

MINUTES OF THE SPECIAL MAGISTRATE HEARING TOWN OF LADY LAKE, FLORIDA

March 27, 2025

The regular meeting of the Special Magistrate was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida.

TOWN STAFF PRESENT

Lori Crain, Senior Code Enforcement Officer; Denise Williams, Code Enforcement Officer; Police Officer Ryan O'Neal, Lady Lake Police Department; and Carol Osborne, Deputy Town Clerk.

CALL TO ORDER

Joshua Bills, Special Magistrate, called the meeting to order at 10:30 a.m.

PLEDGE OF ALLEGIANCE

All who were present stood and recited the Pledge of Allegiance.

EXPLANATION OF PROCEDURE

Special Magistrate Joshua Bills explained to the public that this is a quasi-judicial hearing, which means that he has not seen or heard any evidence or testimony from staff or outside parties, other than cases that have been continued from a public meeting, as this would be in violation of ex-parte rules. He explained that staff will present their case and testimony, and he will ask any questions he deems necessary. At that time, the owner or interested party will be able to present their testimony or evidence and staff will have an opportunity to rebut. The Respondent(s) have the right to represent and question their own witnesses and any witnesses testifying against them and introduce exhibits. The Special Magistrate is also permitted to ask questions of either party and/or witnesses, if desired.

Evidence submitted as an exhibit to any case, such as pictures and written statements, will become a permanent part of the case and made part of the record. Once part of the record, it is possible that these items will not be returned to the Respondent(s). Please be aware that electronic submittals, such as pictures on your phone, cannot be made a part of the record. All items included in the record must be in a hardcopy or printed format.

All testifying witnesses shall be sworn in by the Clerk.

The Special Magistrate advised that all testimony is to be directed to him only. Please keep the comments courteous.

The Special Magistrate has the discretion to continue a hearing at any time and may request additional information from either party. If a hearing is continued, a date certain for the continued hearing shall be announced at the public hearing.

Upon completion of all the evidence the case will be closed for public comment. The Special Magistrate will then immediately deliberate in open session before the public and will render his decision on the case.

Persons demonstrating disruptive or disorderly behavior at hearings or violating established rules of order will be called to order. If such conduct continues, a recess may be called and a request for the removal of such person(s) from the chambers upon a finding of “disorder”. The hearing will be adjourned if it is determined to be the appropriate action, or another appropriate action as permitted by law will be undertaken to restore order.

Although the public is welcome at the hearings of the Special Magistrate, they shall not be allowed to participate in or address the Special Magistrate during deliberation.

Violators shall contact Code Enforcement to confirm compliance. Upon notification by the code inspector that the Order of Enforcement has not been complied with by the time stated in the ruling, the Special Magistrate may execute an Order Imposing Fine in the amount set forth. A copy of the Order Imposing Fine shall be mailed to the Violator. A certified copy of the Order Imposing Fine may be recorded as a lien against the property and or business. A hearing is not statutorily required for the issuance of the Order Imposing Fine. The violator has a right to request a hearing on the fine imposition by written request to the Town of Lady Lake within twenty days of the commencement of the fine. The Order Imposing Fine shall advise the Violator of that right. When requested, such a hearing will be heard by the Special Magistrate. In some cases, fines will be recorded as a lien if not paid. The Respondent or business owner will receive a copy of the full Order regarding their case.

SWEARING IN

The Special Magistrate requested that anyone present who planned to speak at today’s hearing stand and be sworn in.

All individuals who planned to present information during the proceedings were sworn in. These cases were heard first regardless of their order on the agenda.

APPROVAL OF MINUTES

1. Minutes of the February 27, 2025, Special Magistrate Hearing

The Special Magistrate accepted and signed the minutes of the February 27, 2025, hearing into the record as presented.

Senior Code Enforcement Officer Lori Crain advised the following changes to the agenda: Case 24-003557 has come into compliance; Case 25-00700 will not be presented.

OLD BUSINESS

2. Case 24-002404 — 240 Longview Ave., Valladares Garth Estate — Minimum Standards - Maint/Appearance Section 20-20(a)(1) and Section 20-24(a and b); Nuisances Section 7-46 and Section 7-67; Order of Fine (Lori Crain)

Senior Code Enforcement Officer Crain presented this case stating that the Special Magistrate found the Respondent in violation of the cited codes and entered the Order of Enforcement on January 23, 2025. A \$150.00 administrative fee was assessed; the Respondent was given until February 28, 2025, to comply or a daily fine of \$50.00 would begin to accrue. If required, an Order of Fine would be presented at the March 27, 2025, Special Magistrate hearing. No one was present for the Respondent. Officer Crain advised that she signed the Certificate of Service after the hearing and mailed the Order of Enforcement by 1st class and certified mail to the property owner. The mailing was returned February 12, 2025, marked “unclaimed”.

Officer Crain stated that on March 03, 2025, she conducted a post hearing inspection and found the property remained noncompliant, and the administrative fee remained unpaid to date. She entered the daily fine retroactive from March 1, 2025, and scheduled the case for the March 27 Special Magistrate hearing for Order of Fine. Prepared and sent the Affidavit of Noncompliance by certified mail; per USPS tracking, the affidavit is being returned as it was also unclaimed.

Officer Crain stated that on March 11, 2025, she received an in-person complaint from a citizen stating that the condition of the subject property is getting worse and there is known drug activity at all hours of the night, riding ATVs around, being loud, etc. They have already spoken to the PD about it and were advised there is an open case with a daily fine accruing which may eventually become a recorded lien. Officer Crain advised that she referred the complainant to the Town Clerk’s Office as they would like to schedule a meeting with the town manager and the police chief. She stated that the complainant willingly allowed her access to their backyard to view the property from their perspective. Officer Crain stated that later this same day she conducted an inspection from the complainant’s property and observed more junk in the back and side yard along with a missing window on the southeast corner of the structure.

On March 25, 2025, the property was inspected and found to remain noncompliant and no communication to date.

Staff Recommendation: Find the Respondent in violation of the stated violations; assess \$150.00 administrative fee in addition to the unpaid fee from January 23, 2025, hearing and impose a fine in the amount of \$1,300.00. This is the total amount accrued to date of the \$50.00 daily fine that will continue to accrue until such time as the property is brought into compliance. Further Order the fine to be recorded as a lien.

The Special Magistrate stated for the record that no one from the public was in attendance.

The Special Magistrate executed the Order of Fine based on the evidence and testimony presented. The Respondent shall pay a fine in the amount of \$50.00 per day that commenced on March 01, 2025, for each day the property is not in compliance and shall continue to accrue at the daily rate until such time as the property is brought into compliance with the Town of Lady Lake Land Development Regulations and/or Code of Ordinances. Current total fine to date of this Order is \$1,300.00. Respondent shall pay costs associated with the case in the amount of \$150.00, in addition to the unpaid administrative fee of \$150.00 from the Order of Enforcement hearing. All fines and costs shall be paid by 5:00 p.m., April 27, 2025, and bring the property into compliance to cure the violation(s) described above. The Respondent shall receive a copy of the full Order.

3. Case 25-000357 — 930 Hwy 466, Lady Lake Propco LLC — Commercial Minimum Standards Section 20-50, Section 20-52, Section 20-52(a), and Section 20-53; Fire Codes Section LDR 16-2(c); Section 16-2(c)(1)(a); Section 16-2(c)(2); and Section 16-2(c)(2)(a); Order of Fine (Lori Crain)

Senior Code Enforcement Officer Crain presented this case stating at the February 27, 2025, hearing, the Respondent was found in violation of the cited codes and an Order of Enforcement was entered by the Special Magistrate. The Respondent was given until March 13, 2025, to comply or a \$250.00 daily fine would begin to accrue. The Order of Fine was scheduled for March 27, 2025, if required. Fire Inspector Richards was present, and his expert testimony was not necessary. Officer Crain stated that she signed the Certificate of Service, and it was sent by 1st class and certified mail. The Order was delivered on March 3, 2025.

Officer Crain stated that the administrative fee had not been paid as of the compliance date, March 13, 2025. She stated that the follow-up fire inspection was scheduled for March 18, 2025, so she did not enter the daily fine to begin accruing. She prepared and sent the Affidavit of Noncompliance and scheduled the case as Order of Fine for the March 27, 2025, Special Magistrate hearing. The notice was delivered on March 18, 2025. Also on March 18, 2025,

Officer Crain stated that the fire inspection performed by Mr. Richards indicated out of the last ten doors, only one passed the inspection and a new additional violation was reported. Officer Crain advised that Code Enforcement will address it separately if the Fire Inspector refers the case. She entered the \$250.00 daily fine to begin accruing on March 18, 2025.

Staff recommendation: Find the Respondent in violation of the Order of Enforcement, assess \$150.00 administrative fee in addition to the unpaid administrative fee from the January 23, 2025, hearing; impose a fine of \$2,250.00, which is the total amount accrued to date and will continue to accrue until such time as the property comes into compliance. Further Order the fine and fees may be recorded as a lien against the property and owner.

Ken Regan, Lady Lake Senior Living, was present and did not testify. He presented Officer Crain with a document to include with the case file.

The Special Magistrate executed the Order of Fine based on the evidence and testimony presented. The Respondent shall pay a fine in the amount of \$250.00 per day commencing on March 18, 2025, for each day the property is not in compliance and shall continue to accrue at the daily rate until such time as the property is brought into compliance with the Town of Lady Lake Land Development Regulations and/or Code of Ordinances. Current total fine at the date of this Order is \$2,250.00. Respondent shall pay costs associated with this case in the amount of \$150.00 in addition to the unpaid administrative fee of \$150.00 for the February 27, 2025, hearing. All fines and costs shall be paid by 5:00 p.m., April 27th 2025, and bring the property into compliance to cure the violation(s) described above. The Respondent shall receive a copy of the full Order.

NEW BUSINESS

4. Case 24-003557 — 121 Griffin View Dr., Endonirvana — Building Permit Section LDR 16-52(a), Permit Required; Order of Enforcement (Lori Crain)

This case has come into compliance.

5. Case 25-000049 — 608 Second Ave., Webb Bradley — Nuisances Section 7-67, Trash, Weeds, Vegetation; Order of Enforcement (Lori Crain)

Senior Code Enforcement Officer Crain presented this case stating that on January 8, 2025, she prepared and sent Courtesy Violation Notice by 1st class mail to the property owner's address per Lake County Property Appraiser website, with the compliance date of January 23, 2025.

Officer Crain stated that she conducted a site inspection on January 27 and found the property noncompliant. She stated that no photos were taken, and she scheduled another site inspection for mid-February.

Officer Crain advised that she conducted a reinspection on February 10 and the property remained noncompliant. She stated that she prepared and sent the Violation Notice by certified mail to the property owner on February 12, with the compliance date of February 25, 2025. The notice was delivered on February 14, 2025.

At the reinspection conducted on February 26, 2025, Officer Crain stated she observed tall weeds and grass remaining around the house and other structures, as well as tree debris on the ground. She scheduled the case for the March 27, 2025, Special Magistrate hearing, prepared and sent the Hearing Notice via certified mail. The Hearing Notice was delivered March 1, 2025; therefore, no posting of the property is required.

Subsequent site inspections conducted on March 06 and March 24 found the property remained noncompliant and no communication from the property owner to date.

Staff Recommendation: Find respondent in violation of codes stated, assess \$150.00 administrative fee and allow the Respondent until April 10th, 2025, to bring property into compliance or a \$25.00 per day fine will begin to accrue until property is in complete compliance.

Bradley Webb, 608 Second Ave.

Mr. Webb stated that he has had equipment issues, along with out-of-state family issues. He advised that there is a retaining wall around the pool area. The vegetation around it keeps the retaining wall from eroding.

Officer Crain stated that the grass is so tall around the pool area that she cannot see the retaining wall. She advised Mr. Webb to trim the top of the tall grass to expose the top of the retaining wall.

Officer Crain stated she will meet with Mr. Webb on site and point out the areas that need correcting.

The Special Magistrate stated this case is continued to the April 24, 2025, Special Magistrate hearing.

6. Case 25-000157 – 435 Winners Circle, Hurtado Adalberto J and Andrea G — Minimum Standards – Maint/Appearance Section 20-20(a)(3) and Section 20-20(c); Establish Repeat Offender (Lori Crain)

Senior Code Enforcement Officer Crain began her testimony reviewing case history. She stated that early in 2024 she received a citizen complaint of several properties in this community storing and parking vehicles in yards. She focused efforts on the entire neighborhood concerning the violation. The same citizen has complained approximately three additional times between early 2024 and 2025. This property has continued to have vehicles park in grass and yard.

Officer Crain stated Case 24-0363 was opened on February 13, 2024, primarily for exterior property maintenance. A photo taken for this case shows an area of damaged and destroyed grass and a black truck parked in front yard.

On April 04, 2024, Case 24-0853 was opened for an inoperable vehicle. A photo taken on this date also shows a blue truck parked in the front yard.

On August 21, 2024, Case 24-2671 was opened for parking on grass. On this date, a black Hyundai was parked in front yard to the west of the sidewalk, and a white Dodge Ram pickup truck with an enclosed trailer hitched to it was parked on the east side of driveway. Officer Crain stated that she left a courtesy door-hanger advising to cease immediately from parking on the grass or in the yard.

A reinspection conducted on September 3, 2024, showed the property remained noncompliant. She observed a black Hyundai in the front yard. A Courtesy Violation Notice was sent to property owner with comply date of September 13, 2024. Follow up inspection on September 16, 2024, found the property was in compliance.

On October 2, 2024, Officer Crain stated that she opened Case 24-3055 because she observed a black Hyundai parked on grass in the front yard west of driveway. Another Courtesy Violation Notice was sent with a comply date of October 15, 2024. A reinspection conducted on October 16, 2024, found the property was noncompliant as the black Hyundai was visible in the front yard.

A Violation Notice was sent on October 17, 2024, by certified mail with a comply date of October 25, 2024. The notice was returned marked, "Unclaimed".

On October 21, 2024, Officer Crain stated that the property owner, Ms. Hurtado, spoke to her in person at Town Hall. She inquired about how this is an issue because there is no HOA, they have lived in town for 18 years, and this is the first time they have been notified they cannot park in the yard or on the grass. Ms. Hurtado stated that she received a note that there was a certified letter at the post office.

Officer Crain explained to Ms. Hurtado that she had received a valid complaint from a citizen about the entire neighborhood and that she must enforce town codes. All properties in the town limits fall under the Town of Lady Lake Codes of Ordinances and Land Development Regulations. She stated that she provided Ms. Hurtado with options including adding more off-street parking for their household if it was constructed and maintained according to the Town's regulations, or parking legally on the street. Officer Crain stated that she agreed that the width of Winners Circle does not allow proper space for vehicles to park parallel to the street and still allow two-way traffic. Officer Crain explained to Ms. Hurtado that the certified letter is a Violation Notice that was sent due to no compliance of the violation.

The follow up inspection conducted on October 29, 2024, found the property in compliance. Officer Crain stated that she kept the case open to continue monitoring the property for compliance. She stated that she randomly drove through the area and the property was observed to be in violation on the following dates: October 30, November 20, December 2 and December 4, and on January 6, 2025, the black Hyundai was observed parked in front yard and she opened this case.

On January 15, 2025, Officer Crain stated that violation was again observed. She prepared and sent a Violation Notice by certified mail with the comply date of January 22, 2025. It was delivered on January 18, 2025, signed by AH. The property was found to be in compliance on January 27, 2025; a white Hyundai was observed parked on the east side of the driveway on February 4 and February 6, 2025.

On February 11, 2025, Officer Crain observed the black Hyundai parked in the front yard. A young man by name of, Julian, was outside. He asked Officer Crain why after 15 years they can no longer park in front yard. She explained the code to him that she had received complaints. He asked what would happen if they could not afford additional off-street parking. Officer Crain advised him of the Code Enforcement process could eventually lead to a fine and fees. He informed me the white Hyundai needed repair and waiting on the part to be delivered.

On February 13, 2025, Officer Crain observed the property in violation. Mr. Julian was working on the white Hyundai. On March 4, 2025, she observed a blue Nissan Sedan and the white Dodge Ram both parked on grass. She scheduled the case for March 27, 2025, Special Magistrate hearing to Establish Repeat Offender status. A Hearing Notice was prepared and sent by certified mail and was delivered March 11, 2025. Officer Crain stated that she conducted an inspection later in the day of March 11, 2025, and found the property in compliance at that time.

Reinspection conducted on March 17, 2025, March 18, 2025, and March 24, 2025, resulted in the property remaining noncompliant.

Staff recommendation: Find Respondents in violation of stated codes, assess administrative fee of \$150.00 and establish property owners as Repeat Offenders. Further recommend allowing Respondents until April 14, 2025, to cease from parking in the front or side yards or a \$25.00 per day fine will be imposed for every day the property is observed to be in violation between April 15, 2025, through May 22, 2025.

The Special Magistrate stated for the record that no one from the public is in attendance.

The Special Magistrate stated an Order of Enforcement is warranted based on the evidence and testimony presented an Order of

The Special Magistrate stated that based on the evidence and testimony in this case an Order of Enforcement is warranted. The Respondent shall pay all costs associated with this matter in the amount of \$150.00. The Respondents shall have until 5:00 p.m., 14th day of April 2025, to bring the property into compliance to cure the violation(s) described above, including payment of all costs. Failure to bring the property into compliance with the Town of Lady Lake Code of Ordinances or Land Development Regulations shall result in an Order of Fine being entered at the rate of \$25.00 per day to commence on 15th day of April 2025, for each day the Property is not in compliance and will continue to accrue at the daily rate of \$25.00 through May 22, 2025. It is further Ordered that any future violations of section(s) stated in this Order will be cited as Repeat Violations and the property owners as Repeat Offender The Respondent shall receive a copy of the full Order.

7. Case 25-000291 — 112 East McClendon St., My Florida Investment Group LLC – Minimum Standards – Light/Ventilation Section 20-17(g); Building Permit Section LDR 16-52(a); Nuisances Section 7-67, Trash, Weeds, Vegetation; Affordable Housing Standards Section LDR 5-5(C)(8), Skirting; Establish Repeat Offender (Denise Williams)

Code Enforcement Officer Williams presented this case, stating that on October 30, 2024, she noticed work being done without a permit. A new air conditioning unit and duct work had been installed and possibly new subflooring. Junk, trash and construction debris remained on the property. The delay in opening this case was due to the current case load.

On January 9, 2025, Officer Williams conducted a site inspection. The violations remained and she obtained additional photos of the property.

On January 28, 2025, Officer Williams conducted a site visit on an adjacent property and observed three men pull up to the subject property and start unloading building materials.

She stated that one of the men, Walter Parraga, stated that he was the owner of the property. She inquired about the work being done on the inside of the home, and he advised that the cabinets were removed and replaced, along with replacing some of the flooring. He also advised that they would be replacing some of the bathroom fixtures in the house. Officer Williams inquired about the new air conditioning unit and duct work. Mr. Parraga stated that he hired a company to replace the air conditioning unit and duct work. Officer Williams advised him that the required permit was not obtained prior to the work being completed. He stated that he would contact the air conditioning company and have them obtain the necessary permit. A Courtesy Notice of Violation was sent on January 29, 2025.

On February 13, 2025, Officer Williams conducted a reinspection of the property and observed the board had been removed from the window, more junk and trash had been piled up outside, and the permit for the A/C unit and duct work had not been submitted to the building department to date. She also observed the brick skirting around the base of the home had been replaced with lattice, a new front door had been installed without a permit and the 911 address numbers had been painted over and were no longer visible. Officer Williams informed Mr. Parraga of her inspection results via voicemail. A Violation Notice was sent to the property owner via certified mail and was delivered on February 18, 2025.

On February 18 Officer Williams reported that she received a voicemail message left on February 14 from an unknown female stating that a contractor would be applying for the A/C permit on February 17, which was a holiday. Officer Williams returned the call on February 18 requesting a call back as there are several violations on the property that needed to be corrected, and no after-the-fact permit application for the A/C unit had been submitted to date.

Officer Williams stated that she spoke with Brianna Gonzalez on behalf of the property owner, Walter. She confirmed that the owner bought this house to flip it and that he replaced everything, including windows, doors, and flooring, in addition to the A/C unit. She stated that the contractor has been out of town and should be coming in to apply for the A/C permit. Officer Williams asked Ms. Gonzalez if plumbing or electric wiring was replaced, repaired or changed as well. Ms. Gonzalez stated that she would discuss this with the owner. Officer Williams advised her that work must stop, and that the contractor cannot continue to do work until he has obtained the required permits. She also advised Ms. Gonzalez that the skirting has been changed to lattice which is another violation. Ms. Gonzalez stated that she would contact the property owner and be back in touch.

Officer Williams stated that on February 19 she received an email from a mortgage broker, Zuleika Romo, stating that she was the owner of the property and asked about the required permits. She advised that she is fixing the house cosmetically on the inside, such as painting and new cabinets and new vinyl flooring and that the front door was painted and not replaced. She advised that they have not changed any plumbing or electric wiring and questioned why she needs any permits. Officer Williams contacted Ms. Romo via her cell phone, left her a message and sent a follow-up email requesting Ms. Romo to contact her.

Officer Williams stated that she observed additional workers on the property on February 19 while she was at an adjacent property. She stated that she spoke with a man who was installing new counter tops in the home and advised him that she had not yet spoken to the owner. She asked him for clarification on who the owns the property, and he stated that Ms. Romo is the owner and Walter was her spouse. He invited Officer Williams into the home to see the renovations. He confirmed that no plumbing had been changed and that he was installing new cabinets, fixtures and vinyl flooring. The A/C vent in the floor had not yet been re-installed and the newly installed subflooring was able to be observed under the vinyl. Officer Williams inquired if he installed the subflooring, and he advised that he did not. He stated that another contractor had done it prior to him putting down the new vinyl. She confirmed that the front door had not been replaced and that it had just been painted. She stated that he advised that he had a new door on site to replace the lanai door. She explained that replacing any exterior door required a permit. She then explained that lattice could not be used as skirting and that it had to be a solid material like the house. She stated that she will continue to contact the owner.

Officer Williams stated that she contacted Ms. Romo at her office on February 19 and was placed on a speaker so her husband, Walter, could be present for the call as well. She stated that as she reviewed the work that had been done prior to obtaining permits, Ms. Romo became defensive and difficult to speak with, stating that everything she had done was cosmetic and that permits were not required. Officer Williams advised Ms. Romo that permits are not required for installing new cabinets or for installing vinyl flooring. She advised that all mechanical change outs require a permit, and the A/C unit and new duct work was installed without a permit. She also advised that subflooring has been replaced and at first, Ms. Romo stated that it had not been replaced, then advised that only part of it was replaced but that it was cosmetic. Officer Williams clarified that vinyl flooring is cosmetic, but that subflooring is structural and requires a permit. Ms. Romo stated that the neighbors are happy that she is working on this house and improving it, but that Officer Williams is the only one who dislikes what she is doing. Officer Williams advised her that was not the case, and that the town is

happy to see the house being improved as well. However, the proper permits must be obtained prior to the work being done. She explained that because Ms. Romo does not live in the home, a licensed contractor had to obtain the required permits and complete the work. Ms. Romo stated that her A/C company advised her that she needed to obtain the permit and that when she found out that she could not she contacted them to obtain the permit and was told that they had already submitted a permit application into the building department. Officer Williams stated that she verified with the building department that no application had been submitted to date. She advised Ms. Romo that the work should not have been done without obtaining the permits first unless it was an emergency. In this case, no one lives in the home, therefore it is not an emergency. Ms. Romo stated that it was an emergency for her because the house must be completed for her to sell it before she must make a mortgage payment.

Officer Williams advised Ms. Romo that the Florida statute mandates that permits are obtained, and that a licensed contractor conducts the work to protect any potential buyers or new residents. She advised her that the work needs to meet the Florida building codes. She explained that all the junk, trash, and debris needed to be cleaned up and removed in a timely manner, and the address numbers needed to be painted to contrast the house. She suggested having a construction dumpster on site to dispose of the trash and debris because Waste Management does not pick up building materials, a permit is required if exterior doors are being replaced, and the lattice that replaced the brick skirting is not allowed. Ms. Romo argued that the lattice was on the house when she bought it, and Officer Williams stated that it was not because the lattice is new and that the pile of bricks that were removed remain next to the house. Ms. Romo stated that she would discuss this with her husband because she has not seen the property yet.

Officer Williams advised Ms. Romo that the violations must be corrected by the end of the month, provided her contact information for the town's building official in case she had any questions pertaining to Florida building codes. Following their phone conversation Officer Williams sent a follow-up email outlining the required corrections and attached a few pictures of the subflooring and duct work that had been removed, along with the building department's phone number. Ms. Romo replied to the email requesting updated photos because the photos in the email were old. Officer Williams replied with two more photos from the inspection on February 13, 2025, and advised her that photos were not taken on February 19 because she already had photos from prior inspections and the violations still existed. She explained that the attached photos in this email were from the previous week. She explained further she originally sent her photos from October 2024 when the violations were first

observed. Officer Williams informed Ms. Romo that the violations took place after she took ownership of the property in March of 2024.

A reinspection was conducted on March 3; most of the construction debris had been removed from the property, the address numbers were visible on the house, no permits had been obtained to date for the newly installed A/C unit, the subflooring and a new exterior door that had been installed even though the onsite crew and the property owners were advised that a permit is required. Window screens were missing, and the skirting had not been corrected. A combined Violation Notice and Hearing Notice were sent March 6 and delivered March 14, 2025.

A mechanical permit application was submitted March 6 for the new A/C unit without documentation for the replacement of the duct work. The permit was placed on hold by the building department until the additional required documents are received. A site visit was conducted on March 10 and non-compliance was observed. The Hearing Notice was posted on the property and an Affidavit of Posting was completed on March 10.

Officer Williams stated that she received an email on March 17 from Brianna Gonzalez stating that the Hearing Notice was received, the permits had been applied for, and she requested confirmation on the status of the permits. Officer Williams responded that just the A/C unit permit application had been submitted and that it could not be processed due to missing documentation. She explained that their contractor must contact the building department to submit the required documents to finalize the permit application. She stated that no permit applications have been submitted for the subfloor or for the new door. She explained that trash remains on the property, the lattice has not been replaced with solid skirting material, and that windows remained without screens. She advised that this case will be presented to the Special Magistrate at the March hearing and asked that the contractors contact the building department to obtain the required permits. She also stated that these items must pass inspections by the building official. Ms. Gonzalez emailed a Notice of Commencement to Officer Williams on March 18 asking if this is the missing document. Officer Williams stated that she would forward it to the building department and that she did not believe this is the required document. She advised Ms. Gonzalez to ask the contractor to contact the building department directly.

Officer Williams discussed the Notice of Commencement with building department staff, and it was realized that it does not pertain to the A/C unit permit application because the scope of work and the contractor does not match. She relayed this information to Ms. Gonzalez.

Officer Williams stated that Ms. Romo contacted her on March 18 inquiring about the window violations. She explained that all operational windows must be equipped with screens and properly fitted with hardware. Ms. Romo added that she was attempting to arrange for someone to come to the property to fix the skirting and clean up the remaining debris. She asked about the documents required for the mechanical permit. Prior to transferring Ms. Romo to the building department staff, Officer Williams advised that the contractor who submitted the permit application is responsible for providing the necessary documents and he needs contact the building department.

At the prehearing inspection conducted on March 27, Officer Williams stated that she observed the skirting had been corrected, and the remaining trash had been removed from the property. She added that no permits have been obtained to date and the windows remain without screens.

Officer Williams is requesting to establish the Respondent as a Repeat Offender for LDR Section 16-52(a), due to multiple projects commencing on this property without obtaining the required permits prior for the A/C and duct work, subflooring and exterior door.

Staff Recommendation: Find the Respondent in violation of the previously stated Sections of the Town of Lady Lake's Code of Ordinances and Land Development Regulations and impose an administrative fee of \$150.00. Allow the Respondent until April 17th, 2025, to bring the property into compliance or a fine of \$100.00 per day will begin to accrue until the property comes into complete compliance. If the property is not brought into complete compliance by this date or if the administrative fee is not paid by this date, an Order of Fine will be recommended at the April 24th, 2025, Hearing. Further order that the Respondent be established as a Repeat Offender of LDR 16-52(a) and any future violations of this Section will be cited as repeat violations.

Zuleika Romo, 5160 Brightmour Circle, Orlando, FL 32837, Primary; Office 7901 Kingspointe Pkwy, Ste. 19, Orlando, FL 32819

Ms. Romo stated that they purchased the property without viewing it. The tenant residing at the residence informed Ms. Romo that rats were entering the home through a hole in one of the closets, Ms. Romo advised the tenant to vacate the home. Upon entering the property in October after the tenant left, Ms. Romo stated that there were toys all over the area and they did not receive a fine or a letter. She stated that her husband and his crew began renovations at that time. She stated that no structural damage was committed by his crew yet according to Code Enforcement, because some of the closet wood was replaced a permit is required. She stated that she had to contact an architect, and he is also working on the drawing of the

A/C ducts. Ms. Romo asked for an additional 60 days for these to be finalized. She stated that the renovations were delayed because a truck pulled down the electric pole by this property in December and there was no electricity for approximately four weeks. She stated that the contractors working on her property began working on other properties at that time. She stated it took time to contact the electric company to have the power restored as well.

Ms. Romo stated that when she received the notice from Officer Williams, she asked her not to enter the home because she has been sued in the past from people entering her property without permission. She stated that even though the contractor invited Officer Williams into the home, she entered property without her permission. Ms. Romo stated she feels her rights have been violated because of this. She stressed that everything has been repaired, and her main objective is to sell the property.

Ms. Romo stated that she had to hire an architect to draw the plans for the air conditioning ducts.

The Special Magistrate asked Ms. Romo for the name of the architect.

Ms. Romo answered that it is engineer, Michael Thompson.

The Special Magistrate clarified with Ms. Romo that she is accusing Code Enforcement of entering her property illegally.

Ms. Romo answered affirmatively adding that Officer Williams entered the property the same day she emailed her, asking her to call to discuss the property issues before inspecting it. She stated Officer Williams is telling her things about the property, her husband will tell her something different, and she cannot visit the property because she is at the office all day. Ms. Romo stated that there have been times in the past where they have been sued because people get into the home and claim the home is failing.

Ms. Romo stated that she is requesting to file a proper complaint regarding a government employee who enter a property without her authorization.

The Special Magistrate asked if the home is occupied.

Ms. Romo answered negatively.

The Special Magistrate advised Ms. Romo that he could grant an additional 60 days or if Ms. Romo would rather sue the town over a government official entering her property, the Order could enter today and then Ms. Romo could appeal it.

Ms. Romo stated it is her goal is to complete the home and sell it. She is upset that Officer Williams entered the home without her permission.

The Special Magistrate asked Ms. Romo if she prefers speeding up the process so she can sue or have an extension of time.

Ms. Romo replied that she wants to have an extension and sell her property.

The Special Magistrate stated that there are no pictures of the inside of the house in the backup documents and asked Officer Williams if she had gone inside.

Officer Williams referred to the first email dated February 19, 2025, when Ms. Romo identifies herself as the owner of the property and requested Officer Williams contact her because she had several questions about the permits. Ms. Romo outlined the improvements being made and there is no mention of Officer Williams not entering the property. She stated Ms. Romo requested Officer Williams not to enter the property after their telephone conversation.

Officer Williams stressed that she observed activity on the subject property while she was at an adjacent property, and that she approached the workers to make contact and was invited in. She stated that she did not need pictures at that time, and she observed the subflooring through the open A/C vents in the floor in addition to the subflooring that was stacked against the fence from previous photos. It was when Officer Williams called Ms. Romo later this day that Ms. Romo told her not to enter the property. Officer Williams stressed that she had not been on the property prior to or after this.

The Special Magistrate clarified with Officer Williams that because the property is not occupied if she has an objection to granting a 60-day extension.

Officer Williams stated that 60 days is excessive and that an engineer or an architect is not required to draw the site plan. Usually duct work permit is an over-the-counter permit and it is simply a drawing of the layout of the house identifying where the duct work is located. It is not required to be signed, sealed, or stamped. The subflooring does not need to be drafted by an engineer; the contractor can draw the plan showing how the subflooring was attached to the property. This is reviewed by the building official to ensure it matches the actual layout of the structure when he conducts the site inspection. She stated she does not feel 60 days and the requirement for an engineer, or an architect is necessary, and the exterior door simply requires install specifications, which is an over-the-counter permit application.

The Special Magistrate granted an extension to May 8, 2025.

Walter Perraga, property owner.

Mr. Perraga asked Officer Williams if he could apply for the required permits because he is the owner of the property.

Officer Williams clarified that because this property is owned by an LLC, it is an investment property, and the contractor must apply for the permits.

The Special Magistrate encouraged the Respondents to keep in contact with Code Enforcement

The Special Magistrate stated that based on the evidence and testimony in this case an Order of Enforcement is warranted. The Respondent shall pay all costs associated with this matter in the amount of \$150.00. The Respondents shall have until 5:00 p.m., May 8th, 2025, to bring the property into compliance to cure the cited violation(s), including payment of all costs. Failure to bring the property into compliance with the Town of Lady Lake Code of Ordinances or Land Development Regulations shall result in an Order of Fine being entered at the rate of \$100.00 per day to commence on May 9th 2025, for each day the Property is not in compliance and will continue to accrue at the daily rate of \$100.00 until such time as the Property comes into compliance. It is further Ordered that any future violations of LDR section 16-52(a) will be cited as Repeat Violations and the property owner as Repeat Offender The Respondent shall receive a copy of the full Order.

8. Case 25-000631 – 103 Sue Lane, Lady Lake Investors LLC – Commercial Minimum Standards Section 20-51(a)(5), Infestation and Section 20-51(b and j); Responsibilities of Owners Section 20-54(a); Solid Waste Section 7-110(a)(3); Nuisances Section 7-67; Establish Repeat Offender (Lori Crain)

Senior Code Enforcement Officer Crain began her testimony reviewing previous cases for same violations: February 23, 2021- Case 21-8014 opened because of an email from Scott Southard, Commercial Route Manager with Waste Management. Attached were photos of the dumpster and enclosure with items, junk and trash outside and overflowing on the sides. He forwarded emails between Waste Management and Kayla, the contact at Village Park Townhomes. He suggested an extra pick-up day during the week. She had not responded after he ordered a one-time courtesy pick up. Officer Crain stated that she observed the violations upon inspection on February 23, 2021. Courtesy Violation notice sent on February 24, 2021, with a comply date of March 15, 2021.

On March 01, 2021, Ross Wightman from Village Park Townhomes, communicated with Code Enforcement informing there are plans in place advising the residents not to dump large items and other trash outside the dumpster and enclosure areas. He added that they are setting up security cameras soon. Officer Crain and Mr. Wightman agreed to allow one month to see if compliance is obtained and maintained. On March 2, 2021, Officer Crain received an email with a photo from Mr. Southard.

On March 9, 2021, Officer Crain stated that she was in the area and took a photo of the dumpster area. She stated that Mr. Southard emailed a photo to her that was taken by the driver that same morning and stated Waste Management may refuse service due to the ongoing issue and condition of the dumpsters and enclosure areas.

On March 30, 2021, Officer Crain stated that she received an email from Mr. Southard of another photo with evidence of noncompliance. She drove by after and observed the area was cleaned up. Upon reinspection on April 01, 2021, no compliance with the dumpster on Sue Lane. Aaron Lane was found to be in compliance. She stated that she observed a large pile of tree debris from tree trimming.

April 27, 2021, Reinspection: no compliance; a Violation Notice was sent via certified mail with comply date of May 17, 2021. It was delivered on April 30, 2021.

April 29, 2021, observed a large pile of tree debris remaining on the property. May 3, 2021, Mr. Southard advised via email that a second weekly service day had been added for the Aaron Lane dumpster only. May 18, 2021, Reinspection: property in compliance.

September 20, 2022, Officer Crain stated that she received an email complaint from Mr. Southard with an attached photo showing the condition of the interior of dumpster enclosure. She stated that she observed the dumpster area in the same condition upon her initial inspection and opened Case 22-8800. A Courtesy Violation notice was sent to the property owner with a comply date of October 17, 2022. The property was found in compliance at the time of the follow up inspection on October 18, 2022.

On June 5, 2023, Officer Crain stated that she observed the dumpster and enclosure was overflowing, and there was a strong odor and several flying insects around it. She sent a Courtesy Violation notice on June 8, 2023, with a comply date of June 19, 2023. Follow up inspection on June 27, 2023, found the property to be in compliance.

November 14, 2023, Code Enforcement received an email from Mr. Southard stating the dumpster enclosure on Sue Lane had large items stacked inside making it difficult for Waste Management to safely service the dumpster. A photo taken by Waste Management was also provided. Code Enforcement Officer Williams conducted an initial inspection to confirm the violation and opened Case 23-2828. A Courtesy Violation notice was sent to the property owner via 1st class mail per Lake County Property Appraiser information. Comply date November 28, 2023. Officer Williams conducted the follow up inspection on the 28th and found the property remained in violation. Officer Williams then sent a Violation Notice by certified mail with a comply date of December 28, 2023. The notice was delivered on

December 01, 2024, signed by Karl Francetie. This case came into compliance on January 10, 2024.

March 04, 2025, Mr. Southard with Waste Management sent an email with a photo of the interior of the dumpster enclosure to Officer Crain. She confirmed the violations with an initial inspection and scheduled the case for March 27, 2025, Special Magistrate hearing.

March 05, 2025, Officer Crain prepared and sent the combined Violation/Hearing notice for March 27, 2025, Special Magistrate hearing via certified mail to establish the property and owner as Repeat Violators. She stated that she also emailed the notices to Ms. Selena Hicks, the contact for Village Townhomes. Ms. Hicks responded, stating the overflowing dumpster was taken care of yesterday and she will be attending the hearing. She did not think an average of once a year for this issue is worth the magistrate's time and she is open to suggestions on how to manage this issue. Officer Crain replied to the email with suggestions and advised that the case is complaint driven, requiring her attention and response. Mr. Ken Polsinelli from Peacock Capital was one of several others copied on Ms. Hicks' email. He stated that Officer Crain's decision to pursue this further has nothing to do with the complaint being filed. Other emails were exchanged, including legal counsel, which will most likely be present. A request for the complainant information along with all previous case documentation, complaints and matters as cited in her email was given by Mr. Polsinelli. Later this same date, Officer Crain stated that she had a phone conversation with Mr. Southard. He stated he received an irate voicemail from Mr. Polsinelli, stating Mr. Southard must return his call to avoid legal action. Mr. Southard advised Officer Crain that he did call Mr. Polsinelli back but was unanswered and went to voicemail.

March 06, 2025, Officer Crain emailed the case files as requested. March 7, the Hearing Notice was delivered, therefore, no posting required

March 24, 2025, Pre-hearing inspection: property in compliance.

Staff Recommendation: Find Respondent was previously in violation of all sections stated, currently in compliance; impose \$150.00 administrative fee and establish property and owner as Repeat Offenders. Any future violations will be brought before the Special Magistrate.

Selina Hicks, Property Manager, 102 Sue Land

Ms. Hicks presented a copy of the Waste Management complaint with the date and time stamp, along with photographs taken that same day with a time stamp showing that the issue was fully rectified. She added that the complaint was submitted shortly before 5:00AM

and the area was cleaned by 2:02PM that day. She received the notification from Code Enforcement the next day.

Ms. Hicks read a prepared statement acknowledging how quickly issues are resolved. She also referenced an email sent by Code Enforcement listing the violations and will recommend the Special Magistrate established them as Repeat Offenders. This is due to them receiving trash violations on average of once per year in a community that houses approximately 60-90 people throughout the year.

Ms. Hicks stated that the management takes pride in their properties and their ability to resolve issues in a real-time manner, quickly and efficiently. She stated that the direct statement from the Code Enforcement Officer that they are a problem in this community is untrue in her opinion.

Ms. Hicks stressed that they have drastically improved this community since they owned and managed it, invested in and provided housing for people in Lady Lake and the surrounding community. She stated that in her opinion it is not true to insinuate that they are running a problematic property of any kind. She acknowledged that it is unrealistic to believe there will not be issues in a community that houses many people. However, when there is an issue, it is addressed promptly. She stated that she cannot discuss the photographs presented with Officer Crain's testimony as she did not manage the property at that time.

Ms. Hick's noted that Officer Crain has acknowledged her promptness with her communication and quick follow-up on any issues. She stated that as in the past, she will continue to address any issue that arises in her community in a timely manner.

Kenneth Polsinelli, 1701 Spruce Ave., Winter Park, FL, representing the owners of Lady Lake Investors,

Mr. Polsinelli stated that the group purchased the property in March, 2020 and have invested several millions of dollars in improvements to the property since then and would not allow code violations such as trash. He stated they have managed the property in-house since 2022. Notices that were sent prior to this were to Mr. Whiteman who represented the previous management company.

Mr. Polsinelli stated that with Ms. Hicks managing the property, and issues are rectified the same day or in a timely manner. He stressed that they have always corrected a problem when they are aware of it and will continue to do that. He addressed the timeline with the most recent violation from Waste Management and noted that Waste Management has never contacted him as the owner or communicated that there was a problem with the property. He

acknowledged that they do not have a contract with Waste Management, which could be the reason he is not contacted, and that Waste Management always contacts Code Enforcement. With the latest violation, Ms. Hicks addressed the problem by early afternoon. He stated that he fears the implication is that they do not care about complying with the town code regarding trash or creating a nuisance, which is not true. He stated that it is physically impossible to control how the townhome community residents dispose of their trash or to prevent the public from entering the property and dropping off trash.

Mr. Polsinelli noted that it is contradictory with what he and the town are attempting if Waste Management does not pick up trash, even when the bin is overflowing. He stated that this is a service issue. He stated that some of the pictures presented show that even though the bin is overflowing, the trash could still be removed with a truck. He stated that he is willing to add an additional container if there is a request to do so.

Mr. Polsinelli stated that this is his first time speaking with Officer Crain. He stated that he received the notice that was sent to the registered agent address and that Officer Crain's previous dealings were with the previous manager and other people who are not the ownership group. Notifying them at all lends itself to the notion that they are a repeat offender. Mr. Polsinelli stressed that this is not a multiple offense without any correction issue. He stated that the fine and the status of "Repeat Offender" is not warranted.

Special Magistrate asked Officer Crain about the process by which Waste Management handles these issues.

Officer Crain explained that Waste Management contacts Code Enforcement when there is an issue.

The Special Magistrate verified with Officer Crain that the customer is not aware that there is an issue until they are contacted by Code Enforcement, and that Waste Management is the franchisee of the town.

The Special Magistrate stated he realizes that the town has an interest in keeping the town clean from trash, yet this seems to be a strict liability issue.

Officer Crain stated that Waste Management has suggested to her that this customer obtain a larger dumpster or second service day. She does not know if this was discussed with the previous management.

Ms. Hicks stated that they would if required. However, it does not make financial sense because this happens approximately once a year.

The Special Magistrate discussed with Officer Crain the process and ramifications when a Respondent is established as a Repeat Offender.

Officer Crain explained when a violation is observed, she sends a combined Violation/Hearing notice and request fine for the day(s) the property was not in compliance.

Special Magistrate ruled that an Order will not be entered at this time. He advised that if this issue continues to occur consistently or there are several days in between without resolve, the Repeat Offender status will be considered.

9. Case 25-000700 – 408 Quail St., Bharat B Khirbat – Nuisances Section 7-46 and Section 7-67; Repeat Offender (Lori Crain)

This case was not presented.

10. Case 24-000877 – 207 Skyline Dr., Darren Bull and Megan Potts – Nuisances Section 7-46 and Section 7-67; Minimum Standards Section 20-24(a and b); Request for Waiver of Lien (Lori Crain)

Senior Code Enforcement Officer Crain presented this case stating that this property is zoned MH-9 (Manufactured Home High Density) in the Skyline subdivision. Code Enforcement Case 24-0877 was opened for a repeat violation of the Town of Lady Lake Code of Ordinances as stated above. The Property and Property Owner was established as Repeat Violator in this case on August 22, 2024.

The property was recently sold to Darren Bull and Megan Potts of Lady Lake. The Code Enforcement process was followed by notifying the owners of the violations. Prior to the purchase on January 9, 2025, the property has had violations going back as far 2005. In 2019, the condition of the property started to deteriorate and lacked maintenance. Previous liens for this property were reduced with approval of the Town Commission and the reduced amount was eventually paid in full, and the Town released the lien. The property failed to stay in compliance and a new lien has accrued on the property under the previous owner. This lien was recorded at the Lake County Clerk of Courton October 2, 2024. Immediately upon the sale of the property, the new owners began correcting the violations and brought the property into complete compliance. The expense of this process was approximately \$10,000.00, in addition to the sale price of the property. Mr. Bull and Ms. Potts are in the process of lot improvement by setting up a new double-wide mobile home and adding landscaping. The cost of these improvements is substantial and will greatly add to the value of the property and adjacent properties.

Mr. Darren Bull and Ms. Megan Potts requested a hearing on a complete waiver of the lien and other administrative fees that have also been assessed. The approximate value of the lot is \$36,000.00 according to the Lake County Property Appraiser. With the addition of a new double-wide and lot improvement, the property value will increase greatly

Code Enforcement recognizes the policy of the Town Commission is to reduce liens on residential property to \$5,000.00 or 25% of the appraised value of the property. The reduction to 25% of the approximate value of the subject property equals approximately \$9,000.00.

It is the recommendation of Code Enforcement to waive the entire lien amount. This recommendation is based on the past actions of the new owners' prompt attention to cleaning up the property and the financial investment thus far, as well as the future plans for the improvement of the property. The new owners have submitted their intended plans for the property and Town Staff are satisfied and encouraged for the final outcome. Staff also request an administrative fee of \$150.00 be assessed to be paid by 5:00 PM, Monday, April 7, 2025.

It is the recommended Order of the Special Magistrate that the accrued lien for Case 24-00877, 207 Skyline Dr., in the amount of \$6,685.50 hereby be wholly waived and released to the amount of \$0 (zero dollars) upon the approval of the Town Commission.

It is further Ordered that an administrative fee of \$150.00 be assessed to the owners and paid by Monday, April 7, 2025. The Respondent(s) shall receive a copy of the full Order.

OTHER BUSINESS

June 26, 2025 Special Magistrate hearing is cancelled. Discussion held regarding rescheduling July 24, 2025, Special Magistrate hearing due to scheduling conflicts with the Special Magistrate. Will confirm at the April 24, 2024, Special Magistrate hearing.

ADJOURN

There being no further business, the meeting was adjourned at 12:10 p.m.

Joshua E. Bills, Special Magistrate

Carol Osborne, Deputy Town Clerk