

**Code Enforcement Litigation Report
June 2018**

NAME OF MATTER: Ables, Michael and Lois

Location: 8018 Fort Smallwood Road, Baltimore, MD 21226

Violation: Contempt – Grading without a permit in the **Chesapeake Bay Critical Area Buffer**

DISPOSITION: The parties entered into a Consent Judgment which requires Defendants to obtain all necessary grading permits and inspections by December 28, 2018. A fine of \$1,000.00 was suspended pending compliance, and service costs of \$53.25 were imposed as judgment.

JUDGE: McKenna

NAME OF MATTER: Blakemore, Herbert and Marjorie

Location: 719 Hammonds Lane, Baltimore, MD 21225

Violation: Failure to keep exterior property free from rodent harborage and infestation; failure to store usable materials on premises in an orderly manner

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

JUDGE: Legum

NAME OF MATTER: Brettschneider, Christian W. (Injunction)

Location: 43 Pebble Drive, Baltimore, MD 21225

Violation: Changing the use of an approved non-conforming use without first obtaining an approved change of use (from duplex to multiple dwelling)

DISPOSITION: A Consent Judgment was entered, suspending a fine of \$3,000.00 pending compliance and allowing Defendant 90 days to abate the violation (convert structure back to two apartment units), plus service costs of \$100.00 to be paid.

JUDGE: Mosley

NAME OF MATTER: Carroll, George and Parker, Shirley

Location: 5333 Chichester Road, Shady Side, MD 20764

Violation: Contempt – Unsafe garage in the **Chesapeake Bay Critical Area** – no permits

DISPOSITION: (Mr. Carroll was previously removed from the original case.) The parties entered into a Consent Judgment which requires Defendants to either obtain a demolition permit and demolish the unsafe structure by September 28, 2018 or obtain a building permit to construct a 6 foot fence around the unsafe structure and post "no trespassing" signs on the property within 60 days of the Judgment. Defendants were also required to pay the previously imposed fine of \$5,000.00 for contempt of court.

JUDGE: McKenna

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 with 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: This case was set in for a review hearing. The hearing was postponed at the request of the Defendant and with consent of the County to allow the Defendant time to respond to comment letters issued by the County regarding the Defendant's building and grading permit applications. A new hearing date has been set for August 2, 2018.

JUDGE: Mosley

NAME OF MATTER: Cotman, Kevin and Regina

Location: 1337 Swan Drive, Annapolis, MD 21409

Violation: Outside storage of unregistered vehicles

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

JUDGE: Legum

NAME OF MATTER: Countryside Deli

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 set for a review hearing. The hearing was postponed at the request of both parties to give the Defendant time to respond to

comment letters for the pending permit. A new hearing date has been set for July 19, 2018.

JUDGE: Mosley

NAME OF MATTER: Dorsey, John A.

Location: 300 Fiddlers Hill Road, Edgewater, MD 21037

Violation: Grading without a permit; development without an approved stormwater management plan

DISPOSITION: This case was postponed prior to court at the request of the Defendant with the consent of the County to give the Defendant more time to submit his grading permit application.

JUDGE: Legum

NAME OF MATTER: Edwards, Charles J., Jr.

Location: 5701 Shady Side Road, Churchton, MD 20733

Violation: Outside storage of junk

DISPOSITION: Defendant failed to appear in court. A Judgment on the Affidavit was entered ordering Defendant to abate the violation at the property within 30 days. A fine of \$500.00 was imposed as judgment, along with \$45.00 in service costs (for a total of \$545.00).

JUDGE: Legum

NAME OF MATTER: Ellison, Jamie M., P.R .of Estate of David Ellison

Location: 22 Ballman Court, Baltimore, MD 21225

Violation: Outside storage of junk

DISPOSITION: The case was taken off of the docket prior to court to allow the County more time effect service on the Defendant. No new date has been set.

JUDGE: N/A

NAME OF MATTER: Fiber Optic Construction, LLC

Location: 546A Arundel Avenue, Glen Burnie, MD 21061

Violation: Contempt – Grading permit and approved stormwater management plan required for grading in excess of 5,000 sq. ft.

DISPOSITION: The County's Petition for Contempt did not go forward, as service was not valid (it was made on the prior resident agent, not current one). The County will refile its Petition for Contempt.

JUDGE: McKenna

NAME OF MATTER: Fuller, Jeffrey P.

Location: 8060 Maywood Avenue, Pasadena, MD 21122

Violation: Construction of a second story on an accessory structure, two decks with steps on an accessory structure addition, a retaining wall, and a roof structure over a new deck on the main house without the required building permit

DISPOSITION: A hearing was held in this case and the Defendant was found to be in violation of the Anne Arundel County Building Code. The court ordered the Defendant to diligently pursue building permits to abate the violation. A fine of \$625.00 and service costs of \$50.00 were also ordered.

JUDGE: Mosley

NAME OF MATTER: Haefner, Henry and Marie

Location: 8482 Arbutus Road, Pasadena, MD 21122

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

DISPOSITION: This case was set in for a review hearing. The hearing was postponed at the request of the Defendant with the consent of the County in order to allow the Defendant more time to abate the violation. A new hearing date has been set for August 2, 2018.

JUDGE: Mosley

NAME OF MATTER: Hamlett, Joshua and Sherry

Location: 16 Ballman Court, Baltimore, MD 21225

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

DISPOSITION: Defendants abated the violation prior to trial and the County dismissed the Petition for Contempt. The underlying Judgment against each Defendant remains in effect.

JUDGE: McKenna

NAME OF MATTER: Houston, Fay M.

Location: 1864 Quebec Street, Severn, MD 21144

Violation: Contempt – Unsafe structure

DISPOSITION: This case was re-set by the Court because the County had been unable to effect service on the Defendant. The new hearing date is September 6, 2018.

JUDGE: Mosley

NAME OF MATTER: Kaminski, Bernard, III (EBC - citation pier w/o permit)

Location: 907 Pulaski Avenue, Glen Burnie, MD 21060

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

DISPOSITION: The Petition for Contempt was dismissed, as the Defendant completed their building permit and passed final inspection.

JUDGE: McKenna

NAME OF MATTER: Lowe, Rebecca H.

Location: 6146 Shady Side Road, Shady Side, MD 20764

Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: The parties entered into a Consent Judgment in which Defendant agreed to abate the violation on the property by removing or tagging all unregistered vehicles within 30 days. A fine of \$1,000.00 was suspended pending compliance and service costs of \$30.00 were imposed as judgment. The citation (4Z41215381) for junk on the property was abated prior to trial and entered as a *nolle prosequi*.

JUDGE: Legum

NAME OF MATTER: Luber, Patricia Lynn

Location: 401 Fairfax Avenue, Baltimore, MD 21225

Violation: Failure to maintain fence around in-ground swimming pool in good repair

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

JUDGE: Legum

NAME OF MATTER: McQuade, Milton, Jr. and Bowman, Patricia A.

Location: 102 Bon Air Road, Baltimore, MD 21225
Violation: Outside storage of unregistered/dismantled vehicle

DISPOSITION: Defendants abated the violations prior to trial and the County dismissed the injunction.

JUDGE: Mosley

NAME OF MATTER: Miller, Jimmy A. and Craig

Location: 1263 Bacon Ridge Road, Crownsville, MD 21032
Violation: Grading without a permit and approved sediment and erosion controls; grading in a forest conservation easement; continued grading over a Stop Work Order

DISPOSITION: Defendant Craig Miller failed to appear. A Judgment by Default was granted ordering Craig Miller to pay a fine of \$3,750.00 within 14 days of the Judgment being entered. Additionally, the Judgment allows County inspectors right of entry to the property and Craig Miller is enjoined from any grading or building without a permit. Service costs of \$170.00 were ordered jointly with Jimmy Miller, but the full amount was paid by Jimmy Miller.

JUDGE: Platt

NAME OF MATTER: Miller, Thompson Jr.

Location: 554 Sunset Knoll Rd., Pasadena, MD 21122
Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: It appears that Thompson Miller, Sr. was the owner of the property at the time the citation was issued against Thompson Miller, Jr. (leading to the underlying Order of which Jr. is in contempt). The case was postponed at the request of both parties so that the County can prepare an Answer to Defendant's Motion to Strike Judgment. Defendant informally agreed to abate the violations which would render the issues in this case as moot. A new hearing date has not yet been set.

JUDGE: McKenna

NAME OF MATTER: Miski, Ahmad (1401)

Location: 1401 Hayes Road, Annapolis, MD 21409

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear. The court entered a Judgment whereby the Defendant is ordered to pay \$125.00 in fines and \$45.00 service costs (for a total of \$170.00). The Defendant is required to abate the violation within 30 days.

JUDGE: Legum

NAME OF MATTER: Moyer, Valerie A. (917)

Location: 917 Victory Avenue, Baltimore, MD 21225

Violation: Accumulation of rubbish/garbage

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

JUDGE: Legum

NAME OF MATTER: Moyer, Valerie A. (935)

Location: 935 Victory Avenue, Baltimore, MD 21225

Violation: Accumulation of rubbish/garbage

DISPOSITION: Defendant failed to appear in court. A Judgment on the Affidavit was entered ordering Defendant to abate the violations at the property within 30 days. A fine in the amount of \$250.00 was entered as judgment, along with \$30.00 in service costs (for a total of \$280.00).

JUDGE: Legum

NAME OF MATTER: Moyer, Valerie A. (936)

Location: 936 1st Street, Baltimore, MD 21225

Violation: Accumulation of rubbish/garbage

DISPOSITION: Defendant failed to appear in court. A Judgment on the Affidavit was entered ordering Defendant to abate the health violations on the property within 30 days. A fine of \$375.00 was imposed as judgment, along with \$75.00 in service costs (for a total of \$450.00).

JUDGE: Legum

NAME OF MATTER: Phipps, David T.

Location: 867 Robin Hood Hill, Annapolis, MD 21405

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

DISPOSITION: This case was postponed prior to court at the request of the Defendant in order to seek a variance. The County consented to the request. The new hearing date is November 1, 2018.

JUDGE: N/A

NAME OF MATTER: Purvis, Michelle

Location: 1369 Becknel Avenue, Odenton, MD 21113

Violation: Outside storage of unregistered vehicles; no certificate of use; oversized vehicles

DISPOSITION: Prior to trial, the County requested a postponement due to a scheduling conflict with the inspector. The new date is September 6, 2018.

NAME OF MATTER: Reid, Orlie W. (Injunction)

Location: 106 Magnolia Lane, Annapolis, MD 21403

Violation: Outside storage of unregistered vehicles

DISPOSITION: A Consent Judgment was entered, suspending a \$1,000.00 fine and allowing the Defendant 90 days to abate the violation by removing unregistered vehicles. The County can abate the violation at Defendant's expense if not completed within 90 days. Defendant must pay service costs of \$78.45.

JUDGE: Mosley

NAME OF MATTER: Smith, Edward, Jr.

Location: 238 Margate Drive, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear in court. A default Judgment was entered ordering Defendant to abate the violation at the property within 30 days. A fine of \$1,000.00 was imposed as Judgment, along with \$50.00 in service costs (for a total of \$1,050.00).

JUDGE: Mosley

NAME OF MATTER: Speaks, Stanley and Marion

Location: 101 Kuethe Drive, Annapolis, MD 21403
Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: Defendant was granted a postponement to obtain an attorney. The new trial date will be August 2, 2018.

JUDGE: McKenna

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; expired building permit

DISPOSITION: The parties entered into a Consent Judgment in which Defendant agreed to obtain the grading and building permits within six (6) months. Service costs of \$25.00 were imposed as judgment.

JUDGE: Mosley

NAME OF MATTER: Swick, Dennis and Loretta

Location: 70 Johnson Road, Pasadena, MD 21122
Violation: Grading in the **Chesapeake Bay Critical Area** without the required permit; construction in the **Chesapeake Bay Critical Area** without the required permit

DISPOSITION: The parties entered into a Consent Judgement whereby a fine of \$3,000.00 was ordered against each Defendant but suspended pending compliance. Service costs of \$52.85 were ordered against Loretta Swick. Both Defendants have been ordered to diligently pursue the permits which would abate the violations on the property.

JUDGE: Mosley

NAME OF MATTER: Williams, Delvin

Location: 1414 Cambium Court, Hanover, MD 21076
Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: This case was postponed prior to court at the request of the County because the inspector was on pre-scheduled leave.

JUDGE: N/A