

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

January 23, 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; 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 ALLEGIENCE

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. Those cases were heard first regardless of their order on the agenda.

APPROVAL OF MINUTES

1. Minutes of the December 17, 2024, Special Magistrate Hearing

The Special Magistrate accepted and signed the minutes of the December 17, 2024, hearing into the record as presented.

Senior Code Enforcement Officer Lori Crain advised the following changes to the agenda: Case 24-000287 is continued from December 17, 2024, hearing; Case 23-003051, the correct address is 304 HWY 466; Case 24-002426 is also to Establish Repeat Offender; Case 24-003298 and Case 24-002429 have come into compliance and will not be presented; Case 24-003802 will not be presented.

OLD BUSINESS

2. Case 24-000287 — 466 Winners Circle, Devizia, Charles E — Minimum Standards Gen Structure Specifications Section 20-19(f); Minimum Standards Maint/Appearance Section 20-20, Standards; Nuisances Section 20-24(b), Property Adjacent to Dwellings; Section 7-46, Storage of Junk, etc., Prohibited; Section 7-67, Trash, Weeds, Vegetation; Order of Fine (Lori Crain). Continued from the December 17, 2024, hearing

Senior Code Enforcement Officer Crain stated this case continued from the December 17, 2024, Special Magistrate hearing due to the Respondent denying her access to the rear yard for inspection. The Special Magistrate advised at that hearing that the Order of Enforcement was active, and the \$50.00 daily fine will continue to accrue. The Respondent, Charles Devizia, was present and spoke on his behalf. The Special Magistrate advised Mr. Devizia to cooperate and communicate with Code Enforcement. She stated that she prepared and sent the required notices to the Respondent on December 18, 2024, via certified mail.

Ms. Crain stated that she had no communication with Mr. Devizia until January 7, 2025, when he emailed her requesting the dates of the reinspection and the hearing date. In her response to Mr. Devizia, she advised that he could schedule the inspection when he believes he is in complete compliance, and that the hearing is January 23, 2025, as was stated at the hearing and in the notices.

Ms. Crain stated that she initiated contact with Mr. Devizia on January 13; scheduled and confirmed the inspection for January 16, 2025. Discussed storing bamboo stalks. The administrative fee had not been paid.

Ms. Crain advised that she requested Code Enforcement Officer Williams accompany her on the inspection. Upon arrival it was evident that the property remained noncompliant as much junk was visible: several vehicle parts, large blocks of Styrofoam, several chairs and other indoor furniture; inoperable equipment; open buckets of paint and stagnant water; unpermitted and dilapidated structure being used for storage; miscellaneous debris and

garbage strewn about like broken glass, indoor extension cords, old windows, bamboo poles with white window blinds and tarps being used to conceal items stored on concrete patio; old solar panels; large amount of yard waste; miscellaneous pieces of wood; metal; plastic. The trailer in the front yard was full of junk he was taking off the property. She advised Mr. Devizia to contact her if he wants another inspection before the hearing. She reminded him that she contacted him to conduct today's inspection, and that the \$50.00 daily fine continues to accrue. Mr. Devizia stated that he should get an extension and lenience. She reminded him that this case has been ongoing since February 2024.

Staff recommendation: Find Respondent in violation of the Order of Enforcement dated October 24, 2024; assess \$150.00, in addition to the unpaid previous administrative fees of \$300.00; impose fine in the amount of \$2,550.00, which is the total amount accrued to date of the \$50.00 daily fine that began to accrue on December 3, 2024. Fine will continue to accrue until the property is brought into compliance. Complete compliance shall include payment of all three administrative fees in the amount of \$450.00 and payment of accrued fine. If compliance is not obtained by 5:00 p.m., Thursday, February 20, 2025, all fees and fines may be recorded with the Lake County Clerk of Court.

Charles E Devizia, 466 Winners Circle, Lady Lake, Florida

Mr. Devizia stated that he disagrees with the list of issues Ms. Crain presented because he has made steady improvements even though he is currently renovating his home. He feels Ms. Crain is being too strict and would like another person to inspect the property and stressed that the property is clean currently. He stated that because he is working on the inside of the house those materials are moved to the outside, paint buckets, etc.

Mr. Devizia stated that he focused on cleaning the exterior for a long time. He stated that he has been removing items from two canopies and not hiding items under tarps. He explained everything to Ms. Crain as she pointed out issues. He stated that when he and Ms. Crain went into the back yard, her reaction was that the property was not as bad as she expected. He stated that he has made significant progress because he is motivated to sell the property. His trailer is full of items that he is taking to the flea market.

Mr. Devizia stated that he contacted the building department to get the permit information, per Ms. Crain's instruction, and was told that because the structure is there and Code Enforcement has inspected the property, the permit is \$100.00, and he has six months to have it inspected. Today he was told that he cannot do this because he is selling the house. He stressed that he has a large back yard, very little remains, it is organized and neat. He was told that the three dining room chairs that he has outside for his helpers to use when they

take a break are not permitted outside. He stated that he was told recently that he cannot have anything automotive related on his property, and that there have been many times throughout all these inspections to inform him of these restrictions.

Mr. Devizia stressed that he is continually working on cleaning his property, noting that he is also renovating the inside of his home, and is requesting more time to bring the property into compliance. He must work on the inside of the home and the outside property at the same time.

The Special Magistrate asked Mr. Devizia what on his property requires a building permit.

Mr. Devizia stated it is canopy that he purchased from a local store. He stated that a building department staff member told him to submit the instructions for canopy installation at the time he applies for the building permit. He stated that he has removed most of the items from under the canopy. He stated that he has financial problems and is anticipating a draw from a loan.

The Special Magistrate verified with Mr. Devizia that he indicated he is moving.

Mr. Devizia replied affirmatively, adding that if the canopy remains, he was told that he must have a licensed contractor apply for the permit and install it.

Mr. Devizia mentioned that he has an issue with the FBI and the Lady Lake police and asked the Special Magistrate if he has heard anything regarding it.

The Special Magistrate stated that the issue has no relevance regarding what is before him.

Mr. Devizia asked the Special Magistrate again if he has heard of the FBI case against him and is biased because of what he has heard.

The Special Magistrate stated that he has no jurisdiction over a case like that and it is irrelevant. The Special Magistrate stated that he has not heard anything regarding the FBI case.

The Special Magistrate stated that this case has been pending for one year and much clarification remains. He advised that there is still too much stuff in the backyard. The Special Magistrate advised Mr. Devizia that the order of fine will be entered and he can petition to have the fine reduced. The Special Magistrate encouraged Mr. Devizia to continue working with Code Enforcement.

The Special Magistrate executed the Order of Fine based on the evidence and testimony presented. The Respondent shall pay a daily fine in the amount of \$50.00 commencing on December 3, 2024, 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 \$2,550.00. The Respondent shall pay all costs associated with this matter in the amount of \$150.00 in addition to two previous hearings' administrative fees totaling \$300.00. All fines and costs shall be paid by 5:00 p.m., February 20th, 2025, or all will be recorded as a lien against the property. The Respondent shall receive a copy of the full Order.

3. Case 24-003298 – 1234 Padgett Circle, Albu Diana A & Jamie Gartland — Establish Repeat Offender (Denise Williams)

This case has come into compliance.

NEW BUSINESS

4. Case 23-003051 — 304 HWY 466, Fears Jonathan M & Princy P — Minimum Standards Maint/Appearance Section 20-20(a)(1), Exterior Surfaces Maintained Adequately; Section 20-20(b), Deficient Property & Blight; Section 20-20(c), Yards, Vegetation, Hazards; Nuisances Section 20-24(b), Property Adjacent to Dwellings; Section 7-46, Storage of Junk, etc., Prohibited; Section 7-67, Trash, Weeds, Vegetation; Outside Storage Section LDR 9-2(h), Equipment & Materials; Section LDR 9-2(h)(1), Residential Uses; Fences and Walls Section LDR 9-4(a), Permit Required; Section LDR 9-4(b), Comply with Building Codes; Other Section Other Other; Unsafe Dwellings Section 20-21(c), Hazards to Egress and Fire Protection; Section 20-21(d), Falling, Hanging, Loose Material; Section 20-21(e), Structural Deterioration; Section 20-21(g), Sagging, Leaning, Deterioration; Section 20-21(h), Hazardous Electrical & Mechanical Systems; Section 20-21(i), Malfunctioning Waste Disposal; Section 20-21(j), Other Conditions Unsafe for Occupancy or Use; Establish Repeat Offender (Lori Crain)

Senior Code Enforcement Officer Crain presented this case stating that in the last five years there have been three previous cases on this property, Case 20-7625; Case 21-8109; and Case 21-8327. These cases have been complaint driven and officer initiated; she has received numerous complaints and inquiries about the condition of this property as well. Because it is visible from a highly traveled road, it can be difficult to perform detailed inspections for lack of space to safely pull over and park. She stated that the occupants will partially clean up the property when notified, yet soon after more new junk, inoperable vehicles, landscaping debris and appliances appear. Ms. Crain stated that in the past, she has been able to view only a small part of the sides and rear of the property due to the tall fence.

Ms. Crain stated that she called Mr. Jon Fears on December 7, 2023, advising him that she will no longer extend Courtesy Notices for this property. She stated that she will grant more time to comply if she can visibly see and determine actual progress. She noted that Mr. and Mrs. Fears have always been cooperative and agreeable to work with and are often out of state and out of the country.

Ms. Crain stated that inspections conducted on December 23, 2023, January 4, 2024, January 11, 2024, and January 25, 2024, showed little progress, and she notified Mr. and Mrs. Fears prior to sending a Violation Notice via certified mail on January 30, 2024, to property owners and to the current tenant, with the comply date stated was February 20, 2024. The notice was delivered to the tenants on February 1, 2024, and to the property owners on February 6, 2024.

Ms. Crain stated that upon reinspection on February 21, 2024, she observed that progress was made. She emailed Mr. Fears and advised that the yard tools, unlicensed, dilapidated wooden trailer must be stored out of public view; piles of yard waste removed and discarded properly. She asked what the purpose and use of the cage or chicken coop was in front yard. One week extension was granted to address these items and reminded Mr. Fears that no more courtesy or written notices would be given. The next violation will be taken to the Special Magistrate. She will keep this case open to monitor future compliance and condition of the property irrespective if the property complies by February 29, 2024. She conducted the inspection on February 29, 2024, and observed the property was in compliance and in better condition.

Ms. Crain stated that between February 29 and April, the property remained mostly clean and in decent condition, even though a few items were observed but would be gone shortly after. Early in April, she observed furniture in the front yard for several days and she scheduled this case for the May 23, 2024, Special Magistrate hearing to Establish Repeat Offender status. The required notices were prepared and sent via certified mail to the property owners and current residents. The notice was delivered to the property owners on April 23, 2024. The notice sent to the current residents was returned marked, "Not Deliverable as Addressed and Unclaimed".

Ms. Crain stated that she observed the property was in compliance during the inspection conducted on May 7, 2024. At her discretion, she removed the case from the May 23, 2024, Special Magistrate hearing. She advised Mr. Fears by email advising that the next time she observes the property is in bad condition, she will immediately send a Hearing Notice.

Ms. Crain stated that on May 30, 2024, she observed old furniture and a pile of tarps or something else she could not identify clearly between trees.

Ms. Crain stated that no further action was taken on this case until November 12, 2024, when Code Enforcement received information from Lady Lake Police Officer Austin. Based on a tip they received, the property was searched for a person with an arrest warrant. During the search, officers observed several people living in makeshift sheds in the back yard. He also advised a huge amount of debris in the yard and on the porch. Ms. Crain reported that according to the Florida Building Code and Minimum housing requirements, sheds are not occupiable structures, and she added the violations to the case. Photos of the property were taken after receiving the complaint.

Ms. Crain advised that on November 13, 2024, she informed Mr. Fears during her phone conversation regarding the police incident, that she will be taking the case to the January 23, 2025, Special Magistrate hearing. She prepared and sent Hearing Notice via certified mail on November 19, 2024, to the property owners and current residents. She stated that she also emailed the notice to Mr. Fears, who replied that he had spoken to the tenants advising them to begin removing junk, the makeshift structures, and disposing of everything properly. Mr. Fears stated that he told them that if they had not made progress in a week, he would return and start moving the junk.

Ms. Crain stated that she conducted a site visit on November 20, 2024, accompanied by the Lady Lake police officer. She stated that she posted the property with the Hearing Notice and with Unsafe notices regarding the makeshift sheds. The unsafe notice stated the sheds had to be vacated by December 2, 2024, and she completed an Affidavit of Posting.

On December 2, 2024, the Hearing Notice was delivered to the property owners. Because all sheds are to be vacated by this date, Ms. Crain requested Lady Lake police to accompany her once again to the property. She stated that she arrived prior to the PD and parked alongside the road with the passenger side up on curb and sidewalk and driver's side partially on the traveled portion of Hwy 466. She stated the flashers were enabled on her vehicle as well as the strobe lights. During this time, she observed a male, a female and an approximately 3-year-old child emerge from the backyard from behind the fence and get into a vehicle. She stated that they did not leave the property. She stated that she approached the vehicle and spoke to the male who stated that they were living in a trailer in back yard, not a shed. Ms. Crain stated that she advised them that they could not live in a camper on property, and that the owner also does not want anyone living in camper/backyard, either.

Ms. Crain reported that when the officers arrived, she approached the house and spoke to Shelly, who stated that she is the mother of the female. She denied that the young couple and child were living in a shed OR a camper on the property and were living in the actual home

with her. She stated that all the structures in back yard were there before she was, and they were all in good condition and did not require to be permitted. Ms. Crain stated that she advised her of the safety aspect and the need for inspection. She said they are working on removing all the junk from rear yard and front yard. Ms. Crain advised that she had to take her word for it that no one was living in rear yard. She pointed out how the roof of the porch had sustained damage from the hurricanes. A complete section of that was torn off. No photos were taken during this inspection.

Ms. Crain stated that she returned a call to Mr. Fears. He had accessed the property that afternoon for the first time in long time. He was shocked at the amount of junk and addition of sheds and shelters. She stated that they scheduled to meet next Monday, December 9, 2024, at 4pm on the property to go over everything that needs to be removed/gone from the property. He will give the tenants one week to show progress then he may have to begin eviction process. He understands the severity of the violations and the notices they have been given. She stated that there is a possibility that if property goes under a major clean-up/progress, that the hearing may not be necessary.

Ms. Crain stated that on December 9, 2024, she met with Mr. and Mrs. Fears on the property, at his request, along with their property manager and maintenance man, Joey. She advised while we were speaking to Ms. Shelly at the main house, she observed the same young male from the December 2, 2024, inspection, standing at the open door to the shed they previously stated they were not living in. He pulled a large piece of peg board towards the door which blocked the entrance to the structure from the inside. Ms. Shelly stated no one is living in that structure. She said it was a trailer and on wheels, then stated it was a workshop. Ms. Crain stated that it does not appear to be structurally sound enough for people to be inside it for any length of time. Ms. Shelly stated that they were replacing the floor. Ms. Crain asked why the young child was in there. (Ms. Shelly) It is because his mom and dad are replacing the floor.

Mr. Fears advised Ms. Shelly that we were all on the property to inspect the back yard and for Ms. Crain to point out everything that needs to be removed for the property to obtain compliance. Ms. Shelly stated that she had no problem with that and knows the three sheds/structures must go. Ms. Crain stated that she and Mr. Fears advised any junk, debris, discarded, broken items also had to be removed and discarded properly. She reported that they accessed the side and rear yards through the open gate and observed piles and several of the aforementioned items, barely space to walk through and around junk, broken machinery, tools, appliances, toys, household items, furniture, tree debris, trash, above

ground pool half full of stagnant water, paint cans, chemical bottles, open bins of junk, rugs, carpet, pallets, suitcases, clothing, lawn equipment. Ms. Crain stated the temporary/makeshift stairs to the trailer were not structurally adequate and dangerous. Tom, another tenant, was in the yard working. He was advised that everything had to go except toys, yard and lawn furniture, and tools that were in good working condition. The sheds were all in dilapidated state and structurally unsound and needed to be removed. Ms. Crain stated that he was very cooperative, and the only one working on cleaning up the yard. She stated that she instructed him how to prepare the junk at the curb and how to contact Waste Management for bulk pick up, and which items Waste Management would not remove. She suggested that Mr. Fears rent a roll-off container as there was too much to place at the curb at once.

Ms. Crain stated that the case has been open since 2023 and she has allowed time and extensions to clean up and keep property in compliance. Tom said he did not know how to or who to contact. She advised all that information is in the notices. He stated he had not read the notices. Ms. Crain stated that she also observed that the hot water heater needed repair. Tom said he has been trying to fix it himself and they have been without hot water for quite some time. This was the first time Mr. Fears and Joey were made aware of the issue. Joey said he would be back the next day to fix it. Ms. Crain indicated to Tom that if the owner and maintenance man do not know things need repaired, it would not be done. Tom stated he had taken today off work to spend time working on the property and has the week between Christmas and New Year's off as well. Mr. Fears and Joey advised him they need to see progress immediately to avoid fines from the Town of Lady Lake. They also advised him of the county dump and the days it is open. Tom stated he understood and will continue to work on it.

Ms. Crain reported that during the site inspection conducted on December 24, 2024, she observed a large pile of debris at the curb, indicating progress removing items from the yard. On December 26, 2024, Ms. Crain stated that she received a voicemail from Mr. Fears advising that slow progress is being made, and that the pool had not been drained to date, nor had any of the dilapidated and unpermitted structures been disassembled. Mr. Fears stressed that he and Joey are on top of this.

Ms. Crain noted more progress toward compliance at her reinspection on January 8, 2025. Mr. Fears contacted her on January 13 advising that he had begun the eviction process.

The pre-hearing inspection on January 21, 2025, Ms. Crain stated that the work continues with much still to do.

Staff recommendation: Find Respondents in violation of cited sections; assess \$150.00 administrative fee; allow Respondents until March 31, 2025, to bring the property into compliance or a \$50.00 daily fine will begin to accrue until such time as the property obtains complete compliance. Further Order and establish Respondents as Repeat Offender. Any future violations on property owned by Respondents will be treated as Repeat violations.

Princy Fears, 304 Highway 466

Ms. Fears stated that Ms. Crain has been more than fair in extending time to bring the property into compliance and that the tenants are slow to follow directions. She stated that Waste Management has completed an initial pickup of the items placed on the sidewalk. She stated that Joey is on site every week instructing the tenants to move faster in clearing the property. He takes pictures of the property as well.

Ms. Fears advised that the tenants were notified of the eviction at the end of December and are waiting for the process to commence so she, as property owner, can enter the property and clean it. However, the tenants have filed a petition to delay the eviction and are requesting a special hearing, which has slowed progress.

Ms. Fears clarified that the tenants are Tony Adams and Shelly Miles.

The Special Magistrate asked if a hearing for the eviction has been scheduled.

Ms. Fears stated that she calls the court office often, and no one knows when it will be scheduled. She reiterated that when she has the eviction date, they can enter the property to begin cleaning up.

Ms. Crain stated that due to this updated information she will extend the date of compliance to April 30.

The Special Magistrate advised Ms. Fears that due to the delay with the county court system, he will extend this case to the May 22, 2025, Special Magistrate hearing. At that time, Ms. Fears needs to present document evidence regarding the status of the eviction case.

Ms. Fears stated that she is aware that they will be established as a Repeat Offender.

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 30th day of April 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 cited codes shall result in an Order of Fine being entered at the rate of \$50.00 per day to commence on

May 1st, 2025, and will continue to accrue at the daily rate until such time as the Property comes into compliance. The Respondents shall receive a copy of the full Order.

5. Case 24-002022 — 620 Third Ave., Elias Borges Antonio Life Estate — Vehicles, Parking & Obstructions Section 14-1, Right-of-Way Obstructions; Minimum Standards - Maint/Appearance Section 20-20(a)(3), Off-Street Parking Surfaces; Section 20-20(c), Yards, Vegetation, Hazards; Nuisances Section 7-46, Storage of Junk, etc., Prohibited; Driveway Aprons Section LDR 15-82(j)(1), Residential; Outside Storage Section LDR 9-2(h)(1), Residential Uses; Home Occupations Section LDR 9-3(c)(1), Vehicle Repair; Establish Repeat Offender (Denise Williams)

Code Enforcement Officer Williams presented this case stating that the property owner had previously corrected these violations under Case 24-000262. The property was found to be back in violation on June 5, 2024, and an unpermitted carport canopy is now on the property. The required notice was mailed via certified mail and delivered on June 28, 2024.

Ms. Williams stated that a site inspection was conducted on July 24, 2024; no vehicles were observed parked in the right-of-way and she closed that violation. All other violations remained showing no improvement. She stated that a tractor and farm equipment attachments were in the backyard and visible from the road. Hearing notice sent on July 30, 2024, to property owner by certified mail and delivered on August 1, 2024.

Ms. Williams stated that on July 31, 2024, she was in the area conducting an inspection on another property and observed numerous vehicles parked the subject property, and again on the grass. She stated that she observed vehicles utilizing a second entrance onto the property again, adjacent to the driveway.

Ms. Williams stated on August 12, 2024, Ms. Giselly Nieves Santiago came to the building department inquiring about the requirements for adding rocks or gravel to their yard. Ms. Williams spoke with Ms. Santiago asking if she had been receiving the notices. Ms. Santiago advised that she had received one notice; Ms. Williams hand-delivered the hearing notice to her, discussed each violation with her and advised that this case is scheduled for the Special Magistrate hearing in September. Ms. Santiago stated that she would let her husband know of their conversation as the property is in his name.

Ms. Williams stated that on August 20, 2024, Mr. Antonio Elias came to the building department to discuss adding additional concrete to his driveway. She informed him that this case was scheduled for the Special Magistrate hearing in September. She also informed him that he has not responded to any of the Notices. She stated that she hand-delivered a copy of the Hearing Notice directly to him, discussed each violation with him, and advised him that if

significant progress was made within the next three weeks, the case would be removed from the Special Magistrate hearing agenda. Ms. Williams explained to Mr. Elias that he must stop conducting auto repair on his property.

Ms. Williams stated at the pre-hearing inspection on September 11, 2024, she met with Mr. Elias and confirmed that all the violations had been corrected except for one, the grass to the left of the driveway was still in need of repair. Mr. Elias stated that he will be submitting a permit to add additional concrete to his driveway which would correct this violation. Ms. Williams advised him that because she observed progress toward compliance, she would remove his case from the Special Magistrate hearing agenda. She explained that the case could not be closed until the grass was repaired or the concrete was done. She also reminded Mr. Elias that if there were any future repeat violations he would be taken before the Special Magistrate to establish him as a Repeat Offender. He stated that he understood; Ms. Williams advised that she removed the case from the agenda.

The site inspection scheduled for October 16, 2024, was rescheduled to November 4, 2024, due to Hurricane Milton. Upon re-inspection, another vehicle was parked in the grass adjacent to the driveway. No permit had been submitted to date for additional concrete being added to the driveway. Also, it appeared to her that the grass within the right-of-way near the edge of the road had continued to be driven over and utilized as a second entrance. She contacted Mr. Elias on November 5, 2024, advising him of her findings the previous day. Mr. Elias stated that the concrete was too expensive. She suggested that he purchase rocks, gravel, or another approved material for additional parking. He stated that he was considering other alternatives. He explained that his family has four cars and that he cannot fit all of them on the driveway. Ms. Williams explained that he could legally park vehicles in the street provided they were parked with the flow of traffic.

A site inspection on November 21, 2024, Ms. Williams stated she observed an inoperable vehicle on the property. The combined Violation Notice/Hearing Notice was sent to the property owner by certified mail and returned unclaimed.

Ms. Giselly Nieves Santiago came into town hall on December 5, 2024, inquiring about a certified letter that she missed. Ms. Williams explained that it was a Hearing Notice due to the property falling back into violation repeatedly. She stated that she hand-delivered a copy of the hearing notice to Ms. Santiago. An Affidavit of Hand Delivery was completed.

A pre-hearing inspection was conducted on January 13, 2025, and the inoperable vehicle was still observed on the property.

Ms. Williams stated that she is requesting to establish the Respondent as a Repeat Offender of the previous stated sections due to the multiple times this property has fallen back into violation.

Staff Recommendation: Please 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 February 5th, 2025, to bring the property into compliance. Or a fine of \$50.00 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 February 27th, 2025, Hearing. Further order that the Respondent be established as a Repeat Offender and any future violations on property owned by the Respondent will be cited as repeat violations.

Antonio Elias, 620 Third Ave.

Mr. Elias stated that he concurs with Ms. Williams testimony. He stated that the unlicensed car is usually in the garage, backs it out when he needs to be in the garage, and drives back into the garage.

The Special Magistrate asked Mr. Elias' intentions with the car.

Mr. Elias stated that the car is for his teenage son and is planning on getting it licensed. He has been focusing on correcting the grass area.

The Special Magistrate encouraged Mr. Elias to proceed with registering the vehicle and verified he understood that he could park the car on the road with the flow of traffic.

Mr. Elias stated that he did not know that. Also, he planted grass seed, and it will take time to grow.

The Special Magistrate verified with Ms. Williams that the unlicensed car is the remaining issue.

Ms. Williams replied affirmatively, adding that they must use the driveway apron to access the back yard. They cannot pull adjacent to the driveway because it causes the edge of the road to erode.

The Special Magistrate verified with Mr. Elias that he understood Ms. Williams' instructions.

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 Respondent shall have until 5:00PM February 5th,

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 daily rate of \$50.00 to commence on February 6th, 2025, and will continue to accrue at the daily rate until such time as the Property comes into compliance. It is further Ordered that any future violations of sections stated in this Order will be cited as Repeat Violations and the property owner as Repeat Offender. The Respondents shall receive a copy of the full Order.

6. Case 24-002404 — 204 Longview Ave., Valladares Garth Estate — Minimum Standards Maint/Appearance Section 20-20(a)(1), Exterior Surfaces Maintained Adequately; Nuisances Section 20-24(a), Owner/Occupant Responsibility; Section 20-24(b), Property Adjacent to Dwellings; Section 7-46, Storage of Junk, etc., Prohibited; Section 7-67, Trash, Weeds, Vegetation; Order of Enforcement (Lori Crain)

Senior Code Enforcement Officer Crain presented this case stating that she opened the case July 31, 2024; photos were taken on August 20, 2024, site inspection August 28, 2024, to check for compliance prior to sending out a notice and observed the exterior of the mobile home needing to be cleaned to remove mold, mildew and stains. Prepared and sent Courtesy Violation by first class mail to property owner per LCPA information. Comply date stated of September 20, 2024.

Ms. Crain stated that she conducted a site inspection on September 23 and observed that the front yard appeared cleaner, yet an inoperable truck was now present, the exterior walls need power-washing, and some items were stored along the side fence in the driveway. She stated that due to this progress, she scheduled another inspection in three weeks. She stated that she drove by the property on September 30 on the way to another inspection and observed a trailer full of tree debris parked on right-of-way again.

Ms. Crain conducted a site inspection on October 15 and observed that the right-of-way was clear, a sign had been removed from the fence, and the exterior walls are still in need of cleaning. The items along the east fence line remain, along with the inoperable truck. She stated that because she observed some progress, she scheduled another site inspection at the end of October.

The October 29 site inspection showed the property remained non-compliant. The Violation Notice was sent via certified mail to property owner, with the comply date of November 25, 2024. The notice was returned marked “not deliverable as addressed”.

Ms. Crain stated on November 7 she received a citizen complaint regarding this property being a junkyard. She advised the complainant that she has an open case on this property.

Upon inspection November 25 the property remained noncompliant. A red vehicle was parked in the right-of-way, the inoperable vehicle still present, junk along the fence lines, exterior of the mobile home remains dirty. She scheduled the case for January 23, 2025, Special Magistrate hearing, and sent the Hearing Notice via certified mail. It was returned marked "not deliverable as addressed". On November 26 while on her way to an inspection, Ms. Crain stated that she observed a wooden trailer parked in the right-of-way, in addition to the red sedan at the subject property.

Ms. Crain advised that she posted the Hearing Notice at 11:30 a.m. on the property on December 9 by zip-tying it to the chain-link fence; she completed the affidavit of posting. She observed the red car and trailer parked on right-of-way, and junk visible. A gray Pitbull dog was present in fenced front yard, and she observed a strong odor of dog waste.

January 6, 2025, No compliance. Ms. Crain stated that the sign remained off the fence, and she removed this violation. The car and trailer parked again in the right-of-way; more junk on property than the previous inspection. The property remains non-compliant as of January 13, 2025. No communication from anyone regarding this property.

Staff recommendation: Find Respondent in violation of all sections as stated; assess \$150.00 administrative fee and allow Respondent until February 28, 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 confirmed to be in complete compliance.

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., February 28, 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 March 1, 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.

7. Case 24-002426 — 101 Caroline Ave., Blue Anchor Investments. LLC — Building Permit Section LDR 16-52(a), Permit Required; Order of Enforcement; Establish Repeat Offender (Denise Williams)

Code Enforcement Officer Williams presented this case stating that on July 24, 2024, she observed high grass and overgrowth, no address numbers visible, junk, dilapidated fence, and vacant property not registered. The required notice was sent to the property owner, including an Abandoned Property registration form. She sent a Courtesy Notice of Violation to the property owner on August 1, 2024, via first class mail.

Ms. Williams stated that on August 6, 2024, she stopped by the property and spoke with a man who was installing new cabinets in the home. She asked him for the contact information for the owner of the property and he provided a phone number for a man named, Roger. She stated that following the site visit, she was unsuccessful in contacting Roger, and unable to leave him a message.

Upon re-inspection on September 3, 2024, Ms. Williams observed that the grass had been mowed, and the address numbers had been posted. However, the overgrowth, junk and the dilapidated fence remained, and the property still had not been registered with the Town. In addition, new stairs had been built at the front door and no permit had been obtained for this project. Ms. Williams sent the Violation Notice to the property owner on September 4, 2024, sent to the property owner by certified mail, and it was returned undeliverable on September 24, 2024.

On September 16, 2024, while in the area conducting an inspection on an adjacent property, Ms. Williams stated that she observed that several new sections of fence had been installed at this property without a permit. Ms. Williams stated that she called Roger Alcantara on September 17 asking if he had received the Notices and he confirmed that he had. He stated that he had been making the corrections that were indicated in the notices. Ms. Williams advised him of the remaining violations needing to be corrected along with new violations.

Ms. Williams stated the inspection was rescheduled to October 7, 2024, due to effects of the recent hurricane. Progress was noted. The After-the-Fact Fence Permit had been obtained, the overgrowth had been cut back from the fence, the junk and debris had been removed from the property, and the owner was also in the process of mowing the entire yard. Ms. Williams asked the owner if he could obtain the building permit for the stairs by the end of the month and he stated that it would be done before then. She also advised him that if he did not sell the house within six months that he must register the property with the Town. That afternoon, a permit for the stairs was submitted to the building department. She advised that

it was reviewed and denied by the building department on October 14, 2024, because the permit application was missing documentation. The contractor was notified on the same day and was also advised that they would need to revise and resubmit the permit.

On November 4, Ms. Williams stated that she left a voicemail for Mr. Alcantara explaining that the permit needed to be revised and resubmitted, and that this case could not be closed until the permit for the stairs is obtained. Upon re-inspection on November 18, the property remained non-compliant. Ms. Williams reported that she called Mr. Alcantara who stated that his contractor was waiting on a document before resubmitting the permit and requested an extension until the end of the month. She advised him that she would comply and stressed that he needed to contact her with any delays.

As of December 2, an After-the-Fact Permit had not been obtained for the new stairs.

On December 3, the Hearing Notice was emailed to the property owner and sent via certified mail. It was returned undeliverable on December 24, 2024.

Ms. Williams stated that she received an email from the property owner on December 30 apologizing for the delay due to his contractor having been occupied with other projects. He advised that they are in the process of attaching the stairs to the main structure and that this week they made a concrete slab where the stairs will be attached. He attached a picture of the newly installed concrete, and he requested an extension. Ms. Williams responded, advising him that he continues to perform work without first obtaining the required permits. She stated that the permit for the stairs has been in the revise and resubmit status for more than two months and now he has also installed concrete without a permit. She explained that this case is scheduled to be presented at the Special Magistrate Hearing in January. She advised further that she would grant an extension if revisions for the stairs was submitted, along with a permit for the concrete by January 8, 2025.

January 6, 2025, reinspection, Ms. Williams discovered that additional work had been completed without a permit. The back porch or lanai was altered without a permit. She emailed Mr. Alcantara regarding this discovery and explained that his contractor will also need to obtain an After-the-Fact Building Permit for this project. She advised him again that permits are required PRIOR to work commencing. She attached before and after photos of the back porch.

Ms. Williams advised that the pre-hearing inspection conducted on January 8, 2025, results showed the property remained non-compliant. At this time, the Hearing Notice was also posted on the property, and an Affidavit of Posting was completed. She contacted Mr. Alcantara on January 15 by email advising that because she has had no communication from

him and compliance still had not been met, this case is scheduled to be presented to the Special Magistrate in January.

An After-the-Fact permit was obtained for the stairs and the concrete on January 16, 2025.

January 21, Ms. Williams stated that she received an email from Mr. Alcantara stating that the permit for the stairs had been issued. She replied acknowledging this, yet this case would still be presented to the Special Magistrate as work has continued without a permit — the back porch was altered without a permit and that nothing has been submitted to the Building Department to date for this work. She advised Mr. Alcantara to have his contractor obtain the required permit for this project.

Ms. Williams is requesting the Respondent be established as a Repeat Offender for LDR Section 16-52(a), due to multiple projects commencing on this property without first obtaining the required permits.

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 February 5th, 2025, to bring the property into compliance or a fine of \$50.00 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 February 27th, 2025, Hearing.

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 Respondent shall have until 5:00 p.m., February 5th, 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 commence on February 6th, 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. 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 a Repeat Offender. The Respondent shall receive a copy of the full Order.

8. Case 24-002429 – 626 Fourth Ave., Marko John M — Nuisances Section 7-67, Trash, Weeds, Vegetation; Minimum Standards Maint/Appearance Section 20-20(a)(3), Off-Street

Parking Surfaces; Other Section Other Other; Minimum Standards Maint/Appearance Section 20-20(a)(1), Exterior Surfaces Maintained Adequately; Order of Enforcement (Lori Crain)

This case has come into compliance.

9. Case 24-002919 - 336 Bug Tussel LN, Hernandez Hernandez Francisca and Alfaro S J Francisco - Nuisances Section 7-46, Storage of Junk, etc., Prohibited; Section 7-67, Trash Weeds, Vegetation; Minimum Standards Gen Structure Specifications Section 20-19(a)(1), Weatherproof & Watertight; Maint/Appearance Section 20-20(a)(1), Exterior Surfaces Maintained Adequately; Section 20-20 (a)(4), Damaged Property Demolished or Repaired; Section 20-20(b), Deficient Property & Blight; Unsafe Dwellings Section 20-21(a), Abandoned & Open; Section 20-21(d), Falling, Hanging, Loose Material; Section 20-21(e), Structural Deterioration; Section 20-21(g), Sagging, Leaning, Deterioration; Minimum Standards Repairs Section 20-22, Repair and Installations; Order of Enforcement (Denise Williams)

Code Enforcement Officer Williams presented this case stating that on September 12, 2024, she noticed high grass and a dilapidated structure that was leaning and appeared to be no longer structurally sound and potentially a safety hazard. She discovered an expired demo permit for the structure that needs to be renewed, and the structure demolished accordingly. A notice regarding the expiring permit was mailed to the property owner January 23, 2024.

Ms. Williams stated that she called the property owner, Juan Alfaro, advising him that she had mailed notices to him via certified mail that were returned unclaimed, and that there has been no change in the status of the property and no contact from him. She advised Mr. Alfaro of the violations on the property, and he stated that he would renew his expired demo permit in person on November 14. He stated that he would demo the dilapidated structure and remove the junk within two weeks. She stressed that all the junk on the property needed to be removed, including the tires, broken up cinder blocks and any scrap metal. She stated that she also explained that the property needed to be mowed and maintained regularly. Ms. Williams advised Mr. Alfaro that she would grant a one-month extension due to the number of issues needing correction and the upcoming holiday. Mr. Alfaro stated that he understood.

Ms. Williams advised that property owner, Francisca Hernandez Hernandez renewed the demo permit in person on November 19. Ms. Hernandez stated that she did not have the money to also renew the Single-Family Resident permit at the same time, and that work could not continue while the permit was expired. Ms. Williams stated that she hand-delivered a copy of the Violation Notice to Ms. Hernandez, explained the violations and the required

corrections. She explained to Ms. Hernandez that she had spoken with Mr. Alfaro explaining that a significant amount of progress is required by December 10th, 2024, to grant an extension. Ms. Hernandez also provided their current mailing address.

Ms. Williams advised that Mr. Alfaro renewed the single-family resident permit on November 21. No changes to the property as of December 11. The required notices were mailed via certified mail on December 12. One was returned unclaimed.

Staff recommendation: Please Find the Respondents in violation of the previously stated Sections of the Town of Lady Lake's Code of Ordinances and impose an administrative fee of \$150.00. Allow the Respondents until February 5th, 2025, to bring the property into compliance. Or a fine of \$50 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 February 27th, 2025, Hearing.

The Special Magistrate asked what needs to be removed from the property other than the dilapidated structure.

Ms. Williams stated during her last inspection there were broken concrete blocks, equipment, and tires that needed removed.

Juan Francisco Alfaro, Sr., 336 Bug Tussel Lane

Emerito Belez is present to translate for Mr. Alfaro. All responses from Mr. Alfaro are translated by Mr. Belez

Mr. Belez stated that he has not seen the property or knows where it is located. Mr. Alfaro has told him that the equipment on his property is used for his construction. The cement blocks in the photographs were left over from a project and will be used in the future to finish his construction. When the construction is completed, he will clean up what remains of the unused materials. He does not know how much of those materials he needs to complete the project. He had people scheduled to clean up this week but had to reschedule due to the rain and cold weather. Mr. Alfaro is asking for an extension.

The Special Magistrate clarified that the people scheduled were to remove the structure.

Mr. Alfaro replied that the shed will be demolished and removed next week.

Ms. Williams stated that she can extend the compliance date to February 12.

The Special Magistrate verified with Mr. Alfaro that the shed will be removed by January 31.

Mr. Belez verified with the Special Magistrate that the shed must be torn down completely, and the lumber removed or relocated on the property. He relayed this information to Mr. Alfaro.

The Special Magistrate stated that if there are materials that will be used for a project, they must be stacked. He stressed that if the structure is torn down on time and the property is not cleaned up within a few days, someone must contact Code Enforcement and request an inspection with the property owner present. Many times, a property owner will clean up their property believing it complies without verifying it with Code Enforcement.

The Special Magistrate asked Mr. Belez to explain this to Mr. Alfaro and confirm that he understands. Mr. Alfaro stated he understands.

The Special Magistrate explained to Mr. Alfaro if he brings the property into compliance within the next three weeks, the case will be closed.

Mr. Belez asked to clarify where the grass needs to be cut.

Ms. Williams stated that the areas on the property where the grass is three feet high needs to be cut. She stated that grass over ten inches high needs to be cut.

Mr. Alfaro stated via Mr. Belez that trees were removed from the property prior to construction. He stated that there are piles of dirt where the trees were, and the grass has grown over them giving the appearance that the grass is tall. He stated that he cut the grass approximately one month ago.

The Special Magistrate reiterated the importance of having Code Enforcement inspect the property with the property owner onsite.

Ms. Williams stated that she will schedule an inspection date with Mr. Alfaro today. She explained further that the issue with the pile of broken bricks is that there is grass growing through them, so they do not appear to be something used for construction.

Mr. Alfaro stated that the cement blocks were present when he bought the property. His intention was to rent a dumpster and decided to wait until after the construction is complete to do that.

The Special Magistrate clarified that the deadline for compliance is being established today and if that deadline is met, no fines will be imposed.

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., February 12,

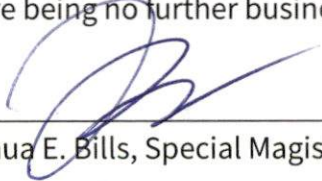
2025, to bring the property into compliance to cure the cited violation(s), including payment of all costs. Failure to bring the property into compliance with the Town of Lady Lake Code of Ordinances or Land Development Regulations shall result in an Order of Fine being entered at the rate of \$50.00 per day to commence on February 13th, 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.

10. Case 24-003082 – 844 Duck Lake Rd., Villages Operating company and Workman Transportation — Building Permit Section LDR 16-52(a), Permit Required; Establish Repeat Offender (Lori Crain)

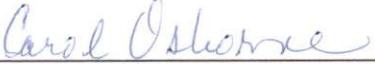
This case was not presented.

ADJOURN

There being no further business, the meeting was adjourned at 12:19 p.m.



Joshua E. Bills, Special Magistrate



Carol Osborne, Deputy Town Clerk