



Manatee County Public Safety  
 Code Enforcement Division  
 P.O. Box 1000  
 Bradenton, FL 34206  
 Phone: (941) 748-2071  
 www.mymanatee.org

**Notice of Violation**

**Case #:** CE2205-0746

**Date Issued:** 05/27/2022

**Time Issued:** 12:57 pm

Violator(s):	Phone Number:	Relationship:
WNY Holdings Group LLC 2259 Emery Rd South Wales NY 14139 US	N/A	Owner
The LLC 1450 Porterville Rd East Aurora NY 14052 US	N/A	Agent

**Location of Violation:** 7146 BOCA GROVE PL 202  
**City:** LAKEWOOD RANCH **State:** FL **Zip Code:** 34202  
**Parcel ID#:** 5884668590000-1853108306

**Description of Violation**

Cite LDC 310.3 Building Permit Required.

Violation Details: I observed the property has done an a/c changeout without a building permit.

Corrective Action Required: Obtain an issued Manatee County Building permit.

**Correct on or before:** 06/24/2022

**Officer's Signature:**

**Officer's Name Printed:** Cory Hayden

**Officer's Phone Number:** (941) 718-2691

**Received:** posted to property **Date:** 5/27/2022

**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.**

CODE ENFORCEMENT SPECIAL MAGISTRATE  
MANATEE COUNTY, FLORIDA

**NOTICE OF HEARING**

TO: WNY Holding Group LLC  
2259 Emery Rd  
South Wales NY,14139

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

CASE NO. CE2205-0746

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, July 27th, 2022** at 9:00 AM. at the **Bradenton Area Convention Center, 1 Haben Blvd, Palmetto, FL 34221, in the Manatee Room**, 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: 7-13-2022

MANATEE COUNTY, FLORIDA  
Code Enforcement Division

By:   
*Signature of Code Enforcement Officer*

Cory Hayden  
Code Enforcement Officer - Print Name

Public Safety Department  
P.O. Box 1000  
Bradenton, FL 34206

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 (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

Cory Hayden

July 27th, 2022



# Case #: CE2205-0746

- Cory Hayden, Manatee County Code Enforcement Officer, I have been sworn.
- Respondents: WNY Holdings Group LLC
- Violation address: 7146 Boca Grove Pl #202 Lakewood Ranch, Fl 34202
- PID: 588466859
- Zoning: PD-MU Condominia Improved





Property Card

Trim Notice

Tax Bill

Aerial Map

Oblique Imagery

Tax Estimator

Parcel ID: **588466859**

Ownership: WNY HOLDINGS GROUP LLC

Owner Type: CORPORATION

Mailing Address: WNY HOLDINGS GROUP LLC, 2259 EMERY RD, SOUTH WALES NY 14139

Situs Address: 7146 BOCA GROVE PL UNIT 202, LAKEWOOD RANCH FL 34202-8966

Jurisdiction: UNINCORPORATED MANATEE COUNTY

Tax District: 0310: EAST MANATEE FIRE RESCUE DISTRICT

Market Area: 68: E. OF I-75, S. OF RIVER CONDOS

Sec/Twp/Rge: 33-35S-19E

Neighborhood: 6813: BOCA GROVE CONDOMINIUM

Condominium: 0588422: BOCA GROVE: CB 29/130

Short Description: UNIT 202 BLDG 7146 BOCA GROVE A CONDO PI#5884.6685/9 [Full Description]

Zoning/Flood Info: View this parcel on Manatee County's website

Land User: 0400: Condominia Improved (1554)

Land Size: 0.0000 Acres or 0 Square Feet

Building Area: 1,557 SqFt Under Roof / 1,431 SqFt Living or Business Area / 1,557 SqFt Residential Impervious Area

Living Units: 1

Sales

Exemptions

Businesses

Addresses

Inspections

Sale Date	Book / Page Instrument	Instrument Type	Vacant / Improved	Qualification Code	Sale Price	Grantee
11/19/2021	202141154423	CT	Y	12	220,200	WNY HOLDINGS GROUP LLC
08/11/2020	UNRECORDED	DL	Y	11	0	MOYLAN, DANIELE
11/19/2004	1973 / 1238	WD	Y	01	255,000	MOYLAN, DANIELE
08/22/2000	1650 / 6167	SW	Y	01	148,900	ALBERTS, SAMUEL M



Eri Community Maps Contributors, University of South Florida, Manatee County... Powered by Esri

Photos

Sketches

Street View

# OWNERSHIP

Case#: CE2205-0746



# Case #: CE2205-0746

## Violation and Description

- Violation: Cite LDC, Section 310.3 - Building Permit Required
- Violation description: The property owner has A/C work done without a building permit. Expired Permit BLD2007-1611



# Case #: CE2205-0746

## Copy of Code

- **Land Development Code 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 #: CE2205-0746

## Case Summary

- Initial investigation: 5/27/2022
- Notice of Violation issued: 5/27/2022
- Notice of Violation was sent out certified mail and posted to the property
- Re-inspections were performed:
  - Informal Dates: 7/7/2022
  - Formal Dates: 5/27/2022, 7/14/2022
  - The Notice of Hearing and a copy of the original Notice of Violation were posted to the property and sent via certified mail on 7/13/2022.





# EXHIBIT 1

- **VIOLATION OF SECTION Cite LDC 310.3 Building Permit Required**
- **7146 Boca Grove Pl #202, Lakewood Ranch, 34202**

BLD2007-1611

MOYLAN

AC CHANGE OUT 3 TON ...

STATUS

> Expired

03/29/2021 by Deann...

LOCATION

> 7146 BOCA GROVE PL

LAKEWOOD RANCH 3...

CONTACT

> Karen Jacobs

WORKFLOW

> 24 total Task

6 completed O...

VIEW NOTICE

Menu Reports Help

File Date: 07/15/2020

Application Status: Expired

Description of Work: AC CHANGE OUT 3 TON SYSTEM MECHANICAL LIKE FOR LIKE EQUIPMENT CHANGE OUT WITH THE SAME COOLING GROVE A CONDO

Application Detail: Detail

Application Type: Mechanical

Application Name: MOYLAN

Address: 7146 BOCA GROVE PL 202, LAKEWOOD RANCH, 34202

Owner Name: MOYLAN DANIEL E

Owner Address: 7146 BOCA GROVE PL 202, BRADENTON, FL 34202

Parcel No: 5884668590000-1853108306

Summary

Record

Address (1)

Data Fields

Custom Lists (2)

Calendar

Comments (1)


Conditions (1)

Contacts (1)



# EXHIBIT 2

- VIOLATION OF SECTION Cite LDC 310.3 Building Permit Required
- 7146 Boca Grove Pl #202, Lakewood Ranch, 34202



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**Notice of Violation** Case #: CE2205-0746  
Date Issued: 05/27/2022 Time Issued: 12:57 pm

Violator(s)	Phone Number	Relationship
WNY Holdings Group LLC 2259 Emory Rd South Wales NY 14129 US	N/A	Owner
The LLC 1450 Fonteville Rd East Amherst NY 14052 US	N/A	Agent

Location of Violation: 7146 BOCA GROVE PL 202  
City: LAKE WOOD RANCH State: FL Zip Code: 34202  
Parcel ID#: 5804680590000-1853109306

**Description of Violation**  
Cite LDC 310.3 Building Permit Required.  
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Correct on or before: 06/24/2022  
Officer's Signature:   
Officer's Name Printed: Cory Hayden  
Officer's Phone Number: (941) 746-2691  
Received: Posted to property Date: 5/27/2022  
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.

Notice of Violation was posted and sent certified mail on 5/27/2022.



# EXHIBIT 3

- **VIOLATION OF SECTION Cite LDC 310.3 Building Permit Required**
- **7146 Boca Grove Pl #202, Lakewood Ranch, 34202**

**Notice of Hearing was posted to the property on 7/14/2022 and sent of certified mail on 7/14/2022.**



# Recommended Action

- The respondent must obtain a valid Manatee County building permit or remove the fence.
- Recommended compliance date is 8/26/2022.
- 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 \$100,000.00, shall be imposed for every day the violation exists beyond the compliance date ordered.



# Case #: CE2205-0746

## Evidence Submittal

- Case photographs
- Ownership: Copy of Property Appraiser's page on this property
- Copy of this presentation



# Case #: CE2205-0746

## 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,

CASE NO: CE2205-0746

Complainant

vs.

WNY Holdings Group LLC,

Respondent

**COMPLIANCE ORDER**

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on July 27, 2022, 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, WNY Holdings LLC, whose mailing address is 2259 Emery Rd, South Wales, NY 14139, is the owner or person in charge of the property located at 7146 Boca Grove Pl #202, Lakewood Ranch, FL 34202, and identified in the Manatee County Property Appraiser's records as PIN: 588466859.
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. An A/C unit has been replaced without a building permit.
4. The Notice of Violation states that the violation must be corrected on or before June 24, 2022.
5. As of July 27, 2022, 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 replaced the A/C unit without a building 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:

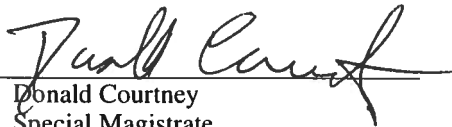
1. THAT Respondent corrects the aforesaid violation by obtaining a building permit.
2. THAT in the event the aforesaid violation is not corrected on or before August 26, 2022, a fine of \$50.00 per day to a maximum of \$10,000.00 shall be imposed against the Respondent for each day the violation has continued past the compliance date ordered. This fine shall continue to accrue until Respondent comes into compliance with this Compliance Order or the fines reach the maximum ordered amount.

CODE ENFORCEMENT SPECIAL MAGISTRATE  
MANATEE COUNTY, FLORIDA

CE2205-0746

3. If the required corrective action is not taken as ordered on or before August 26, 2022, 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 Compliance 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 27<sup>th</sup> day of July, 2022.

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 July 27, 2022 and has been furnished to the Respondents,

- Personally, on this 27<sup>th</sup> day of July, 2022  
 By US Mail on this 27<sup>th</sup> day of July, 2022

By:   
Moira Horgan  
Administrative Specialist  
Manatee County Code Enforcement  
Department of Public Safety  
P.O. Box 1000  
Bradenton, FL 34206

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