

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

April 24, 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; Sgt. Dennis Pranoskes, 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 present 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 March 27, 2025, Special Magistrate Hearing

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

Senior Code Enforcement Officer Lori Crain advised the following changes to the agenda: Case 24-003078 has come into compliance; Case 25-000763 was removed at the discretion of the Officer; Case 24-002153 and Case 25-000118 will be presented together.

OLD BUSINESS

2. Case 24-002453 — 111 North Clay Ave., Frank Jeske — Commercial Minimum Standards Section 20-51(a)(2 and 6); 20-51(b and f); Responsibilities of Owners – Section 20-52(2 and 5); 20-54(a and b). Revoke Order of Enforcement and Dismiss Case. (Lori Crain)

Senior Code Enforcement Officer Crain began her testimony stating that this case was presented at the February 27, 2025, Special Magistrate hearing. The Respondent was found in violation of the cited codes and the Special Magistrate entered the Order of Enforcement. A \$150.00 administrative fee was imposed, and the Respondent was given to March 31, 2025, to bring the property into compliance or a daily fine of \$250.00 would begin to accrue. The case will be presented at the Order of Fine hearing on April 24, 2025, if complete compliance is not met. No one was present for the Respondent. Officer Crain stated she signed the Certificate of Service and mailed the Order of Enforcement via 1st class and certified mail to the Respondent per Lake County Property Appraiser information.

Officer Crain stated Mr. Jeske left a voicemail on March 5, 2025, stating that he received the Order of Enforcement and questioned why the property is still in violation because all the work was done. Officer Crain contacted Mr. Jeske and discussed the issues that needed resolution. Mr. Jeske stated that he did not receive the hearing notice. Officer Crain emailed the photos with notes indicating what needs to be addressed and attached the original Hearing Notice and the scanned return envelope marked, “refused”. She stated that she provided an itemized list of all issues at Mr. Jeske’s request, and the code section on solid waste outlining how brush piles/yard waste are to be prepared for removal by Waste Management. She stated that she confirmed with Mr. Jeske’s that the mailing address on the Property Appraiser’s website is correct, as it is the address she has sent all notices to.

Officer Crain stated that she received a voicemail message from Mr. Jeske on Saturday, March 15, 2025, advising her that he had hired people to clean the property. He stated that his property is zoned residential, not commercial yet the notice cited him for commercial

violations. He asked if these violations apply under the residential zoning designation. He stated that he had been told years ago by the Town that he could not do anything commercial at the property because it's zoned and classified as a residential storage unit. He added that he did not "refuse" the hearing notice that was returned to Officer Crain. He inquired about the compliance date and if the property was now in compliance. Officer Crain replied to Mr. Jeske stating that she would research the zoning conflict issue with the Growth Management Director and that, if the regulations are not applicable to the zoning, the case may be presented again or dismissed.

Officer Crain stated per the Lake County Property Appraiser this site is a commercial warehouse/terminal property. She explained to Mr. Jeske that even though he did not receive the hearing notice, she emailed it to him and posted the property with the notice and that satisfies the requirements for sufficient notice under Florida Statute 162. She informed Mr. Jeske that she would reinspect the property, discuss the results with the Growth Management Director and contact him with the results. She stated when she presents the case at the Order of Enforcement hearing on April 24, 2025, there is a possibility of amending or dismissing the case due to the zoning designation issue and the cited sections.

Officer Crain stated on March 17 after reviewing the issues with this case, it was determined to recommend to the Special Magistrate to revoke the Order of Enforcement under the commercial violations that were cited incorrectly and dismiss the case. She stated that a new case would be opened with the proper residential violations and allow the Respondent 30 days to comply. This was conveyed to Mr. Jeske via email. Officer Crain stated that she conducted the post-hearing inspection on this day as previously scheduled. She advised that the openings and accessible areas were still present, and the large brush pile still had not been prepared correctly and had been moved to the street area for removal.

Staff Recommendation: Revoke the Order of Enforcement dated February 27, 2025, due to the Respondent incorrectly being cited for sections of the Town of Lady Lake Code of Ordinances for Commercial, Industrial and Instructional structures with the subject property being recorded as residentially zoned property. The revocation will also revoke the previously assessed administrative fee of \$150.00. Further Order that the administrative fee for today's hearing also be waived.

The Special Magistrate having heard testimony of the respective parties present and the evidence presented, finds that the Order of Enforcement entered and signed on February 27, 2025, is hereby revoked. The Respondent shall receive a copy of the full Order.

NEW BUSINESS

3. Case 23-002948 — 38624 Rolling Acres Road, T Lovell Alpha LP — Minimum Standards Maint/appearance Section 20-20(a) and (a)(5); Section 20-20(b) Nuisances Section 20-24(b). Order of Enforcement (Lori Crain)

Senior Code Enforcement Officer Crain presented this case stating that on November 30, 2023, she was searching for a business at this location after receiving a complaint from Waste Management of no dumpster service. This was not the correct address. Upon entering the property, she observed a large, abandoned home with lanai and pool that was unsecured. After this initial inspection, she opened this case and did not pursue further activity until the year-end case management process conducted on January 23, 2025, when she realized the case remained active.

On January 27, 2025, Officer Crain conducted a reinspection of the property and observed it remained abandoned and unsecured. She stated that the required notices were prepared and mailed to the property owner per the Lake County Property Appraiser information, with the comply date of February 25, 2025. The inspection conducted on February 26 showed that the property remained non-compliant. She prepared and mailed the Violation Notice via certified mail with the compliance date of March 25, 2025.

Officer Crain stated that she conducted site inspection on March 26, 2025, where she observed the property remained non-compliant, no progress was made and there was no communication from the property owner. She scheduled this case for the April 24, 2025, Special Magistrate hearing. Per USPS online tracking the Violation Notice had not been delivered as of March 26, 2025. The Hearing Notice was prepared and sent via certified mail on April 1, 2025.

Officer Crain stated after the April 7 site inspection, she researched online and found per USPS tracking, neither Violation Notice nor Hearing Notice had been delivered to date. She conducted further research of the property owner and located an agent for Full Throttle Investments LLC showing Warren Lovell as Title Manager, at same address as T Lovell Alpha LP. She stated that the Hearing Notice and a letter was sent to the agent, Jenifer DE Figueiredo, per SUNBIZ. Officer Crain stated that she spoke to Ms. Becky Higgins, Sr. Town Planner, who has had contact with representative for the property due to recent application for zoning change for this property. Officer Crain advised that Ms. Higgins copied her on emails to the broker/planner, Robert Harden. He advised that the address he has is from the Lake County Property Appraiser and explained that the owner Mr. Lovell, is out of the country

often for extended periods of time. Mr. Harden stated that he would make Mr. Lovell aware of the code violation.

Officer Crain stated that Mr. Harden was present at the Town Commission meeting on April 7, 2025, and Ms. Higgins discussed the property violation with Mr. Harden. She informed him that the owner needed to contact Officer Crain regarding the existing code enforcement case. Again, Mr. Harden stated that he would make Mr. Lovell aware. Officer Crain stated that she conducted a site inspection, and the property remained non-compliant.

On April 8, 2025, Officer Crain posted the property with the Hearing Notice at 10:31 AM and completed Affidavit of Posting. While preparing this case on April 15 for the upcoming Special Magistrate hearing, Officer Crain stated that she checked USPS tracking and noted that the Violation Notice was delivered March 5, 2025, at 11:58 AM. The Hearing Notices were delivered to the property owner on April 8, 2025, at 11:58 AM and to the agent in Washington State on April 11, 2025, at 2:18 PM. Officer Crain stated that she conducted another site inspection on April 15, and the property remained non-compliant.

A pre-hearing inspection was conducted on April 22, 2025; the property remained non-compliant and there has been no communication from the property owner to date.

Staff Recommendation: Find Respondent in violation of all sections stated, assess \$150.00 administrative fee and allow Respondent until May 14th, 2025, to bring the property into compliance or a \$50.00 per day fine will begin to accrue until such time as the property is brought into compliance. Further order that Code Enforcement be permitted back on the property to post the structures as unsafe for occupancy. Code Enforcement may be accompanied by law enforcement to clear and deem it as unoccupied at the time of posting.

The Special Magistrate verified with Officer Crain that the house is unoccupied.

Officer Crain stated she is unaware if there are homeless individuals occupying the structure.

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

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 14th, 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 \$50.00 per day to commence on May 15th 2025, for each day the Property is not in compliance and will continue to accrue at the daily rate until such time

as the Property comes into compliance. The Respondent shall receive a copy of the full Order

4. Case 24-002153 — 709 Megan Cir., Harold L Crume — Nuisances Section 7-46 and 7-67; and 20-24(b); Outside Storage Section LDR 9-2(h)(1); Minimum Standards General Structure Specifications Section 20-19(a)(1). Order of Enforcement (Denise Williams)

Code Enforcement Officer Williams presented this case stating that during an initial inspection on July 8, 2024, she informed the property owner that the Town had received a complaint regarding the condition of his property. She stated that she observed multiple, miscellaneous items throughout the front yard, including inoperable golf carts and car batteries. He stated that some of the golf carts are collectibles, and he is restoring them. He mentioned, too, that most of them were inoperable. Officer Williams stated she explained that the golf carts needed to be removed from the property or stored in an enclosed building. Regarding the other items in the yard, Mr. Crume told Officer Williams that he is a dumpster diver and that he looks for items to sell on Market Place to help pay off his mortgage. Officer Williams explained to Mr. Crume that his yard needed to be clean and free of debris and stressed that he had too many chairs. She explained that he needed to either reduce the quantity or keep the extras in a shed or enclosed facility out of sight, along with the other multiple items scattered throughout his yard. She asked Mr. Crume if he could have his yard cleaned within two weeks and he stated that he could.

Officer Williams stated that she conducted a site inspection on July 24, 2024, and she observed some progress toward compliance. Most of the chairs had been removed from the property, along with the batteries. However, several golf carts remained and were parked on the grass.

Officer Williams explained that on August 8, 2024, Senior Code Enforcement Officer Crain received a citizen complaint regarding this property and opened a separate case, Case 24-2488, not realizing this property already had an open and active case.

Officer Crain conducted an inspection on August 9, 2024, and received two additional complaints on August 12 and August 13. When Officer Crain learned of Officer Williams' open case, she closed her case after merging the case notes with Officer Williams' case.

On August 14, 2024, Officer Williams stated that she received another complaint from Mike Gross and Shelli Farnsworth from The Villages Deed Compliance. They stated that they have received multiple complaints on this property as well. Mr. Gross stated that the property owner informed him that he was operating a golf cart rental business out of his home.

On August 15 and August 16, 2024, Officer Williams stated that she received voicemail messages from the property owner, requesting a call back. She stated that her calls went straight to voicemail, and she was unable to leave a message. She stated that she received an email from Mr. Crume asking if he passed inspection.

Officer Williams stated that she conducted a site inspection on August 19 with the property owner and the property remained non-compliant. She and Mr. Crume walked the property, and she indicated all the items that needed to be removed or stored in the shed. She advised Mr. Crume that he could not conduct auto repair on the property and that all items associated with the business needed to be removed from the property. She added that the chairs and other items must be stored out of sight or removed from the property and could not simply be moved to another area on the property. A two-week extension was granted.

Upon inspection of the property on September 4, Officer Williams observed progress toward compliance, yet all the violations remained. She encouraged the property owner to continue toward compliance and a one-month extension was granted. At the October 2, 2024, site inspection Officer Williams observed a lot of progress toward compliance. She noted a few wood frame structures remained against the back of the house and the access point under the home had chicken wire stretched across it. She advised Mr. Crume to remove all these items and add an access door or skirting to secure the access point under his home.

Officer Williams stated that she met with Mr. Crume at the property on October 16. He stated that he had not been feeling well, and she granted another extension to November 6. On this day she met with Mr. Crume, and he stated that a water pipe burst, and he is delayed in correcting the remaining violations. She stated that they walked around the property, and an accumulation of additional items were observed. The two access points under the house remained unsecured, and this additional violation was added to the case file. Officer Williams explained to Mr. Crume that while she acknowledges the broken water pipe may have caused him to delay correcting the violations, the property appears to be in worse condition from the previous inspection as it seems more items are on the property. Mr. Crume stated that he has been gathering items for his upcoming garage sale. Officer Williams explained that the purpose of a garage sale is to get rid of things that he already has, and he should not be gathering items from dumpsters and other people's trash to sell at his garage sale. She reminded him that in July they discussed the process to bring his property into compliance was to remove items and not bring additional items onto his property.

At the November 13, 2024, site inspection Mr. Crume stated that he had not had his garage sale yet. Officer Williams observed additional tables, chairs, miscellaneous items, and solid

panels were now blocking the under-home access points. A Violation Notice sent to the property owner by certified mail and was returned unclaimed on December 09, 2024.

A re-inspection was conducted on December 02, and the property remained non-compliant. Officer Williams noted more items had been brought to the property. The Hearing Notice was sent to the property owner via certified mail and was returned unclaimed on December 25, 2024.

At the Pre-Hearing inspection on January 08, 2025, Officer Williams noted the two access points had been secured and most of the junk had been removed or hidden behind the screened in carport enclosure. She stated that upon closer inspection, she discovered that the screened wall under the carport had been moved forward to create a larger enclosed area. This was done without a permit. Officer Williams advised the property owner that she would remove this case from the January Special Magistrate agenda and postpone any action to give him time to correct the new violation. She explained that the new violation would be opened with a different case number and that he needed to obtain a building permit by the end of the month. Case 25-000118 was opened for this violation

Officer Williams stated that the Town's Building Official conducted a courtesy inspection on January 9, and he advised that it was acceptable to leave the wall in its new location for the time being. He confirmed that a permit is required to confirm that the fasteners in the screen track were spaced at 24 inches maximum. He also advised that the permit would not need engineered plans because the beam that the wall was attached to was already tied down and was engineered. This information was relayed to Mr. Crume. A Courtesy Notice of Violation was sent to the property owner by first class mail on January 14, 2025.

A site inspection was conducted on February 3; more items were on the outside of the screened-in carport enclosure. Officer Williams stated two individuals were there helping the property owner remove and dispose of the junk. One of the individuals, Erik Martinez, stated that they already hauled off many items and would continue to throw away items. Officer Williams stated they walked around the property, and she indicated the remaining violations that need to be corrected. Mr. Martinez stated that he would make sure that everything gets done. Officer Williams granted an extension until the end of the February for Case 24-002153. She added that no permit application had been submitted to date for the wall that had been moved.

The Violation Notice for Case 25-000118 that was sent to the property owner by certified mail on February 5 was returned unclaimed on February 26, 2025.

Officer Williams stated that she received a call from Mr. Crume on March 4 asking for the date of the next site inspection. She responded that it is scheduled for March 5. Mr. Crume advised Officer Williams that he moved the wall back to its original location. Officer Williams explained to Mr. Crume that a permit is still required because he has altered the structure, and that the wall needed to be installed correctly and pass the building official's inspection. She stated that Mr. Crume wanted to argue that he did not need a permit, and she emphasized to him again that he did in fact need a permit

The property remained non-compliant at the March 05, 2025, site inspection. Officer Williams stated that she met with Mr. Crume, and his friend, Paul, at the property. Paul stated that he was trying to help Mr. Crume correct the violations. She and Paul walked the property, and she indicated all the items that still needed to be removed. There were also more items on the property since the last inspection. The under-home access points were open and unsecure again. In addition, she observed a swing hanging from a large tree in the front yard, which is another violation. Officer Williams explained to the property owner that the Town prohibits anything attached to trees and stated that the swing needed to be removed. Paul asked for clarification regarding the permit requirement when the wall was moved back to its original location. Officer Williams explained that the wall was moved or altered and therefore a permit was required to ensure that the wall was installed or re-installed correctly. She explained further that the location of the wall did not determine whether a permit was needed. It is that the installation needed to meet Florida Building Code and therefore a permit is required.

Officer Williams advised them that these cases will be on the agenda for the Special Magistrate hearing in April, yet she would remove these cases from the agenda if the property came into compliance prior to the hearing.

The Hearing Notices for both cases were sent to the property owner by certified mail on March 6, and were delivered on March 11, 2025.

Officer Williams stated that Mr. Crume and his friend, Paul, came into Town Hall on March 27, 2025, inquiring about the building permit for the wall and at this time, she provided Mr. Crume with a copy of the Hearing Notices for both cases. An Affidavit of Service was also completed for each case.

A pre-hearing inspection was conducted on April 2, 2025. Officer Williams noted that mold had been removed from the back of the home and the swing had been removed from the tree. However, at this time, more junk and debris was observed on the property, including electronics, appliances, and an inoperable golf cart.

As of April 15, no permit application had been submitted to date.

Staff Recommendation: Please Find the Respondent in violation of the previously stated sections of the Town of Lady Lake Code of Ordinances and Land Development Regulations and impose an administrative fee of \$150.00. Allow the Respondent until May 6th, 2025, to bring the property into compliance or a fine of \$25.00 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 May 22nd, 2025, Hearing.

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 6th, 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 \$25.00 per day to commence on May 7th 2025, for each day the Property is not in compliance and will continue to accrue at the daily rate of \$25.00 until such time as the Property comes into compliance The Respondent shall receive a copy of the full Order.

5. Case 24-002554 – 901 Mimosa Way, WTG Properties Villages LLC —Minimum Standards – General Structure Specifications Section20-19(f); Nuisances Sections 7-46 and 7-67. Order of Enforcement (Denise Williams)

Code Enforcement Officer Williams presented this case stating that on August 14, 2024, she observed a dilapidated fence behind 242 and 240 Skyline Drive. This fence used to be the old April Hills HOA fence. She prepared and sent a Courtesy Notice of Violation to the property owner and to the tenant by first class mail on August 15. A site inspection was conducted on September 3, and non-compliance was observed. At this time, it was also observed that some of the windows were missing screens, and several broken screens were leaning up against the left side of the home. These violations were added to the case file. A Violation Notice was sent to the property owner on September 4, 2024, by certified mail, and was delivered on September 12, 2024. The Violation Notice that was sent to the tenant by certified mail was returned unclaimed on September 24, 2024.

Officer Williams stated she received a call from the property owner, Wayne Goodridge, on October 1, 2024, stating that he had already removed most of the dilapidated fence, and a few sections of fence still need to be removed. He stated that there is junk that has been

dumped at the back of his property on the Skyline side. Officer Williams scheduled a site inspection with Mr. Goodridge for October 2, 2024. She added that Mr. Goodridge requested additional time to replace the screens because he would be out of town for the next couple of weeks. Officer Williams granted an extension to October 28, 2024.

Officer Williams stated at the site inspection conducted on October 2 with Mr. Goodridge, she indicated remaining violations needing to be corrected. She advised him that the remaining sections of dilapidated fence needed to be removed, as well as the overgrowth. Mr. Goodridge stated that he would remove the remaining sections of fence along the back side of the property, remove the overgrowth and repair the fence along the east side of the property. Officer Williams stated that she also observed scattered trash along the back of the properties at 238 Skyline and 240 Skyline, along with high grass in the backyard of 903 Mimosa Way. Separate cases were opened for the violations on these properties.

Officer Williams conducted a site inspection on October 30; the broken screens had been removed from the side of the house. However, no other progress had been made.

A site inspection was conducted on December 2, 2024; no additional progress had been made. Officer Williams stated that she contacted Mr. Goodridge who explained that he had recently returned to the area and could not advise her as to when the violations would be corrected. Officer Williams explained to Mr. Goodridge this case had been open since August and could not continue to grant extensions without any progress. She advised that one more extension would be granted to January 3, 2025.

On January 7, 2025, Officer Williams stated that she spoke with Mr. Goodridge who explained that he removed the rest of the dilapidated fence along the back of his property. Mr. Goodridge stated that he did not believe the dilapidated fence along the east side of his property belonged to him. Officer Williams stated that she would conduct a site inspection on January 9 and would contact the adjacent property owner to inquire about the remaining sections of dilapidated fence. Mr. Goodridge stated that he needed more time to replace the screens on the home yet could not provide a definite time frame. Officer Williams explained that she could not keep this case open for several more months and asked Mr. Goodridge to have the screens completed by the end of February.

Officer Williams conducted a site inspection on January 9, 2025, and observed that the grass had been mowed, yet overgrowth remained on the dilapidated fence and in the two corners where the fences met. The broken screens had been brought back to the property and were once again leaning against the side of the house. She observed some trash remained on the property, including fence boards and possibly a pallet. She stated that she could not

determine what the item was as the grass had grown over it. The screens were still in need of replacement as well. A second Violation Notice was sent to the property owner by certified mail on January 13 and was delivered on January 22, 2025. Photos were included in with the Notice as well.

At the next site inspection on March 3, Officer Williams stated that she spoke with the tenant, who allowed Officer Williams to inspect the backyard. The screens had been replaced on the windows, however, the dilapidated fence, junk, and overgrowth remained on the property. A Hearing Notice was sent to the property owner by certified mail on March 6 and was delivered on March 14, 2025.

Officer Williams stated that on March 25, she received a call from Mr. Goodridge, stating that he received the Hearing Notice in the mail, and that all the violations had been corrected. He asked why the dilapidated fence was still included in the Hearing Notice, as he did not believe that he owned the fence. Officer Williams asked him if he had a survey of his property, and he stated that he did not. She stated that when they met at the property in October he stated that he would remove the overgrowth and repair the dilapidated fence along the east side of his property. She also advised him that the dilapidated fence connected to both the front portion of his fence as well as the fence that had previously ran across the back of his property. Officer Williams explained to Mr. Goodridge that she spoke with the adjacent property owner about the dilapidated fence, who stated that the fence did not belong to her, nor did she have a fence on any other portion of her property. Officer Williams advised Mr. Goodridge that in addition to the dilapidated fence, there was still overgrowth and trash or junk on the property that she had not been able to confirm had been corrected. Mr. Goodridge stated that those items had been taken care of. Officer Williams requested a time to conduct a site inspection. Mr. Goodridge stated that there was no point in conducting a re-inspection if the town was going to hold him responsible for the dilapidated fence. Officer Williams advised Mr. Goodridge that she would discuss the remaining sections of dilapidated fence with her director and return his call.

Officer Williams stated that she discussed this case with Growth Management Director, Thad Carroll, and it was decided to proceed with presenting it and allow the Special Magistrate decide make the determination on the dilapidated fence. Officer Williams stated that she called Mr. Goodridge three separate times on March 25th to relay this information without success and his phone was not set up to receive voicemail. She stated she called him again on April 7 with the same results.

Because Officer Williams was unable to reach Mr. Goodridge to schedule a pre-hearing inspection, she conducted an inspection from the right-of-way on April 8. Officer Williams

stated that she was unable to verify if the overgrowth and junk had been removed from the property, yet she was able to confirm that the dilapidated fence remained.

Staff Recommendation: Find respondent in violation of the Town of Lady Lake's Code of Ordinances, Section 20-19(f), Section 7-46, and 7-67; impose an administrative fee of \$150.00 and allow the Respondent until May 6th, 2025, to bring property into compliance or a fine of \$25.00 per day will begin to accrue until property is in 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 May 22nd, 2025, Hearing.

William Goodrich, 100 Rose Ave., Fruitland Park, FL

The Special Magistrate asked Mr. Goodrich for his understanding of the fence issue.

Mr. Goodrich explained that he installed the front portion of the fence, the rest of the fence was present when he purchased the property. The fence to the left is chain link, the fence in the back is a privacy fence that was part of the HOA, and he does not know who owns the fence on the right side of the property. He stated that Officer Williams cited him for the back fence. He was out of town when the storms came through last fall. When he returned, he removed the fence along the back, informed Officer Williams that the posts behind the fence remained from the property behind his, and the trash on the property remains even though Officer Williams allowed the tenant more time to remove it. He stated that Officer Williams told him to trim the palm trees, which he did, along with the oak trees.

Mr. Goodridge stated that the photos Officer Williams presented of the screens on two separate occasions claiming the screens reappeared on the property is false and both photographs are identical. He stated that he never removed the screens and brought them back. He stated that the screens have been replaced, the trees have been trimmed, the back fence has been removed, the junk has been picked up. He stated that Officer Williams has had no problems checking the violations and getting pictures from the back yard at any time. Mr. Goodridge stated that he recently returned from a trip, and he contacted her. He stated that Officer Williams had all access to inspect the property either by asking the tenant or going through Skyline Hills, which is how she observed the violation initially.

Mr. Goodridge stressed that he does not know if the fence is on his property. He stated that Officer Williams does not have a survey that proves the fence is on his property. He stressed that if it is proven the fence is on his property, he will take care of it. Regardless of this, he stated that he cleaned the fence and the fence line. He questioned how Officer Williams could cite him without proof the fence is on his property.

The Special Magistrate asked Mr. Goodridge to indicate on the photos presented the issues he corrected and the portion of fence in question.

Mr. Goodridge emphasized that he has addressed all the violations.

The Special Magistrate asked Officer Williams to clarify her testimony, "...the old April Hills HOA fence".

Officer Williams explained that she had cases on adjacent Skyline properties and was on that property when she observed the dilapidated fence. She clarified that the fence is on the April Hills properties. This section of the fence fell to the property owner because the HOA is disbanded. The back fence is what she could see from Skyline Drive; it was not until she met Mr. Goodridge at his property that she saw the section of fence along the east side of the property. Per their conversation on October 2, Mr. Goodridge took responsibility saying he was going to repair it, which is why she kept that part of the case. The back fence line and what can be seen from Skyline Drive and from the right-of-way; the overgrowth on the east side she cannot be back to the property to verify because she must enter the property. Since Mr. Goodridge stated that there was no point in Officer Williams to return to the property verify is why she did not she did not conduct a final pre-hearing inspection of the back yard to confirm that those violations had been taken care of.

The Special Magistrate asked Officer Williams to indicate on the photos the disputed section of fence.

The Special Magistrate asked Officer Williams for the Town's exact evidence that Mr. Goodridge owns this portion of the fence.

Officer Williams stated that she based her decision on the conversation with Mr. Goodridge on October 2, 2024, when he stated that he would take responsibility for the fence, along with the appearance of where the fence is interlocked with the other two fences.

Mr. Goodridge confirmed that he removed the fence in the back. He stated that Officer Williams told him that because the HOA was dissolved, the fence now belongs to him. He argued that if he installs a fence he cannot connect it to an existing fence, he must install another fence adjacent to the existing fence with a three-foot gap for utility right-of-way for the HOA. Therefore, there will be two fences in an area that no one maintains. He reiterated that the fence belongs to the HOA, yet he took care of it because it is on the back side of his property and no one else would take care of it.

Mr. Goodridge stated that he did not advise Officer Williams that she could not enter his property. He stated that he removed the fence even though the HOA owned it, which gave

Officer Williams the impression that it is his fence and that he took responsibility for it. He told Officer Williams that he installed new panels on it and that he cleaned the vegetation off it. He stated that the fence is beyond repair. He stressed that the fence is not his and he did not take ownership of it.

The Special Magistrate asked Mr. Goodridge to clarify his comment in October 2024 that he would take care of the fence.

Mr. Goodridge stated that he never took responsibility for the fence and believes it belongs to the adjacent property owner.

The Special Magistrate advised that more evidence is required for him to make a ruling on this case, such as a survey or plat that verifies who owns the fence.

Officer Williams stated that she will remove the fence violation. She stated that the overgrowth and trash violations remain until she can confirm that they have been corrected.

The Special Magistrate encouraged the Respondent to continue to work with Code Enforcement.

The Special Magistrate ruled that there is not enough solid evidence to make a determination on this case and will continue this case to the May 22, 2025, Special Magistrate hearing.

6. Case 24-003078 – 903 Mimosa Way, Amy E Rachel — Nuisances Section 7-67; Minimum Standards – Light/Ventilation Section 20-17(g); Minimum Standards Maint/Appearance Section 20-20(a)(6); Order of Enforcement (Denise Williams)

This case is in compliance.

7. Case 25-000118 — 709 Megan Cir., Harold L Crume – Building Permit Section LDR 16-52(a); Order of Enforcement (Denise Williams)

This case was presented with item 4, Case 24-002153.

Code Enforcement Officer Williams presented this case stating that on January 8, 2025, she advised the property owner that she would remove Case 24-002153 from the January Special Magistrate agenda and put it on hold for the time being to give him the opportunity to correct the new violation. She stressed to Mr. Crume that the new violation directly affects Case 24-002153. She emphasized that the new violation would be opened under a new case number and that he needed to obtain a building permit by the end of the month. Case 25-000118 was opened for this violation.

On January 9, 2025, the Town's Building Official conducted a courtesy inspection, and he advised that it is ok to leave the wall in its new location at this time, however, he also confirmed that a permit is required to confirm that the fasteners in the screen track are spaced at 24 inches maximum. He also advised that the permit would not require engineered plans because the beam that it was attached to it was already tied down and engineered. Officer Williams stated that she relayed this information to Mr. Crume. A Courtesy Notice of Violation for this case was sent to the property owner by first class mail.

Officer Williams reported that an inspection was conducted on February 3, 2025, and more items were on the outside of the screened-in carport enclosure. She stated that two individuals were present at that time and were in the process of helping the property owner remove and dispose of the junk. One man, Erik Martinez, stated that they had already removed many items from the property and would continue to throw away items. Officer Williams stated that she and Mr. Martinez walked around the property, and she indicated the remaining violations that needed to be corrected. Mr. Martinez stated that he would make sure that everything gets done. Officer Williams stated that she granted an extension until the end of the February for Case 24-002153. No permit had been submitted to date for the wall that had been moved. A Violation Notice was sent to the property owner by certified mail and returned unclaimed February 26, 2025.

Officer Williams stated that Mr. Crume called her on March 4, 2025, asking when the next inspection is scheduled, and explained that he moved the wall back to its original location. Officer Williams advised him that because he altered the structure, he still needed to obtain a permit to ensure the wall was installed correctly and pass the building official's inspection. She stated that Mr. Crume wanted to argue that he did not need a permit, and she did advise him again that he did in fact need a permit.

Officer Williams stated that she met with the owner and his friend, Paul, at the property. Paul stated that he was helping Mr. Crume correct the violations, and he asked for clarification on why a permit is required when the wall was moved back to its original location. Officer Williams explained that the wall was moved or altered and therefore a permit was required to ensure that the wall was installed or re-installed correctly. The permit is required for the building official to conduct the inspection. She advised them that she would schedule this case for the April Special Magistrate hearing and added that if the permit is obtained by the end of March, she would remove this case from the agenda.

The Hearing Notices for both cases were sent to the property owner on March 06, 2025, by certified mail, and both were delivered on March 11, 2025.

Officer Williams stated that Mr. Crume and his friend, Paul, came into Town Hall on March 27, inquiring about a building permit for the wall that he moved. Officer Williams provided Mr. Crume with a copy of the Hearing Notice for this case and advised him that this case is scheduled to be presented to the Special Magistrate in April.

A Pre-Hearing Inspection was conducted on April 2; the mold had been removed from the back of the home and the swing had been removed from the tree. Officer Williams stated that she observed more junk and debris on the property including electronics, appliances, and an inoperable golf cart. No permit application had been submitted as of April 15, 2025.

Staff Recommendation: Please Find the Respondent in violation of the Town of Lady Lake's Land Development Regulations Section 16-52(a) and impose an administrative fee of \$150.00. Allow the Respondent until May 6th, 2025, to bring the property into compliance or a fine of \$25.00 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 May 22nd, 2025, Special Magistrate hearing.

The Special Magistrate inquired about the requirements for the property owner to obtain the permit.

Officer Williams explained that the Respondent must submit a completed permit application, along with the install specifications; engineered plans are not required simply a site plan layout showing the location of the wall and how it was fastened.

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 6th, 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 \$25.00 per day to commence on May 7th, 2025, for each day the Property is not in compliance and will continue to accrue at the daily rate of \$25.00 until such time as the Property comes into compliance. The Respondent shall receive a copy of the full Order.

8. Case 25-000616 – 106 Mark Ave., Michelle L Howell and Joseph A Kemmer – Building Permit Section LDR 16-52(a); Fences and Walls Section LDR 9-4(a); Establish Repeat Offender (Lori Crain)

Senior Code Enforcement Officer Crain began her testimony stating that Case 20-7374 was opened on January 23, 2020, for violation of Town of Lady Lake LDR 16-52(a) Building Permit

required. A complaint was submitted of a new wood picket fence that was installed without a required permit. A Courtesy Violation Notice, two Violation Notices and Hearing Notice were sent. The property remained noncompliant until the morning of July 28, 2020, when the case was scheduled for the Special Magistrate hearing on this date. After the Respondent, Ms. Michelle Howell, obtained the fence permit, the case was closed as compliance was obtained. She was advised by department staff that the fence was located outside the setbacks of adjacent property to the east of the driveway of 108 Mark Avenue. The fence must be at least 25 feet from the driveway of 108.

Officer Crain stated that she measured the distance from Respondents' fence line to the driveway of 108 Mark Ave. on August 6, 2020. It measured approximately 14.5 feet, and she opened Case 20-7649 for violation of Town of Lady Lake LDR Section 9-4(c)(3), Fences and Walls: Location. The case remains open to date and a recorded lien that began on November 21, 2020, continues to accrue at a daily rate of \$50.00 as ordered by the Special Magistrate on January 26, 2021.

Officer Crain stated that on March 08, 2021, she learned that the after-the-fact fence permit obtained and issued in Case 20-7374, had expired without any required inspections. She stated that she researched the information and located another expired permit for a 12 x 16 foot shed that was issued in 2019. There were also no required inspections for the shed. She opened Case 21-8087 for violation of LDR Section 16-54(b)(2), Expired Permits. This case also remains open to date with recorded lien that continues to accrue at daily rate \$25.00 since July 11, 2021, as ordered by the Special Magistrate on July 27, 2021.

Officer Crain stated on March 03, 2025, she observed newly installed wood fence panels at the rear of the house around the back yard and confirmed no permit was issued. No photos taken. She opened this case for violation of Town of Lady Lake LDR sections 16-52(a), Building Permit Required and Section 9-4(a), Fences and Walls, Permit Required. She stated that she conducted a site visit on March 4, 2025, to take photos. She prepared and sent the Courtesy Violation Notice by first class mail to property owner per Lake Co Prop Appraiser information with the compliance date of March 20, 2025.

As of March 24, Officer Crain reported that no application had been submitted and there had been no communication from the property owner. Due to property history of previous fence and building permit violations resulting in two recorded liens, she placed the case on the agenda for the April 24, 2025, Special Magistrate hearing to request the property owner and property be established as Repeat Offenders. The required Hearing Notice was prepared and sent on March 26, 2025, by certified mail to property owners. The notice was returned on March 26, 2025, marked as "unclaimed."

Officer Crain stated that as of April 2, 2025, the property remained noncompliant, and no application submitted to date. She posted the Hearing Notice on the property at 9:59 a.m. and completed Affidavit of Posting. The site inspections conducted on April 9 and April 21, showed the property remained non-compliant and no communication from the property owner.

Staff Recommendation: Find Respondents in violation of sections stated; assess \$150.00 administrative fee, and allow until 5:00 PM Monday, May 12, 2025, to comply or a \$100 per day fine will begin to accrue until such time as property comes into complete compliance. Further order and establish respondents and property as Repeat offenders and any future violations will be treated as such.

The Special Magistrate stated that 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 12th, 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 13th, 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 section(s) stated will be cited as Repeat Violations and the property owner as Repeat Offender. The Respondent shall receive a copy of the full Order.

9. Case 25-000763 – 923 St. Andrews Blvd., Hazel L Cubeta Estate - Establish Repeat Offender (Lori Crain)

This case was not presented.

OTHER BUSINESS

The July 24, 2025, Special Magistrate hearing is rescheduled to Tuesday, July 22 at 10:30 a.m.

ADJOURN

There being no further business, the hearing was adjourned at 11:38 a.m.

s/ Joshua E. Bills, Special Magistrate

s/ Carol Osborne, Deputy Town Clerk