

Application For Relief - Code Enforcement Liens

Manatee County Code Enforcement Division

1112 Manatee Avenue West
Bradenton, FL 34205
Tel. (941) 748-2071 Fax: (941) 749-3094

Notice: This application is available as a WORD document for your convenience. Manatee County accepts applications for Code Enforcement Lien relief from owners of properties that have corrected ALL of the violations on the subject property. Please complete the form in its entirety. Incomplete applications will not be accepted.

Case #CE2015080603

Manatee County - vs - (Respondent)

Property Information

Parcel Identification Number: 6620600004	
Lot	Block: Subdivision: N/A
Address: 1341 Whitfield Ave.	
City: Sarasota	Zip Code: 34243

Property Owner Information

Current property owner: <i>Ralph Gianni</i>		
Address: <i>1771 Ringling Blvd #703</i>		
City: <i>Sarasota</i>	State: <i>FL</i>	Zip: <i>34236</i>
Phone #: <i>941-780-6880</i>	Email address:	
Representative/Agent: <i>Steven W Garcia</i>		
Address: <i>6801 6th st W</i>		
City: <i>Bradenton</i>	State: <i>FL</i>	Zip: <i>34207</i>
Phone #: <i>941-705-9091</i>	Email address: <i>SGarc9@aol.com</i>	

Lien Information

Amount of lien: <i>\$78,000.00 + \$20.00 recording fees = \$78,040.00</i>	Amount of offer: <i>1250.00 + \$20.00 recording fees</i>
Date lien was recorded: <i>310.3 April 5, 2016</i> <i>310.5 April 5, 2016</i>	Number of days the property was in Violation: <i>520 each violation</i>
Date of Compliance: <i>310.3 August 30, 2017</i> <i>310.5 August 30, 2017</i>	How much money was spent to abate the Violation:

The following documentation (when applicable) SHALL be submitted with the application:

(Reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

1. Notice of Lis Pendens recorded with Manatee County Clerk of Courts with the date, book and page shown;
2. Foreclosure Order, with the recording date, book and page shown;

- 3. Final Summary Judgment of Foreclosure, with the recording date, book and page shown,
- 4. New Certificate of Title, with the recording date, book and page shown,
- 5. County's Final Order of Imposition of Fine; and
- 6. Claim of Lien(s) with the recording date, book and page shown.

FACTORS RELEVANT TO APPLICATIONS FOR RELIEF:

- 1. The nature and gravity of the violation(s);
- 2. Any actions you have taken to correct the violation(s);
- 3. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance,
- 4. Any actual costs you expended to cure the violation(s), if supported by documentation;
- 5. Any other prior or current violations you committed on the subject property or upon any other property you own within the County; and
- 6. Equitable considerations.
 - i. Whether there was any extraordinary hardship which existed or currently exists,
 - ii. Whether the applicant was the property owner when the fine or lien was imposed,
 - iii. Whether the property is homestead or non-homestead property;
 - iv. Whether the County lien is interfering with the sale or restoration of the property or will prevent the property from being conveyed to a new owner.

Please provide written justification as to why relief should be granted: (When you complete this section, at a minimum, address the above factors and reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

PROPERTY LITIGATION: (If applicable give detail here if this property is involved in litigation)

I certify that I am: (Include documentation of the below)

- the owner of the subject property;
- an Attorney representing the owner.
- the legal representative for the property, or
- otherwise authorized to act on behalf of the property owner in this matter.

Steven W Garcia
Signature of Owner/Authorized Representative


~~3-20-18~~ 4-16-18 SJ
Date

Steven W Garcia
Print Name

Note: County code section 2-36-8(f) allows the Board of County Commissioners to execute a satisfaction or release of lien. The application process requires two (2) public meetings. Once the application and documentation is found to be complete it will be scheduled and presented before a Special Magistrate. The findings of the Special Magistrate along with the application will be forwarded to the Board of County Commissioners for final approval or denial. All payments will need to be mailed to Manatee County, Attention Code Enforcement, P.O.

April 17, 2018

I, Ralph Gianni, give Steve Garcia the authorization to represent me in the proceedings for 1341 Whitfield Ave., Sarasota, FL 34243.

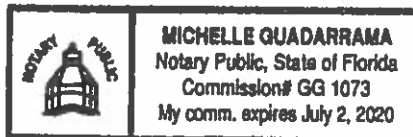


Ralph Gianni

State of Florida
Manatee County

On this 17th day of April 2018, personally appeared
Ralph Gianni who acknowledged this to be true.





On Mar 2014 Ralph Gianni was diagnosed
with Pancreatic Cancer. Had surgery the
following month. Removed part of the
Pancreatic cancer and Stomach. Has had
numerous surgeries and hospital stays, a lot
of medication. To this day he still has lots
of visits to Moffitt and is sick 50% of
the time. During that time some mistakes
were made. When he bought materials
and the tile place recommend a contractor
Ralph assumed he got permits. & Still
our fault for assuming. Ralph does
not do any paper work. When trying to

Sell property, we discovered the fine.
We have worked with Ben Dornon and
done all he has asked. We hired an engineer
and submitted all paper work, asking to
reduce the fine to \$2,500⁰⁰. We are
at Fault. Put no blame on anyone else.
But Ralph did not ask for poor health.
Thank you for your time and consider-
ation.

Ralph Giani

Steve Garcia

MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA

vs. Petitioner,

RALPH GIANNI

Respondent

CASE NO. CE2015080603



ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

THIS CAUSE came up for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on January 27, 2016, after due notice to Respondent, at which time the Special Magistrate heard testimony under oath, received evidence, heard argument, and issued a Compliance Order containing Findings of Fact, Conclusions of Law and Order, which was reduced to writing and furnished to Respondent.

Said Order required Respondent to take certain corrective action by a specified date, as more specifically set forth in the Compliance Order dated January 27, 2016.

An Affidavit of Non-Compliance, dated March 30, 2016, has been filed with the Clerk of the Circuit Court by the Code Enforcement Officer, which Affidavit certifies under oath that the required corrective action was not taken as ordered by the Special Magistrate.

Accordingly, it having been brought to the Special Magistrate's attention that Respondent has not complied with the Compliance Order dated January 27, 2016, by the date specified in said Order, it is hereby

ORDERED that Respondent pay to Manatee County, Florida, a fine of \$75 for each and every day the violation of Section 310.5 (Certificate of Completion) of the Manatee County Land Development Code exists and continues to exist past the date set for compliance (March 27, 2016) by the Special Magistrate's Compliance Order, at 1341 WHITFIELD AVE, SARASOTA, FL, and described as follows: PARCEL IDENTIFICATION NUMBER 8620800004. This fine shall continue to accrue until Respondent comes into compliance with said Compliance Order.

310.5

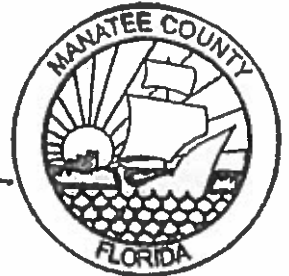
A certified copy of this Order has been recorded in the public records of Manatee County, Florida, and shall thereafter constitute a lien against the above-described property and upon any other real or personal property owned by Respondent pursuant to Section 162.09, Florida Statutes, and Section 2-9-8 of the Manatee County Code of Ordinances.

DONE AND ORDERED this 4th day of April, 2016.

ATTEST: Angelina Colonnese, Clerk of the Circuit Court
Manatee County, Florida

By Wibbi Lesmer
Deputy Clerk

Paul Olatunji
Code Enforcement Special Magistrate



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order Imposing Administrative Fine/Lien has been furnished to Respondent, RALPH GIANNI, at 1321 WHITFIELD AVE, SARASOTA, FL 34243 by hand or U.S. mail and to the Manatee County Code Enforcement Division, this 5th day of April, 2016.

Angelina Colonnese, Clerk of the Circuit Court
Manatee County, Florida

Deputy Clerk

By Wibbi Lesmer

Attention: It is your responsibility to notify Code Enforcement at 941-748-2071 to verify that the violation has been brought into compliance and that any fines/liens have been satisfied.

OR Book 2614

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MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA

vs Petitioner,

RALPH GIANNI

Respondent

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Accordingly, it having been brought to the Special Magistrate's attention that Respondent has not complied with the Compliance Order dated January 27, 2016, by the date specified in said Order, it is hereby

310.3

ORDERED that Respondent pay to Manatee County, Florida, a fine of \$75 for each and every day the violation of Section 310.3 (Building Permit Required) of the Manatee County Land Development Code exists and continues to exist past the date set for compliance (March 27, 2016) by the Special Magistrate's Compliance Order, at 1341 WHITFIELD AVE, SARASOTA, FL, and described as follows: PARCEL IDENTIFICATION NUMBER 6620600004. This fine shall continue to accrue until Respondent comes into compliance with said Compliance Order.

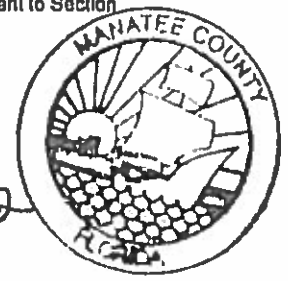
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DONE AND ORDERED this 4th day of April, 2016

ATTEST: Angelina Colonnaso, Clerk of the Circuit Court
Manatee County, Florida

By: Uebi Lessner
Deputy Clerk

Paul O'Leary
Code Enforcement Special Magistrate



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Angelina Colonnaso, Clerk of the Circuit Court
Manatee County, Florida

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Deputy Clerk

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VIOLATION OF SECTIONS 310.3 & 310.5



1341 Whitfield Ave, Sarasota