



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 #: CE2206-0267

Date Issued: 06/15/2022

Time Issued: 2:31 pm

Violator(s):	Phone Number:	Relationship:
Joseph & Lillian Sestito 457 Beechwood St Cohasset MA 02025 US	N/A	Owner

Location of Violation: 3851 CATALINA DR
City: BRADENTON **State:** FL **Zip Code:** 34210
Parcel ID#: 7502311553000-0452707060

Description of Violation

Cite LDC Section 310.3 Building Permit Required

Violation Details: I observed that there was remodeling done including electric and plumbing. All done without a permit.

Corrective Action: Obtain required permit or convert home back to the original state.

Correct on or before: 07/15/2022

Officer's Signature:

Officer's Name Printed: Kelvin Albritton

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

Received: **Date:** 6/15/2022

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.

SendSuite Live Desktop 3.6 SSL View 3.0 group voiding

Search Selected Shipment Details

Recipient Details

Shipped To Address:
Joseph & Lillian Sestito
457 Beechwood St

Billed To Address:

Cohasset
MA
02025
US

Shipment Details

Order #:
PO#:

Shipped Via: USPS Server
First-Class Mail®

Shipment ID: **37109**
Shipped Date: 06/15/2022
Status: Processed

Shipping Cost: 0.50
Accessorial: 5.25
Other: 0.00

Customer:
0.50
5.25
0.00

Total Cost: 5.75 **\$5.75 USD**

Processed

Shipment Options

Void Complete Shipment

Reprint Documents

Reprint Coversheet

Packages within Shipment

Package ID	Tracking Number #	Status	Attention To	Receiver Phone
37129	9414814901027065476040	Processed	CE2206-0267 - NOV	.

Package Rows

CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

NOTICE OF HEARING

TO: Joseph & Lillian Sestito
457 Beechwood St.
Cohasset, MA 02025

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

CASE NO. CE2206-0267

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, June 28, 2023** at 9:00 AM. at the **Manatee County Administrative Building, 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: 5/31/2023

Signature of Respondent/Representative

Respondent/Representative Printed Name

MANATEE COUNTY, FLORIDA
Code Enforcement Division

By: 
Signature of Code Enforcement Officer

Kelvin Albritton
Code Enforcement Officer - Print Name

Public Safety Department
Code Enforcement Division
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

Kelvin Albritton

June 28, 2023



Case #: CE2206-0267

- Kelvin Albritton, Manatee County Code Enforcement Officer, I have been sworn.
- Respondents: Joseph & Lillian Sestito
- Violation address: 3851 Catalina Dr.
- PID: 7502311553
- Zoning: PD-R





OWNERSHIP

CASE #: CE2206-0267

Parcel ID: 7502311553
Ownership: SESTITO, JOSEPH A; SESTITO, LILLIAN M
Owner Type: HUSBAND OR WIFE; SPOUSE
Mailing Address: SESTITO, JOSEPH A, SESTITO, LILLIAN M, 457
BEECHWOOD ST, COHASSET MA 02025

Situs Address: 3851 CATALINA DR, BRADENTON FL 34210-1408
Jurisdiction: UNINCORPORATED MANATEE COUNTY
Tax District: 0001; UNINCORPORATED MSTU
CRA/TIF District: SW; SOUTHWEST COUNTY IMPROVEMENT DISTRICT
Market Area: 65; W. OF 301, N. OF CORTEZ CONDOS

Sec/Twp/Rge: 01-35S-16E
Neighborhood: 6509; PALMA SOLA HARBOUR CONDOMINIUM
Condominium: 7502304; PALMA SOLA HARBOUR SECTION 4

Parcel Type: REAL PROPERTY
Parcel Created: 09/07/1987
Map Number: 5ANS

Land Use: 0400; CONDOMINIA IMPROVED
Land Size: 0.0000 Acres or 0 Square Feet
Building Area: 1,452 SqFt Under Roof / 1,452 SqFt Living or Business
Area / 1,452 SqFt Residential Impervious Area
Living Units: 1

Residential Bldgs: 1



Case #: CE2206-0267

Violation and Description

- Violation: Section 310.3 of the Land Development Code
- Violation description: I observed that there was remodeling done including electric and plumbing. All done without a permit.



Case #: CE2206-0267

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.



Case #: CE2206-0267

Case Summary

- Initial investigation: 6/15/2022
- Notice of Violation issued: 6/15/2022
- Notice of Violation was mailed certified to Real Property Owner on 6/15/2022
- Re-inspections were performed:
 - Informal Dates: 8/19/2022, 4/21, 5/12, 5/25/2023
 - Formal Dates: 6/15/2022
 - Contact with respondent dates: I have not had contact with the owner. However, I have had contact with the general contractor multiple times.



Case #: CE2206-0267

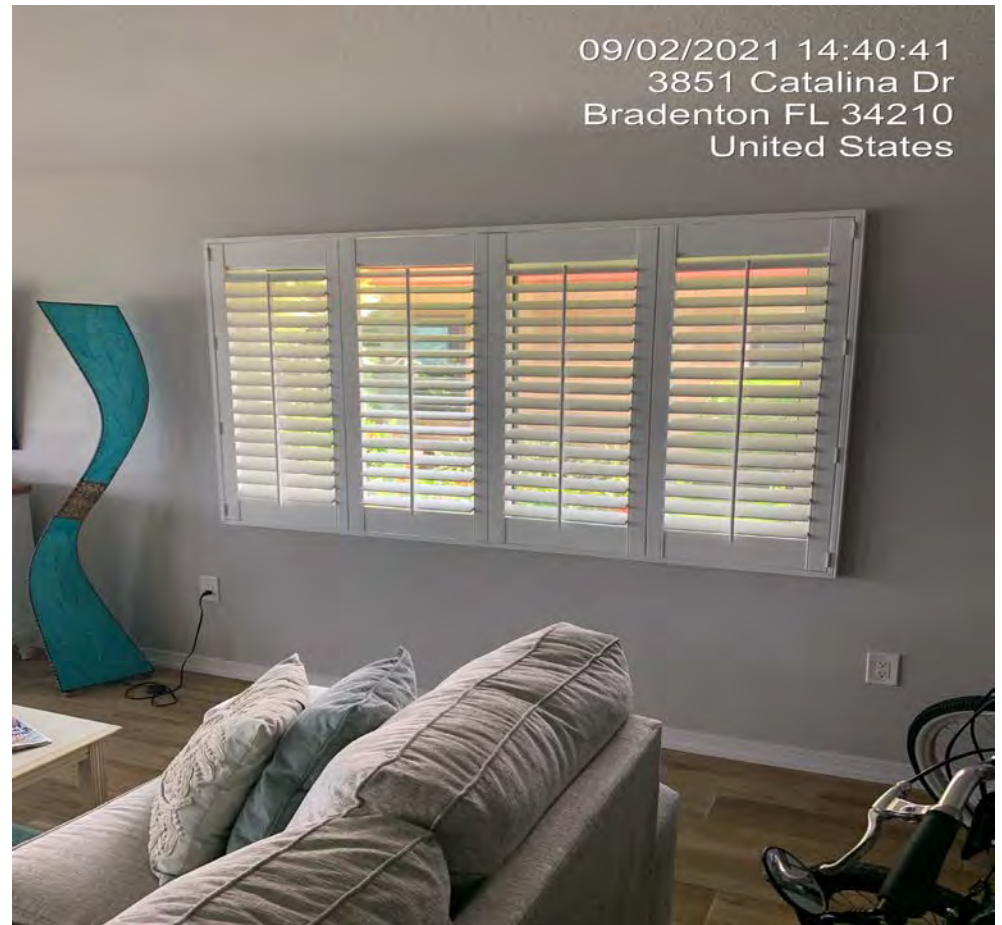
Case Summary Continued

- Notice of Violation and Notice of Hearing posted at the property and at the first floor of the Administration Building May 31, 2023, and sent certified mail on May 31, 2023



EXHIBIT 1

VIOLATION OF SECTION 310.3 OF
THE LAND DEVELOPMENT CODE
ADDRESS 3851 CATALINA DR.



09/02/2021 14:40:44
3851 Catalina Dr
Bradenton FL 34210
United States

EXHIBIT 2

VIOLATION OF SECTION 310.3 OF
THE LAND DEVELOPMENT CODE
ADDRESS 3851 CATALINA DR.



09/02/2021 14:42:54
3851 Catalina Dr
Bradenton FL 34210
United States

EXHIBIT 3

VIOLATION OF SECTION 310.3 OF
THE LAND DEVELOPMENT CODE
ADDRESS 3851 CATALINA DR.



Recommended Action

- Obtain required building permit or convert home back to the original state.
- Recommended compliance date is September 26, 2023
- 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 \$50,000.00, shall be imposed for each and every day the violation exists beyond the compliance date ordered.



Case #: CE2206-0267

Evidence Submittal

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



Case #: CE2206-0267

Conclusion

- Mr. Vitale, I request relief as stated in my recommended action.
- This concludes my presentation.



CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, FLORIDA,
Complainant,

CASE NO. CE2206-0267

vs.

Joseph & Lilian Sestito,
Respondent.

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on June 28, 2023, 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), **Joseph & Lilian Sestito**, whose mailing address is 457 Beachwood St., Cohasset, MA is/are the owner(s) or person(s) in charge of the property located at **3851 Catalina Dr., Bradenton FL**, and identified in the Manatee County Property Appraiser's records as **PIN7502311553**.
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**. There was remodeling done including electric and plumbing. All done without a permit.
4. The Notice of Violation states that the violation must be corrected on or before **July 15, 2022**.
5. As of June 28, 2023, 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 the respondent(s) has/have remodeled including electric and plumbing without a permit. 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 the Respondent(s) correct(s) the aforesaid violation by **obtaining required permit(s) or convert the home back to its original state**.
2. THAT in the event the aforesaid violation is not corrected **on or before September 26, 2023**, a fine of \$50.00 per day to a maximum of \$50,000.00 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

CE2206-0267

3. If the required corrective action is not taken as ordered **on or before September 26, 2023**, 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 28th day of June 2023.

Manatee County Code Enforcement,
Special Magistrate



Special Magistrate (Signature)
Print Name: Ben Vitale

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been filed for the record on June 28, 2023 and has been furnished to the Respondent (s),

- Personally, on this 28th day of June 2023
 By US Mail on this 28th day of June 2023

Code Enforcement Administrative Specialist
Manatee County

By: 
Administrative Specialist (Signature)
Print Name: Karen Mata

Code Enforcement Division
2101 47th Terrace East
Bradenton, FL 34203

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