

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

**July 19, 2016**

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:** Michelle Bilbrey, Code Enforcement Officer; Thad Carroll, Growth Management Director; and Carol Osborne, Staff Assistant to Town Clerk.

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

**PLEDGE OF ALLEGIANCE**

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

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

Code Enforcement Officer Michelle Bilbrey reported that three cases on this morning's agenda have come into compliance prior to the meeting: Item #1, Case No. 15-5842, Item #3, Case No. 16-5982; and Item #4, Case No.16-5974.

**Approval of May 12, 2016 Minutes**

The Special Magistrate signed and accepted the May 12, 2016 meeting minutes into the record as presented.

**NEW BUSINESS:**

**1. Case No. 15-5842 – 451 Rolling Acres Rd. – Mid Florida Realty Investments LLC – Town of Lake Code of Ordinances Chapter 20-78 – Abandoned Property Registration**

This case came into compliance prior to this meeting.

**2. Case No. 16-5958 – 537 St. Andrews Blvd. – Louis J. Arnone Estate (c/o Aldridge Pite, LLP, Attorney for Plaintiff per Lis Pendens Filed 09/01/2015)- Town of Lady Lake Code of Ordinances Chapter 20-78 – Abandoned Property Registration.**

Code Enforcement Officer Michelle Bilbrey presented the background information on this case. She stated the property owner is in violation of the Town of Lady Lake Code of Ordinances Chapter 20-78 – Abandoned Property Registration. She reported this case came to her attention via the weekly foreclosure listing.

On April 19, 2016, she performed a site visit and found the home to be vacant and/or abandoned.

On May 17, 2016, a Statement of Violation was sent via certified mail to the owner, Louis J. Arnone, at the property address of record. The letter was claimed on May 23, 2016 by Louis Arnone, Jr.

On May 24, 2016, Mary Lou Arnone telephoned Ms. Bilbrey to inform her that the homeowner, Louis J. Arnone, is deceased and she believes the property is being foreclosed as she received a letter by certified mail from the bank.

Ms. Bilbrey reported the following actions:

- May 24, 2016 - a statement of violation, along with a copy of the lis pendens and Abandoned Property registration application, was sent via certified mail to the attorney for the plaintiff, Aldridge Pite, LLP.
- May 27, 2016 - The letter was claimed by Benitez.
- June 7, 2016 – A Notice of Hearing was sent via certified mail to the registered property owner, Louis J. Arone, and to the attorney for the plaintiff, Aldridge Pite, LLP.
- June 8, 2016 – A copy of the Notice of Hearing was posted at the site, a photo was taken of the posted document and an affidavit of the posting was completed and put in the file.
- June 13, 2016 – The Notice of Hearing was sent via certified mail to Aldridge Pite, LLP, and was claimed by M. Jones.
- June 22, 2016 – The Notice of Hearing was mailed to Louis J. Arnone, and was claimed by Louis Arnone, Jr.

Ms. Bilbrey stated it is staff's recommendation to find the owner/agent in violation of the Town of Lady Lake Code of Ordinance Chapter 20-78 - Abandoned Property Registration, and afford the property owner or their agent ten days to correct the violation or impose an \$87.00 administration fee, and a record a lien for \$150.00 for the Abandoned Property Registration.

The Special Magistrate asked if there was anyone present in the audience to speak on behalf of or against the Town of Lady Lake versus Louis J. Arnone, Case No. 16-5958 – Property situated 537 St. Andrews Blvd. Hearing none, the following judgement was presented:

***Special Magistrate Valerie Fuchs stated that based on the testimony and evidence presented, she finds that the owner is in violation of the Town of Lady Lake's Code of Ordinances Chapter 20-78 - Abandoned Property Registration.***

***The owner has ten days to come into compliance for the 2016 violations or a fine of \$25.00 per day will begin to accrue on the 31st 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 ten days of this date.***

***The owner has ten days to come into compliance or a fine of \$150.00 will be levied. This fine will be recorded as a lien on the property if not paid. In addition, an administrative fee of \$87 is imposed to be paid within 10 days of today's hearing 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.***

**3. Case No. 16-5982 – 1212 Padgett Circle – Gloria A. Hampton – Town of Lady Lake Code of Ordinances 9-2 (h)(1) – Outside Storage.**

This case came into compliance prior to this meeting.

**4. Case No. 16-5974 – 219 Longview Avenue – Manuel Martinez and Livia Cirilo Parra – Town of Lady Lake Code of Ordinances Chapter 7-46 – Unlawful Storage of Junk/Debris.**

This case came into compliance prior to this meeting.

**5. Case No. 16-5947 – 653 Rainbow Blvd. – Broke & Happy in the Villages, LLC – Town of Lady Lake Land Development Regulations Chapter 10-5 (a)(8) – Prohibited Tree Pruning/Hat-Racked Tree.**

Code Enforcement Officer Michelle Bilbrey presented the background information on this case. She stated the property owners are in violation of the Lady Lake Land Development Regulation Chapter 10-5 (a) (8) - Prohibited Tree Pruning.

Ms. Bilbrey reported on April 11, 2016, an anonymous complaint was received via email that a tree had been hat-racked. The Police Department was notified at the time of the incident, and the cutting of the tree ceased at that time. A photo was provided.

On April 13, 2016, Ms. Bilbrey completed a site visit and a photo was taken of the oak tree in question. She reported that only a portion of the tree had been hat-racked.

Ms. Bilbrey reported the following actions:

- April 19, 2016 – A courtesy Notice of Violation was posted on the door of the home.
- April 26, 2016 – A Notice of Violation was mailed via certified mail and a copy of this notice was posted at the door of the home. Later that day, the property owner contacted Ms. Bilbrey and discussed removing the tree completely, having an arborist evaluate the tree, and taking this case before the Special Magistrate.
- May 11, 2016 – The property owner contacted Ms. Bilbrey and stated their intention is to retain the tree and have an arborist evaluate its condition.
- May 16, 2016 – A Notice of Hearing was mailed to the property owner via certified mail. It was claimed by Ray Schnitzer on May 20, 2016.
- July 18, 2016 – An arborist's report of the tree's overall health was provided to the Town.

Ms. Bilbrey stated based on the evaluation performed by Certified Arborist Kanani Morris, it is staff's recommendation to find the property in compliance with the Town of Lady Lake Land Development Regulation Chapter 10-5 (a) (8) - Prohibited Tree Pruning, and dismiss the case.

Special Magistrate Fuchs advised that Ms. Bilbrey has the authority to close cases once they come into compliance. Ms. Fuchs stated she is to determine if cases are in violation.

Ms. Bilbrey stated this case is for record keeping.

The Special Magistrate asked if there was anyone present in the audience to comment on this case, and hearing none, stated the following:

*Special Magistrate Valerie Fuchs stated that based on the testimony and evidence presented, she finds the owner is not currently in violation of Town of Lady Lake Land Development Regulations Chapter 10-5 (a)(8) – Prohibited Pruning/Hat-Racked Tree.*

**6. Case No. 16-5993 – 110 Palermo Place – Henry T. Wood Jr. and Susan Boyer – Town of Lady Lake Land Development Regulations Chapter 10-5 (a) (8) – Prohibited Tree Pruning/Hat-Racked Tree.**

This case was tabled to the meeting scheduled for August 23, 2016 at 10:30 a.m.

**OLD BUSINESS:** No old business.

**ADJOURN:** *With no further business to discuss, the meeting was adjourned at 10:43 a.m.*

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Carol Osborne, Staff Assistant to Town Clerk

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Valerie Fuchs, Special Magistrate

Transcribed by Carol Osborne, Staff Assistant to Town Clerk