

**Code Enforcement Litigation Report
July 2018**

NAME OF MATTER: 983 West Benning, LLC

Location: 983 West Benning Road, Galesville, MD 20765

Violation: Allowing the use of the property for a contractor shop and yard without a zoning certificate of use in the **Chesapeake Bay Critical Area**

DISPOSITION: The parties entered into a Consent Judgment in which Defendant agreed to abate the violation within forty-five (45) days by applying for a **Chesapeake Bay Critical Area** reclassification and special exception to permit the expanded use, applying for a special exception without the reclassification, or scaling back the use of the property to what is specified in the non-conforming use decision. A fine of \$500.00 was suspended pending compliance and \$30.00 in service costs were imposed as Judgment.

JUDGE: Legum

NAME OF MATTER: Countryside Deli

Location: 5901 Southern Maryland Blvd., Lothian, MD 20711

Violation: Contempt – Failure to maintain and/or provide documentation of fire extinguishing system test/maintenance.

DISPOSITION: The County moved to dismiss the petition for contempt because the Defendant is now diligently pursuing its permits in Order to abate the violation on the property

JUDGE: Mosley

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 called for a review hearing with all parties present. The Court ordered that the business is to remain closed until final inspections have been performed and the required permits have been completed. There are no future review hearings set but the County may request one if the Defendant does not comply with the order.

JUDGE: Vitale

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 on his Motion to Vacate and the court denied the Motion.

JUDGE: Legum

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 – expired building permit and inspections incomplete

DISPOSITION: The citations against each Defendant were entered *nolle prosequi* because the violation was abated prior to court.

JUDGE: Legum

NAME OF MATTER: Frey, Houston and Jennifer

Location: 908 Genine Drive, Glen Burnie, MD 21060
Violation: Contempt – Outside storage of unregistered vehicles and junk

DISPOSITION: The parties entered into a Consent Judgment whereby the Defendants are ordered to abate the violation within thirty (30) days. Additionally, Defendants are ordered to pay the previously imposed fines of \$2,000.00 (each) and costs of \$75.00 (joint and several). New costs of \$75.00 (joint and several) were also ordered (for a grand total of \$4,150.00).

JUDGE: Miller

NAME OF MATTER: Jelich, John and Nancy

Location: Lots 4 and 5, Defense Highway, Gambrills, MD
Violation: Contempt – Expansion of an approved nonconforming use (1984-0003N) by parking vehicles which exceed the allowable set-backs

DISPOSITION: Defendant requested a postponement to obtain a new survey and retain an attorney. The County opposed the request stating a postponement was previously requested at the last contempt hearing in 2015 for the same reasons. However, the Court granted the postponement. The matter is reset to September 27, 2018.

JUDGE: Miller

NAME OF MATTER: Jones, Charles E. and Lois J.

Location: 782 Oakdale Circle, Millersville, MD 21108

Violation: Outside storage of unregistered vehicles

DISPOSITION: The citations against each Defendant were entered *nolle prosequi* because the violation was abated prior to court.

JUDGE: Legum

NAME OF MATTER: Kaminski, Bernard, III

Location: 907 Pulaski Avenue, Glen Burnie, MD 21060

Violation: Contempt – Construction of a second level deck and steps without a building permit, nor a certificate of occupancy, in the **Chesapeake Bay Critical Area**

DISPOSITION: Hearing postponed to October 4, 2018. The Defendant has a pending variance application, which will be heard on August 28, 2018.

JUDGE: Miller

NAME OF MATTER: Kreutzberg, Thomas J., III

Location: 3675 Seventh Avenue, Edgewater, MD 21037

Violation: Outside storage of unregistered vehicles

DISPOSITION: The court cancelled the show cause hearing due to clerical error. The case has been rescheduled for August 23, 2018.

JUDGE: Legum

NAME OF MATTER: Last, Gerald P.

Location: 2108 Shore Drive, Edgewater, MD 21037

Violation: Grading and clearing in the **Chesapeake Bay Critical Area**; construction of a retaining wall without required authorization or permit

DISPOSITION: The parties reached an agreement whereby the Defendant will apply for a variance and thereafter diligently pursue a building permit. A fine of \$1,000.00 was ordered but suspended pending compliance. Service costs of \$53.15 were ordered.

JUDGE: Wilcox

NAME OF MATTER: Lemay, Curtis E.

Location: 7815 Southwest Road, Pasadena, MD 21122

Violation: Contempt – Construction of roof structure without required building permit

DISPOSITION: The parties entered into Consent Judgment whereby the Defendant is ordered to respond to the comment letter for his building permit within sixty (60) days and thereafter diligently pursue abatement of the violation. The previously imposed fine of \$1,000.00 and costs of \$45.00 remain to be paid. New costs in the amount of \$50.00 were ordered.

JUDGE: Miller

NAME OF MATTER: Manns, Joseph J., Jr.

Location: 7501 Brightwater Beach Road, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicles and junk

DISPOSITION: This citation was entered *nolle prosequi* because the incorrect party was charged.

JUDGE: Legum

NAME OF MATTER: Marinelli, Bonita

Location: 3268 Rolling Road, Edgewater, MD 21037

Violation: Outside storage of unregistered vehicles

DISPOSITION: The Defendant failed to appear. The Court entered a Judgment ordering the Defendant to pay a \$125.00 fine and \$45.00 service costs (for a total of \$170.00). The Defendant is ordered to abate the violation within thirty (30) days.

JUDGE: Legum

NAME OF MATTER: Marousis, George

Location: 417 5th Avenue, Baltimore, MD 21225

Violation: Outside storage of large logs in an unordered manner, directly on the ground

DISPOSITION: Prior to court, Defendant filed a Motion to Postpone which was granted. The new hearing date is December 4, 2018.

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: Case dismissed prior to court hearing by consent of the parties because a permit was issued for violation.

JUDGE: N/A

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: Defendant failed to appear. A Judgment was entered by the court ordering the Defendant to apply for and diligently pursue the required permits to abate the violation. Additionally, the Defendant was ordered to pay the previously imposed fine of \$500.00, an additional \$500.00 for being in contempt of court, and costs of \$50.00 (for a total of \$1,050.00).

JUDGE: Miller

NAME OF MATTER: Pezeshkian, Richard

Location: 102 1st Avenue, Glen Burnie, MD 21061

Violation: Failure to properly secure an in-ground pool with a proper safety barrier

DISPOSITION: This case was postponed prior to court because the inspector was on pre-scheduled leave. The new hearing date is September 4, 2018.

JUDGE: Legum

NAME OF MATTER: Pinkney, Shakeshia

Location: 206 W. Riverview Road, Baltimore, MD 21225

Violation: Failure to maintain the exterior property free from rodent harborage and infestation

DISPOSITION: Defendant failed to appear, but her address was entered into the court's system incorrectly, so she may not have received any notices. The court postponed the matter until September 4, 2018.

JUDGE: Legum

NAME OF MATTER: Puckett, Daniel P.

Location: 431 Maple Lane, N.W., Glen Burnie, MD 21061

Violation: Contempt – Outside storage of solid waste, junk and debris.

DISPOSITION: Defendant failed to appear. The court entered a Judgment which ordered the Defendant to abate the violation within thirty (30) days and pay the previously imposed fines of \$2,250.00 and previously imposed costs of \$1,000.00. The court additionally imposed the previously suspended fine of \$1,000.00 and he must also pay costs of \$50.00 (for a grand total of \$4,300.00).

JUDGE: Miller

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 October 4, 2018 with the consent of both parties because the Defendant is awaiting the result of his variance request.

JUDGE: Wilcox

NAME OF MATTER: Samadnejad, Mohsen (a.k.a. Brooklyn Park Gas, Inc.)

Location: 5502 Ritchie Highway, Baltimore, MD 21225

Violation: Failure to maintain the exterior property free from rodent harborage and infestation

DISPOSITION: The County entered a *nolle prosequi* for both citations at the request of the Department.

JUDGE: N/A

NAME OF MATTER: Standard Striping, Inc.

Location: 983 West Benning Road, Galesville, MD 20765

Violation: Operation of a contractor shop and yard without a zoning certificate of use in the **Chesapeake Bay Critical Area**

DISPOSITION: The parties entered into a Consent Judgment in which Defendant (which rents the property) agreed to abate the violation within forty-five (45) days by scaling back its use of the property to what is specified in the non-conforming use decision. (In the meantime, the owner of the property – 983 West Benning, LLC – is applying for a **Chesapeake Bay Critical Area** reclassification and special exception to permit the expanded use which, if granted, would not require the Defendant to scale back its use.) A fine of \$500.00 was suspended pending compliance and \$30.00 in service costs were imposed as Judgment.

JUDGE: Legum

NAME OF MATTER: Terry, Jason and Angela

Location: 533 Matthews Avenue, Baltimore, MD 21225

Violation: Accumulation of animal waste in rear yard

DISPOSITION: Defendants abated the violation prior to trial. The County entered a *nolle prosequi* for both citations.

JUDGE: Legum

NAME OF MATTER: Williams, John E.

Location: 301 Green Drive, Pasadena, MD 21122

Violation: Outside storage of unregistered vehicles.

DISPOSITION: The parties entered into a Consent Judgment in which Defendant agreed to abate the violation within thirty (30) days of the Judgment. A fine of \$500.00 was suspended pending compliance. A prior suspended fine of \$125.00 was imposed as Judgment, along with \$50.00 in service costs (for a total of \$175.00).

JUDGE: Miller

NAME OF MATTER: Wiskman, Edward H.

Location: 8124 Forest Glen Drive, Pasadena, MD 21122

Violation: Grading/cutting/clearing without a grading permit.

DISPOSITION: The County determined it had issued the citation in error and entered a *nolle prosequi*.

JUDGE: Legum

NAME OF MATTER: **Vincent, Stephen P.**

Location: 7826 Leymar Road, Glen Burnie, MD 21060

Violation: Outside storage of unregistered vehicles

DISPOSITION: Defendant failed to appear in Court and a Judgment on the affidavit was entered ordering Defendant to abate the violations within thirty (30) days by removing or tagging all unregistered vehicles. A fine in the amount of \$500.00 was imposed as Judgment along with service costs of \$45.00 (for a total of \$545.00).

JUDGE: Legum

NAME OF MATTER: **Zimmerman, Robert and Brenda**

Location: 1107 Little Magothy View, Annapolis, MD 21409

Violation: Contempt – Outside storage of junk and debris in the **Chesapeake Bay Critical Area**

DISPOSITION: The contempt against Brenda Zimmerman was dismissed at the inspector's request as the violation was abated. The underlying Judgment remains in effect.

JUDGE: Miller

NAME OF MATTER: **Zimmerman, Robert and Brenda (URV)**

Location: 1107 Little Magothy View, Annapolis, MD 21409

Violation: Outside storage of unregistered vehicles in the **Chesapeake Bay Critical Area**

DISPOSITION: Citation 2Z41215463 against Defendant Brenda Zimmerman was entered as a *nolle prosequi* because service was invalid.

JUDGE: Legum