

MINUTES OF SPECIAL MAGISTRATE HEARING
VILLAGE OF SEA RANCH LAKES
June 21, 2018

A. Call to order

The hearing of the Special Magistrate of the Village of Sea Ranch Lakes was called to order at 5:30 p.m. by Special Magistrate Herin.

Staff Attendees:

Ingrid Gottlieb, Village Code Compliance Officer

Starr Paton, Village Clerk

Brian Sherman, Assistant Village Attorney

B. Approval of Minutes

The minutes from the May 24, 2018. There were some minor grammatical errors to be corrected. The corrected minutes were approved by Special Magistrate Herin.

C. Certification of Fines

1. Special Magistrate called the first case No. 17-11-02; property located at 19 Minnetonka Road, and owned by DPP 32 LLC. Mr. Trey Lottie, Ingrid Gottlieb, and Starr Paton were sworn in to testify. Inspection on Tuesday. Pictures were presented and property is still not in compliance. Brian Sherman stated correct documentation was in the file. The affidavit of non-compliance was reviewed. Mr. Lottie who is the manager of the LLC spoke regarding the compliance. He had the roof power washed and responded to calls from Starr regarding the property. He feels there is a miscommunication and that he had tried to comply and asked for additional time. Special Magistrate stated he is going to certify the accrued fine and the order will be recorded in public records. The fine is currently \$5,750 and is accruing at \$250 per day and will continue until compliance. Special Magistrate stated the ways in which Mr. Lottie can comply. They are: 1. sell property and hold back accrued fine; 2. get with staff and come into compliance and negotiate for reduction of fine; 3 comply in the next 24 hours before certification is recorded. Mr. Herin finds that previous order has not been complied and certified lien and authorized recording until complied. Mr. Lottie stated his goal is to comply as soon as possible.
2. Special Magistrate called case No. 17-11-01; property located at 21 Seneca Rd. and owned by Eric and Tammy Willner. Mr. Eric Willner was sworn in to testify. Ingrid stated it has been inspected twice since the comply by date and is has not come into compliance. She has had no contact with owners. Mr. Willner stated he has not been able to access property due to divorce proceedings. He is interested in complying. Mrs. Willner was at initial hearing. Mr. Willner stated it is her

responsibility to bring property into compliance. Special Magistrate stated the property is still not in compliance. Mr. Willner is asking for an extension. Mr. Herin stated he is inclined to do the same as prior case. If he certifies the fine, Mr. Willner can come back to the village and asked for reduction of fine once the property comes into compliance as long as property continues to be maintained. Mr. Sherman stated the property is also pending foreclosure in August and the Village would like to capture and preserve the rights under the foreclosure. Mr. Herin stated case # 17-11-01, 21 based upon materials presented at the hearing and in the file, he finds the previous order has not been complied. The fine is currently \$7,000 and accruing at \$250 per day. Mr. Herin certified the lien and authorized the recording of the lien against the property.

3. Special Magistrate called case No. 17-11-03, property located at 7 Gatehouse Road, and owned by Domicil LLC. Mr. Stuart Gallon, of 2199 Date Palm Rd, Boca Raton, FL, 33432, principle of Domicil LLC was sworn in. Ingrid Gottlieb stated the property was inspected last Tuesday and the property is not in compliance. Evidence is in the file. The pool constitutes a life safety issue. Special Magistrate stated the evidence has been heard before and no one for the property appeared at the last hearing. Mr. Herin stated the pool is a safety issue. Mr. Gallon stated he had spoken with Starr and Floyd Kelly about what is required for the pool. Ingrid Gottlieb has given him information for the required cover for the pool. Special Magistrate stated there needs to be regular maintenance of the landscape and ground cover. Ingrid Gottlieb stated the ground needs to be covered and the pool needs to comply to pool safety act. Special Magistrate Herin stated once the property and pool come into compliance, Mr. Gallon can come back to Village staff to advise of compliance and to resolve the fine. Mr. Sherman stated this case has been going on a long time and he wanted to acknowledge that a neighbor is present regarding disposition of this case relating to the pool and condition of the property. Mr. Elias Zenkich of 6 Oneida Ln. spoke regarding cleaning up of the property. Mr. Herin stated case number 17-11-03 has not complied with previous order. The current fine is \$7,000 and is accruing at \$250 per day. Special Magistrate Herin certified the lien and authorized the recording of the lien against the property.

Adjourn.