

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - July 24, 2018

July 24, 2018 - Regular Meeting
Agenda Item #15

Approved in Open Session 7/24/18,
Manatee County
Board of County Commissioners

Subject

Reduction of Code Enforcement Fines for Santos Ramirez, Code Enforcement Case #CE2012010003

Briefings

None

Contact and/or Presenter Information

Jeff Bowman, Division Chief, Ext. 6854

Action Requested

Motion to reduce the fines for this case to \$0.00 plus \$0.00 recording fees, as previously recommended by the Special Magistrate on June 27, 2018, and authorize the Building and Development Services Department Director to sign Satisfaction of Liens if reduction is approved by the Board of County Commissioners.

Enabling/Regulating Authority

Section 162.09, Florida Statutes

Section 12-7-27, Code of Ordinances

Background Discussion

The owner, Santos Ramirez, was cited twice for the same violation on the same property. This property is a duplex with two (2) addresses, but only one lot and one owner. The initial case (CE2011120343) has been closed and the fines mitigated and paid (\$1,020) on April 24, 2018. Staff is respectfully requesting that the fines be reduced to \$0 as this was a duplicate case for the same violation.

Violation(s): 703.2.23.1 of the Land Development Code

History:

1. Case opened and Notice of Violation was issued (duplicate) on January 5, 2012.
2. Complied December 1, 2013, on original case.
3. Fines for this case total \$59,020.00 which includes \$20.00 recording fees.
4. Special Magistrate Mitigation Hearing was held June 27, 2018. The Magistrate determined that justification exists to reduce the total fine amount and to forward the request to the Board of County Commissioners with a recommendation to reduce the fine amount, which totals \$59,020.00, to \$0.00 plus \$0.00 recording fees for a total of \$0.00 to settle this case. Staff recommends approval.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

N/A **Stamped agenda pkt emailed to Jeff Bowman 7/26/18, RT**

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [BOCC Attachments CE2012010003 Ramirez, Santos.pdf](#)

Property Owner: Santos Ramirez

File No. CE2011120343

CERTIFICATE OF SATISFACTION OF LIEN

The Building and Development Services Department of Manatee County filed for record in the Office of the Clerk of the Circuit Court of Manatee County, State of Florida, a Notice of Lien, which was duly recorded in Official Records Book 2421 Page 104 for fees due on the property located at 4920 20th St. E., Bradenton, Florida, more particularly described as follows:

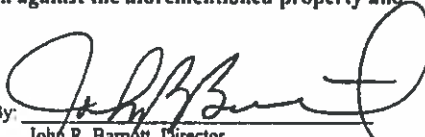
ELY 100 FT OF LOTS 14 & 15 BLK E FAIRMONT PARK PI#16663.0000/7

pursuant to Manatee County Code of Ordinances.

On April 23, 2018, the lien was satisfied.

Manatee County releases the above-referenced Lien against the aforementioned property and consents that the same be discharged of record.

Dated: April 24, 2018

By: 
John R. Barnott, Director
Building and Development Services Department
Manatee County
P.O. Box 1000
Bradenton, Florida 34206
Telephone (941) 748-2071

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this the day of September, 2018, by John R. Barnott, who is personally known to me and did not take an oath.


Notary Public Certification #
State of Florida at Large
Commission Expires:  Robin J. Dyer
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG143955
Expires 9/18/2021

SENT TO ON BASE
DATE: 6-5-18


3/20/17

March 20, 2018 - Regular Meeting
Agenda Item #23

Subject

Reduction of Code Enforcement Fines for Santos Ramirez Code Enforcement Case Number CE2011120343

Briefings

None

Contact and/or Presenter Information

Jeff Bowman, Division Chief, Ext 6854

Action Requested

Motion to reduce the fines for this case to \$1,000.00 + \$20.00 recording fees (as previously recommended by the Special Magistrate on February 28, 2018), subject to the following conditions:

1. The reduced fines shall be paid within 90 days or will revert back to the original fine amount of \$59,020.00 for CE2011120343.
2. Recording fees need to be collected, which total \$20.00.
3. Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid.

Enabling/Regulating Authority

Section 162.09, Florida Statutes

Background Discussion

The property owner was cited on January 5, 2012, for trash and debris (burnt wood, mattresses, tires, etc.). The items were the remains from a fire at the property. The owner states that the insurance company advised him not to remove anything until an investigation was completed to determine the cause of fire. Santos Ramirez, the property owner, came into compliance on December 1, 2013 by removing all trash and debris on the property.

Violation: Section 703.2.23.1 Manatee County Land Development Code.

History:

1. Notice of Violation was issued January 5, 2012.
2. The Special Magistrate Hearing was held on February 22, 2012. The property owner was ordered to comply by April 20, 2012 or a minimum fine of \$100 plus \$100 per day for each day the violation continued past the compliance date ordered.
3. **Complied December 1, 2013.**
4. Fines for this case total \$59,020.00, which includes \$20.00 in recording fees.
5. Special Magistrate Mitigation Hearing was held on February 28, 2018. The Magistrate determined that justification exists to reduce the total fine amount and to forward the request to the Board of County Commissioners with a recommendation to reduce the fine amount which totals \$59,020.00 to \$1,000.00 plus \$20.00 recording fees for a total of \$1,020.00 to settle the case. **Staff recommends**

approval.

County Attorney Review

Not Reviewed (Utilizes exact document or procedure approved within the last 18 months)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [BOCC Attachments Feb 28, 2018 Santos Ramirez CE2011120343.pdf](#)

MANATEE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, a political subdivision
of the State of Florida,
Petitioner,

Case No. CE2011120343

vs.

SANTOS D. RAMIREZ,
Respondent,

ORDER IMPOSING FINE

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on February 22, 2012, and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, and thereupon issues the Findings of Fact, Conclusions of Law, and Order as follows:

FINDINGS OF FACT

1. That Santos D. Ramirez hereinafter referred to as Respondent is the owner of record of the subject property.
2. That notice was served on Respondent and no one was present at the hearing.
3. That previous notifications of the violation of the Manatee County Land Development Code Section 703.2.23.1 were made and posted on the property and at the front door of the Manatee County Administrative Center located at 1112 Manatee Avenue West, Bradenton, Florida.
4. That the property located at 4920 20th Street East, Bradenton, Florida, DP 1666300007, has a violation of Manatee County Land Development Code Section 703.2.23.1 because trash and debris (burnt wood, mattresses, tires, etc.) is on the property.
5. That Respondent is in violation of Section 703.2.23.1 for trash and debris (burnt wood, mattresses, tires, etc.) on the property.

CONCLUSIONS OF LAW

1. That Respondent is in violation of Manatee County Land Development Code Section 703.2.23.1.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, and Manatee County Land Development Code, it is hereby ORDERED:

1. THAT the Respondent corrects the violation of Manatee County Land Development Code Section 703.2.23.1.
2. THAT if this Order is not complied with on or before April 20, 2012, it is hereby ordered that Respondent shall pay a minimum fine of \$100, plus \$100 per day for each and every day any violation described herein continue past April 20, 2012.
3. Failure to Comply with this Order within the specified time will result in the recordation of this Order imposing Fine, which constitutes a lien upon any real or personal property owned by the violators and may be foreclosed, and your property sold to enforce this lien. If such lien is filed, you will be assessed all costs incurred in recording and satisfying this lien.
4. The Code Enforcement Special Magistrate also authorizes the County Attorney or his/her designee to foreclose, collect or settle said lien using any legal or equitable remedies available to collect any liens which remain unpaid.
5. This Order becomes self-executing upon an Affidavit of Non-compliance being filed with the Clerk of Circuit Court Board Records Section, and a hearing shall not be necessary.
6. That pursuant to Section 305.5.7 of the Land Development Code, should violations exist beyond the date set for compliance, the Special Magistrate shall impose a minimum fine of \$65.

Ordered February 22, 2012, and executed this 28th day of February, 2012.

ATTEST: R. B. Shore
Clerk of Circuit Court

By: Wabi Turner
Deputy Clerk



Paul Crest
Manatee County Code Enforcement
Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to the Respondents, SANTOS D. RAMIREZ, 4920-4918 20TH STREET EAST, BRADENTON, FLORIDA, 34203, by U.S. mail and to the Manatee County Code Enforcement Division, this 28th day of February, 2012.

R. B. SHORE
Clerk of Circuit Court
Manatee County, Florida

By: Wabi Turner
Deputy Clerk

ATTENTION: It is your responsibility to notify Code Enforcement at 941-748-4501, extension 6909 and satisfactorily demonstrate that the violation(s) has/have ceased. Release of this lien cannot occur until Code Enforcement verifies that the violation(s) no longer exist(s).