

**Code Enforcement Litigation Report
May 2018**

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 Defendant was not present in court. Judge Legum indicated that a hearing notice had not been sent from the court to the Defendant to provide him with the hearing date. As a result, this case was postponed at the Court's initiative to September 6, 2018.

JUDGE: Legum

NAME OF MATTER: Arias Brothers Management LLC - (Injunction)

Location: 450 Brock Bridge Road and 462 Brock Bridge Road, Laurel, MD 20124

Violation: (1) Grading/clearing more than 10,000 s.f. of land; reconstruction of a deck and steps and installation of security cameras at 450 Brock Bridge Road; and (2) Grading/clearing more than 18,000 s.f. of land and construction of a fence greater than 6' at 462 Brock Bridge Road -- all without required construction, zoning, and grading and sediment control authorizations.

DISPOSITION: A replacement Consent Order was entered by the court at the request of the parties to replace and vacate the previously imposed Order and Judgment entered on February 9, 2017. Gerson N. Arias and Elsa Y. Arias ("Defendants") are substituted as Defendants for Arias Brothers Management, et al. The Defendants were ordered to cease all use of the subject property for a commercial business (including an auto repair facility), and to cease use of the property for the storage of unregistered vehicles, junk and solid waste, and oversized vehicles. The Defendants agreed to relinquish any right or claim to the adjacent County property, including two buildings thereon. Defendants were ordered to abate the grading and stormwater management control violations on the subject property and on the County property at their expense, and to apply for demolition permits and remove any and all buildings encroaching on the County property. Defendants are to also meet the following timelines: (i) engage the services of a professional engineer within 30 days of entry of the Consent Order; (ii) within 75 days of entry of the Consent Order, submit all plans and permit applications to DPW to review as it pertains to the County property; (iii) within 10 days of receiving DPW approval, submitting all plans and permit applications to the permit application center; (iv) diligently pursue issuance of all required permits and plans by responding to all County comments within 30 days of the same; (v) diligently pursue completion of all permits, once issued, by requesting, obtaining and passing all required inspections; and (vi) completing all permits within one year of issuance of the same. Defendants are to bear the costs of preparing, applying for and obtaining all required permits, and the County shall not be responsible for any such costs. The costs of abating the grading violations and removing the

buildings shall be solely borne by the Defendants, and the Defendants agree to indemnify, defend and hold harmless the County from any and all losses, damages, liabilities, claims, actions, damages or expenses arising from the same. Defendants are to cease using the County property except for purposes of abatement in accordance with the Consent Order. In the event the Defendants place any items on the County property in the future, the County is authorized to remove such items at the expense of the Defendants. If the Defendants fail to abate the violations on the subject property or on the County property, the County is authorized to do so at the expense of Defendants, to be collected pursuant to §1-8-101 of the County Code.

JUDGE: Goetzke

NAME OF MATTER: Beach, Patrick and Roxanne

Location: 1182 Patuxent Road, Odenton, MD 21113

Violation: Building permit No. B02251203 for construction of a gazebo has expired; no certificate of occupancy was issued relating to building permit No. B02252637 for construction of an addition

DISPOSITION: The Defendants completed their building permits prior to the hearing date. The County dismissed this case on the record because the violation was abated.

JUDGE: Legum

NAME OF MATTER: Burleson, Alicia and Kaniewski, Thaddeus (417)

Location: 417 Townsend Avenue, Baltimore, MD 21225

Violation: Outside storage of oversized vehicles, unregistered vehicles, junk and cargo containers

DISPOSITION: This case was dismissed at the County's request because the Defendants abated the violations prior to the hearing date.

JUDGE: Legum

NAME OF MATTER: Burleson, Alicia and Kaniewski, Thaddeus (501)

Location: 501 Townsend Avenue, Baltimore, MD 21225

Violation: Outside storage of oversized vehicles, unregistered vehicles, junk and cargo containers

DISPOSITION: This case was dismissed at the County's request because the Defendants abated the violations prior to the hearing date.

JUDGE: Legum

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 Court agreed to give the Defendant another 30 days to submit his plans to the County. The County consented to this request. The next review hearing is set for June 7, 2018.

JUDGE: Legum

NAME OF MATTER: Country Club Estates

Location: 0 Country Club Drive, Glen Burnie, MD 21060

Violation: Unsafe pier in the **Chesapeake Bay Critical Area**

DISPOSITION: The parties executed a Consent Judgment whereby the Defendant is ordered to pursue and complete its building permit to repair the unsafe structure on the property. Fines were not ordered and service costs were not applicable in this case.

JUDGE: Legum

NAME OF MATTER: Ellison, Jamie, et al.

Location: 22 Ballman Court, Baltimore, MD 21225

Violation: Failure to store usable materials on premises in an orderly manner

DISPOSITION: This matter was taken off of the docket prior to court in order to allow the County more time to effect service. No new date has been set.

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 5/1/17 with the inspections not being completed)

DISPOSITION: Defendant appeared in court and the parties agreed to postpone the matter until July 3, 2018 to allow time for the well test to be completed by the Health Department, which will then complete the permit. The County will dismiss the case prior to the July hearing date if the permit is completed.

JUDGE: Legum

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 by request of the parties prior to court. The new review hearing date is September 6, 2018.

JUDGE: N/A

NAME OF MATTER: Givens, William H., Jr. and Young, Sally, et al

Location: 1618 St. Margarets Road, Annapolis, MD 21409

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendants abated the violation prior to Court. The County dismissed the injunction.

JUDGE: Legum

NAME OF MATTER: Hamilton, Carl, Jr.

Location: 209 3rd Avenue, Baltimore, MD 21225

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear and a Default Judgment was entered ordering a fine of \$250, plus \$45 in service costs (for a total of \$295), and 30 days to abate the violations.

JUDGE: Legum

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

Location: 1201 Villa Isle Court, Pasadena, MD 21122

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

DISPOSITION: Defendant failed to appear and a Default Judgment was entered. Defendant was ordered to abate the violation by applying for a permit for the illegally constructed shed within 30 days and diligently pursuing approval of the same. If the Defendant fails to obtain a permit, the shed shall be removed. If the Defendant fails to get a permit or remove the shed, the County is authorized to enter the property and remove the shed at Defendant's cost. A fine of \$625 was imposed, plus service costs of \$75 (for a total of \$700).

JUDGE: Legum

NAME OF MATTER: Johnson, Michael

Location: 344 Forest Beach Road, Annapolis, MD 21409

Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: The contempt matter was dismissed in open court, as the violation was abated.

JUDGE: Legum

NAME OF MATTER: K & T Rental Properties, LLC

Location: 8104 Foxwell Road, Millersville, MD 21108

Violation: Operating more than one detached dwelling on a single-family residential zoned lot; use not permitted

DISPOSITION: The Defendant failed to appear. The court entered a Judgment whereby the Defendant is ordered to pay a fine of \$1,500. The Defendant is additionally ordered remove any unregistered vehicles within 30 days and to diligently pursue and complete the required building permits to legalize the structures on the property.

JUDGE: Legum

NAME OF MATTER: MBM Investments, LLC

Location: 7918 Solley Road, Glen Burnie, MD 21060

Violation: Contempt – Unauthorized construction of an approximate 50' x 80' accessory structure with four (4) bay doors without building or trade permit(s); unauthorized

construction of an approximate 25' x 25' residential addition without building or trade permit; unauthorized construction of a shed greater than 8' x 8' without a building permit; unauthorized grading resulting in approximately 30,000 square feet of disturbance, inclusive of asphalt and gravel parking/storage areas; and stockpiled materials without a grading permit or Stormwater Management Plan authorizations

DISPOSITION: This matter was postponed to September 6, 2018 at the request of both parties. The Defendant is moving towards completing permits.

JUDGE: Legum

NAME OF MATTER: **Meeks, Eugene E. and Shirley L.**

Location: 603 Marshall Road, Glen Burnie, MD 21061

Violation: Outside storage of unregistered vehicles

DISPOSITION: This matter was dismissed prior to court as the Defendants abated the violations.

JUDGE: N/A

NAME OF MATTER: **Mercier, Craig A.**

Location: 839 Woods Road, Pasadena, MD 21122

Violation: Construction of side addition without a valid building permit; continuing work over a Stop Work Order

DISPOSITION: This matter was entered *nolle prosequi* as the Defendants abated the violations.

JUDGE: N/A

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 July 5, 2018 at the request of both parties. A grading permit should be issued within the next week.

JUDGE: Legum

NAME OF MATTER: Mondonedo, Mary and Roberto

Location: 4621 Solomons Island Road, Harwood, MD 20776

Violation: Outside storage of shipping container and oversized vehicle

DISPOSITION: The commercial vehicle citations were entered *nolle prosequi* as the violations were abated. The storage/shipping container citations were resolved with Consent Judgments. Both Judgments include \$90 in service costs (for a total of \$180), suspended fines pending compliance, and 30 days to abate the last violation.

JUDGE: Legum

NAME OF MATTER: Perry, John F. (Injunction)

Location: 231 Obrecht Road, Millersville, MD 21108

Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: A Consent Judgment was entered suspending the fine of \$2,000 and ordering Defendant to abate the violation within 60 days or the County can do so.

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: 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: The contempt matter was dismissed at the County's request because the Defendant is currently in compliance with the previous Judgment. The underlying Judgment will remain in place.

JUDGE: Legum

NAME OF MATTER: Radziszewski, Mary and Whitt, Tim

Location: 107 Allen Road, Glen Burnie, MD 21060
Violation: Outside storage of unregistered vehicles, junk and debris

DISPOSITION: The petition for contempt was dismissed, as defendants abated the violations.

JUDGE: Legum

NAME OF MATTER: Razuri, Lino G. (EzC)

Location: 585 Queenstown Road, Severn, MD 21144
Violation: Outside storage of unregistered vehicles, oversized vehicles, cargo containers, office trailers, junk and debris

DISPOSITION: The Defendant failed to appear and a Default Judgment was entered ordering the Defendant to pay a fine of \$5,000 within 3 days and to abate the violations within 14 days. If Defendant fails to do so, the County can abate the violations after 30 days at Defendant's expense.

JUDGE: Legum

NAME OF MATTER: Razuri, Lino G. (EBC) (Injunction)

Location: 585 Queenstown Rd., Severn, MD 21144
Violation: Construction of a second dwelling and renovations to an existing garage without permits

DISPOSITION: The Defendant failed to appear and a Default Judgment was entered ordering the Defendant to pay a fine of \$10,000, plus costs of \$52 within 30 days (for a total of \$10,052). The Defendant must apply for a permit within 14 days for the dormers, renovations to garage, deck, and shed/second dwelling or a demolition permit within 30 days. The Defendant must diligently pursue and respond to comments within 14 days, submit trade permits within 30 days, and schedule a final inspection within 14 days of the work being completed. Otherwise, the County can abate the violations at Defendant's expense.

JUDGE: Legum

NAME OF MATTER: Ribeiro, David and Cristina

Location: 7712 Gunther Place, Glen Burnie, MD 21060

Violation: Grading without the required permit in the **Chesapeake Bay Critical Area**

DISPOSITION: The parties entered into a Consent Judgment whereby the court has ordered that the Defendants diligently pursue abatement of the violation. A \$5,000 fine was ordered but was suspended by the court pending compliance with the Order. Service costs in the amount of \$75 were ordered to be paid joint and several by the Defendants.

JUDGE: Spencer

NAME OF MATTER: Roes, Eric and Tanja

Location: 108 Altona Avenue, Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles and junk; treating property as a storage lot; auto repair business

DISPOSITION: Defendant filed a postponement request prior to Court which was granted. The violation has since been abated and the matter will be dismissed in open court on June 7, 2018, pending compliance.

JUDGE: N/A

NAME OF MATTER: Shaw, Gloria

Location: Severn Grove Road, Annapolis, MD 21401 (Tax# 2000-1048-4700)

Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: Defendant's granddaughter appeared in court with a Limited Power of Attorney to act on behalf of Defendant in the matter. The parties entered into a Consent Judgment in which Defendant agreed to remove all junk and unregistered vehicles from the property within 30 days of the Judgment. A fine of \$250 was suspended pending compliance, and service costs in the amount of \$15 were imposed as Judgment.

JUDGE: Legum

NAME OF MATTER: Shaw, Gloria (1903)

Location: 1903 Severn Grove Road, Annapolis, MD 21401

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant's granddaughter appeared in court with a Limited Power of Attorney to act on behalf of Defendant in the matter. The parties entered into a Consent Judgment in which Defendant agreed to remove all junk and

unregistered vehicles from the property within 30 days of the Judgment. A fine of \$125 was suspended pending compliance, and service costs in the amount of \$45 were imposed as Judgment.

JUDGE: Legum

NAME OF MATTER: Stearn, Virginia

Location: 308 West Arden Road, Baltimore, MD 21225

Violation: Outside storage of unregistered vehicle

DISPOSITION: Defendant failed to appear and a Default Judgment was entered ordering a fine of \$250, plus \$45 in service costs (for a total of \$295), and 30 days to abate the violations.

JUDGE: Legum

NAME OF MATTER: Taylor, Janet E.

Location: 7915 Sea Breeze Drive, Baltimore, MD 21226

Violation: Noncompliance of building permit No. B02260759 in the **Chesapeake Bay Critical Area**

DISPOSITION: This case was postponed at the Defendant's request to give her time to schedule a final inspection. The next hearing date is September 6, 2018.

JUDGE: Legum

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: This matter was reset to September 6, 2018 at the request of both parties with the agreement that the front building on the subject property would be inspected on Friday, May 11, 2018, at 9:00 a.m. If the Defendant cancels or does not allow the inspection, the County will file a Line requesting an earlier court date.

JUDGE: Legum

NAME OF MATTER: Werner, James, Jr.

Location: 10 1st Avenue, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicles

DISPOSITION: The County entered this citation *nolle prosequi* because the violation was abated prior to the hearing date.

JUDGE: Legum

NAME OF MATTER: Wolff, Edward J., II

Location: 1204 Kenwood Road, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicle (boat) and trailer

DISPOSITION: Defendant failed to appear, but paid the citation fine of \$125 that morning. A Judgment was entered ordering abatement of the violations only.

JUDGE: Legum

NAME OF MATTER: Wood, Ann M. (Injunction)

Location: 252 West Edgevale Road, Baltimore, MD 21225

Violation: Contempt – Outside storage of unregistered vehicles

DISPOSITION: A Consent Judgment was entered, ordering the Defendant to pay previous fines and costs of \$1,050 within 90 days. An additional fine of \$1,000 was suspended. Defendant ordered to remove the unregistered vehicles within 90 days or the County can abate the violation. Defendant must pay new service costs of \$50.

JUDGE: Legum