

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

July 28, 2015

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: Aaron Graulau, Code Enforcement Officer; Thad Carroll, Growth Management Director; Mary Richichi, Staff Assistant; and Nancy Slaton, Deputy Town Clerk

OTHERS PRESENT: Commissioner Paul Hannan

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

PLEDGE OF ALLEGIANCE: All present stood to recite the Pledge of Allegiance.

Approval of June 23, 2015 Minutes

Special Magistrate Valerie Fuchs accepted the June 23, 2015 meeting minutes into the record as presented.

SWEARING IN: Special Magistrate Valerie Fuchs requested that anyone present who planned to speak at today's meeting stand and be sworn in.

The Special Magistrate omitted the explanation of procedure as it did not appear that any members of the public were present in the audience regarding the cases on the agenda.

Special Magistrate Valerie Fuchs asked staff if there were any changes to today's agenda.

Code Enforcement Officer Aaron Graulau reported that agenda item #2 (Case #15-5355) has come into compliance prior to the meeting.

1. Case No. 15-5534 – 445 Cierra Oaks Cir. – Dan & Joy Raasch – Town of Lady Lake Land Development Regulations Ch. 9 (h) (1) – Outside Storage

Code Enforcement Officer Aaron Graulau presented the background on this case. He stated this property is in violation of the Town of Lady Lake's Land Development Regulations Chapter 9 (h) (1) for outside storage.

Mr. Graulau stated that there was a prior case on this property for the same violation and that prior written notice was given to the tenant and owner on June 4, 2015. He stated that on July 7, 2015, an inoperative vehicle was observed to be backed into the driveway.

Mr. Graulau stated a Notice of Hearing was mailed via certified and first class mail to the owner of record on July 13, 2015, and there has been no response from the owners. He stated he performed a follow-up inspection on July 27, 2015, and the violation remains as the vehicle has

no current license plate and appears to have no engine or gear shift, and there appears to be a transmission on the ground in close proximity.

Mr. Graulau recommended that 10 days be afforded to the property owners to cure the violation or a fine of \$25 per day be assessed thereafter.

The Special Magistrate reviewed the four photos entered into evidence and confirmed that the white vehicle was the vehicle in question, not the pick-up truck. For the record, she asked if anyone was present regarding this case.

No one was present regarding this case.

Special Magistrate Valerie Fuchs stated that based on the testimony and evidence presented on Case No. 15-5534, she did find that the owner was in violation of the Town of Lady Lake's Land Development Regulations Ch. 9- (h)(1) – Outside Storage. The owner has 10 days to come into compliance for the 2015 violation or a fine of \$25.00 per day will begin to accrue on the 11th day. This order will be recorded as a lien if not paid. In addition, an administrative fee of \$87 is imposed to be paid within 20 days of this date.

The violator shall contact Code Enforcement to confirm compliance. The violator has a right to request a hearing on the fine imposition by written request to the Town of Lady Lake within twenty (20) days of the commencement of the fine. When requested, such a hearing will be heard by the Special Magistrate. The property owner will get a copy of this order.

2. Case No. 15-5355 – 201 Ann St. – George Moeller – Town of Lady Lake Land Development Regulations Ch. 7-67 – High Grass, Garbage and Trash

This case came into compliance prior to the meeting.

3. Case No. 15-5462 – 626 Fourth Ave. – John M. Marko – Town of Lady Lake Land Development Regulations Ch. 7-46 – Unlawful Storage of Junk

Code Enforcement Officer Aaron Graulau presented the background on this case. He stated this property has been noticed twice in the past twelve months for two separate hearings for violating the Town of Lady Lake's Land Development Regulations Chapter 7-46 for unlawful storage of junk. He stated that each time, the property owner has brought the property into compliance just prior to the hearing date.

Mr. Graulau stated that based on the property owner's action, and the propensity for the violation to re-occur, staff recommends that the Special Magistrate order the property owner to remain in compliance so that any future violations would be presented as a repeat violation.

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

There was no one present regarding this case.

Special Magistrate Valerie Fuchs stated that based on the testimony and evidence presented on Case No. 15-5462, she did find that the owner was in violation of the Town of Lady Lake's Land Development Regulations Ch. 7-46 – Unlawful Storage of Junk. She stated that if the

property owner does not remain in compliance for this violation, the property owner will be handled as a repeat offender under the statute, and said order was executed.

ADJOURN: With no further business to discuss, the meeting was adjourned at 10:38 a.m.

Nancy Slaton
Deputy Town Clerk

Valerie Fuchs
Special Magistrate

Transcribed by Nancy Slaton, Deputy Town Clerk