

**MANATEE COUNTY SPECIAL MAGISTRATE
REGULAR HEARING
COUNTY ADMINISTRATIVE CENTER
1112 Manatee Avenue West
Bradenton, Florida
AUGUST 26, 2026**

Presiding was: Walter Sowa

Also present were:

Tom Wooten, Chief Code Enforcement Officer
Kate Welch, Assistant County Attorney
Vicki Tessmer, Deputy Clerk, Clerk of the Circuit Court
Caitlin Dixon, Board Records Clerk of the Circuit Court

 Special Magistrate, Walter Sowa, 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/ CONTINUED /DISMISSED

3. ENF2606-0079- Angel Mendez Colexcua- Continued
12. CE2506-0778- MGM of West Florida LLC- Continued
16. CE2602-0222- Shawn T Kaleta- Complied
18. ENF2605-0562- Denise and Joseph Gattuso- Continued
19. CE2603-0415- Tatra E. and Tony E. Carmichael- Continued
20. CE2603-0417- Tatra E. and Tony E. Carmichael- Continued
21. CE2603-0422- Tatra E. and Tony E. Carmichael- Dismissed
22. CE2603-0423- Tatra E. and Tony E. Carmichael- Continued
23. CE2603-0108- Tatra E. and Tony E. Carmichael- Continued
24. ENF2605-0313- Thomas Doyle and Kent Koblekt - Violation CCO 2-9-108- Complied

NEW BUSINESS

17. **CE2604-0992- North Manatee Properties LLC**

 Violation of Section 2-9-105 (Outdoor Storage) of the Manatee County Code of Ordinances (CCO) for property located at 4516 67th Street 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 (There is outdoor storage on the property that is not screened from view. The outdoor storage includes but not limited to E-bikes, parts and miscellaneous items) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2604-0992, The Special Magistrate found the respondent, North Manatee Properties LLC 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 September 25, 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 25, 2026.

10. **ENF2605-0708– Bayshore Crossings of Bradenton LLC and Gountis Properties FL LLC**



Violation of Section 310.3 (Building Permit Required) of the Manatee County Land Development Code (LDC) for property located at 6023 26th Street West, Bradenton.

Jake Fumagalli, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (A wall was removed between units 6019 and 6023 without a permit) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.



Adam Chrisman, Cedar Hammock Fire Inspector, stated that the areas were separate units at one time. Upon conducting an inspection, a wall had been removed and the space had been expanded. He notified Code Enforcement that the work appeared to be completed without the required permits.



David Mercado, representing the tenant, explained that the building owner advised the tenant that they could expand the space. The Building Department informed the tenant that because the wall was not load-bearing, a permit would not be required to remove it. He is waiting for the required signature to resubmit the application due to the increase in square footage and maximum occupancy.

Based on the evidence and testimony for Case ENF2605-0708, The Special Magistrate found the respondent, Bayshore Crossings of Bradenton LLC and Gountis Properties FL LLC. to be in violation of Section 310.3 of the Manatee County LDC and ordered that the respondent correct the violation on or before October 24, 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 October 24, 2026.

13. **ENF2605-1041– J2R Enterprises LLC**



Violation of Section 310.2 (Development Order Required) of the Manatee County LDC for property located at 5415 33rd Street East, 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 (Activities Requiring a Development Order. It shall be unlawful to change the use of an existing structure, modify an approved site plan, commence the clearing of land, excavations for, or the construction of any building or other structure, including accessory structures, or to store building materials or erect temporary field offices, or to commence the moving, alteration, or repair of any structure, including accessory structures, until the Department Director has issued a development order authorizing such activity) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.



Andy Fisher, General Contractor for respondent, mentioned there is no structure on the property, and they have only removed exotics species, (Brazilian peppers) which is permitted by the code.

Walter Sowa, Special Magistrate, reviewed the Code.

 James Yarnell, Planning and Zoning Supervisor, used a slide presentation to review comparative aerials of the property from 2017 to 2026. The property owners claimed agricultural use, but the activity on the property does not seem to serve a bona fide agricultural purpose. A development order is required.

Kate Welch, Assistant County Attorney, questioned if there has ever been a final site plan approved for this property.

Based on the evidence and testimony for Case ENF2605-1041, The Special Magistrate found the respondent, J2R Enterprises LLC, not in violation of Section 310.2 of the Manatee County LDC and ordered the case to be dismissed.

14. **ENF2605-1015– J2R Enterprises LLC**

 Violation of Section 310.2 (Development Order Required) of the Manatee County LDC for property located at 5511 33rd Street East, 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 (Activities Requiring a Development Order. It shall be unlawful to change the use of an existing structure, modify an approved site plan, commence the clearing of land, excavations for, or the construction of any building or other structure, including accessory structures, or to store building materials or erect temporary field offices, or to commence the moving, alteration, or repair of any structure, including accessory structures, until the Department Director has issued a development order authorizing such activity) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Mr. Sowa questioned the previous use of the structure, the changes being proposed, and whether there is an approved site plan.

Officer Hayden responded that the structure was originally used as a shed and is now being used to store vehicles, and there is no approved final site plan.

 Andy Fisher, General Contractor for the respondent, explained that pursuant to Code 2-9-107, this structure is permitted to be used for agricultural purposes. The trailers on the property are used to store hay and feed. A permit was applied for in 1980, under the LDC it is an approved nonconforming building. The overhang was added to store agricultural equipment.

Mr. Sowa raised concerns that there does not appear to be agricultural uses on the property, and questioned the future zoning, and whether the zoning department has approved the permit.

Mr. Yarnell noted the zoning department has required revisions due to not having a final site plan. There has been no evidence provided to zoning showing agricultural use.

Officer Hayden stated that, in order for the property to qualify as agricultural, the owner would need to operate a bona fide agricultural business.

Mr. Sowa asked about the difference between a development order versus a final site plan.

Mr. Yarnell explained that a development order ranges from a building permit to a site plan. The process should begin with a final site plan and then continue to the building permit stage.

Ms. Welch noted this matter has previously been heard before the Special Magistrate under Section 310.3. It was determined that a Development Order was required, which included obtaining a building permit.

Mr. Fisher mentioned the owner had already applied for a building permit. This is a nonconforming structure, and they added a metal overhang to the already existing structure.

Kelvin Albritton, Code Enforcement Officer, stated that once an existing structure is altered, the structure must comply with the current building code.

Mr. Sowa questioned if this could be resolved in two months.

Mr. Yarnell stated final site plan approval would take 60 to 90 days once submitted. If the owner provides proof that the property is being used as bona fide agriculture use, this matter could be resolved.

Based on the evidence and testimony for Case ENF2605-1015, The Special Magistrate found the respondent, J2R Enterprises LLC to be in violation of Section 310.2 of the Manatee County LDC and ordered that the respondent correct the violation on or before November 24, 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 November 24, 2026.

OLD BUSINESS

25. **CE2406-0322- Lakewood Ranch RV Owner LP**

Violation of Section 323 (Final Site Plan Required) of the Manatee County LDC for property located at 14875 Rangeland Parkway, Bradenton.

Tom Wooten, Code Enforcement Chief, read the case into the record.

26. **CE2511-0667- Ellie McNeal**



Violation of Section 2-9-106 (Structural Standards) of the Manatee County CCO for property located at 134 12th Street Court West, Palmetto.

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

Based on the evidence and testimony for Case CE2511-0667, the Special Magistrate ordered the compliance date be extended from July 27, 2026, to October 25, 2026.

27. **CE2018010290- Maria Garcia**



Violation of Section 2-9-106 (Structural Standards) of the Manatee County CCO for property located at 4728 16th Avenue East, Palmetto.

Officer Wooten requested vacating the Compliance Order nunc pro tunc and recommending the corresponding lien be released.

Based on the evidence and testimony for Case CE2018010290, The Special Magistrate recommended the Board of County Commissioners release the fine.

NEW BUSINESS CONTINUED**2. ENF2606-0186 – Gwen S. Reid**

 Violation of Section 2-9-108 (Motor Vehicle) of the Manatee County Code of Ordinances (CCO) and Violation of Section 2-9-105 (Property Maintenance Standards) of the Manatee County CCO for property located at 4804 US 41 North, Palmetto.

CCO 2-9-108

Marvin Garrido, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There is multiple inoperable vehicles and semi-trailers being stored on the residential portion of the property), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

 Mark Bundy, tenant, explained he would need more time to register one of the vehicles. The other vehicles will be gone by the end of the month, and the semis moved to the front portion of property.

CCO 2-9-105

 Marvin Garrido, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There is trash and debris present on the property. The trash and debris consist of cardboard boxes, tarps, household garbage, and other miscellaneous items. There is also outdoor storage on the property that is not screened from view. The outdoor storage includes, but is not limited to, dishes, containers, bicycle parts, and other miscellaneous items), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Mr. Bundy stated that most of the trash has been removed from the property.

CCO 2-9-108

Based on the evidence and testimony for Case ENF2606-0186, The Special Magistrate found the respondent, Gwen S. Reid, 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 September 25, 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 25, 2026.

CCO 2-9-105

Based on the evidence and testimony for Case ENF2606-0186, The Special Magistrate found the respondent, Gwen S. Reid, 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 September 25, 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 25, 2026.

4. ENF2606-1084 – Wealth Longterm LLC

 Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC for property located at 3036 46th Avenue East, Bradenton.

Ben Dornon, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (The garage has been converted into bedrooms without a building permit. An outdoor patio/cooking station with electrical and gas was built without a building permit. A pergola was built without a building permit. A hot tub has been placed in the backyard without a permit for electrical and/or gas connections), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

 Luis Pelligrino, representative of the company, presented a proposal for an after-the-fact permit, and questioned whether the permit needs to be finalized or issued by the compliance date.

Officer Albritton responded that the permit has to be issued by the compliance date.

Based on the evidence and testimony for Case ENF2606-1084, The Special Magistrate found the respondent, Wealth Longterm LLC to be in violation of Section 310.3 of the Manatee County LDC and ordered that the respondent correct the violation on or before October 24, 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 October 24, 2026.

5. **CE2602-0728 – Robert H. McNeal III**

 Violation of Section 2-9-105 (Trash and Debris) of the Manatee County CCO for property located at 6716 26th Street West, Bradenton.

Jake Fumagalli, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (There are palms and tree debris on the property), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

and

6. **CE2602-0195– Robert H McNeal III**

Violation of Section 2-9-105 (Outdoor Storage) of the Manatee County CCO for property located at 6716 26th Street West, Bradenton.

Jake Fumagalli, 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. The outdoor storage consists of but is not limited to pieces of wood, a tire, a gas can, a cooler and other miscellaneous items) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

and

7. **CE2602-0731– Robert H McNeal III**

Violation of Section 2-9-105 (Structural Standards) of the Manatee County CCO for property located at 6716 26th Street West, Bradenton.

Jake Fumagalli, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (The windows on the home are broken and the roof is in disrepair) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

 Robert McNeal, respondent, stated he was confused because he thought the violation was related to front-yard issue. A fire had rendered the house uninhabitable, which resulted

in debris being left in the yard. Many of the items have been cleaned up and removed.

CE2602-0195

Based on the evidence and testimony for Case CE2602-0195, The Special Magistrate found the respondent, Robert H McNeal III 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 September 25, 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 25, 2026.

CE2602-0731

Based on the evidence and testimony for Case CE2602-0731, The Special Magistrate found the respondent, Robert H McNeal III 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 September 25, 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 25, 2026.

CE2602-0728

Based on the evidence and testimony for Case CE2602-0728, The Special Magistrate found the respondent, Robert H McNeal III 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 September 25, 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 25, 2026.

9. **CE2512-0622– Robert E. Prine Jr.**

 Violation of Section 2-9-106 (Structural Standards) of the Manatee County CCO for property located at 6911 22nd Street West, Bradenton.

Jake Fumagalli, 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 broken windows with boards over them) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Officer Albritton added that the home was severely damaged due to a hurricane. The owner is trying to obtain a permit to alter the bottom portion of the home from a living area to a storage area.

Chuck Webb, Attorney for respondent, stated pursuant to Code Section 2-7-42(G), the respondent contested the citation in court.

Ms. Welch noted the Special Magistrate hearing, and court proceedings are separate processes. She requested time to review Section 2-7-42.

(Continued to later in the meeting)

8. **CE2603-0010– Paul A Schultz and Lorrie Ann Schultz**

 Violation of Section 2-9-105 (Outdoor Storage) of the Manatee County CCO for property located at 5216 23rd Street West, Bradenton.

Jake Fumagalli, 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. The outdoor storage consists of but is not limited to a washing machine, a fan, a cooler, buckets and other miscellaneous items) case summary, photograph exhibit,

recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2603-0010, The Special Magistrate found the respondents, Paul A Schultz and Lorrie Ann Schultz 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 September 25, 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 25, 2026.

11. **CE2602-0414– Paul A Schultz and Lorrie Ann Schultz**



Violation of Section 2-9-108 (Restricted Vehicle) of the Manatee County CCO for property located at 5216 23rd Street West, Bradenton.

Jake Fumagalli, 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 boat in the front yard) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2602-0414, The Special Magistrate found the respondents, Paul A Schultz and Lorrie Ann Schultz 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 September 25, 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 25, 2026.

(continued from earlier in the meeting)

9. **CE2512-0622– Robert E. Prine Jr.**



Ms. Welch reviewed Florida Statue §162.21 Section 8.

Mr. Webb replied that there are two courses of action, the respondent can come before the Special Magistrate for the notice of violation, or the citation process, through which the respondent has the right to contest in court.

Ms. Welch explained the Special Magistrate hearing process is against the property.

Mr. Webb raised concerns that a ruling made by a Special Magistrate could be inconsistent with a ruling made by a Judge, and requested a continuance.

Ms. Welch clarified this is an administrative proceeding which is separate from the County court procedures and both proceedings may occur concurrently.

Based on the evidence and testimony for Case CE2512-0622, The Special Magistrate ordered it be continued to October 25, 2026.

1. **CE2507-0137 – Invest PI LLC**



Violation of Section 310.3 (Building Permit Required) of the Manatee County Land Development Code (LDC) for property located at 51st Avenue 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 (There is a structure on the property with no permit), case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2507-0137, The Special Magistrate found

the respondent, Invest PI LLC, to be in violation of Section 310.3 of the Manatee County LDC and ordered that the respondent correct the violation on or before October 24, 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 October 24, 2026.

15. **CE2601-0565– Ares Portfolio 5 LLC**

 Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC for property located at 4008 9th Street East, Bradenton.

Sergio Bernal, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (A shed has been constructed at the rear of the property without the required building permit) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case CE2601-0565, The Special Magistrate found the respondent, Ares Portfolio 5 LLC to be in violation of Section 310.3 of the Manatee County LDC and ordered that the respondent correct the violation on or before October 24, 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 October 24, 2026.

24. **ENF2605-0313- Thomas Doyle and Kent Koblekt**

 Violation of Section 310.3 (Building Permit Required) of the Manatee County LDC for property located at 1616 Suponic Avenue, Sarasota.

David Saldivar, Code Enforcement Officer, utilized a slide presentation to review the violation address, parcel identification number, zoning category, ownership details, violation and description (The front door was installed without a permit) case summary, photograph exhibit, recommended action, evidence submittal, and conclusion.

Based on the evidence and testimony for Case ENF2605-0313, The Special Magistrate found the respondents, Thomas Doyle and Kent Koblekt to be in violation of Section 310.3 of the Manatee County LDC and ordered that the respondent correct the violation on or before October 24, 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 October 24, 2026.

FINES PAID

Case CE2009100246 – John T and Linda Lightner Sr

Fine amount of \$4,440.00 plus \$20.00 recording fees paid on July 27, 2026.

HEARING ADJOURNED

There being no further business, Special Magistrate Sowa adjourned the hearing at 11:22 a.m.

Minutes Approved: September 15, 2026