

CODE ENFORCEMENT SPECIAL MAGISTRATE  
MANATEE COUNTY, FLORIDA

**NOTICE OF HEARING**

TO: DAVID HIRAM  
DANIELLE YANES  
1106 154TH ST NE  
BRADENTON, FL 34212

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CASE NO. CE2001-0414

To Whom It May Concern:

Pursuant to Chapter 2-7 of the County Code of Ordinances and Chapter 162, Florida Statutes, a Code Enforcement Special Magistrate has the authority to hold hearings and assess fines for violations of County Codes and Ordinances.

PLEASE TAKE NOTICE that a hearing will be held on Thursday, JANUARY 30 at 9:00 AM. at the Manatee County Administrative Complex, 1112 Manatee Ave. W., Bradenton, Florida, Board Chambers, 1st floor, before a Code Enforcement Special Magistrate to consider and act upon an alleged violation by you, or on your property as indicated by the enclosed Notice of Violation.

You have the right to appear before the Code Enforcement Special Magistrate to respond to the charges and to present relevant facts. You may choose to have an attorney represent you before the Special Magistrate, at your own expense. You will have the opportunity to present witnesses and to question the Code Enforcement Officer or other witnesses against you at the hearing. Failure to appear may result in the Special Magistrate making a determination adverse to your interest.

PLEASE GOVERN YOURSELF ACCORDINGLY.

DATE: JANUARY 17, 2020

MANATEE COUNTY, FLORIDA  
Code Enforcement Division

By:   
Signature of Code Enforcement Officer

TANYA SHAW  
Code Enforcement Officer - Print Name

Building and Development Services Dept  
North River Annex  
5030 US Hwy 301 N  
Ellenton, FL 34222

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to, participation in, employment with, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Kaycee Ellis at (941) 742-5800; TDD ONLY (941) 742-5802, wait 60 seconds; FAX (941) 745-3790.

An aggrieved party may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.  
*Florida Statutes 162.11*

# Manatee County Special Magistrate

Tanya Shaw  
January 30, 2020



# Case #: CE2001-0414

- Tanya Shaw, Manatee County Code Enforcement Officer, I have been sworn.
- Respondents: David Hiram, Danielle Yanes
- Violation address: 1106 154<sup>th</sup> St. NE, Bradenton, 34212
- Zoning: RSF-1





# OWNERSHIP

CASE # CE2001-0414

Parcel ID: 534900303  
Ownership: DAVID, HIRAM; YANES, DANIELLE  
Owner Type: INDIVIDUAL & JOINT TENANCY & RIGHTS OF SURVIVORSHIP; INDIVIDUAL & JOINT ...  
Mailing Address: 1106 154TH ST NE, BRADENTON FL 34212-9039

Situs Address: 1106 154TH ST NE, BRADENTON FL 34212-9039  
Jurisdiction: UNINCORPORATED MANATEE COUNTY  
Tax District: 0310; EAST MANATEE FIRE RESCUE  
Market Area: 06; EAST COUNTY SOUTH OF RIVER

Sec/Twp/Rge: 15-34S-19E  
Neighborhood: 4613; RIVER SPRINGS  
Subdivision: 0534900; RIVER SPRINGS; LOT 5  
Census: 120810020142

Parcel Type: REAL PROPERTY  
Parcel Created: 09/05/1987  
Map Number: 4DS1

Land Use: 0100; Single Family Residential (1554)  
Land Size: 1.0020 Acres or 43,647 Square Feet  
Building Area: 2,308 Square Feet Under Roof and 1,154 Square Feet of Living/Business Area  
Living Units: 1

Residential Bldgs: 1



## DESCRIPTION



# Case #CE2001-0414

## Violation and Description

- Violation: Section 310.3, of the Land Development Code, Building Permit Required:
- Violation description: The garage was converted into living space without a permit.



# Case # CE2001-0414

## 310.3. - Building Permit Required.



Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a **building** or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by the Florida **Building** Code, this Code or other applicable code, or to cause any such work to be done, shall first make application to the **Building** Official and obtain the **required permit**. All approvals, **permits** and certificates **required** by this Land Development Code must be applied for and obtained before an application for a **building permit** can be approved by the County. No start of construction or development shall occur until a **Building Permit** is issued.



# Case #: CE2001-0414 Case Summary

- Initial investigation: 1-17-2020
- Notice of Violation issued: Life safety issue, No NOV issued
- Notice of Violation was mailed certified Real Property on : N/A
- Re-inspections were performed:
  - Informal Dates: 1-17-2020
  - Formal Dates: 1-17-2020
  - Contact with respondent dates: 1-17-2020



# Case #: CE2001-0414

## Case Summary Continued

- Notice of Hearing was emailed to the property owners on 1-17-2020, and posted at the residence and the first floor of the Administration Building on 1-21-2020.





# EXHIBIT 1

VIOLATION OF SECTION 310.3 OF  
THE LAND DEVELOPMENT CODE

1106 154<sup>th</sup> St NE, Bradenton,  
34212

PID# 534900303

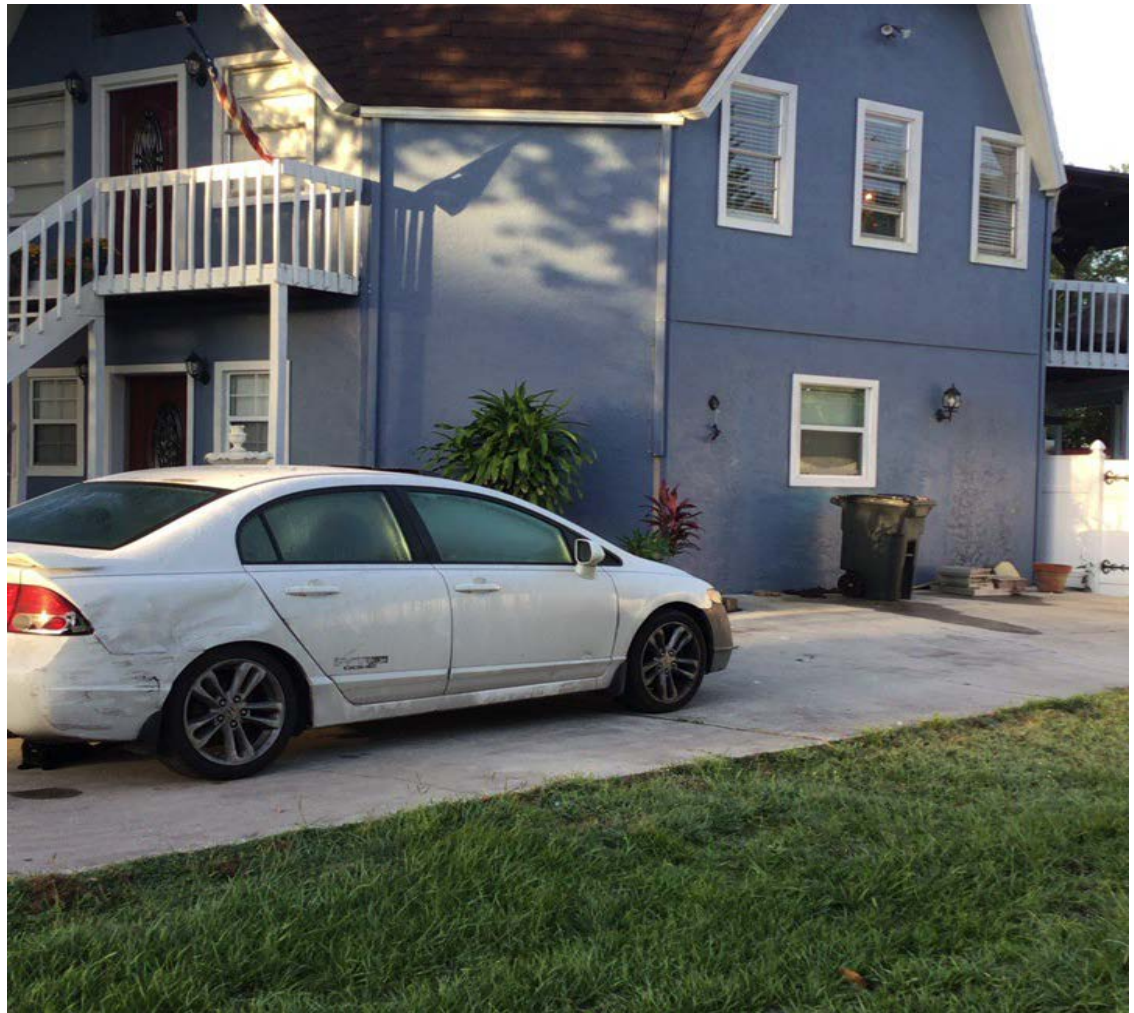


# EXHIBIT 2

VIOLATION OF SECTION 310.3 OF  
THE LAND DEVELOPMENT CODE

1106 154<sup>th</sup> St NE Bradenton, FL  
34212

PID# 534900303

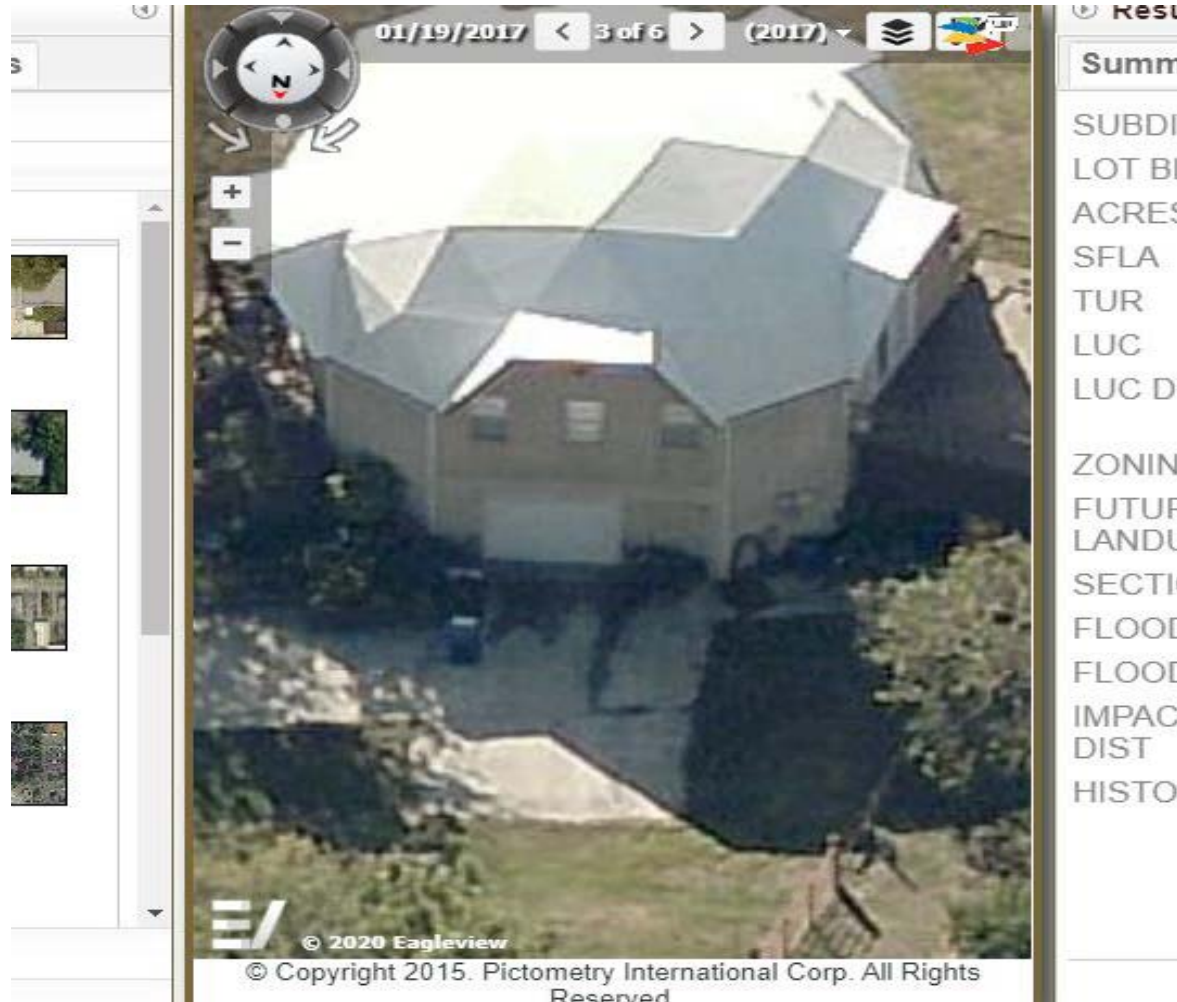


# EXHIBIT 3

VIOLATION OF SECTION 310.3  
OF THE LAND DEVELOPMENT  
CODE

1106 154<sup>th</sup> St NE Bradenton  
34212

PID# 534900303





# Recommended Action

- A permit must be obtained for all the work that was performed.
- Recommended compliance date is 2-29-20
- Recommended fine: If the property is not in compliance on or before the date set forth by the Special Magistrate, a fine of \$50.00 per day, not to exceed a maximum of \$10,000.00, shall be imposed for each and every day the violation exists beyond the compliance date ordered.



# Case #: CE2001-0414

## Evidence Submittal

- Case photographs
- Ownership: (Property Appraiser
- Copy of this presentation



# Case #: CE2001-0414

## Conclusion

- Mr. Courtney, I would like the corrective action specified in the Order.
- This concludes my presentation.



CODE ENFORCEMENT SPECIAL MAGISTRATE  
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, FLORIDA,  
Complainant,

CASE NO. CE2001-0414

vs.

David Hiram & Danielle Yanes,  
Respondent.

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on January 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:

FINDINGS OF FACT

1. Respondent(s), **David Hiram & Danielle Yanes**, whose mailing address is 1106 154<sup>th</sup> St NE., Bradenton, FL is/are the owner(s) or person(s) in charge of the property located at **1106 154<sup>th</sup> St NE., Bradenton, FL**, and identified in the Manatee County Property Appraiser's records as **PIN534900303**.
2. Respondent(s) was/were properly served with a Notice of Violation in accordance with Section 162.12, Florida Statutes and Section 2-7-3 of the County Code of Ordinances. Respondent(s)  
 was/were  was not/were not present at the hearing
3. The violation: **(LDC) Section 310.3 – Building Permit Required**. I observed the garage has been enclosed and converted into living space without permits or licensed contractor.
4. The Notice of Violation states that the violation must be corrected on or before **October 24, 2019**.
5. As of January 30, 2020, the condition described in paragraph 3 herein remains uncorrected.

CONCLUSIONS OF LAW

1. Respondent(s) by reason of the foregoing, is/are in violation of **Section 310.3** of the Land Development Code in that Respondent(s) has/have enclosed the garage without permits. Respondent(s) has/have failed to remedy the aforesaid violation(s).
2. Respondent(s) is/are subject to the provisions of Chapter 162, Part I, Florida Statutes and Chapter 2-7 of the Land Development Code.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes and 2-7-25 of the Manatee County Code of Ordinances, it is hereby ORDERED:

1. THAT Respondent(s) correct(s) the aforesaid violation by **obtaining permits or convert living quarters back to its original condition**.
2. THAT in the event the aforesaid violation is not corrected **on or before February 29, 2020**, a fine of \$50.00 per day to a maximum of \$10,000.00 shall be imposed against the Respondent(s) for each day the violation(s) has/have continued past the compliance date ordered. This fine shall continue to accrue until Respondent(s) come(s) into compliance with this Order or the fines reach the maximum ordered amount.


CODE ENFORCEMENT SPECIAL MAGISTRATE  
MANATEE COUNTY, FLORIDA

CE2001-0414

3. If the required corrective action is not taken as ordered **on or before February 29, 2020**, a certified copy of this Order shall be recorded in the public records of Manatee County, Florida and shall constitute a lien against the above-described property and upon any other real or personal property owned by Respondent(s) pursuant to Section 162.09, Florida Statutes, and Section 2-7-27 of the Manatee County Code of Ordinances.
4. That this Order is self-executing upon an Affidavit of Non-compliance being filed with the Clerk of the Circuit Court of Manatee County,

DONE AND ORDERED this 30<sup>th</sup> day of January 2020.

Manatee County Code Enforcement,  
Special Magistrate

  
Special Magistrate (Signature)

Print Name: Donald Courtney

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been filed for the record on January 30, 2020 and has been furnished to the Respondent (s),

- Personally, on this 30<sup>th</sup> day of January 2020**  
 **By US Mail on this 30<sup>th</sup> day of January 2020**

Code Enforcement Administrative Specialist  
Manatee County

By:   
Administrative Specialist (Signature)

Print Name: Tami Howard

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

**Attention:** It is your responsibility to notify Code Enforcement at **941-748-2071** to verify that the violation has been brought into compliance.



MANATEE COUNTY, FLORIDA  
CODE ENFORCEMENT

11-10-20  
TW  
11-16-2020  
JS

MANATEE COUNTY

File Number: CE2001-0414

Petitioner,

VS

DAVID HIRAM, DANIELLE YANES

Respondent

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA,  
COUNTY OF MANATEE

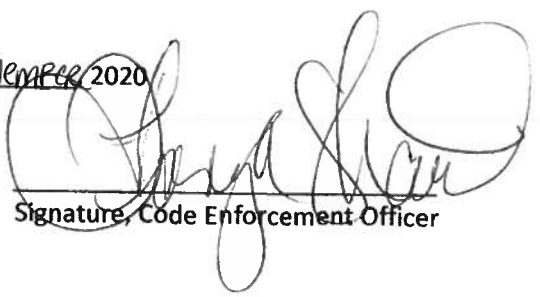
BEFORE ME, the undersign authority, personally appeared TANYA SHAW, Code Enforcement Officer for the County of Manatee, Florida, who, after being duly sworn, deposes and says:

1. That on 1-30, 2020 the Manatee County Code Enforcement Special Magistrate held a public hearing and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action on or before 2-29, 2020.
3. The re-inspection was performed on 11-3, 2020 on the property located at 1106 154TH ST NE, BRADENTON, 34212  
Address City Zip
4. That the re-inspection revealed the corrective action ordered by the Manatee County Code Enforcement Special Magistrate has not been taken and is in violation of the Manatee County  Code of Ordinances  Land Development Code, Section 310.3. The fines are to commence as ordered by the Special Magistrate.

FURTHER AFFIANT SAYETH NOT, DATED THIS 3 DAY OF November 2020.

STATE OF FLORIDA  
COUNTY OF MANATEE

TANYA SHAW  
Printed, Code Enforcement Officer



Signature, Code Enforcement Officer

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 3 day of November 2020, by Tanya Shaw, who is personally known to me  or has provided the following identification \_\_\_\_\_ . Expiration Date: \_\_\_\_\_ and who did/did not take an oath.

Notary Public Signature Tami Howard

Tami Howard  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG215940  
Expires 5/9/2022  
Notary Public Stamp

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

**MANATEE COUNTY, FLORIDA,  
Complainant,**

**CASE NO. CE2001-0414**

**vs.**

**David Hiram & Danielle Yanes,  
Respondent.**

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**FINDINGS OF FACT**

1. Respondent(s), **David Hiram & Danielle Yanes**, whose mailing address is 1106 154<sup>th</sup> St NE., Bradenton, FL is/are the owner(s) or person(s) in charge of the property located at **1106 154<sup>th</sup> St NE., Bradenton, FL**, and identified in the Manatee County Property Appraiser's records as **PIN534900303**.
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**CODE ENFORCEMENT SPECIAL MAGISTRATE  
MANATEE COUNTY, FLORIDA**

CE2001-0414

- 3. If the required corrective action is not taken as ordered on or before **February 29, 2020**, a certified copy of this Order shall be recorded in the public records of Manatee County, Florida and shall constitute a lien against the above-described property and upon any other real or personal property owned by Respondent(s) pursuant to Section 162.09, Florida Statutes, and Section 2-7-27 of the Manatee County Code of Ordinances.
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Manatee County Code Enforcement,  
Special Magistrate

*Donald Courtney*  
Special Magistrate (Signature)

Print Name: Donald Courtney

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- By US Mail on this 30<sup>th</sup> day of January 2020**

Code Enforcement Administrative Specialist  
Manatee County

By: *Tami Howard*  
Administrative Specialist (Signature)

Print Name: Tami Howard

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

**Attention:** It is your responsibility to notify Code Enforcement at **941-748-2071** to verify that the violation has been brought into compliance.

STATE OF FLORIDA, COUNTY OF MANATEE

This is to certify that the foregoing is a true and correct copy of the document on file in my office.

- No redactions
- Redacted pursuant to law
- Full Document
- Page \_\_\_\_\_ of \_\_\_\_\_
- Not USA
- Letter of Administration is in full force and effect



Witness my hand and official seal dated 3/16/21  
MANATEE COUNTY CLERK OF COURTS  
By: *Angelina Colonnese*  
Deputy Clerk