

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 03/23/2017

Hearing Officer: MATT BOYD

Case number: 17350446-3

Address: 446 SMITH ST

Owner: DUSTIN BEATTY

Present / Not Present

Person Representing Property Owner: _____

Dustin Beatty

Legal Standing: Owner

Issuance Date of Civil Penalty: 11/03/2016

Case Officer: JIM FAWCETT

Pre-January 2017 only, Notice of Violation: Nuisance Housing Sidewalk

Housing with \$ 200.00 Civil Penalty Amount

Nuisance with \$ _____ Civil Penalty Amount

Sidewalk with \$ _____ Civil Penalty Amount

Emergency Abatement \$ _____ Nuisance Housing

Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

MWB A violation(s) of the Ordinance was not committed. To Wit: Violation of ordinance
3/23/17 to wrap the cornice

A violation(s) of the Ordinance was committed. To Wit: Violation of ordinance
failure to cover cornice

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Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted _____ days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ _____. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: _____

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ 100, and is ordered to remedy the violation within 45 days from service of this Order, and in the event he/she fails to do so, an additional amount of \$ 100 will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: Cornice to be completed

****Notice: Has indicated in Kentucky Revised Statute 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**



Hearing Officer's Signature

3/23/17
Date

N/A Supplementary Page
Completed

Lexington Fayette Urban County Government

