

CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

NOTICE OF HEARING

TO: Transpor Manasota Inc.
1812 Roslyn Ave
Bradenton, FL 34207

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

CASE NO. CE2004-0785

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 **WEDNESDAY, January 27, 2021** 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 15, 2021

MANATEE COUNTY, FLORIDA
Code Enforcement Division

By: 
Signature of Code Enforcement Officer

Kelvin Albritton
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 Building and Development Services
Code Enforcement Division
1112 Manatee Avenue West 4th Floor
Bradenton, FL 34205
Phone: (941) 748-2071
www.mymanatee.org

Notice of Violation

Case #: CE2004-0785

Date Issued: 06/08/2020

Time Issued: 11:25 am

Violator(s):	Phone Number:	Relationship:
Transport Manasota Inc 1812 Roslyn Ave Bradenton FL 34207 US	N/A	Owner

Location of Violation: 5435 15TH ST E

City: BRADENTON

State: FL

Zip Code: 34203

Parcel ID#: 1827100209000-1656529105

Description of Violation

LDC Section 310.3 Building Permit Required: I observed that there was a portion of the building torn down and rebuilt with blocks without a permit.

Correction Action: Obtain required permits for the building on or by the compliance date.

Correct on or before: 07/08/2020

Officer's Signature:

Officer's Name Printed: Kelvin Albritton

Officer's Phone Number: (941) 713-5148

Received by:

Date:

6/8/2020

Print Name:

IF THE VIOLATION(S) IS/ARE NOT CORRECTED, THE CODE ENFORCEMENT OFFICER MAY INSTITUTE FURTHER ACTION BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE OR ISSUE A CITATION OR ISSUE A NOTICE TO APPEAR (NTA). IF YOU WISH TO DISCUSS THIS NOTICE OR SCHEDULE A RE-INSPECTION, PLEASE CALL THE CODE ENFORCEMENT OFFICER AND LEAVE YOUR NAME, CASE NUMBER AND A PHONE NUMBER WHERE YOU CAN BE REACHED.

Manatee County Special Magistrate

Kelvin Albritton
January 27, 2021




Case #: CE2004-0785

- Kelvin Albritton, Manatee County Code Enforcement Officer, I have been sworn.
- Respondents: Transport Manasota Inc
- Violation address: 5435 15th St E Bradenton, FL 34203
- PID: 1827100209
- Zoning: General Commercial



OWNERSHIP


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**MANATEE COUNTY
PROPERTY APPRAISER
CHARLES E. HACKNEY**


[Home](#) [Meet Charlie](#) [Property Search](#) [Exemptions/Classifications](#) [Forms/Requests](#) [Reports/De](#)


[Property Card](#) [Trim Notice](#) [Tax Bill](#)

Parcel ID: 1827100209 

Ownership: TRANSPORT MANASOTA INC
Owner Type: CORPORATION
Mailing Address: TRANSPORT MANASOTA INC, 1812 ROSLYN AVE, BRADENTON FL 34207

Situs Address: 5435 15TH ST E, BRADENTON FL 34203-6110
Jurisdiction: UNINCORPORATED MANATEE COUNTY 
Tax District: 0303; SOUTHERN MANATEE FIRE RESCUE
Market Area: 73; COMMERCIAL-WEST OF I-75

Sec/Twp/Rge: 18-35S-18E
Neighborhood: 7360; S OF SR 70,E OF US 41,W OF US 301
Census: 120810003051
Short Description: PARCEL A: BEG AT THE NW COR OF THE NW 1/4 OF THE NW 1/4 OF SEC 18, TWN 35S, RNG 18E; TH GO S 1117.4 FT FOR THE POB; TH S 200 FT TO THE SW COR OF SD NW 1/4 OF NW 1/4 OF SEC 18; TH [\[Full Description\]](#) 

Zoning/Flood Info: [View this parcel on Manatee County's website](#) 

Land Use: 3300; Night Clubs, Lounges, Bars (1555)
Land Size: 0.7450 Acres or 32,452 Square Feet
Building Area: 2,544 SqFt Under Roof / 1,755 SqFt Living or Business Area



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Violation and Description

- Violation: Section 310.3 of the Land Development Code
- Violation description: A portion of the building was torn down and rebuilt without a permit.



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Copy of Code

- Section 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.



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Case Summary

- Initial investigation: 4/28/2020
- Notice of Violation was posted on the property on 6/8/2020
- Notice of Violation was mailed certified to Registered Agent on 6/8/2020
- Re-inspections were performed:
 - Informal Dates: 4/28, 4/29, 7/8, 7/23, 8/20, 9/3, 10/5, 12/3/2020
 - Formal Dates: 6/8, 1/15/2021
 - Contact with respondent dates: Almost every time I inspected the property.



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Case Summary Continued

- Notice of Violation and Notice of Hearing were posted at the property and posted at the first floor of the Administration Building and sent certified mail on 1/15/2021



EXHIBIT 1

VIOLATION OF SECTION 310.3 OF
THE Land Development Code

ADDRESS: 5435 15th St E



EXHIBIT 2

VIOLATION OF SECTION 310.3 OF
THE Land Development Code

ADDRESS: 5435 15th St E



Recommended Action

- Must obtain required permit for the work that was done.
- Recommended compliance date is 2/26/2021
- 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.



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Evidence Submittal

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



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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: CE2004-0785

vs.

**Transport Manasota Inc,
Respondent.**

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on January 27, 2021, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Compliance Order as follows:

FINDINGS OF FACT

1. Respondent, Transport Manasota Inc, whose mailing address is 1812 Roslyn Ave., Bradenton, FL is the owner or person in charge of the property located at 5435 15th St E, Bradenton, FL, and identified in the Manatee County Property Appraiser's records as PIN: 1827100209.
2. Respondent was 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 was was not present at the hearing.

3. The violation: (LDC) Section 310.3 – Building Permit Required. A portion of the building was torn down and rebuilt with blocks without a permit.
4. The Notice of Violation states that the violation must be corrected on or before July 8, 2020.
5. As of January 27, 2021, the condition described in paragraph 3 herein remains uncorrected.

CONCLUSIONS OF LAW

1. Respondent, by reason of the foregoing, is in violation of Section 310.3 of the Land Development Code in that Respondent has torn down and rebuilt a portion of the building with blocks without a permit. Respondent has failed to remedy the aforesaid violation.
2. Respondent is 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 corrects the aforesaid violation by obtaining a building permit for the building.
2. THAT in the event the aforesaid violation is not corrected on or before February 26, 2021, a fine of \$50.00 per day to a maximum of \$10,000.00 shall be imposed against the Respondent for each day the violation has continued past the compliance date ordered. This fine shall continue to accrue until Respondent comes into compliance with this Order or the fines reach the maximum ordered amount.

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MANATEE COUNTY, FLORIDA**

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3. If the required corrective action is not taken as ordered on or before February 26, 2021, a certified copy of this Compliance 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 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 27th day of January, 2021.

By: 
Donald Courtney
Special Magistrate
Manatee County Code Enforcement

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 27, 2021 and has been furnished to the Respondent,

- personally, on this 27th day of January, 2021
 by US Mail on this 27th day of January, 2021

By: 
Moira Horgan
Administrative Specialist
Manatee County Code Enforcement
5030 US Hwy 301 N
Ellenton, FL 34222

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