been reset for November 2, 2017 for Defendants to provide proof of a new business location and to ensure that the use conforms to the County Code.

JUDGE: Miller

NAME OF MATTER: Kasulke, Raymond

Location: 5098 Ed Prout Road, Lothian, MD 20711

Violation: Animals (pigs) running at large; creating a public nuisance; disturbing the peace

DISPOSITION: Consent Judgment was entered whereby Defendants are to abate pigs running at large/being a nuisance/disturbing the peace. They must install fence by December 1, 2017 on the East and South of property so land is fully enclosed by fences. Animal Control is to conduct inspections every six (6) months. A civil penalty of \$1,000.00 was suspended, but service costs of \$50.00 to be paid within thirty (30) days.

JUDGE: Miller

NAME OF MATTER: Kelbie, Michael - EGC

Location: 548 Arundel Avenue, Glen Burnie, MD 21060

Violation: Contempt – Grading without a permit

DISPOSITION: This matter was postponed to January 25, 2018, as the Defendant is in the process of completing the permits.

JUDGE: Mosley

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

Location: 7195 Baltimore-Annapolis Boulevard, Glen Burnie, MD 21061

Violation: Construction of two metal structures over 64 square feet without the required building permit

DISPOSITION: Defendants failed to appear in court. A Judgment on affidavit was entered ordering Defendants to obtain a building permit for the two accessory structures within thirty (30) days of the Judgment. A \$500 fine was imposed as Judgment to each Defendant, along with service costs of \$50 (for a total of \$1,050).

JUDGE: Robinson

NAME OF MATTER: Labata, Antonio and Apostol, Brenda

Location: 308 Ferndale Road, Glen Burnie, MD 21061

Violation: Contempt – Outside storage of unregistered vehicles and junk

DISPOSITION: Defendants entered into Consent Judgments in all four matters. Defendants are to remove the unregistered vehicles, junk and solid waste within thirty (30) days. Fines of \$200 in each matter were suspended pending compliance with the Judgment. Service costs in the total amount of \$81.50 were imposed against Defendants as Judgment. The previous fines totaling \$435.00 are to be paid.

JUDGE: Mosley

NAME OF MATTER: Lemay, Curtis E.

Location: 7815 Southwest Road, Pasadena, MD 21122

Violation: Construction of roof structure without required building permit

DISPOSITION: The Defendant failed to appear. A Judgment was entered whereby the Defendant is ordered to pay a fine of \$1,000.00 and costs of \$45.00. The Defendant is also required to diligently pursue his pending building permit.

JUDGE: Robinson

NAME OF MATTER: Locklear, Randy L. and Karen C.

Location: 1025 7th Street, Glen Burnie, MD 21060

Violation: Construction of an accessory structure without the required permit in the **Chesapeake Bay Critical Area**

DISPOSITION: Defendant Randy Locklear reached an agreement in each of his cases with the County whereby he is ordered to finish his active building permit by April 3, 2018 to legalize the shed on the property. For citation 3Z35141053 a \$1,000 fine was ordered but suspended pending his compliance with the Order. Service costs of \$25.00 were ordered. For citation 1Z35141051 a \$500 fine was ordered but suspended pending his compliance with the Order. Service costs of \$25.00 were ordered. The citations issued to Karen Locklear were entered *nolle prosequi* as an agreement was reached with Randy Locklear.

JUDGE: Robinson

NAME OF MATTER: Makarovich, Robert M.

Location: 340 Bar Harbor Road, Pasadena, MD 21122

Violation: Construction of an addition without the required building permit in the **Chesapeake Bay Critical Area**

DISPOSITION: A Consent Judgment was entered stating that Defendant must pay fines from previous case (already paid) within 15 days, respond to all comments from the County, and obtain all necessary trade permits. Within sixty (60) days, Defendant must have and pass all inspections. If the Defendant fails to meet deadlines, he must pay a \$2,000 fine by February 1, 2018.

JUDGE: Robinson

NAME OF MATTER: Mitchell, Earl and Hartlove, Angela

Location: 1696 Grandview Road, Pasadena, MD 21122

Violation: Contempt – Enclosing an existing screen porch without the required building permit

DISPOSITION: The case against Defendant Angela Hartlove was stayed by the court due to a suggestion of bankruptcy. The case against Earl Mitchell was removed from the docket in order to allow the County more time to effect service on the Defendant.

JUDGE: Mosley

NAME OF MATTER: Moore, David

Location: 380 Washington Avenue, Glen Burnie, MD 21060

Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: This case was removed from the docket prior to in order to allow the County more time to effect service on the Defendant.

JUDGE: N/A

NAME OF MATTER: Newberger, Louis C.

Location: 1139 Thompson Avenue, Severn, MD 21144

Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: The violations were abated prior to court, so the case was dismissed.

JUDGE: Miller

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: Defendants found in contempt of court. Defendant Dallas Pangle sentenced to a period of five (5) days. Defendant may purge the contempt and be released from jail by abating the violations. Defendants to pay outstanding fine of \$1,500 and abate zoning violations within thirty (30) days. Review hearing is set for December 7, 2017.

JUDGE: Miller

NAME OF MATTER: Paulus, James J.

Location: 1838 Saint Margarets Road, Annapolis, MD 21409
Violation: No certificate of use; exceeding scope of home occupation

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

JUDGE: N/A

NAME OF MATTER: Pitt, Reginald C., Sr.

Location: 5903 Belle Grove Road, Baltimore, MD 21225
Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: Defendant abated the violation prior to trial, so the case was entered *nolle prosequi*.

JUDGE: Robinson

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: This case was postponed to December 7, 2017 in order to allow the County more time to effect service on the Defendant.

JUDGE: Miller

NAME OF MATTER: Pope, Harry F., Jr.

Location: 104 Chalmers Avenue, Glen Burnie, MD 21061
Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: A Consent Judgment was entered ordering the Defendants to pay previously imposed fines within forty-five (45) days and to register a vehicle. Failure to do so will allow the County to tow the vehicle and impose an additional \$1,000.00 fine.

JUDGE: Mosley

NAME OF MATTER: Rainey, Lee G. and Elizabeth L. and Einfeldt, James

Location: 392 Locust Trail, Crownsville, MD 21032

Violation: Outside storage of unregistered vehicles

DISPOSITION: Pursuant to the inspector's request, the injunction against Mr. Einfeldt was dismissed because he does not own the property. The Raineys failed to appear in court, a Default Judgment of \$1,000 was entered against each Defendant (for a total of \$2,000), and they were given fourteen (14) days to abate the violation.

JUDGE: Miller

NAME OF MATTER: RMG Investments, LLC

Location: 633 Deale Road, Deale, MD 20751

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

DISPOSITION: A postponement was requested on behalf of the Defendant and the County agreed, as the Defendant is actively working on obtaining the building permits. The case is rescheduled for November 7, 2017.

JUDGE: Robinson

NAME OF MATTER: Ross, Alice and Stephan A.

Location: 306 Riverside Drive, Pasadena, MD 21122

Violation: Construction of an accessory structure in the **Chesapeake Bay Critical Area** and demolition of previous structure – all without a building permit

DISPOSITION: This case was postponed to November 7, 2017 in order to allow the County more time to effect service on the Defendants.

JUDGE: Robinson

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: Matter was postponed to December 7, 2017. Defendant has applied for permits and is awaiting comments from the County. Defendant to respond to comments within thirty (30) days.

JUDGE: Miller

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: This case was postponed to March 29, 2018 at the request of both parties to give the Defendant time to have a final inspection performed.

JUDGE: Mosley

NAME OF MATTER: Schummer Properties, LLC (Grading Injunction)

Location: 1875 Jackson Grove Rd., Odenton, MD 21113

Violation: Grading/clearing more than 5,000 s.f. of land and development without a grading permit or approved stormwater management plan

DISPOSITION: Prior to court, this *de novo* trial (which was appealed from the District Court to the Circuit Court) was postponed until January 19, 2018 at the request of the parties, as the Defendant was unavailable.

JUDGE: N/A

NAME OF MATTER: Shultz, William

Location: 807 Cedar Avenue, North Beach, MD 20714

Violations: Contempt – Construction in the **Chesapeake Bay Critical Area** without a mechanical trade permit, and without a certificate of occupancy on building permit B02163201

DISPOSITION: Defendant failed to appear in court, but had already begun the process of final inspections. The case was reset to December 28, 2017.

JUDGE: Mosley

NAME OF MATTER: Stevens, Thomas and Millie

Location: 5306 Ritchie Highway, Baltimore, MD 21225

Violation: Operation of car sales business in a C2 zoned district; outside storage of unregistered vehicles

DISPOSITION: The contempt action for this case was dismissed because the Defendant's property is now in compliance with the Anne Arundel County Code. The underlying Judgment remains in place.

JUDGE: N/A

NAME OF MATTER: Sutton, Norman L., Jr. (EBC)

Location: 1455 Ridgeway, Arnold, MD 21012

Violation: Contempt – Unsafe garage and deck/porch

DISPOSITION: The County moved to dismiss the contempt because the Defendant no longer owns the property. The court dismissed the contempt.

JUDGE: Miller

NAME OF MATTER: Tabora, Ronmel D.

Location: 1240 Mt. Zion Marlboro Road, Lothian, MD 20711

Violation: Outside storage of unregistered vehicles and portable storage container

DISPOSITION: At the inspector's request, this matter was entered *nolle prosequi* prior to court.

JUDGE: N/A

NAME OF MATTER: Tran, Qui

Location: 314 Elizabeth Avenue, Baltimore, MD 21225

Violation: Noncompliance of permits B02276921, B02277086, B02277283 and P02186514

DISPOSITION: This matter was reset for December 7, 2017 to allow Defendant more time to renew the permits and get inspections on the deck, pool and basement.

JUDGE: Miller

NAME OF MATTER: Wolfe, Jas M. and Beverly A.

Location: 1992 Goose Neck Road, Pasadena, MD 21122

Violation: Construction of a shed greater than 64 square feet without the required building permit

DISPOSITION: A Consent Judgment was entered. Defendant agreed to apply for a variance for the shed within thirty (30) days of the Judgment, and to obtain a

building permit for the shed by March 31, 2018. A \$500 fine for building without a permit was suspended pending compliance and Defendant agreed to pay \$70 in service costs.

JUDGE: Robinson

NAME OF MATTER: Zenter, John and Xiang, Ping

Location: 1457 Gesna Drive, Hanover, MD 21076

Violation: Contempt – Outside storage of unregistered vehicles and junk

DISPOSITION: This case was postponed to January 25, 2018 at the request of the Defendant.

JUDGE: Mosley