

Application For Relief - Code Enforcement Liens

Manatee County - Code Enforcement Division

5030 US Hwy 301N, Ellenton, FL 34222

Tel: (941) 748-2071 Fax: (941) 749-3094 Email: robin.dyer@mymanatee.org

Manatee County accepts applications for Code Enforcement Lien relief from owners of properties that have corrected ALL the violations on the subject property. Please complete the form in its entirety. Incomplete applications will not be accepted.

Case #CE2007050539 Manatee County - vs - (Respondent) BCMR, LLC
Prepared 2/19/2020 rjd

Property Information	
Parcel Identification Number: 822800009	
Lot:	Block: Subdivision:
Address: 5717 18 th St. E.	
City: Ellenton	Zip Code: 34222

Property Owner Information		
Current property owner: BCMR LLC DBA Woodys River Roo Pub & Grill		
Address: 6818 Bayshore Rd		
City: Palmetto	State: FL	Zip: 34221-9187
Phone #:	Email address:	
Representative/Agent:		
Address:		
City:	State:	Zip:
Phone #:	Email address:	

Lien Information	
Amount of lien: \$5,950.00 Recording Fees: \$20.00 Total Lien Amount: \$5,970.00	Amount of offer: \$1,480.00 plus \$20.00 recording fee
Recorded Lien Information: Book 2232 Page 4986 10/26/2007	Number of days the property was in violation: 38
Date of Compliance: November 27, 2007	How much money was spent to abate the Violation:

1. Foreclosure Order, with the recording date, book and page shown;
2. Foreclosure Order, with the recording date, book and page shown;
3. Final Summary Judgment of Foreclosure, with the recording date, book and page shown;
4. New Certificate of Title, with the recording date, book and page shown;
5. County's Final Order of Imposition of Fine; and
6. Claim of Lien(s) with the recording date, book and page shown.

FACTORS RELEVANT TO APPLICATIONS FOR RELIEF:

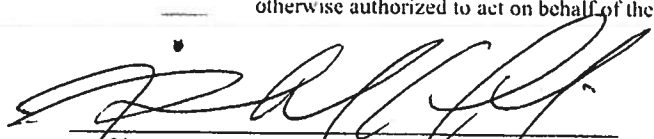
1. The nature and gravity of the violation(s);
2. Any actions you have taken to correct the violation(s);
3. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance;
4. Any actual costs you expended to cure the violation(s), if supported by documentation;
5. Any other prior or current violations you committed on the subject property or upon any other property you own within the County; and
6. Equitable considerations.
 - i. Whether there was any extraordinary hardship which existed or currently exists;
 - ii. Whether the applicant was the property owner when the fine or lien was imposed;
 - iii. Whether the property is homestead or non-homestead property;
 - iv. Whether the County lien is interfering with the sale or restoration of the property or will prevent the property from being conveyed to a new owner.

Please provide written justification as to why relief should be granted: (When you complete this section, at a minimum, address the above factors and reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

PROPERTY LITIGATION: (If applicable give detail here if this property is involved in litigation.)

I certify that I am: (Include documentation of the below)

- the owner of the subject property;
- an Attorney representing the owner.
- the legal representative for the property, or
- otherwise authorized to act on behalf of the property owner in this matter.



 Signature of Owner/ Authorized Representative
 Robert Woodring

 Print Name

2-20-20

 Date

Note: County Code Section 2-7-25 allows the Board of County Commissioners to execute a satisfaction or release of lien. The application process requires two (2) public meetings. Once the application and documentation is found to be complete it will be scheduled and presented before a Special Magistrate. The findings of the Special Magistrate along with the application will be forwarded to the Board of County Commissioners for final approval or denial. All payments will need to be mailed to Manatee County, Attention Code Enforcement, 5030 US Hwy 301N, Ellenton, FL 34222 and payable to: Manatee County, and include the Case Number. Once payment is received a Satisfaction of Lien will be prepared and recorded.
Revised 1/29/2019

December 5, 2019

Manatee County
Attn.: Code Enforcement
Robin Dyer
5030 US Hwy 301N
Ellenton, FL 34222

Reference: **Woody's River Roo Pub & Grill**
Case # CEC2007050539

Dear Ms. Dyer,

Per your email with instructions on requesting a fine mitigation, I am submitting this letter as a formal request to reduce our current total fee of \$5,970.00. We would like to offer of \$1,480.00 for the fine plus the \$20.00 recoding fee for a total of \$1,500.00.

Over 10 years ago we hired a contractor to perform work for us with the understanding that the contractor would take care of any permits necessary to do the work. We did not realize at the time that this did not happen. Once we were contacted by the County we took measures to make sure the permit was received and work released by the County. At the time, we did not realize there was a fine that had not been paid.

Since this incident, we try to always verify with contractors that all permits are received prior to work being started. Also, we have verified that there are no other outstanding fees owed to the County.

If you have any questions or concerns please contact me at 941-518-6111.

Thank you for your consideration for a fine mitigation.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Woodring', written over a horizontal line.

Robert Woodring

BK 1870 PG 1703 DOC STAMPS \$2275.00 DKT # 1848616 1 of 2

Prepared by and return to:

Garret T. Barnes
BARNES WALKER TITLE, INC.
3119 Manatee Ave W
Bradenton, FL 34205

File Number: 6760.001.03.09
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 3rd day of October, 2003 between Donald Fletcher, a/k/a Donald E. Fletcher, and Jacqueline Fletcher, a/k/a Jacqueline C. Fletcher, husband and wife whose post office address is 4511 8th Street Court East, Ellenton, FL 34222, grantor, and BCMR, LLC, a Florida limited liability company whose post office address is 6818 Bayshore Road, Palmetto, FL 34221, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Manatee County Florida to-wit:

LOT 10, PHILLIPS & ALLENS RE-SUBDIVISION OF W.H. VANDERPE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 308A, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

Parcel Identification Number: D.P. #8228.0000/9

(The property identification number shall not be considered a legal description and is provided for informational purposes only.)

Subject to valid reservations, restrictions and easements of record.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

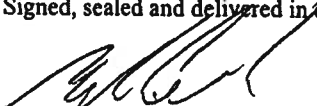
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

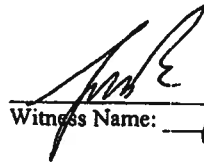
DoubleTime®

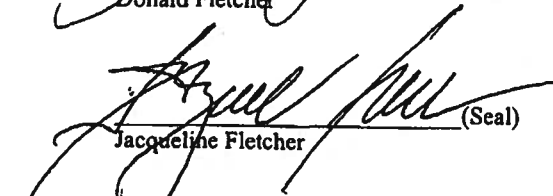
BK 1870 PG 1704 FILED AND RECORDED 10/6/2003 9:54:27 AM 2 of 2
R.B. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL.

Signed, sealed and delivered in our presence:


Witness Name: MARK LAMB


Donald Fletcher (Seal)

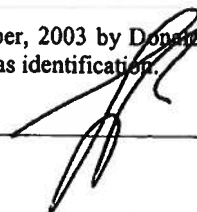

Witness Name: Garret Barnes


Jacqueline Fletcher (Seal)

State of Florida
County of Manatee

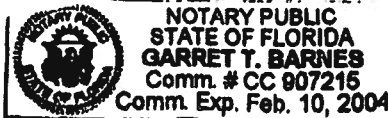
The foregoing instrument was acknowledged before me this 3rd day of October, 2003 by Donald Fletcher and Jacqueline Fletcher, who are personally known or have produced a driver's license as identification.

[Notary Seal]


Notary Public

Printed Name: _____

My Commission Expires: _____



BK 1882 PG 426 DOC STAMPS \$7000.00 DKT # 1871257 1 of 2

Prepared by and return to:

Garret T. Barnes
BARNES WALKER TITLE, INC.
3119 Manatee Ave W
Bradenton, FL 34205

File Number: 6760.000.03.07
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 17th day of September, 2003 between Donald Fletcher, a/k/a Donald E. Fletcher, and Jacqueline Fletcher, a/k/a Jacqueline C. Fletcher, husband and wife whose post office address is 4511 8th Street Circle East, Ellenton, FL 34222, grantor, and BCMR, LLC, a Florida limited liability company whose post office address is 6818 Bayshore Road, Palmetto, FL 34221, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Manatee County Florida to-wit:

LOTS 11, 12 AND THE E 1/2 OF LOT 13, PHILLIPS & ALLENS RE-SUBDIVISION OF W.H. VANDERIPE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 308A, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

Parcel Identification Number: D.P. #8228.0000/9

(The property identification number shall not be considered a legal description and is provided for informational purposes only.)

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To Have and to Hold, the same in fee simple forever.

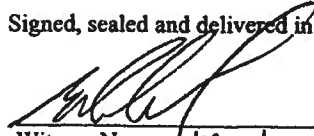
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

DoubleTimes

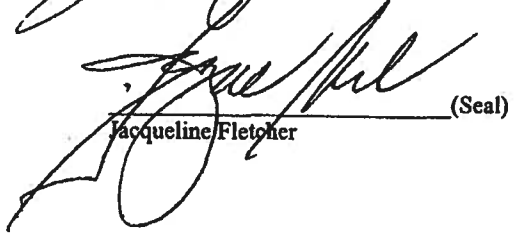
BK 1882 PG 427 FILED AND RECORDED 11/20/2003 9:30:35 AM 2 of 2
R.B. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL.

Signed, sealed and delivered in our presence:


Witness Name: Mark Wamba


Witness Name: Gerald Barnes


Donald Fletcher (Seal)


Jacqueline Fletcher (Seal)

State of Florida
County of Manatee

The foregoing instrument was acknowledged before me this 17th day of September, 2003 by Donald Fletcher and Jacqueline Fletcher, who are personally known or have produced a driver's license as identification.

[Notary Seal]


Notary Public

Printed Name: _____

My Commission Expires: _____





10/22/2007 1:56:38 PM
CE2007050539
BCMR LLC
Photo by: Susan Hunt

A handwritten signature in black ink, appearing to be 'SJA', located below the text 'Photo by: Susan Hunt'.



2007/05/24

CE 200 7050539 /JA



CE 2007050539 /JA



MANATEE COUNTY GOVERNMENT

PUBLIC SAFETY DEPARTMENT
Code Enforcement Unit • (941) 748-2071 • (941) 748-4501

CERTIFIED MAIL RETURN RECEIPT REQUESTED

May 29, 2007

BCMR LLC
6818 BAYSHORE RD
PALMETTO, FL 34221

RE: File Number: CE 2007050539

Dear Property Owner:

It has come to the attention of the Public Safety Department that awnings and aluminium patio roofs have been installed without the required building permits and/or Certificate of Occupancy/Completion on your property located at 5717 E 18TH ST ELLENTON, (DP# 822800009). This constitutes a violation of Section 512 (Building Permits) and Section 513 (Certificate of Occupancy/Completion) of the Manatee County Land Development Code.

Perhaps you were not previously aware of this regulation/ordinance. However, this letter is intended to give you written notice of such violations. You are required to correct the violation(s) by June 12, 2007. In order to correct the violation(s), a valid Building Permit(s) must be obtained and a Certificate of Occupancy or Completion must be issued.

If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the enforcement board even if the violation has been corrected prior to the board hearing.

If after June 12, 2007 the violation has not been corrected it will be necessary to schedule a hearing before the Manatee County Code Enforcement Board or Special Magistrate.

In accordance with Florida Statutes, the Code Enforcement Board or Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) exists beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and or information please contact John Andruzzi at 748-2071 between the hours of 8:00 and 9:00 am Monday through Friday.

Sincerely,

John Andruzzi
Code Enforcement Officer

CE2007050539 JA
Garret T. Barnes, ES, Barnes Walker,
Chartered, Reg. Agent For:
BCMR, LLC
3119 Manatee Avenue, West
Bradenton, FL 34205

1112 Manatee Avenue West • Bradenton, Florida • FAX (941) 741-3539

MAILING ADDRESS: P.O. Box 1000 • Bradenton, Florida 34206-1000

BK 2232 PG 4986 Dkt#2528188

R. B. "CHIPS" SHORE Clerk of Circuit Court Manatee County FL. Filed & Recorded 10/26/07 8:53:06 AM (1 of 4)

MANATEE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

FILED FOR RECORD
R. B. SHORE

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

Case No. CE2007050539

2007 AUG 27 PM 12:43

vs.

CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

BCMR LLC,
Respondent,

ORDER IMPOSING FINE

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on August 22, 2007, 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 BCMR LLC, 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 512 were made and served on Respondent by certified mail.
4. That the property located at 5717 16th Street East, Ellenton, Florida, DP#822800009, has a violation of Manatee County Land Development Code Section 512 because awnings and aluminum patio roofs have been installed without the required building permits.
5. That Respondent is in violation of Section 512 for installing awnings and aluminum patio roofs without obtaining the required building permit.

CONCLUSIONS OF LAW

1. That Respondent(s) is/are in violation of Manatee County Land Development Code Section 512.

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 correct the violation of Manatee County Land Development Code Section 512.
2. THAT if this Order is not complied with on or before October 19, 2007, it is hereby ordered that Respondent(s) shall pay a minimum fine of \$250, plus \$150 per day for each and every day any violation(s) described herein continues past October 19, 2007.
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 August 22, 2007, and executed this 27th day of August, 2007.

ATTEST: R. B. Shore
Clerk of Circuit Court



[Signature]
Manatee County Code Enforcement
Special Magistrate

By: *[Signature]*
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to the Respondent, Garret T. Barnes, Esq. Registered Agent for BCMR LLC, 3119 Manatee Avenue West, Bradenton, FL 34205, by U.S. mail and to the Manatee County Code Enforcement Division, this 26th day of August, 2007.

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



This is to certify that the foregoing is a true and correct copy of the documents on file in my office. I, R. B. SHORE, Clerk of Circuit Court, Manatee County, Florida, do hereby certify this 27th day of October, 2007.

By: *[Signature]*
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).

**CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA**

**MANATEE COUNTY, FLORIDA,
Complainant,**

CASE NO: CE2007050539

vs.

**BCMR LLC,
Respondents**

ORDER OF REFERRAL TO THE BOARD OF COUNTY COMMISSIONERS

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on June 30, 2020, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Order of Referral Order as follows:

1. The Compliance Order issued on August 22, 2007 found that the original owner BCMR LLC, was the owner or person in charge of the property located at 5717 18th St E, Ellenton, FL, and identified in the Manatee County Property Appraiser's records as: PID#822800009, and that the property was in violation of Section 512 of the Manatee County Land Development Code, in that Respondent installed awnings and aluminum patio roofs without the required building permit.
2. The Compliance Order imposed a minimum fine of \$250 plus a daily fine of \$150 for each day each violation continued to exist past the compliance date ordered.
3. As of the date of the hearing, fines imposed against Respondent(s) totaled \$5,970.00 which includes \$20.00 recording fees. A certified copy of the Order Imposing Fine/Lien issued on August 22, 2007 was recorded in the Public Records of Manatee County Book 2232 Page 4986 dated October 26, 2007, and thereafter constituted a lien against the above-described property and upon any other real or personal property owned by Respondent pursuant to Section 162.09, Florida Statutes, and Section 2-7-27 of the Manatee County Code of Ordinances.
4. The corrective action ordered in the Compliance Order has been completed and the property is now in compliance with Manatee County Land Development Code.
5. Justification exists to refer this case to the Manatee County Board of County Commissioners with a recommendation to reduce the outstanding fines to \$1,480.00 plus \$20.00 in recording fees.

DONE AND ORDERED this 30th day of June, 2020

By:



Ben Vitale
Special Magistrate
Manatee County Code Enforcement

**CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA**

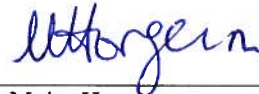
CASE NO: CE2007050539

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order of Referral to the Board of County Commissioners has been filed for the record on June 30, 2020, and has been furnished to the Respondents,

- Personally, on this 30th day of June, 2020.
 By US Mail on this 30th day of June, 2020.

By: _____



Moira Horgan
Administrative Specialist

Manatee County
Code Enforcement Division
5030 US Hwy 301N
Ellenton, FL 34222