

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

**July 22, 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. Michelle Bilbrey, Lady Lake Police Department; and Jackie Schilling, Administrative Assistant to 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 will be 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 hard copy 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 the 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 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 May 22, 2025, Special Magistrate Hearing**

The Special Magistrate accepted and signed the minutes of May 22, 2025, hearing into the record as presented.

### **2. OLD BUSINESS**

None

### **NEW BUSINESS**

### **3. Case 24-000586- 530 SOUTH HWY 27/441 – CASIMIR BALCERZAK – Nuisances-Sections 7-46 and 7-67; Order of Enforcement (Lori Crain)**

Senior Code Enforcement Officer Crain began her testimony stating that this case involves an abandoned motel property that has been closed for many years and remains in significant disrepair. The initial inspection occurred on March 11, 2024, citing violations including an abandoned and deteriorated sign frame, overgrown vegetation, junk and debris, and hazardous palm trees. Multiple notices were issued to the property owner, Casimir Balcerzak, and various extensions were granted throughout 2024 and 2025 due to health-related and financial hardship claims communicated by his sister and power of attorney, Mary Dequardo. Certified mailings were frequently returned undeliverable and contact with the owner remained inconsistent.

Some progress was observed over time. By December 2024, two of three palm trees had been trimmed, and by June 2025, the abandoned metal sign frame had been removed. However, repeated re-inspections confirmed that several violations remained unresolved, particularly the presence of inoperable vehicles and continued overgrowth around the front yard. A certified letter was received from Ms. Dequardo on June 16, 2025, requesting that the case be dismissed due to hardship and citing efforts to maintain the property with limited resources. Officer Crain responded that the case could not be dismissed outside of the hearing process and encouraged the owner or his representative to attend the hearing.

As of the final reinspection on June 30, 2025, Officer Crain confirmed that while the sign frame and tree violations had been resolved, no further progress had been made on the remaining issues. The property continued to have inoperable vehicles and visible overgrowth. The case proceeded to hearing as scheduled.

This morning Ms. Dequardo showed Officer Crain pictures that one of the vehicles is currently registered and there is only one other inoperable vehicle that needs to be removed.

Staff recommendation: Find Respondent in violation of remaining violations as stated in the Order of Enforcement; assess \$150.00 admin fee and allow Respondent until September 10, 2025, to bring the property into compliance or \$50.00 per day fine will begin to accrue until such time as complete compliance is obtained. Order of Fine Hearing, if required, scheduled for Thursday, September 25, 2025.

Casimir Balcerzak – PO Box 663, Lady Lake, FL 32159

Mr. Balcerzak shared pictures of the property with Special Magistrate Billings and will be made part of the record.

Mary Dequardo – 4797 Pincushion St., North Port, FL 34286

Special Magistrate Bills talked with Ms. Dequardo that the vehicle needed to be removed before the extension of September 10, 2025, and to continue to have the property maintained in good condition. She confirmed that they can get this vehicle moved by September 10, 2025. Contact Code Enforcement when this is done, and the issue will be resolved.

The Special Magistrate also wanted it to be known that none of the correspondence between the town and Mr. Balcerzak or Ms. Dequardo had not been given to him prior to this hearing.

**The Special Magistrate stated that the Respondents shall pay all costs associated with this matter in the amount of \$150.00. The Respondents shall have until 5:00 PM, 11th day of September 2025, to bring the property into compliance to cure the violation(s) described above, including payments 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 11th day of September 2025, for each day the Property is not in compliance and continue to accrue at the daily rate of \$50.00 until such time as the Property comes into compliance. The Respondent will receive a copy of the full Order.**

**4. Case 24-002609- 242 OAK HILL RD - TECHNOLOGY DEVELOPMENT CONSULTANTS LLC TRUSTEE - Nuisances-Section 7-67, Abandoned Property-Sections 20-78(a) and (d) and 20-79(a); Order of Enforcement (Lori Crain)**

This case was not presented.

**5. Case 25-000150- 453 WINNERS CIR - KEVIN FIGUEROA AND GRACE MONTANEZ- Minimum Standards-Maint/Appear-Sections 20-20(a)(3) and 20-20(c); Establish Repeat Offender (Lori Crain)**

Senior Code Enforcement Officer Lori Crain began her testimony by stating that this case was originally opened on August 21, 2024, following a complaint regarding multiple vehicles parked in the grass at a property within the Winners Circle neighborhood, which had become a broader area of concern. Officer Crain observed a white Toyota Tundra and a silver sports car parked on the grass with the driveway left unused. A door hanger was issued requesting the owner cease parking in the yard and comply with town codes. The re-inspections throughout September 2025 showed continued noncompliance, and a certified Violation Notice was sent. Property owner Grace Montanez visited Town Hall, expressing that she was unaware of the regulation, citing financial limitations and multiple adult residents needing to park. She stated she would attempt compliance, and the case was temporarily closed in October 2024 when compliance was observed.

However, the case was reopened on January 16, 2025, after new complaints and additional observations of repeated violations. A series of re-inspections between January and May 2025 revealed recurring noncompliance, with various vehicles (including a white truck, white Nissan, and red Mazda) observed parked in the grass or alongside the house, rather than using the driveway. Multiple Violation Notices and Hearing Notices were sent via certified mail, some of which were signed by Ms. Montanez and others returned or unclaimed. Officer Crain documented attempts to educate the property owner and extended opportunities to resolve the issues. Ms. Montanez left voicemails expressing that she thought Officer Crain was threatening her, treating certain people in a different way, and she had no authority over what she does on her property. She refused to attend a May hearing, which was then rescheduled for July 22, 2025.

Although compliance was noted on an inspection on July 14, 2025, non-compliance was noted on a re-inspection on July 16, 2025. Documentation, including photographs of compliant addresses in the neighborhood, was submitted to support consistent enforcement.

Staff recommendation: Find Respondents in violation of stated codes; assess \$150.00 administrative fee and allow Respondents until August 15, 2025, to install additional off-street parking and/or refrain from parking on grass in yard and side yard. If no compliance is obtained a \$25.00 per day fine will begin to accrue for every day that the violation is documented by Code Enforcement. The total accrued amount to the date of August 16, 2025,

will be presented as an Order of Fine. The daily fine will continue to be assessed when documented until complete compliance is obtained. Further order and establish Respondents as Repeat Offenders and future violations will be treated as such.

Grace Montanez – 453 Winners Circle, Lady Lake, Florida, 32159

Ms. Montanez stated that her family works different shifts, making parking challenging. She was unaware of the parking code as they had lived on the property for over 20 years. She asked if she could place stone by her fence, and park there. Officer Crain explained that she could place stone next to the house by the existing driveway. The fenced area is a town right-of-way and stone would not be allowed there. Officer Crain encouraged Ms. Montanez to talk with the Town Building Department, and they could help her with compliant solutions. The Special Magistrate emphasized that the code is not new and urged Ms. Montanez to work with the town toward resolving the issue.

**The Special Magistrate stated that based on the evidence and testimony in this case, an Order of Enforcement is warranted. The Respondents shall pay all costs associated with this matter in the amount of \$150.00. The Respondents shall have until 5:00 PM, 15th day of August 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 the 16th day of August 2025, for each day the Property is not in compliance and continue to accrue at the daily rate of \$25.00 until such time as the Property comes into compliance. Further order that any future violations of section(s) stated will be cited as repeat violations and the property owner as a Repeat Offender. The Respondent will receive a copy of the full Order.**

**6. Case 25-000713- 426 QUAIL ST - JOHN D & MARIA A CRELLIN – Nuisances-Sections 7-46 and 7-67 Nuisances-Sections 7-46 and 7-67; Order of Enforcement (Lori Crain)**

This case was not presented.

**7. Case 25-000942- 427 TARRSON BLVD - BRENDA S MARTIN- Nuisances-Section 7-67; Minimum Standards-Gen Struct Spec-Section 20-19(a)(2); Minimum Standards-Maint/Appear-Sections 20-20(a)(1); Abandoned Property-Sections 20-78(a and b); Order of Enforcement (Denise Williams)**

Code Enforcement Officer Denise Williams stated that this case originated from a complaint received in April 2025 regarding a tree allegedly damaged during the October 2024 hurricanes

at a vacant residential property. Upon inspection, the tree was determined not to pose any immediate danger, as it showed no visible damage and had healthy green growth. However, the property itself was found to be in violation due to mold on the exterior walls, weeds in the gutters, and failure to register the home as a vacant property with the Town. A Courtesy Notice of Violation and a Vacant Property Registration form were mailed on April 3, 2025.

A Violation Notice was issued on April 30, 2025, and a reinspection conducted in May 2025 confirmed that no corrective action had been taken. During the reinspection, an additional code violation under Section 7-67 was identified and added to the case file. As a result, a second Violation Notice was sent by certified mail and posted on the property on June 2, 2025, and Affidavit of Posting was completed. After the reinspection on June 24, 2025, confirmed that no corrective action had been taken, a Hearing Notice was sent by certified mail.

A pre-hearing inspection on July 9, 2025, revealed the home still appeared vacant. The Hearing Notice was posted at this time. Two vehicles were present in the driveway, but no one answered the door. Officer Williams confirmed with Duke Energy that there was no active electric service. A follow-up inspection on July 14, 2025, confirmed one vehicle remained and the property remained in violation. The Hearing Notice was still posted on the door.

Staff recommended that the Respondent be found in violation of the Town of Lady Lake's Code of Ordinances and that a \$150.00 administrative fee be imposed. Staff further recommended allowing the Respondent until August 5, 2025, to bring the property into compliance, after which a fine of \$50.00 per day would begin to accrue until full compliance is achieved. If the administrative fee is not paid or the property is not brought into compliance by this date, staff will recommend an Order of Fine at the August 28, 2025, hearing.

**The Special Magistrate executed the Order of Enforcement based on the evidence and testimony presented. The Respondent shall pay all costs associated with this matter in the amount of \$150.00. The Respondent shall have until 5:00 PM, August 5, 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 \$50.00 per day to commence on 6<sup>th</sup> day of August 2025, for each day the Property is not in compliance and continue to accrue at the daily rate of \$50.00 until such time as the Property comes into compliance. The Respondent will receive a copy of the full Order.**

**8. Case 25-001370- 540 ST ANDREWS BLVD - STEPHEN P MC NEIL - Outside Storage-Section LDR 9-2(h)(1); Minimum Standards-Gen Struct Spec-Section 20-19(f); Minimum Standards-Maint/Appear-Sections 20-20, 20-20(a) and (a)(1); Order of Enforcement (Lori Crain)**

Senior Code Enforcement Officer Lori Crain stated that she had received a complaint on May 7, 2025, regarding junk and other issues at a property with an existing Code Enforcement lien. Initial inspection revealed the property was generally in good condition, though a motorcycle and golf cart were present. Subsequent inspections on May 12 and 13, 2025 revealed additional debris, gas cans, tools, and a history of prior violations. Officer Crain was permitted by the Realtor to view the subject property from the adjacent property. In this inspection from the next-door property, she observed more debris and discarded items. Due to previous history of the property, a Violation Notice was issued with a June 1, 2025, compliance deadline. A minor amount of progress was observed on June 2, 2025; however, no compliance was noted during a follow-up inspection on June 26, 2025. The property was posted with a Hearing Notice on July 7, 2025, and a pre-hearing inspection on July 15, 2025, indicated no improvement.

Staff Recommendation: Find Respondent in violation of sections stated, assess \$150.00 administrative fee, and allow Respondent until August 15, 2025, to bring property into compliance, or a daily fine of \$50.00 per day will begin to accrue until property is brought into compliance.

**The Special Magistrate executed the Order of Fine based on the evidence and testimony presented. The Respondent shall pay all costs associated with this matter in the amount of \$150.00. All fines and costs shall be paid. The Respondent shall have until 5:00 PM 13th day of August 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 \$50.00 per day to commence on 14th day of August 2025, for each day the Property is not in compliance and continue to accrue at the daily rate of \$50.00 until such time as the Property comes into compliance. The Respondent will receive a copy of the full Order.**

**9. Case 25-001544- 241 WEST MCCLENDON ST- BRITTANY JOHANSEN- Nuisances-Sections 7-46, 7-67 and 20-24(b); Establish Repeat Offender (Lori Crain)**

This case will not be presented.

**10. Case 25-001685- 556 NORTH HWY 27/441 - SRK LADY LAKE 21 SPE LLC - Fire Codes-  
Section LDR 16-2(c); Establish Repeat Offender (Lori Crain)**

This case will not be presented.

**11. Case 25-001954- 546 NORTH HWY 27/441 - SRK LADY LAKE 21 SPE LLC - Fire Codes-  
Section LDR 16-2(c); Establish Repeat Offender (Lori Crain)**

On June 5, 2025, Code Enforcement received a referral from Fire Inspector Kerry Barnett regarding multiple failed fire inspections at Village Crossroads Plaza and requested the property be brought before the Special Magistrate to establish it as a Repeat Offender. A courtesy notice was sent to the property contact, Mr. Alex Seifert, who acknowledged delays due to contractor scheduling and pending parts for fire prevention system repairs. A Hearing/Violation Notice was issued on June 9, 2025, and delivered on June 16, 2025. Throughout June 2025, communication continued regarding completion of required inspections and reports, with Mr. Seifert confirming some progress and completion of annual inspections, though five-year inspection reports remained outstanding.

By July 21, 2025, property manager David Nossavage coordinated installation and placement of missing reports. Inspector Mike Richards reinspected the plaza and found the fire alarm system still in trouble mode. An additional 10 days was given for correction. Mr. Seifert later confirmed the alarm issue was resolved, supported by photo evidence. Inspector Richards was scheduled to reinspect the plaza on July 22, 2025, to confirm compliance. Due to repeated delays and longstanding issues with fire code compliance at the property, staff recommends the respondent be found in violation, assessed a \$150.00 administrative fee due by August 5, 2025, and designated a Repeat Offender to ensure expedited handling of any future violations.

Staff Recommendation: Find Respondent in violation of Fire Prevention codes stated and Commercial Property maintenance, brought into compliance this morning, assess \$150.00 administrative fee to be paid by 5:00 PM, August 5, 2025. Further order and establish property and owner as Repeat Offenders and any future violations will be treated as such.

David Nossavage – Benchmark – Lady Lake Crossings, Manager N Hwy 27/441

Mr. Nossavage commented that they were changing sprinkler companies and this is mainly the problem. The issue of paperwork not being onsite has now been resolved. They will pay the fines as stated.

Michael Richards – Kerry Barnett Fire Safety Consulting

By the code, the report is required to be onsite at the riser or alarm panel. If the physical report is not there, it cannot be seen it. Inspector then assumes that the equipment is faulty. The system is working but needs minor repairs. If not taken care of, these issues multiply and lead to much bigger problems

**The Special Magistrate executed the Order of Fine based on the evidence and testimony presented. The Respondents shall pay all costs associated with this matter in the amount of \$150.00 by 5:00 PM Tuesday, August 5, 2025. Further order that any future violations stated will be cited as repeat violations and the property owners as Repeat Offenders. Respondent will receive a copy of the full Order.**

S/ Joshua E. Bills, Special Magistrate

s/ Carol Osborne, Deputy Town Clerk  
for Jackie Schilling, Administrative Assistant to the Town Clerk