

**MANATEE COUNTY SPECIAL MAGISTRATE
REGULAR HEARING
COUNTY ADMINISTRATIVE CENTER
1112 Manatee Avenue West
Bradenton, Florida
JULY 22, 2026**

Presiding was: Ben Vitale

Also present were:

Tom Wooten, Chief Code Enforcement
Doug Polk, Assistant County Attorney
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court
Caitlin Dixon, Board Records Clerk, Clerk of the Circuit Court

Special Magistrate, Ben Vitale, called the hearing to order at 9:00 a.m., followed by the Pledge of Allegiance.

 All witnesses and staff giving testimony were duly sworn.

AGENDA

CASES COMPLIED OR CONTINUED

12. CE2501-0875 –Harris Loyd Glasgow Harris Loyd Glasgow Rev Liv Trust DTD 2-21-2002
Complied

CODE ENFORCEMENT CASES – NEW BUSINESS

(Jennifer Sirois, Court Reporter was present)

8. **CE2304-0533, Fisherman's Cove Waterfront Resort LLC**

 Violation of Section 310.3 (Building Permit Required) of the Manatee County Land Development Code (LDC) for property located at 100 61st Street East, Palmetto.

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Marvin Garrido, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (The underside (ground level) of the mail elevated structure was enclosed to form multiple finished spaces including an office, a workshop, and a gym among other rooms. There has been structural, electrical, plumbing, and HVAC work done without the required permits. The exterior staircase on the south side of the building was repaired/replaced, and the 2nd floor deck boards were all replaced), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Rob Robinson, Attorney for the respondent, introduced the new contractor that has been hired to complete the work. There were issues with the prior contractor.

Michael Asuro, Contractor, outlined the timeline for the work being completed and noted he has consulted with five different flood barrier companies and anticipates receiving the engineering plans within two weeks to apply for the required permit. He met with County staff to review the requirements necessary to bring the building into compliance.

Richard Benton, Manatee County Floodplain Administrator, clarified that the respondent is proceeding in the correct direction to bring the property into compliance by going with Alternative number three.

Mr. Robinson requested an opportunity for the current contractor to complete the work that the previous contractors failed to perform. The Respondent is willing to bring the property into compliance. There is an extensive record associated with this case and the evidence should be reviewed. The violations were not caused by the Respondent but originated with the property's developer in 1994, and the project presents significant engineering challenges.

Mr. Vitale questioned what constitutes compliance for Code Enforcement and whether compliance is achieved by obtaining the required permit or by completing the permitted work.

Tom Wooten, Code Enforcement Chief, responded obtaining the permit would bring the property into compliance.

Mr. Robinson noted that once the application for permit is submitted, the review process is under the County's control; however, there should be no issue with obtaining the permit by September.

Mr. Vitale discussed the case being complicated because he wasn't the original Magistrate to hear the case.

Mr. Robinson stated that the evidence shows permits were obtained in 1994 for the first-floor structure. The Respondent does not dispute that light fixtures and electrical sockets were added without the required permits by prior owners. The County has been aware of these conditions for over 30 years and argued that issuing an order finding the property in violation would not advance the matter toward compliance.

Mr. Vitale stated that he understands the time required to find and hire an engineer and obtain the necessary permit. If the permit is obtained by September 20, 2026, no fine will be imposed. The Respondent should contact Code Enforcement if the permit cannot be obtained by the September deadline.

Doug Polk, Assistant County Attorney, advised Mr. Vitale that he could make a reserve ruling until completing his review of the evidence and then issue an order with a compliance date.

The Special Magistrate will review the evidence within the record. Upon completion of the review, the Special Magistrate will issue an order.

(A Compliance Order was issued on July 22, 2026, after the meeting concluded)

2. **CE2507-0456– Jeffrey F. Gauger & Jeffrey F. Gauger Revocable Trust DTD 9/23/22**

 Violation of Section 320.2 (Final Site Plan Review Required) of the Manatee County LDC for property located at 1805 24th Avenue East, Palmetto.

Ian Burns, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (The property has been developed, and the usage has changed without a site plan approved), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Steve Rinehart, representing the respondent, provided the cover page from the final site plan submitted in 2023, which identifies the project description as "Warehouse and

Outdoor Storage.” Code Enforcement was called out for unpermitted work, specifically the installation of dividing walls and bay doors. The respondent submitted a building permit application, and the work was inspected and approved by the Building Department. After doing so Code Enforcement came back and questioned if the use has changed. Under the use description, definition, and LDC, outdoor storage is permitted for vehicles within light manufacturing zoning and does not specify whether the structure may be covered, enclosed, or contain bay doors. He does not believe the Respondent changed the use of the property by adding partition walls and bay doors. There are issues on both sides that should have been addressed in 2023 and the County’s review should have provided more detailed guidance at that time. The Fire Marshall was satisfied with the completed work.

Mr. Wooten requested a continuance.

Mr. Rinehart accepted the continuance but expressed concern regarding the requirement to submit revised site plans. The County should have challenged the property's use rather than accepting site plans that included unpermitted work. The focus should remain on internal site considerations, such as additional screening, rather than external factors.

Mr. Vitale explained he does have authority over what the County reviews. He rules the violations based on the information and evidence presented.

Mr. Wooten requested the continuance to allow time to meet with Planning and Zoning staff to gain a better understanding of the matter.

Jeffery Gauger, respondent, shared that the property was designed for boats and RVs storage, and there are leases in place.

Mr. Wooten stated the issue with the site plan is regarding open outdoor storage or closed outdoor storage.

Mr. Rinehart indicated there is no difference in the LDC regarding open or covered outdoor storage.

Based on the evidence and testimony for Case CE2503-0405, The Special Magistrate continued the case to September 23, 2026.

5. **CE2601-0665, Hong Nguyen**

 Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC for property located at 1515 Rye Road, Bradenton.

Tami Campbell, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There is a bridge and a dock on the pond neither of which have a permit), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Shang Nguyen, representing the respondent, stated there is a hired engineer who is working on obtaining permits, which should take about a month.

Based on the evidence and testimony for Case CE2601-0665, The Special Magistrate found the respondent Hong Nguyen to be in violation of Section 310.3 of the Manatee County LDC and ordered that the respondent correct the violation on or before September

20, 2026. If the respondent does not comply with the order, a fine of \$100 per day would be imposed each day the violation continues past September 20, 2026.

6 **ENF2605-0997, 3519 19TH Street Court East LLC**

 Violation of Section 2-9-106 (Structural Standards) of the Manatee County Code of Ordinances (CCO) for property located at 3519 19th Street Court East, Bradenton.

Misael Cedillo, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (The roof soffit and roof fascia are missing/damaged. The fence is in disrepair), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

William Burrows, respondent, explained he needs more time to repair the soffit and fascia.

Based on the evidence and testimony for Case ENF2605-0997, The Special Magistrate found the respondent 3519 19th Street Court East LLC to be in violation of Section 2-9-106 of the Manatee County CCO and ordered that the respondent correct the violation on or before September 20, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past September 20, 2026.

Mr. Wooten reminded the respondent he will need a permit to replace the soffit and fascia.

7. **CE2207-0108, David & Terry Bieker David & Terry Bieker Revocable Trust**

 Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC for property located at 312 301 Boulevard East, Bradenton.

Keith Coleman, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (Marine Cargo containers stored on property without permits), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Mr. Vitale questioned Section 310.3 and how and where a building permit is required for storage containers.

Lance Bieker, respondent, explained the marine cargo containers are for sale or rent, both on-site and off-site. He spoke with Barney Salmon, former CountS Planner, regarding one of four primary uses associated with the heavy equipment rental and sales business.

Mr. Vitale requested an explanation on how the marine cargo containers are in violation of Section 310.3.

Officer Coleman stated permits are needed to have marine cargo containers on the property.

Mr. Bieker received an Administrative Determination from Development Services. The current focus is to obtain an off-site parking permit, which is a sub-permit of the final site plan. He attended a pre-application meeting and will be submitting the off-site parking permit application by the end of the week.

Mr. Vitale noted a storage container does not meet the definition of a building or structure in the LDC.

Mr. Wooten reported that the respondent has applied for an Administration Determination for a home-based business.

Mr. Bieker stated that the Planning Department has determined that the operation does not qualify as a home-based business pursuant to Section 511.7 of the LDC.

Mr. Vitale stated that the storage containers may be in violation of the CCO or the LDC; however, it is difficult to establish a finding regarding a violation of Section 310.3 of the LDC due to there being no evidence of the marine cargo containers having electric, gas, and mechanical plumbing installed.

Based on the evidence and testimony for Case CE2207-0108, The Special Magistrate found the respondent David & Terry Bieker David & Terry Bieker Revocable Trust not to be in violation of Section 310.3 of the Manatee County LDC. Order that the case be dismissed.

14. **CE2604-0876, Robert C. Goldstein**

 Violation of Section 1004.2 (Access and Drainage Permit Required) of the Manatee County LDC for property located at 7614 19th Street East, Sarasota.

Cory Hayden, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There was a culvert installed (6-inch /8-inch PVC pipe) in the ditch, covered with dirt and concrete in the right of way of this property), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Robert Goldstein, respondent, explained that he followed the same process as his neighbors. Development Services advised that he needed to contact Public Works.

Based on the evidence and testimony for Case CE2604-0876, The Special Magistrate found the respondent Robert C. Goldstein to be in violation of Section 1004.2 of the Manatee County LDC and ordered that the respondent correct the violation on or before September 20, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past September 20, 2026.

15. **ENF2605-0154, Robert C. Goldstein**

 Violation of Section 2-9-105 (Outdoor Storage) of the Manatee County CCO, Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC, and Violation of Section 2-9-108 (Commercial Vehicle) of the Manatee County CCO, for property located at 7614 19th Street East, Sarasota.

LDC 310.3

Cory Hayden, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There is a structure installed at the property that is greater than 120 square feet without a permit), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

CCO 2-9-108

Mr. Hayden utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There is a commercial vehicle in the backyard of the property), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

CCO 2-9-105

Mr. Hayden utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There is outdoor storage on the property that is not screened from view. The outdoor storage includes but not limited to hoses, coolers, pallets, shelves and many other miscellaneous items in the front and either side of the house and on a commercial vehicle in the back yard), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Robert Goldstein, respondent, stated that he is working on obtaining a permit for the storage shed. The vehicle in the backyard has been there for approximately three years, and he will move the vehicle and other items to the rear of the property to conceal them from view.

LDC 310.3

Based on the evidence and testimony for Case ENF2605-0154, The Special Magistrate found the respondent Robert C. Goldstein to be in violation of Section 310.3 of the Manatee County LDC and ordered that the respondent correct the violation on or before September 20, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past September 20, 2026.

CCO 2-9-108

Based on the evidence and testimony for Case ENF2605-0154, The Special Magistrate found the respondent Robert C. Goldstein to be in violation of Section 2-9-108 of the Manatee County CCO and ordered that the respondent correct the violation on or before August 21, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past August 21, 2026.

CCO 2-9-105

Based on the evidence and testimony for Case ENF2605-0154, The Special Magistrate found the respondent Robert C. Goldstein to be in violation of Section 2-9-105 of the Manatee County CCO and ordered that the respondent correct the violation on or before August 21, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past August 21, 2026.

17. CE2510-0707, Hunsader Farms, Inc.

Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC for property located at 5500 County Road 675, Bradenton.

Jim Wagner, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (A 14-foot, 6 inch high by 50-yard-long pedestrian bridge was built without a permit), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

David Hunsader, respondent, stated that he had previously completed other work on the property without obtaining permits and believed a permit was not required for the

construction of the pedestrian bridge due to the agriculture tourism law. He further stated that engineers are unwilling to become involved, because the bridge has already been built.

Based on the evidence and testimony for Case CE2510-0707, The Special Magistrate found the respondent, Hunsader Farms, Inc., to be in violation of Section 310.3 of the Manatee County LDC and ordered that the respondent correct the violation on or before September 20, 2026. If the respondent does not comply with the order, a fine of \$100 per day would be imposed each day the violation continues past September 20, 2026.

CODE ENFORCEMENT CASES – OLD BUSINESS

19. **CE2503-0405, Bryant Banados & Leslie Banados**

Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC for property located at 616 Fontana Lane, Bradenton.

The respondent requested an extension of the compliance date from July 27, 2026, to October 25, 2026.

Bryant Banados, respondent, reported that he has the permit.

Based on the evidence and testimony for Case CE2503-0405, the special Magistrate extended the compliance date from July 27, 2026, to October 25, 2026.

NEW BUSINESS

1. **CE2511-0748– John T. Clifton**

 Violation of Section 2-9-106 (Structural Standards) of the Manatee County CCO for property located at 812 Palm Avenue, Ellenton.

Ian Burns, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (Multiple sections of siding and wall surfaces on the right side of the structure, as well as the front stairs, are in disrepair), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2511-0748, The Special Magistrate found the respondent, John T. Clifton to be in violation of Section 2-9-106 of the Manatee County CCO and ordered that the respondent correct the violation on or before August 21, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past August 21, 2026.

3. **CE2601-0679, Darla Ashe**

Violation of Section 2-9-105 (Outdoor Storage) of the Manatee County CCO for property located at 3507 40th Street East, Palmetto.

Tami Campbell, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There is outdoor storage on the property that is not screened from view. There is wood, metal, auto parts, and other miscellaneous items in the front of the property), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2601-0679, The Special Magistrate found the respondent Darla Ashe to be in violation of Section 2-9-105 of the Manatee County CCO and ordered that the respondent correct the violation on or before August 21, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past August 21, 2026.

4. **CE2512-0291, Darla Ashe**

 Violation of Section 2-9-108 (Inoperable Vehicle) of the Manatee County CCO for property located at 3507 40th Street East, Palmetto.

Tami Campbell, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There are several inoperable vehicles parked in front of the property. Either physically inoperable or without a valid registration), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2512-0291, The Special Magistrate found the respondent Darla Ashe to be in violation of Section 2-9-108 of the Manatee County CCO and ordered that the respondent correct the violation on or before August 21, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past August 21, 2026.

9. **CE2510-0795, Siegfried J. Harder**

 Violation of Section 2-9-106 (Structural Standards) of the Manatee County CCO for property located at 4633 50th Avenue West, Bradenton.

Patrick Joyce, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (The property is missing fascia and it not being maintained), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2510-0795, The Special Magistrate found the respondent Siegfried J. Harder to be in violation of Section 2-9-106 of the Manatee County CCO and ordered that the respondent correct the violation on or before August 21, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past August 21, 2026.

10. **CE2604-0728, Us Home Services LLC Whitten Sisters Trust DTD 8/3/2013**

 Violation of Section 2-9-106 (Structural Standards) of the Manatee County CCO for property located at 4627 Orlando Circle, Bradenton.

Micah Misiak, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There are several missing roof tiles on the rear of the property and the drip edge on the side of the home is falling off), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Mr. Polk commented that the owner has multiple pending cases against him already. There should be a higher daily fine imposed.

Officer Misiak requested an increase to \$100 per day due to him being a repeat offender.

Based on the evidence and testimony for Case CE2604-0728, The Special Magistrate found the respondent Us Home Services LLC Whitten Sisters Trust DTD 8/3/2013 to be in violation of Section 2-9-106 of the Manatee County CCO and ordered that the respondent correct the violation on or before August 21, 2026. If the respondent does not comply with the order, a fine of \$100 per day would be imposed each day the violation continues past August 21, 2026.

11. **ENF2605-0294, US Home Services LLC Whitten Sisters Trust DTD 8/3/2013**

 Violation of Section 2-9-106 (Structural Standards) of the Manatee County CCO for property located at 4632 Orlando Circle, Bradenton.

Micah Misiak, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (The property has several missing roof tiles and is in disrepair), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case ENF2605-0294 The Special Magistrate found the respondent US Home Services LLC Whitten Sisters Trust DTD 8/3/2013 to be in violation of Section 2-9-106 of the Manatee County CCO and ordered that the respondent correct the violation on or before August 21, 2026. If the respondent does not comply with the order, a fine of \$100 per day would be imposed each day the violation continues past August 21, 2026.

13. **CE2401-0159, Vincent Mitchell**

 Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC for property located at 205 Magellan Drive, Sarasota.

Cory Hayden, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There was a change to the roof line as well as lights added under the soffit), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2401-0159, The Special Magistrate found the respondent Vincent Mitchell to be in violation of Section 310.3 of the Manatee County LDC and ordered that the respondent correct the violation on or before September 20, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past September 20, 2026.

16. **CE2601-0195, Michelle M. Darling**

 Violation of Section 2-9-105 (Outdoor Storage) of the Manatee County CCO for property located at 708 68th Avenue Drive West, Bradenton.

Cory Hayden, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (Outdoor storage in the driveway and front yard of this property. The outdoor storage includes but not limited to items under blue tarp, pavers, and other miscellaneous items), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2601-0195, The Special Magistrate found the respondent Michelle M. Darling to be in violation of Section 2-9-105 of the Manatee County CCO and ordered that the respondent correct the violation on or before August 21, 2026. If the respondent does not comply with the order, a fine of \$50 per day would be imposed each day the violation continues past August 21, 2026.

CODE ENFORCEMENT CASES – OLD BUSINESS

18. **CE2503-0527, Howard George and George Aline**

Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC for property located at 112 49th Avenue West, Bradenton.

Respondent requests an extension from the compliance date June 25, 2026, to July 8, 2026.

Based on the evidence and testimony for Case CE2503-0527, the special Magistrate extended the compliance date from June 25, 2026 to July 8, 2026.

HEARING ADJOURNED

There being no further business, Special Magistrate X adjourned the hearing at 11:26 a.m.

Minutes Approved: August 5, 2026