



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Rick Gierok, Interim City Manager

DATE: April 2, 2026

RE: Resolution Number 2026-39: Reduction of Fine/Release of Lien for 222 South Bay St, Code Enforcement Cases 21-00898 and 23-00629

Introduction:

Resolution Number 2026-39 approves a Code Enforcement Order reducing two outstanding code enforcement liens totaling \$156,500 to \$2,480 and releases the liens against 222 South Bay Street, upon payment.

The Resolution also provides the City Commission an opportunity to consider a compromise regarding the fine reduction. The additional options proposed are as follows:

- The liens shall be reduced to \$ _____, payable within ____ days of the effective date of this Resolution; or
- The liens shall remain at the full amount of \$156,500, due and payable to the City; or
- No payment shall be due, and the liens shall be released.

Recommended Action:

The administration recommends approval of Resolution Number 2026-39.

Background:

1. Code Board Action:

On April 14, 2025, the Code Enforcement Board reviewed a fine reduction request submitted by Lois Benaglio on behalf of Eustis Rides LLC, the owner of 222 S. Bay Street. Prior to the submittal, Ms. Benaglio entered into a Commercial Contract to purchase the property but wanted to go before the Code Enforcement Board to request that the fines be reduced prior to her closing on the property.

The Board considered the application and, after hearing testimony from Ms. Benaglio, voted to approve her request to reduce the fines associated with Case 21-00898 and Case 23-00629 to administrative costs, subject to approval by the City Commission. Immediately following the hearing, Ms. Benaglio closed on the property, and a Special Warranty Deed was recorded in the public records on April 21, 2025, conveying ownership to Lois Lane Properties, LLC.

On September 9, 2025, an electrical permit was obtained, which passed inspection on October 2, 2025.

On December 26, 2025, a commercial Reno + Remodel permit was obtained, which passed its final inspection on March 4, 2026.

2. Case History

On April 5, 2022, a Notice of Violation/Hearing for Case 21-00898 was issued to Eustis Rides LLC for performing structural and electrical work without a permit. The Notice required permits be obtained by March 7, 2022; otherwise, the case would be scheduled to appear before the Code Enforcement Board on May 9, 2022.

On May 9, 2022, the Code Enforcement issued an Order of Enforcement requiring that all required permits be obtained by June 8, 2022, or a fine of \$250 per day of non-compliance would be imposed.

On June 16, 2022, a Notice of Hearing for certification of noncompliance and assessment of fine, scheduled for July 11, 2022, was issued.

On July 11, 2022, the Board imposed the \$250 per day fine but agreed to rescind the accrued fines if permits were obtained by October 9, 2022.

On November 14, 2022, the case was brought back before the Code Enforcement Board, which granted a 60-day extension. The Order stipulated that if compliance was achieved by January 13, 2023, the violation would be closed and all accrued fines rescinded. If compliance was not achieved, the previously imposed fine of \$250 per day would become due, retroactive to the original compliance date of July 11, 2022.

On March 22, 2023, the property owner obtained the required permit. An affidavit was executed, establishing that compliance was achieved 286 days after the original compliance date, resulting in a fine of \$71,500. A fine reduction application was also provided, which was promptly completed and submitted for processing

On April 10, 2023, the Code Enforcement Board reviewed the fine reduction application requesting a reduction to \$0. The Board denied that request, but approved a reduction to \$57,200, with payment required to be submitted by May 10, 2023. Failure to pay by that date would result in the original fine of \$71,500 being recorded as a lien against the property.

Payment was not received; therefore, the Order Imposing Fine was recorded in public record as a lien against the property on June 30, 2023.

On September 18, 2023, the permit obtained for Case 21-00898 expired without any inspections being conducted. As a result, Case 23-00629 was opened, and a Notice of Violation/Hearing was issued. The Notice required that a new permit be obtained by November 6, 2023; otherwise, the case would be scheduled to appear before the Code Enforcement Board on November 13, 2023.

On November 7, 2023, Eric Martin, Code Enforcement Supervisor, spoke with Jackie Monroe, representative of Eustis Rides LLC. Ms. Monroe advised that her contractor would not renew the permit until she paid the outstanding balance owed to him, which she was unable to do at that time. She further stated that she was in the process of refinancing the property to secure funding to complete the project.

Mr. Martin informed her that a lien had been recorded against the property, which would likely affect her ability to obtain financing.

He requested that she develop a plan and submit a new request for the Code Enforcement Board to reconsider her fine reduction, allowing those funds to be reinvested into the property. In the interim, he agreed to suspend enforcement of Case 23-00629, the expired permit violation.

On November 27, 2023, Jackie Monroe submitted a letter to the Board requesting that the lien be removed from her property to allow her to obtain a mortgage. This request was subsequently denied by the Board on December 11, 2023.

On March 22, 2024, enforcement for the expired permit violation (Case 23-00629) was reactivated, and a Notice of Hearing was issued, scheduling the hearing for April 8, 2024.

On April 8, 2024, the Code Enforcement issued an Order of Enforcement requiring a new permit be obtained by May 8, 2024, or a fine of \$250 per day of non-compliance would be imposed.

On April 30, 2024, Eric Martin met with Gary Pinchot of B&G Golfcarts, Inc., who stated that Jackie Monroe and her father had decided to sell the property to him. Mr. Pinchot also mentioned that he had an appointment with their contractor to obtain an estimate for the repairs. Mr. Martin subsequently contacted the contractor, who indicated that he could not provide an estimate without an engineer's assessment and that he intended to pass on the job regardless.

On May 21, 2024, Eric Martin spoke with Mr. Pinchot again, who stated that another company would be coming to provide an estimate. Mr. Pinchot was informed of the pending expired permit violation, which had already been before the Code Enforcement Board, and that the deadline to obtain a new permit had passed. He was also advised of the next steps in the enforcement process and that the violation would not be scheduled to return before the Board for imposition of a fine until August.

On July 23, 2024, a Notice of Hearing for certification of noncompliance and assessment of fine, scheduled for August 12, 2024, was issued. This hearing was subsequently canceled and rescheduled for September 9, 2024.

On September 9, 2024, the Board imposed a fine of \$250 per day and issued the Order Imposing Fine/Lien. Following the hearing, Gary Pinchot, on behalf of Eustis Rides LLC, submitted an application requesting a rehearing before the Board to reconsider the previous Order Imposing Fine regarding Case 23-00629 for the expired permit.

On October 14, 2024, the Board denied the request for a rehearing and the waiver of fines for the expired permit violation. The Order Imposing Fine/Lien was recorded in the public records on October 30, 2024.

Community Input:

No adjacent property owners attended the Code Enforcement Hearings.

Budget / Staff Impact:

If the Resolution is approved, the City could receive \$2,480, which would recover the City's administrative costs incurred in bringing the property into compliance with City Code.

Reviewed By:

Craig A. Capri, Chief of Police
Jon Fahning, Captain
Miranda Burrowes, Deputy City Manager

Prepared By:

Eric Martin, Code Enforcement Supervisor

Attachments:

- Resolution Number 2026-39
- Fine Reduction Application
- Real Estate Contract
- Special Warranty Deed