

**MINUTES OF THE SPECIAL MAGISTRATE MEETING
TOWN OF LADY LAKE, FLORIDA**

November 19, 2019

The regular meeting of the Special Magistrate was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 10:30 a.m.

TOWN STAFF PRESENT

Lori Crain, Code Enforcement Officer; Thad Carroll, Growth Management Director; and Carol Osborne, Staff Assistant to the Town Clerk

OTHERS PRESENT

Commissioner Paul Hannan

A. CALL TO ORDER

Valerie Fuchs, Special Magistrate, called the meeting to order at 10:30 a.m.

B. PLEDGE OF ALLEGIENCE

All present stood and recited the Pledge of Allegiance.

C. SWEARING IN

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

EXPLANATION OF PROCEDURE

Special Magistrate Valerie Fuchs stated she will dispense with the explanation of procedure as there is no one from the general public in attendance.

D. APPROVAL OF MINUTES

1. Minutes of the October 22, 2019 Special Magistrate Meeting

The Special Magistrate accepted and signed the meeting minutes of October 22, 2019 into the record as presented.

E. NEW BUSINESS

Code Enforcement Officer, Lori Crain (CEO), presented documents relative to her case (on file in the Clerk's Office) to the Special Magistrate.

2. Case 19-7216 — 210 Morningside Ave. — Levander Eklund — Town of Lady Lake Code of Ordinances Chapter 7-67 — High Grass (Lori Crain)

The case summary was as follows:

- September 30, 2019 – Ms. Crain stated that she observed the violation of high grass; a photograph was taken. A Courtesy Notice was sent to the property owner via first class USPS mail with the compliance date of October 11, 2019.
- October 7, 2019 — Return mail: Courtesy Notice, “Not Deliverable as addressed”.
- October 14, 2019 — Re-Inspection of the property was conducted; the property remains non-compliant.
- October 15, 2019 — A Violation notice was sent to the property owner via certified mail with the compliance date of October 27, 2019.
- October 28, 2019 – Return mail: Violation notice, “Note Deliverable as Addressed”; re-inspection of property. The property remained non-compliant. A Notice of Hearing was sent via certified mail.
- October 29, 2019 – A re-inspection of the property was conducted; the property remains non-compliant. Posted property, completed affidavit of posting, posted at Town Hall.
- November 4, 2019 — Return mail, Notice of Hearing, “Not Deliverable as Addressed”.
- November 14, 2019 – A re-inspection of the property was conducted; the property remains non-compliant.
- November 18, 2019 – A re-inspection of the property was conducted; the property remains non-compliant.
- The property is currently assessed at \$11,215 per the Lake County Property Appraiser.

Staff's recommendation is to find the owner in violation of the Town of Lady lake Code of Ordinances 7-67, Certain Conditions, Accumulations Deemed Public Nuisance; Impose an administrative fine of \$87 and afford the property owner or their agent 15 days to successfully

bring the property into compliance or a fine of \$25 per day be assessed thereafter for each day that the violation continues to exist.

Special Magistrate asked if there was anyone present who wished to speak on this case.

Special Magistrate Valerie Fuchs stated that based on the sworn testimony and evidence presented, including documents and photographs on Case 19-7216, the property owner is found in violation of the Town of Lady Lake Code of Ordinances Chapter 7-67 — High Grass. The Special Magistrate stated the property owner has 15 days to come into compliance or a fine of \$25 per day will be assessed thereafter for each day the violation continues to exist. The fine will be recorded as a lien if not paid. An \$87.00 administrative fee is imposed, to be paid within ten days of today's hearing date.

The violator shall contact Code Enforcement to confirm compliance. Upon notification by the code inspector that this Order of Enforcement has not been complied with by the time stated above, the Special Magistrate may execute an Order of Imposing Fine in the amount set forth above. 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. The property owner will get a copy of this order.

F. ADJOURN

There being no further business, the meeting adjourned at 10:35 a.m.

s/ Valerie Fuchs, Special Magistrate

s/ Carol Osborne, Staff Assistant to the Town Clerk

Minutes transcribed by Carol Osborne, Staff Assistant to the Town Clerk