

**CODE ENFORCEMENT LITIGATION REPORT
MAY 2009**

NAME OF MATTER: Jones, Gary A.

Location: 845 Pasadena Road, Pasadena, MD 21122

Violation: Illegal auto repair business; cargo-truck compartment container; keeping of fowl-livestock and manure storage without proper setbacks

DISPOSITION: Following defendant's appeal of the district court judgment for the County, a de novo hearing was held in Circuit Court. Inspector Kernan testified and (visiting) Judge Lombardi granted the County's injunction but imposed no fine (costs only) on the defendant, who has 60 days to bring the property into compliance.

Judge: Lombardi

NAME OF MATTER: Luck, Larry

Location: 1326 Washington Drive, Annapolis, MD 21409

Violation: unregistered or inoperable or partially dismantled vehicles in the **Chesapeake Bay Critical Area**.

DISPOSITION: Consent judgment entered. Defendant agreed to tag or remove all unregistered vehicles (including boats, jet skis and trailers) within 30 days and to pay a fine of \$250.

Judge: Wilcox

NAME OF MATTER: Finamore, Charles A. & Nicholas

Location: 23 Elm Road, Riva, MD 21140

Violation: Failure to maintain in good condition any SWM practice

DISPOSITION: Citations dismissed. Violations to be addressed in pending County injunction case.

Judge: Wilcox

NAME OF MATTER: Cooke, Donald & Watson, Albert L.

Location: 362 Edgewater Road, Pasadena, MD 21122

Violation: Storing unregistered and untagged vehicles

DISPOSITION: Citation against Mr. Watson dismissed. Consent Judgment entered against Mr. Cooke. Within 90 days of the Consent Judgment, Defendant must remove or tag all vehicles and boats on his property. Defendant may convert the one boat into a planter. \$500 fine suspended provided the work is completed within 90 days.

Judge: Wilcox

NAME OF MATTER: Jones, Marvin

Location: 410 Phirne Road West, Glen Burnie, MD 21061

Violation: Untagged vehicles and unregistered, partially dismantled or inoperable vehicles

DISPOSITION: Defendant failed to appear, affidavit judgment entered. Fine of \$125 imposed.

Judge: Wilcox

NAME OF MATTER: Rose, Charles, III and Brenda

Location: 164 Cardamon Drive, Edgewater, MD 21037

Violation: Overflowing septic system

DISPOSITION: Defendants failed to appear. Affidavit judgment entered on all 4 citations. Fines of \$250 imposed in each matter. Defendants required to abate violation by retaining the services of a licensed master plumber or disposal system contractor and applying to the County for a percolation test, and diligently pursuing all necessary permits to repair or replace the septic system on the subject property within 30 days.

Judge: Wilcox

NAME OF MATTER: Rolland, Melvin C., Jr. and Scott E.

Location: 706 S.W. Crain Highway, Glen Burnie, MD 21061

Violation: Initiating a plant sales business without an approved Zoning Certificate of Use

DISPOSITION: Citation against Scot Rolland nol prossed. Citation against Melvin Rolland marked as paid and nol prossed. Fine of \$125 paid in court, and violation abated (certificate of use issued for operation of plant sale business).

Judge: Wilcox

NAME OF MATTER: Clevenger, Gay and Zukowski, Kimberly

Location: 93 Great Lake Drive, Annapolis, MD 21403

Violation: unregistered or inoperable or partially dismantled vehicles

DISPOSITION: Citation against Gay Clevenger nol prossed. Consent judgment entered with Kimberly Zukowski requiring unregistered vehicles be removed or registered within 30 days and a fine of \$125 to be paid within 30 days.

Judge: Wilcox

NAME OF MATTER: Adams, Roland

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

Violation: unregistered or inoperable, partially dismantled motor vehicles

DISPOSITION: Consent judgment entered with defendant. Defendant agreed to remove or register vehicles within 15 days. Fine of \$125 suspended, to be paid only if defendant fails to comply with terms of the judgment.

Judge: Wilcox

NAME OF MATTER: Woodall, Erich

Location: 1819 Havre De Grace Drive, Edgewater, MD 21037

Violation: Building without a permit in the **Chesapeake Bay Critical Area**

DISPOSITION: Defendant pled guilty to building an addition without a permit. Ordered to apply for the permit and variance within 14 days and to diligently complete the permit. Fined \$100.

Judge: Wilcox

NAME OF MATTER: Vitale, James M. & Barbara

Location: 3301 Pocahontas Drive, Edgewater, MD 21037

Violation: Building without a permit in the **Chesapeake Bay Critical Area**.

DISPOSITION: Complete abatement prior to trial under permit. Paid \$250 fine. Citation nol prossed.

Judge: Wilcox

NAME OF MATTER: Mooney, Raymond and Denise

Location: 7727 Gatewood Court, Pasadena, MD 21122

Violation: construction of a shed without a permit

DISPOSITION: Judgments of 1/6/09 vacated by consent and matter re-litigated. Citation against Denise Mooney nol prossed. Consent Judgment entered with Raymond Mooney, agreeing to diligently pursue completion of a permit and to pay a \$250 fine.

Judge: Wilcox

NAME OF MATTER: Johnson, Carol and Smith-Johnson, Kathleen

Location: 444 Community Road, Severna Park, MD 21146

Violation: refuse on premises; deteriorated wood on fascia and soffit, siding missing on house, roof deteriorated & rain gutter disrepair. Contempt of order requiring various property maintenance code violations be abated.

DISPOSITION: Contempt dismissed by the county.

Judge: Wilcox

NAME OF MATTER: Springfield, Viola L. & Harcourt, Viola B.

Location: 1556 Wall Drive, Pasadena, MD 21122

Violation: Addition/Interior and Exterior Renovations - No Permits

DISPOSITION: Viola Springfield dismissed (deceased). Viola Harcourt failed to appear. Affidavit judgment entered, requiring defendant to apply for a building permit and any necessary trade permits for the interior and exterior renovations on the subject property within thirty (30) days and to diligently pursue the completion of the permits. Fine of \$625 imposed.

Judge: Wilcox

NAME OF MATTER: Kanipe, Stephen J. and Regina R.

Location: 163 Dunlap Road, Pasadena, MD 21122

Violation: Addition to Existing Shed - construction without a permit

DISPOSITION: Defendants failed to appear. Affidavit judgment entered. Fine of \$625 imposed. Defendants ordered to diligently complete permit and any required electrical permit(s) for the

construction by responding to all directives of the Department within ten (10) days and by passing a final inspection within forty-five (45) days.

Judge: Wilcox

NAME OF MATTER: Simms, Sr., Herbert

Location: 904 Merriweather Way, Severn, MD 21144

Violation: Construction of a Shed - Building without a Permit (Contempt)

DISPOSITION: Defendant failed to appear. Body Attachment issued by the Court.

Judge: Wilcox

NAME OF MATTER: Hardesty, Carroll W. (Sr. and Jr.)

Location: 510 Mayo Road, Edgewater, MD 21037

Violation: Untagged/unregistered vehicle, junk and debris and outside storage

DISPOSITION: Defendants failed to appear. Affidavit Judgment entered against the Defendants. \$500 fine imposed. Defendants given 30 days to clear the property of all unregistered vehicles and junk and debris.

Judge: Wilcox

NAME OF MATTER: Prairie, Shirley

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

Violation: Unregistered vehicles, oversized vehicles, trash and debris.

DISPOSITION: \$3,000 fine imposed and suspended until August 7, 2009 to have all violations abated.

Judge: Wilcox

NAME OF MATTER: Walker, Earnest and Cecelia; Walker, Heather, Personal Rep.

Location: 15 Leeland Road, Edgewater, MD 21037

Violation: Unregistered untagged vehicles; junk & debris; illegal mobile home

DISPOSITION: Defendants failed to appear, Ordered to abate all trash, debris and unregistered vehicles within 30 days and each Defendant fined \$1,000.

Judge: Wilcox

NAME OF MATTER: Turner, Mark and Tracye

Location: 5257 Al Jones Drive, Shady Side, MD 20764

Violation: grading without a permit in the **Chesapeake Bay Critical Area**

DISPOSITION: Each Defendant was fined \$500, ordered to obtain grading permit and complete remediation.

Judge: Wilcox

NAME OF MATTER: Ruff, Frank

Location: Point Pleasant Road, Block 9, Parcel 198, Glen Burnie, MD 21060

Violation: junk and debris

DISPOSITION: Defendant fined \$100 and ordered to clean up property within seven (7) days.

Judge: Wilcox

NAME OF MATTER: Shively, Alex and Jennifer

Location: 1261 Swan Drive, Annapolis, MD 21409

Violation: unauthorized construction of a front porch w/trellis roof structure - no permit; unauthorized grading in the **Chesapeake Bay Critical Area** - no permit

DISPOSITION: Defendants have separated, sold property and now have declared bankruptcy. Case was stayed because of Federal bankruptcy filing.

Judge: Wilcox

NAME OF MATTER: Timber Creek Roll Off Service

Location: 1603 Meeting House Lane, Annapolis, MD 21403
Violation: oversized vehicle and no certificate of use

DISPOSITION: Nol Pros of two citations. Defendant completed abated violations and paid \$500 fine.

Judge: Wilcox

NAME OF MATTER: Shakiba, Hosein

Location: 522 Epping Forest Road, Annapolis, MD 21401
Violation: construction of retaining walls without required permit; grading without a permit

DISPOSITION: Permits applied for last week. Court imposed \$50 fine on both citations (\$100 total).

Judge: Wilcox

NAME OF MATTER: Arundel Home Connections

Location: 7823 Linthicum Road, Pasadena, MD 21122
Violation: Building permit required for construction of porch and garage without required inspection & placement of foundation and concrete prior to permit issuance

DISPOSITION: Default judgment of \$500 and ordered to obtain permit w/in 30 days.

Judge: Wilcox

NAME OF MATTER: Root, Christine

Location: 488 Greenwood Street, Odenton, MD 21113
Violation: Unregistered vehicles and junk & debris

DISPOSITION: \$125 fine imposed on each of two tickets and Defendant ordered to clean up property within 14 days.

Judge: Wilcox

NAME OF MATTER: Fischer, Dutch (EZC)

Location: 1000 Fischer Lane, Annapolis, MD 21401

Violation: Operating construction yard, instead of nursery, in improper zone.

DISPOSITION: \$125 fine entered and order to conform property to zoning within 60 days.
Detailed consent judgment sent to Defendant.

Judge: Wilcox

NAME OF MATTER: Martin, A. Ray ats. AACo.

Location: 1561 Matthews Town Road, Hanover, MD 21076

Violation: Contempt of previous court order to clean all construction debris from property.

DISPOSITION: Contempt fine of \$250 entered with 30 days to pay. Property cleaned of all construction debris.

Judge: Spencer