

CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

NOTICE OF HEARING

TO: Jose M. Riviera-Gutierrez
3212 52nd Avenue Dr. W.
Bradenton, FL. 34207
Property ID: 1474500004

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

CASE NO. CE2509-0928

To Whom It May Concern:

In accordance with Chapter 2-7 of the County Code of Ordinances and Chapter 162 of the Florida Statutes, a Code Enforcement Special Magistrate has the authority to conduct hearings and impose fines for violations of County Codes and Ordinances.

NOTICE is hereby given that a hearing will be held on **Wednesday, 09/23/2026** at 9:00 AM. at the **Manatee County Administrative Building, 1112 Manatee Ave. W., Bradenton, Florida, in the Board Chambers on the 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 attend before the Code Enforcement Special Magistrate to respond to the charges and to present relevant evidence. 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 decision unfavorable to your interests.

PLEASE GOVERN YOURSELF ACCORDINGLY.

DATE: 09/01/2026

Posted at the property

Signature of Respondent/Representative

Respondent/Representative Printed Name

MANATEE COUNTY, FLORIDA
Code Enforcement Division

By: 
Signature of Code Enforcement Officer

Ben Dornon

Code Enforcement Officer - Print Name

Development Services 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 Development Services Department
Code Enforcement Division
P.O. Box 1000
Bradenton, FL 34206
Phone: (941) 748-2071
www.mymanatee.org

Notice of Violation

Case #: CE2509-0928

Date Issued: 04/15/2026

Time Issued: 9:46 am

Violator(s): Jose Riviera-Gutierrez 3212 52nd Avenue Dr. W. Bradenton FL 34207 US	Phone Number: N/A	Relationship: Owner
---	-----------------------------	-------------------------------

Location of Violation: 6907 36TH AVE E

City: BRADENTON

State: FL

Zip Code: 34208

Parcel ID#: 1474500004000-1193563486

Description of Violation

Cite: Manatee County Code of Ordinances, Section 2-9-108 - Motor Vehicles/Commercial Vehicles.

Violation Details: There are several very large commercial use trucks that exceed the 15,000 lb. gross vehicle weight and 9' in height limit being stored at this A-1 zoned property.

Corrective Action Required: The large commercial vehicles must be removed from the property.

Correct on or before: 4/29/2026

Officer's Signature: _____

Officer's Name Printed: Ben Dornon

Officer's Phone Number: (941) 737-0214

Received

Posted at the property

Date:

April 15, 2026

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.

Paola Sepulveda Moreno 209
MANATEE, COUNTY OF
P.O. Box 1000
BRADENTON, FL 34205-1000

USPS CERTIFIED MAIL



9414 8149 0316 5966 3130 38

NOV CE2509-0928 & CE2510-0267
Jose Riviera-Gutierrez
3212 52ND AVENUE DR W
BRADENTON, FL 34207-1659

Shipper Ref: 209

Manatee County Special Magistrate

Officer: Ben Dornon
Date: 09/23/2026



Case # CE2509-0928

- Ben Dornon, Manatee County Code Enforcement Officer, I have been sworn.
- Respondents: Jose Riviera-Gutierrez
- Violation address: 6907 36th Ave. E., Bradenton, FL 34207
- PID: 1474500004
- Zoning: A-1 - Agricultural



Property Record Card



MANATEE COUNTY
PROPERTY APPRAISER
CHARLES E. HACKNEY

Property Record Card

Created at: <https://www.manateepao.gov> on September 15, 2026

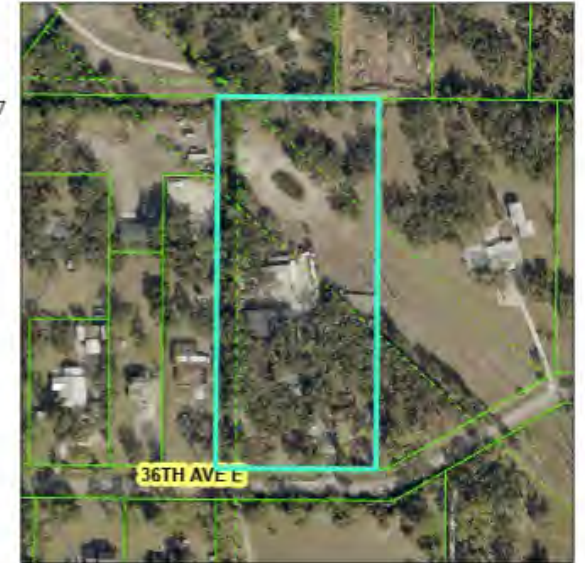
Parcel ID: 1474500004
Ownership: RIVIERA-GUTIERREZ, JOSE M
Owner Type: INDIVIDUAL
Mailing Address: RIVIERA-GUTIERREZ, JOSE M, 3212 52ND AVENUE DRIVE W, BRADENTON FL 34207

Situs Address: 6907 36TH AVE E, BRADENTON, FL 34208-6773
Jurisdiction: UNINCORPORATED MANATEE COUNTY
Tax District: 0310; EAST MANATEE FIRE RESCUE DISTRICT
Sec/Twp/Rge: 02-35S-18E
Neighborhood: 4335; OFF OF MORGAN JOHNSON
Subdivision: 1473200; BRADEN RIVER RANCHETTES UNIT 1; LOT 12; PB 15/36

Parcel Type: REAL PROPERTY
Parcel Created: 09/05/1987
Map Number: 5CS0

FEMA Value: \$109,209 as of January 1, 2026
Land Use: 0100; SINGLE FAMILY RESIDENTIAL
Land Size: 5.2000 Acres or 226,512 Square Feet
Building Area: 2,531 SqFt Under Roof / 1,617 SqFt Living or Business Area / 2,531 SqFt Residential Impervious Area
Living Units: 1

Residential Bldgs: 1



DESCRIPTION

LOT 12 BRADEN RIVER RANCHETTES UNIT NO 1 PI#14745.0000/4

2026 PRELIMINARY CERTIFIED VALUES

	County	School	IndSpcDist	Municipality
Land Value:	391,000	391,000	391,000	
Improvement Value:	125,053	125,053	125,053	
Total Market Value:	516,053	516,053	516,053	
Land Classified Agricultural:	0	0	0	
Classified Use Value:	0	0	0	
Classified Use Savings:	0	0	0	
Ineligible for 10% Cap:	0	516,053	0	

2026 SPECIAL ASSESSMENTS

Description	Amount
FD10 EAST MANATEE FIRE RESCUE DISTRICT	215.26

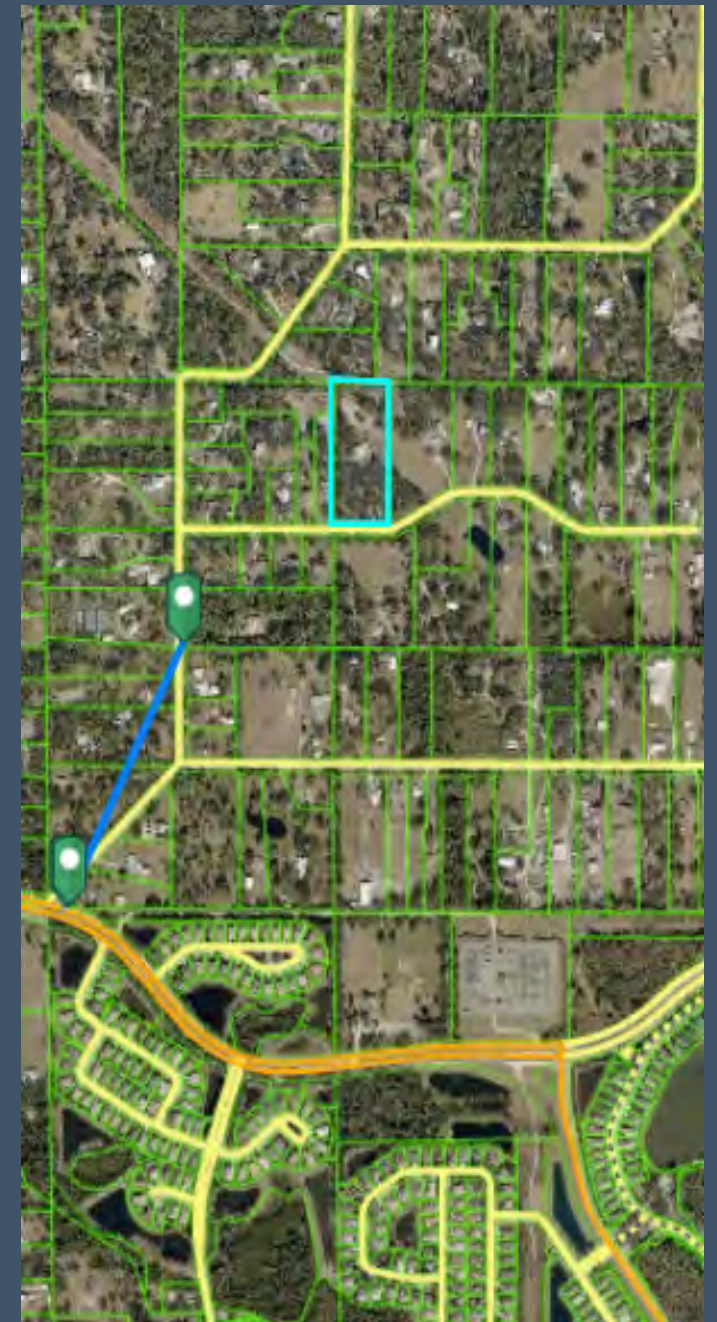
PROPERTY APPRAISER INSPECTIONS

Inspection	Inspector	Type	Reason
06/10/2026	MLK	INSPECTION BY IMAGE TECHNOLOGY	5 YEAR STATUTORY REVIEW
04/08/2021	MLK	INSPECTION BY IMAGE TECHNOLOGY	5 YEAR STATUTORY REVIEW

ADDRESSES ASSIGNED TO THE PROPERTY

Site Location

General Location: Property is located along 36th Ave. E. & 67th St. Ct. E., Approx. 1,480' North of 44th Ave. E. in Bradenton



Case # CE2509-0928

Violation and Description

- Violation: Section 2-9-108 of the Manatee County Code of Ordinances: Motor Vehicles
- Violation Description: There are very large commercial use trucks being stored and used at this property that exceed the 15,000 lb. gross vehicle weight limit and 9' height limit permitted by code.



Case # CE2509-0928

Copy of the Code

- **Sec. 2-9-108. - Motor vehicles.**
- **(a) Commercial vehicles.**
- (1) Commercial vehicles may be parked on any property in compliance with the Land Development Code appurtenant to a structure on the premises, or when engaged in active on-site construction, transportation or other temporary service for the premises where they are parked.
- (2) Commercial vehicles shall not be parked on any residential lot, or in/on any right-of-way, except as provided below:
 - a. On properties with a bona fide farm operation on land classified as agricultural land pursuant to Section 193.461, Florida Statutes;
 - **b. Two (2) commercial vehicles per premises may be parked on residential property, when such vehicles are used by residents of the premises and are parked off-street in a garage, carport or driveway, provided that neither vehicle exceeds fifteen thousand (15,000) pounds of gross vehicle weight (GVW) and nine (9) feet in height. The height shall be measured from the ground to the highest point of the vehicle or any object being carried. The height limitation shall not apply to commercial vehicles less than one ton rated capacity.**
 - c. One of the two (2) commercial vehicles may be a tow truck, provided that the towing company is on an approved law enforcement response list and the vehicle is not capable of towing semi-tractor trailers.



Exhibit 1

Violation of CCO, Section
2-9-108

Address: 6907 36th Ave. E.,
Bradenton

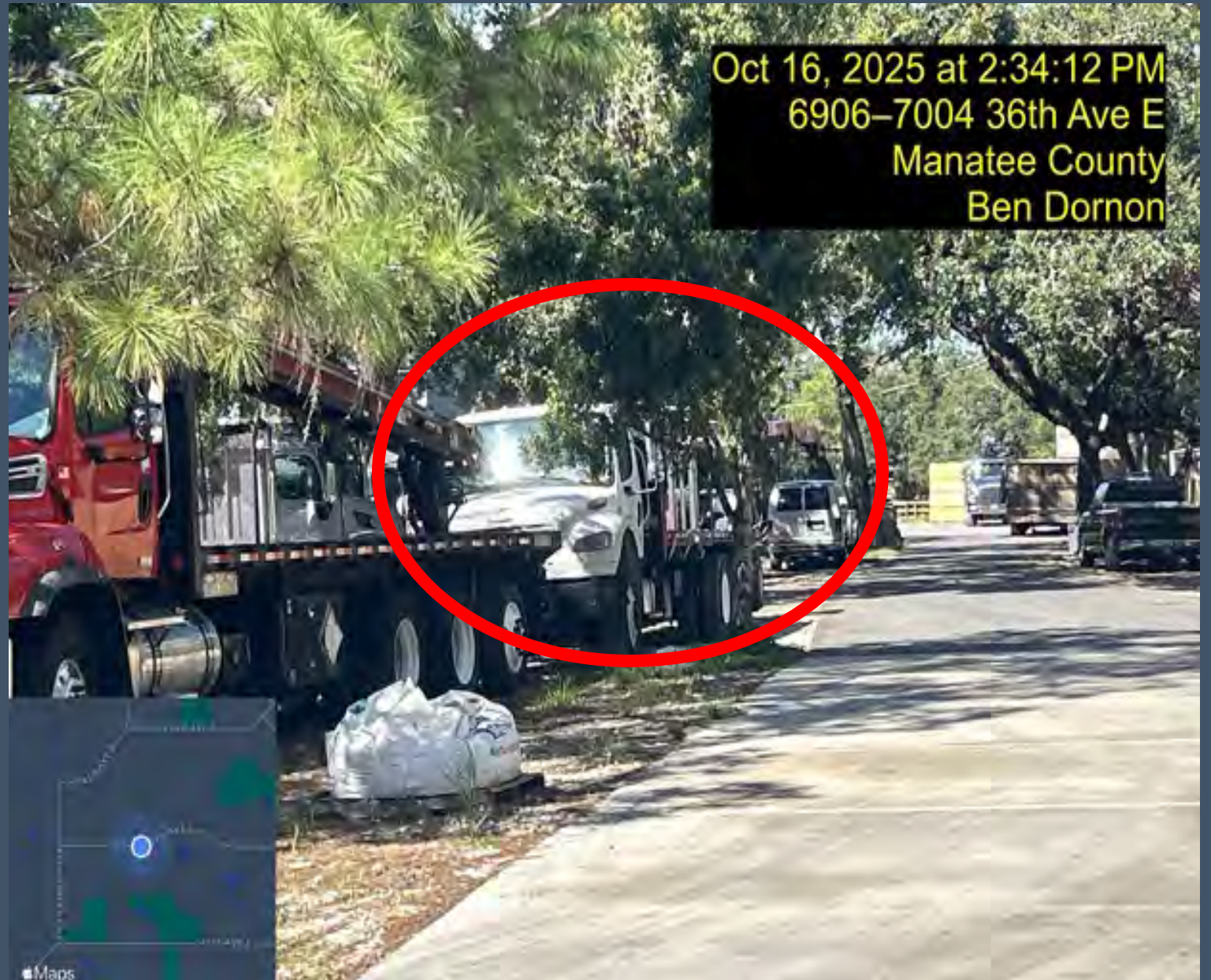


This is a photo of a commercial truck that exceeds 9' in height and 15,000 lbs. of gross vehicle weight

Exhibit 2

Violation of CCO, Section
2-9-108

Address: 6907 36th Ave. E.,
Bradenton



This is a photo of another commercial truck that exceeds 9' in height and 15,000 lbs. of gross vehicle weight

Exhibit 3

Violation of CCO, Section
2-9-108

Address: 6907 36th Ave. E.,
Bradenton



This is a photo of yet another commercial truck that exceeds 9' in height and 15,000 lbs. of gross vehicle weight

Exhibit 4

Violation of CCO, Section
2-9-108

Address: 6907 36th Ave. E.,
Bradenton



This is a photo of a commercial truck that exceeds 9' in height and 15,000 lbs. of gross vehicle weight

Exhibit 5

Violation of CCO, Section
2-9-108

Address: 6907 36th Ave. E.,
Bradenton



This is a photo of another commercial truck that exceeds 9' in height and 15,000 lbs. of gross vehicle weight

Exhibit 6

Violation of CCO, Section
2-9-108

Address: 6907 36th Ave. E.,
Bradenton



This is a photo showing that the model of one of these trucks is a Freightliner 114 SD

Exhibit 7

Violation of CCO, Section
2-9-108

Address: 6907 36th Ave. E.,
Bradenton



The weight of a Freightliner 114SD tridem configured with a conveyor boom depends entirely on whether you are looking for its **unladen empty weight (curb weight)** or its **maximum legal capacity (GVWR)**.

Weight Specifications

- **Gross Vehicle Weight Rating (GVWR):** A standard [Freightliner 114SD](#) tridem setup carries a maximum GVWR of up to **92,000 lbs**. The factory-configured tridem (triple) rear drive axle set alone is rated at **69,000 lbs**, paired with a front steer axle typically ranging from **18,000 to 23,000 lbs**.  Freightliner +5
- **Estimated Curb / Empty Weight:** When equipped with a heavy-duty conveyor attachment (such as a concrete telescopic belt system or a high-capacity aggregate "Stone Slinger" body), the truck's empty weight generally falls between **38,000 lbs and 52,000 lbs**.

Weight Distribution Overview

Weight Type	Specification / Rating
Total Max GVWR	Up to 92,000 lbs

This is a photo showing the typical weight of a Freightliner 114 SD truck in this configuration

Exhibit 8

Violation of CCO, Section
2-9-108

Address: 6907 36th Ave. E.,
Bradenton



This is a photo of a commercial truck that exceeds 9' in height and 15,000 lbs. of gross vehicle weight

Exhibit 9

Violation of CCO, Section
2-9-108

Address: 6907 36th Ave. E.,
Bradenton



This is a photo of a commercial truck that exceeds 9' in height and 15,000 lbs. of gross vehicle weight

Case # CE2509-0928

Case Summary

- Initial Inspection: 09/25/2025
- Notice of Violation was issued on: 04/15/2026
- There have been 25 reinspection's completed for this property.
- I have communicated with the property owner on one occasion. This resulted in the property owner telling me that he understood that he cannot store the large commercial vehicles at the property, even though this activity continues.



Case # CE2509-0928

Case Summary Continued

- The Notice of Violation and Notice of Hearing were posted on the subject property on 09/01/2026 and on the first floor of the Administration Building on 09/01/2026.



Recommended Action

- The large commercial vehicles must be removed from the property. They cannot be stored on the property.
- Recommended compliance date is 10/23/2026
- Recommended fine: A fine of \$100 per day will be imposed for each day the violation continues beyond the compliance deadline ordered by the Special Magistrate, until full compliance is achieved.



Case # CE2509-0928

Evidence Submittal

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



Case # CE2509-0928

Conclusion

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



CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, FLORIDA,
Complainant,

CASE NO. CE2509-0928

vs.

Jose Riviera- Guterrez

Respondent.

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on September 23, 2026 after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Order as follows:

FINDINGS OF FACT

1. Respondent(s) **Jose Riviera- Guterrez**

Whose mailing address is/are: 3212 52nd Avenue Dr. W., Bradenton FL 34207

The owner(s) or person(s) in charge of the property located at:

6907 36th Ave E., Bradenton FL 34208

Identified in the Manatee County Property Appraiser's records as PIN **1474500004**

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: **CCO** Section **2-9-108** **Motor Vehicles/Commercial Vehicles**

There are several very large commercial use trucks that exceed the 15,000 lb. gross vehicle weight and 9' in height limit being stored at this A-1 zoned property.

4. The Notice of Violation states that the violation must be corrected on or before April 29, 2026
5. As of September 23, 2026 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 **CCO** Section **2-9-108**
in that the respondent(s) has/have **Motor Vehicles/Commercial Vehicles**

There are several very large commercial use trucks that exceed the 15,000 lb. gross vehicle weight and 9' in height limit being stored at this A-1 zoned property.

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 County Code of Ordinances.

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:

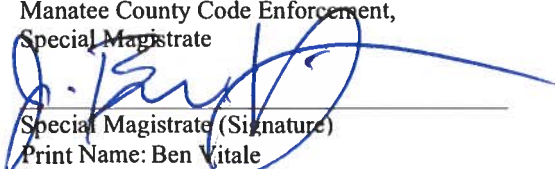
1. THAT the Respondent(s) correct(s) the aforesaid violation. **The large commercial vehicles must be removed from the property.**

CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

CE2509-0928

2. THAT in the event the aforesaid violation is not corrected **on or before October 23, 2026** a fine of \$ 100.00 per day 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.
3. If the required corrective action is not taken as ordered **on or before October 23, 2026** 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 23 of September 2026

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 September 23, 2026 and has been furnished to the Respondent (s),

- ☒ **Personally, on this 23 of September 2026**
- ☐ **By US Mail on this 23 of September 2026**

Code Enforcement Administrative Specialist
Manatee County

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

Code Enforcement Division
PO Box 1000
Bradenton, FL 34206

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