

**Code Enforcement Litigation Report
June 2019**

NAME OF MATTER: Baker, Gregory W.

Location: 7807 Summit Drive Pasadena MD 21122

Violation: Outside storage of unregistered vehicle

DISPOSITION: The violation was abated and the case was dismissed.

JUDGE: Duden

NAME OF MATTER: Biniasz, Bernardine and McDonough, John, Jr.

Location: 114 Martha Road, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicles

DISPOSITION: The violation was abated prior to Court and the County entered the citation *nolle prosequi*.

JUDGE: Duden

NAME OF MATTER: Blocker, Twanna L.

Location: 7816 Chestnut Grove Road, Severn, MD 21144

Violation: Failure to maintain the swimming pool in a clean and sanitary condition, and in good repair

DISPOSITION: The Defendant paid the citation in error to the District Court prior to trial and the Court dismissed the citation as a "pre-paid guilty plea." The County will seek an injunction for abatement of the violation.

JUDGE: Duden

NAME OF MATTER: Bontempo, Robert, Jr. and Rebecca (EZC)

Location: 1007 Carrs Road, Annapolis, MD 21403

Violation: Operation of a multiple family dwelling without the required certificate of use

DISPOSITION: The Defendant requested a postponement with consent from the County prior to court and the postponement was granted. Case is reset to September 3, 2019.

JUDGE: N/A

NAME OF MATTER: Clemons, James and Wanda (Injunction)

Location: 9243 Ft. Smallwood Road, Pasadena, MD 21122

Violation: Construction of interior renovations to 2nd story without a building permit (permit #B02286069 expired)

DISPOSITION: A joint postponement was requested, as a defense attorney was just retained and had met with the County to outline the necessary next steps. The hearing was postponed until October 3, 2019.

JUDGE: N/A

NAME OF MATTER: Cook, Natasha T. & Stephen A. Jr. (Injunction)

Location: 7612 Franklin Avenue, Severn, MD 21144

Violation: Construction of 2nd floor addition and side addition without a valid building permit

DISPOSITION: The parties agreed to a joint postponement to October 3, 2019. Defendant has demolished basically everything that needs to be removed but he needs to correct a few issues for the permit to be closed out. The matter should be resolved prior to next trial date.

JUDGE: Mosley

NAME OF MATTER: Devadoss, Joseph and Natalya

Location: 308 Kyle Road, Crownsville, MD 21032

Violation: Grading in excess of 5,000 square feet without a permit; development over 5,000 square feet without an approved stormwater management plan

DISPOSITION: The matter was reset to October 3, 2019 by the court for unknown reasons.

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: The parties agreed to postpone the case until August 22, 2019 to allow time for Defendant to abate the violation.

JUDGE: N/A

NAME OF MATTER: EK 1, LLC

Location: 4028 Belle Grove Road, Baltimore, MD 21225

Violation: Accumulation of rubbish/garbage on property

DISPOSITION: The violation was abated prior to trial and the County requested a dismissal.

JUDGE: Mosley

NAME OF MATTER: Elion, Kevin E.

Location: 1985 Goose Neck Rd., Pasadena MD 21122

Violations: Unauthorized construction of an addition to the house

DISPOSITION: At the request of the Defendant, the hearing was postponed until September 5, 2019. The Defendant is trying to evict the current tenant.

JUDGE: Duden

NAME OF MATTER: Falls, Kevin A. & Charles S., & Wilson, Valerie

Location: 321 Market Space Street, Laurel, MD 20724

Violation: Unregistered vehicles/junk/debris/no C of U

DISPOSITION: Prior to court, the County requested a postponement because the inspector was unable to attend the hearing. The case was reset to September 5, 2019.

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: A review hearing occurred, and Defendant is making progress towards abatement. The next review hearing is scheduled for August 1, 2019.

JUDGE: Mosley

NAME OF MATTER: Griffin, Michael and Day, Robyn, et al. (Countryside Deli)

Location: 5901 Southern Maryland Boulevard, Lothian, MD 20711

Violation: Construction of an enclosed front porch without the required building permit

DISPOSITION: Defendant Griffin failed to appear in court and a Default Judgment was entered ordering him to abate the violation by applying for the required permit and diligently pursuing the same, as well as payment of a \$1,000 fine and \$60 in service costs (joint and several with Defendant Day), to be paid within 30 days. Defendant Day entered a "guilty" plea. The maximum fine of \$1,000 (doubled for her failure to respond to the original citation) was reduced by Judge Duden to \$500 and Defendant Day was also ordered to abate the violation by applying for the required permit and diligently pursuing completion of the same. (The total amount of Judgments and service costs is \$1,560.)

JUDGE: Duden

NAME OF MATTER: Hall, Gerald L., Carlos S. and Roland A. (Injunction)

Location: 400 Magothy Bridge Rd., Pasadena MD 21122

Violation: Filling a stream bed with boulder and dirt to create a bridge without the required grading permit or approval

DISPOSITION: Gerald and Carlos Hall appeared in court, stating that they had retained attorney Brian Burkett, who was not present, nor had Mr. Burkett entered his appearance. The case was postponed by the court at the Defendants' request to allow their attorney time to enter his appearance.

JUDGE: Mosley

NAME OF MATTER: Hirshauer, Louis

Location: 8111 Main Creek Road, Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: The violations were abated prior to Court and the County entered the citations *nolle prosequi*.

JUDGE: Duden

NAME OF MATTER: Holmes, Robert and Ramsey, Ann-Colleen

Location: 6962 Ridge Road, Hanover, MD 21076

Violation: Construction of an accessory structure without the required building permit

DISPOSITION: The parties entered into Consent Judgments in which Defendants agreed to apply for and diligently pursue the building permit for the garage within 60 days. Defendant Holmes agreed to pay a \$500 fine and \$30 service costs within 30 days. Defendant Ramsey's \$500 fine was suspended pending compliance and service costs of \$30 were imposed (for a grand total of \$560).

JUDGE: Duden

NAME OF MATTER: Huth, Louis G. (Junk; URVs)

Location: 1201 Villa Isle Court, Pasadena, MD 21122

Violation: Contempt – Storage of unregistered/untagged vehicles; junk and debris, boat storage in the **Chesapeake Bay Critical Area**

DISPOSITION: Defendant failed to appear in court. A Judgment of Constructive Civil Contempt was entered. An additional fine of \$3,000 was imposed for Defendant's contempt of court. Defendant was ordered to pay the outstanding fine of \$6,000 and to remove all junk and solid waste and inoperable and unregistered vehicles from the subject property within 30 days. If Defendant fails to do so, the County is authorized to enter the subject property and remove the same at the Defendant's expense.

JUDGE: Duden

NAME OF MATTER: Huth, Louis G. (Shed Construction)

Location: 1201 Villa Isle Court, Pasadena, MD 21122

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

DISPOSITION: Defendant failed to appear in court. A Judgment of Constructive Civil Contempt was entered. A fine of \$1,500 was entered for his contempt of court. Defendant was ordered to pay the previously imposed fine of \$700 and to remove the shed from the subject property within 30 days. If Defendant fails to remove the shed from the subject property, the County is authorized to enter the property and remove the same at Defendant's expense.

JUDGE: Duden

NAME OF MATTER: Johnson, Julie A.

Location: 513 Ridgely Avenue, Annapolis, Maryland 21401

Violation: Outside storage of junk and debris

DISPOSITION: Judge Duden recused himself from the case and, therefore, it was postponed by the court.

JUDGE: Duden

NAME OF MATTER: Johnson, Melonie B.

Location: 7865 West Riverside Drive, Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles

DISPOSITION: The parties entered into a Consent Judgment in which Defendant agreed to remove or tag the unregistered vehicle within 45 days. A fine of \$500 was suspended pending compliance and service costs of \$45 were imposed as Judgment.

JUDGE: Duden

NAME OF MATTER: Lynster, Dennis

Location: 739 Benfield Road, Severna Park MD

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant entered into a Consent Judgment wherein the \$125 fine was suspended, but he has 30 days to abate the violation (tag vehicles) and to pay \$45 in service costs.

JUDGE: Duden

NAME OF MATTER: McEnaney, Charles O.

Location: 22 Holloway Road, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicles

DISPOSITION: The violation was abated prior to Court and the County entered the citation *nolle prosequi*.

JUDGE: Duden

NAME OF MATTER: Meineke, Renae L.

Location: 612 A Street, Pasadena, MD 21122
Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear and a Judgment on the Affidavit was entered ordering Defendant to remove or tag all unregistered vehicles within 30 days. A fine of \$1,000 was imposed as Judgment along with \$25 in service costs (for a total of \$1,025).

JUDGE: Mosley

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

Location: 936 1st Street, Baltimore, MD 21225
Violation: Contempt – Accumulation of rubbish/garbage

DISPOSITION: Two of the Defendant's three cases were on the court's docket. Defendant failed to appear and the Court entered two Ex Parte Judgments finding Defendant in contempt of the prior Judgments and, to purge the contempt, required Defendant to store useable material in an orderly manner and place rubbish and garbage in trashcans with lids. A civil penalty of \$500 for each case was imposed as Judgment along with \$75 in service costs (for a total of \$1,075).

JUDGE: Duden

NAME OF MATTER: Murray, Robert B. and Joan O.

Location: 4939 Bonniewood Drive, Shady Side, MD 20764
Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: The parties entered into a Consent Judgment as to the unregistered vehicles citations in which Defendants agreed to remove or tag all unregistered vehicles within 90 days. A fine of \$500 each was suspended pending compliance, and total service costs of \$90 were imposed. The citations for junk were entered *nolle prosequi* by the County.

JUDGE: Duden

NAME OF MATTER: Murray, Robert B., III

Location: 4939 Bonniewood Drive, Shady Side, MD 20764
Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: Defendant failed to appear and a Judgment on the Affidavit was entered ordering Defendant to remove or tag all unregistered vehicles and remove all junk from the property within 30 days. A fine of \$500 was entered for the unregistered vehicle citation and a fine of \$500 was entered for the junk citation, along with \$60 in service costs (for a total of \$1,060).

JUDGE: Duden

NAME OF MATTER: Northeast Investment Group, LLC

Location: 3400 Laurel Ft. Meade Road, Laurel, MD 20724

Violation: Contempt – Non-Compliance of building permit No. B02325371

DISPOSITION: The parties agreed to postpone the matter to allow Defendant time to finalize the building permit. The case is reset to September 26, 2019.

JUDGE: N/A

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

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

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

DISPOSITION: A hearing was held and the Defendants were found in Constructive Civil Contempt. Defendants were ordered to remove all junk and solid waste, unregistered vehicles, and oversized vehicles within 30 days, and to cease operation of a commercial business. A fine of \$1,000 is due on September 5, 2019, if Defendants fail to bring the property into compliance by that date. Additionally, Dallas Pangle was sentenced to jail for a period of 5 days, to commence on September 5, 2019 at 6 pm if Defendant is found in contempt at that time. A review hearing is set for September 5, 2019.

JUDGE: Duden

NAME OF MATTER: Prairie, Shirley (Injunction)

Location: 919 Old Annapolis Neck Road, Annapolis, MD 21403

Violation: Outside storage of junk and unregistered Vehicles

DISPOSITION: A review hearing was held to discuss the abatement proceeding. The hearing was reset to September 5, 2019 for next review.

JUDGE: Mosley

ATTORNEY: CGR

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NAME OF MATTER: Reed, William F. and Cindy D. Clark-Reed

Location: 129R Lake Shore Drive, Pasadena, MD 21122

Violation: Contempt – Grading without a permit and development without an approved stormwater management plan in the **Chesapeake Bay Critical Area**

DISPOSITION: This case was postponed until December 5, 2019 by consent of the parties. Defendant is working on getting his permits.

JUDGE: Duden

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 to February 6, 2020 by consent of the parties. Defendant is working towards completing the permits.

JUDGE: Mosley

NAME OF MATTER: Scheminant, Lois M.

Location: 1578 St. Margarets Road, Annapolis, MD 21409

Violation: Duplex, multi-family or semi-detached dwelling

DISPOSITION: The parties entered into a Consent Judgment in which Defendant agreed to cease using the home as anything other than a single-family dwelling within 30 days and to apply and diligently pursue the necessary building permits to convert the home back to a single-family dwelling within 90 days. A fine of \$1,000 was suspended pending compliance and service costs of \$52.20 were imposed as Judgment.

JUDGE: Reilly

NAME OF MATTER: Smith, Craig

Location: 1894 Generals Highway, Annapolis, MD 21401

Violation: Use not permitted (dumpster and contractor shop and yard), junk and no certificate of use

DISPOSITION: A Consent Judgment was entered. Defendant agreed to keep the property free from junk and solid waste and to cease operation of a commercial business. A fine of \$3,000 was suspended pending compliance and service costs of \$52.40, imposed as a Judgment.

JUDGE: Mosley

NAME OF MATTER: Smuck, Stanley J. (EGC) (D-07-CV-16-001613)

Location: 110 Arundel Corporation Drive, Glen Burnie, MD

Violation: Contempt – Grading without a permit or an approved stormwater management plan

DISPOSITION: A Consent Judgment was entered. Defendant agreed to diligently pursue the pending grading permit by responding to a comment letter within 30 days, which includes submitting all appropriate stormwater management plans, plans to address the illegal fill on the property, plan to stabilize and maintain all areas of the property graded and filled without approval. Defendant to respond to any subsequent comments within 30 days until the permit is issued. Permit to be completed within 365 days of issuance. Inspectors have right of entry upon notice via defendant's attorney once the permit is issued. A review hearing is set for September 5, 2019 to evaluate progress of the permits and to determine whether further judicial action should be taken.

JUDGE: Mosley

NAME OF MATTER: Wandel, David

Location: 8003 Hog Neck Road, Pasadena, MD 21122

Violation: Contempt – Outside storage of unregistered vehicles; no certificate of use

DISPOSITION: The County's petition for contempt was dismissed because the violations were abated. The underlying Judgment remains in place.

JUDGE: Mosley

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: Defendant appeared and a Seventh Judgment of Constructive Civil Contempt was entered. Defendant was ordered to pay the outstanding fine of \$3,000. A fine of \$2,000 is suspended pending Defendant's compliance. Defendant is required to request and obtain an inspection

at least every 30 days and comply with all directives of the inspector before the next inspection and court date. Defendant is to remove all insulation on the garage ceiling within 30 days and get an electrical and plumbing permit inspection and then schedule a building inspection. Matter set for review hearing on September 5, 2019.

JUDGE: Mosley

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

Location: 1992 Goose Neck Road, Pasadena, MD 21122

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

DISPOSITION: The parties agreed to postpone the case to allow Defendant time to finalize the building permit. The case is reset to October 3, 2019.

JUDGE: Duden

NAME OF MATTER: Yearwood, John and Sarah

Location: 1753 Arrowood Drive, Gambrills, MD 21054

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

DISPOSITION: A Consent Judgment was entered into with John Yearwood, under which Defendant is to have a "proof roll" of the driveway conducted within four months, to be conducted under the supervision of, and marked by, a County inspector. Defendant is to obtain a contract with a paving company for any portion of the driveway that does not pass the proof roll. The four-month deadline can be extended by two months by the County, at the request of the Defendant. The driveway must be restored to good condition and the permit completed before the asphalt plants close for the winter season. Service costs of \$85 were imposed as a Judgment against Defendant John Yearwood. The matter is set for a review hearing on January 2, 2010. Defendant Sarah Yearwood failed to appear in court and a Judgment of Constructive Civil Contempt and a fine of \$1,000 was entered.

JUDGE: Duden

NAME OF MATTER: Zafar, Sabahat and Tariq

Location: 7784 Gabriel Garth Court, Severn, MD 21144

Violation: Construction of an enclosure under existing deck without the required building permit

DISPOSITION: Tariq Zafar's case was postponed upon his request prior to trial but Sabahat Zafar's case remained on the docket. The County requested that the case be moved to July 2, 2019 to keep the two citations together. The cases are reset to July 2, 2019.

JUDGE: Duden