

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

Date of Hearing: 06/14/2017

Hearing Officer: MATT BOYD

Case number: 07651228-5

Address: 1228 GAINESWAY DR.

Owner: WM. R. PADGETT & MURIEL A. PADGETT

Present / Not Present

Person Representing Property Owner: Eric Black

Legal Standing: Responsible Party

Issuance Date of Civil Penalty: 03/09/17

Case Officer: TOM BROOKS

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

Housing with \$ 100.00 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.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

A violation(s) of the Ordinance was committed. To Wit: 5 violations

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

Notes: _____

****Notice: Has indicated in Kentucky Revised Statue 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

6/14/17
Date

N/A Supplementary Page
Completed

MAYOR JIM GRAY



DIRECTOR KENNETH ARMSTRONG
CODE ENFORCEMENT

DIVISION OF CODE ENFORCEMENT
ASSESSMENT OF CIVIL PENALTY AND NOTICE OF CONTINUED VIOLATION
(Housing Violations)

Date of Issuance: 03/09/2017

Case#: 07651228-5

WILLIAM R & MURIEL A PADGETT
1228 GAINESWAY DRIVE
LEXINGTON, KY 40517-2813

Referenced Property: 1228 GAINESWAY DR

On 11/01/2016, the above referenced property was placed under a Notice of Violation regarding required repairs or corrections pursuant to Chapter 12 of the Lexington-Fayette Urban County Government Code of Ordinances and the International Property Maintenance Code/1998.

On 03/01/2017 at 1:26 pm, I conducted a re-inspection of the property and found that not all of the cited repairs/corrections had been completed. The purpose of this letter is to formally notify you that due to the continued non-compliance and the presence of 5 violations on the property during the above indicated re-inspection date; you have been issued a civil penalty. As established in Chapter 12-2(b) of the Code of Ordinances you have been assessed a civil penalty in the amount of \$100.00.

The property owner may file a written appeal of this action, but must do so within 7 days of the above listed "Date of Issuance". Appeals, which should indicate why the civil penalty should be dismissed, may be filed via U.S. Mail or by delivering the request to the: Division of Code Enforcement, C/O Secretary of Administrative Hearing Board, 101 East Vine Street, Suite 500, Lexington, KY 40507 or by faxing the appeal request to (859-425-2274)—No emails. Failure to appeal a civil penalty within the indicated time shall result in the determination that; the property owner has waived their right to appeal, the violations were present on the property, and that the issuance of the civil penalty was proper.

If this civil penalty is not paid within 14 days of its issuance and it is not on appeal, a Notice of Lien Claimed may be filed. If a Notice of Lien is filed, then the property owner will be responsible for all fees and administrative costs associated with the lien as well. All payments related to civil penalties or liens should be made to the Lexington-Fayette Urban County Government and mailed or delivered to the Lexington-Fayette Urban County Government, Division of Revenue, 2nd Floor, 200 East Main Street, Lexington, Kentucky 40507. Please include a copy of this invoice and/or documents clearly identifying the referenced property and civil penalty with your payment to insure proper credit occurs.

Please note that as outlined in Chapter 12-2(b) of the Code of Ordinances, if the required repairs are not completed and the property is not brought into compliance before the next re-inspection date of 04/13/2017, additional civil penalties ranging between \$100.00 and \$2,000.00 may be assessed. Please take immediate steps to correct these violations to ensure no additional civil penalties or liens are issued.

Please contact me if you have any questions or concerns regarding this notice/citation. If you do not receive a response from me within 36 Hours of calling/emailing, please call our office and ask to speak to my supervisor.


TOM BROOKS
CODE ENFORCEMENT OFFICER

(859) 576-3835
Phone Number

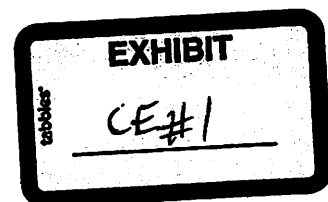
tbrooks@lexingtonky.gov
Email Address

1228 Gainesway Dr

6/14/17

10/24/16	Initial inspection
11/1/17	Initial notice
12/22/16	Final notice
3/9/17	\$100.00 civil penalty
3/25/17	Appealed \$100.00 civil penalty
6/13/17	Appeal hearing pictures taken
6/14/17	Appeal hearing

All repairs are complete.



Notice Order - Owner

Case: 07651228-5

InspectionDate: 10/24/2016

THE FOLLOWING CODE DEFICIENCIES MUST BE CORRECTED WITHIN THE TIME(S) SHOWN:

Order: R1

CORRECT CITED ROUTINE VIOLATIONS WITHIN THIRTY (30) DAYS.

Code: 1101 **References:** 102.5

ALL REPAIRS, CORRECTIONS, MAINTENANCE WORK, ALTERATIONS, OR INSTALLATIONS REQUIRED TO CORRECT CODE VIOLATIONS SHALL BE DONE IN AN ACCEPTABLE, WORKMANLIKE MANNER.

Code: 1115 **References:**

YOU MAY QUALIFY FOR FINANCIAL ASSISTANCE TO HELP YOU WITH THE COST OF THE CITED REPAIRS. CONTACT THE DIVISION OF COMMUNITY DEVELOPMENT AT 258-3070 TO SEE IF YOU QUALIFY.

Code: 2208 **References:** 303.6

REPAIR OR REPLACE ALL LOOSE, DAMAGED, ROTTED, OR MISSING SIDING MATERIALS, TO MATCH EXISTING SIDING.

Code: 2303 **References:** 303.14 & 303.14.1

PAINT, CAULK, AND GLAZE ALL WINDOWS AND WINDOW TRIM AS NEEDED.

Code: 2406 **References:** 303.14

PAINT, CAULK, AND GLAZE ALL EXTERIOR DOORS AND DOOR TRIM AS NEEDED.

Code: 2501 **References:** 303.8

REPAIR OR REPLACE ALL ROTTED, DAMAGED, OR MISSING WOOD ON THE CORNICE. TO MATCH THE EXISTING CORNICE.

Code: 2503 **References:** 303.1 & 303.2

PREPARE AND PAINT THE CORNICE TRIM.



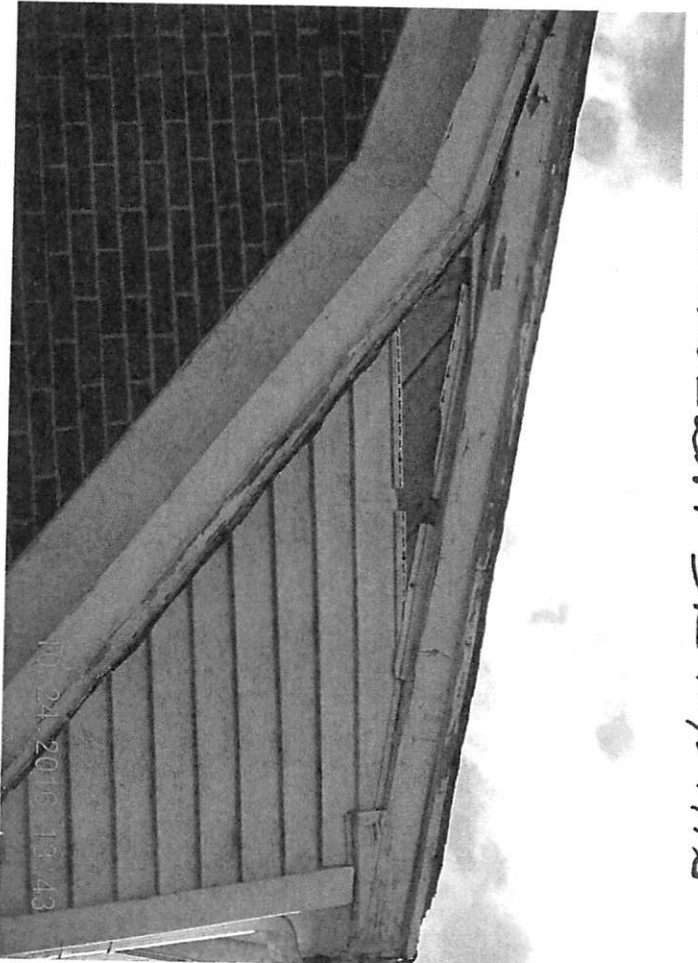
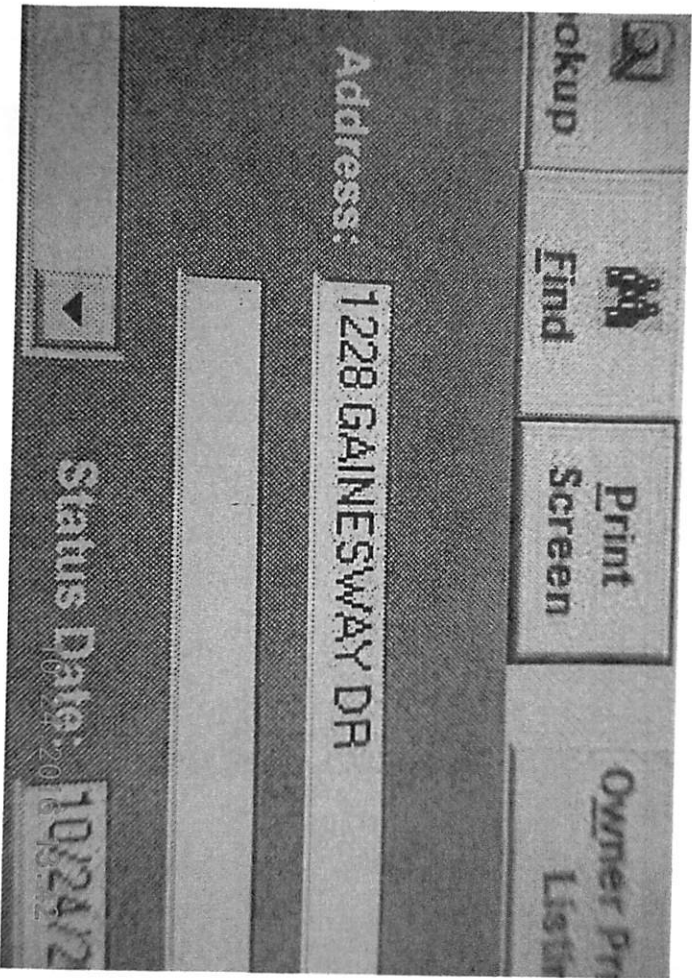
FAYETTE COUNTY, KENTUCKY
 Property Valuation Administrator
 David O'Neill, PVA

Previous Parcel	Next Parcel	Main Search	Address Search	Subscription Home	Fayette Home
Owner and Parcel Information					
Owner Name	PADGETT WM R & MURIEL A		January 1, 2017 Owner	PADGETT WM R & MURIEL A	
Mailing Address	1228 GAINESWAY DR LEXINGTON, KY 40517-2813		Parcel Number	15917000	
Location Address	1228 GAINESWAY DR LEXINGTON, KY 40517		Tax District	District 1	
Legal Description	C-679 GAINESWAY LOT 1		2016 Tax Rate	1.2179	
Property Class	R-Residential		Acres	0.2824	
PVA Neighborhood	060-GAINESWAY		Parcel Map	Show Parcel Map	
Land Use Code	510-R - SINGLE FAMILY DWELLING, PLATTED LOT		ND-1 Zone		
USA/RSA Map	57		Overlay		
Map Block	010		PDR		
Lot	1		Map Scale	200	
Subdivision	GAINESWAY		Block	F	
Deeded Acres	0.2824		LFUCG Zoning	R-1C-SINGLE FAMILY RESIDENTIAL	
Cabinet/Slide	C-679		Deeded Sqft	12,300	
			Frontage / Out Of	82.7 /	

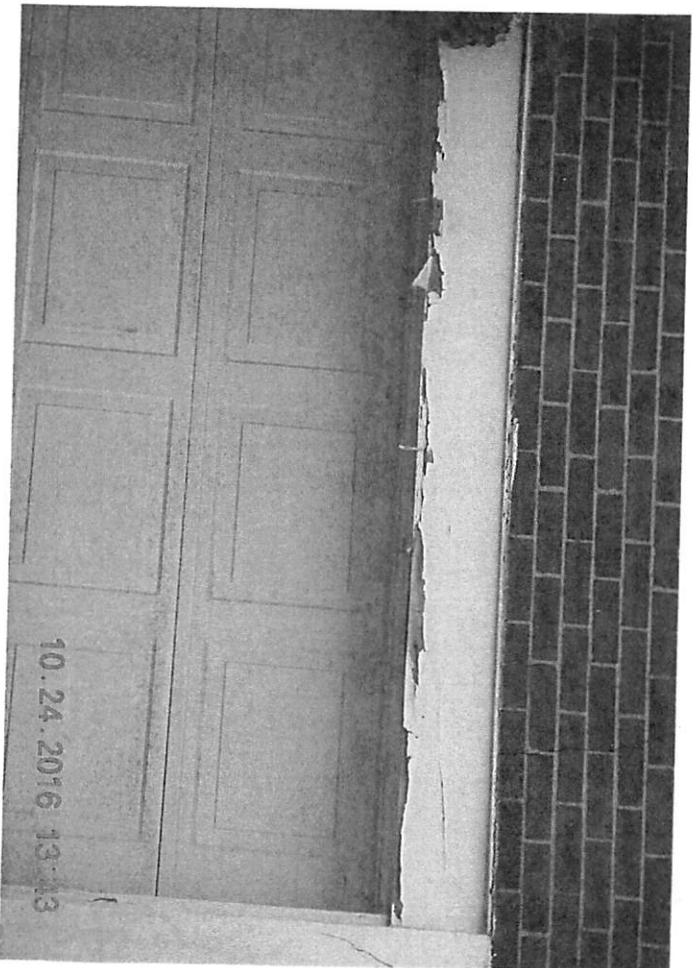
Assessment Information		Historical Assessments		2017 Assessment Notice	
Year	Fair Cash Value	Agricultural Value Land	Agricultural Value Total	Exempt	Taxable Value
2017	\$ 165,000	\$ 0	\$ 0	\$ 0	\$ 165,000

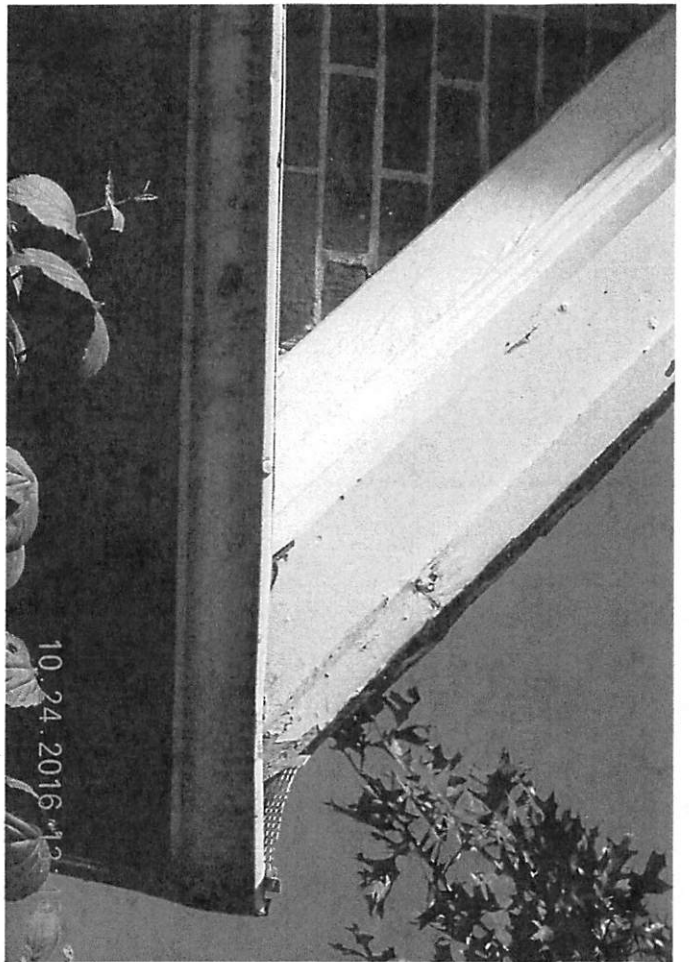
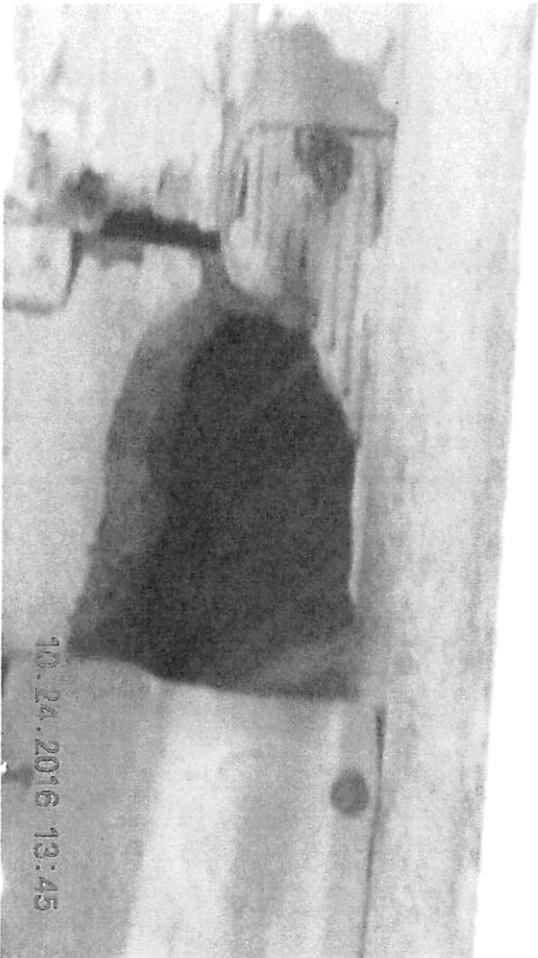
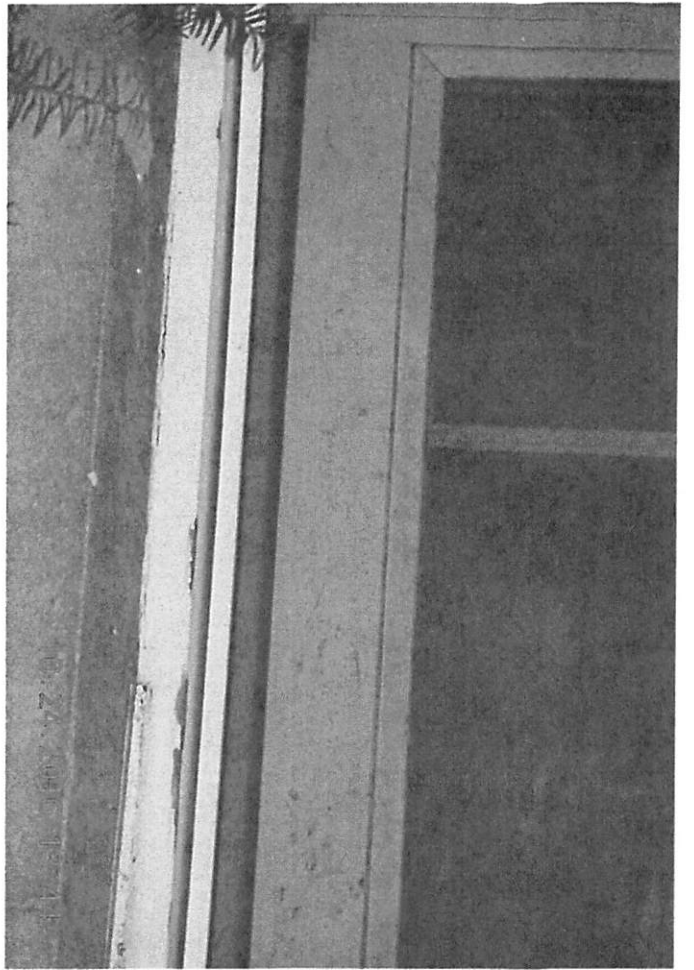
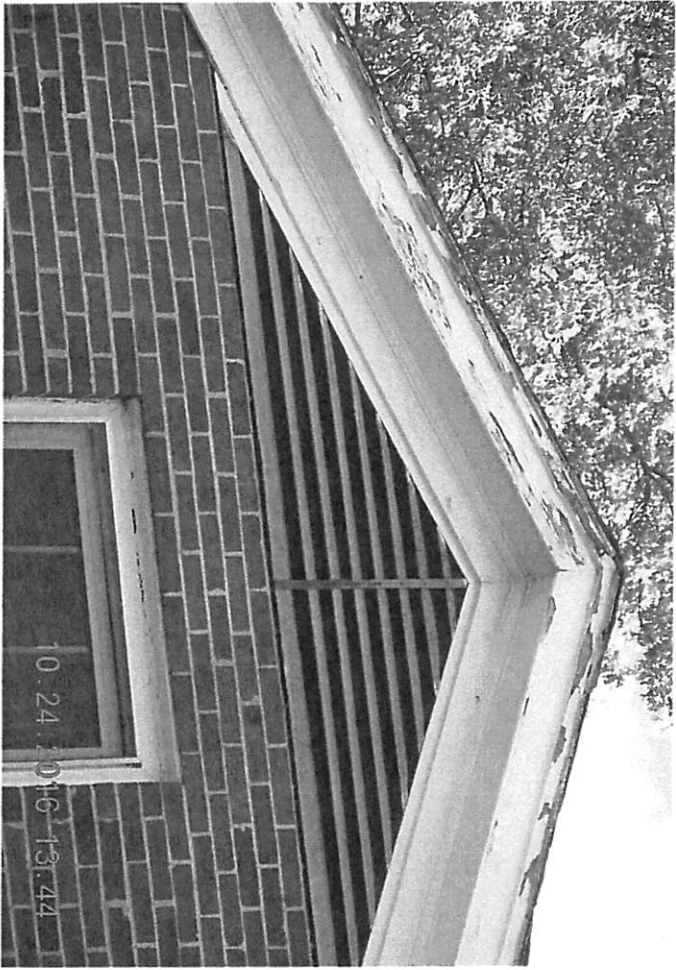
Improvement Information								
Card	Stories	Exterior Wall	Style	Year Built	Res Sq Ft	Basement	Total Bsmt Sqft	Finished Bsmt Sqft
1	1.7	BRICK	Single Family	1965	2,601	FULL BASEMENT	1,260	
Garage Sqft	Garage Type	Total Rooms	Bedrooms	Full Bath/Half Bath	Attic	Additional Fixtures	Heating System	Heat
	2 CAR BASEMENT GARAG	0	0	2/0	NONE	3	HOT AIR	CENTRAL WITH A/C
Total Fixtures	Masonry Fireplaces	Heating Fuel Type	Pre Fab Fireplace	Split Level/Foyer	Miscellaneous Feature	Miscellaneous Feature 2		
9	1	GAS						

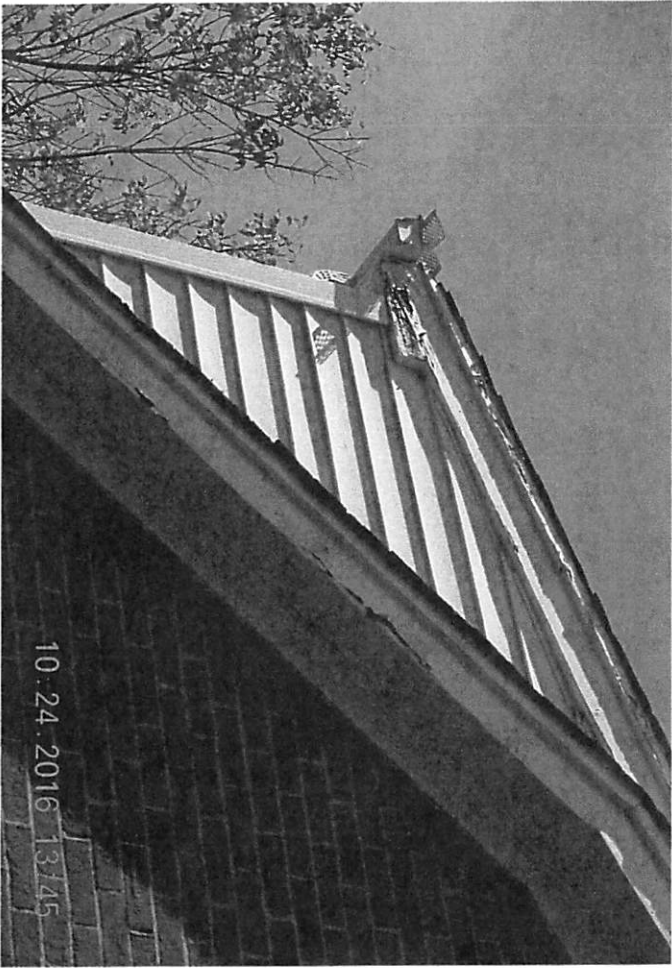
Building Sketch Enlarge Sketch	Building Photo Preview Enlarge/Show

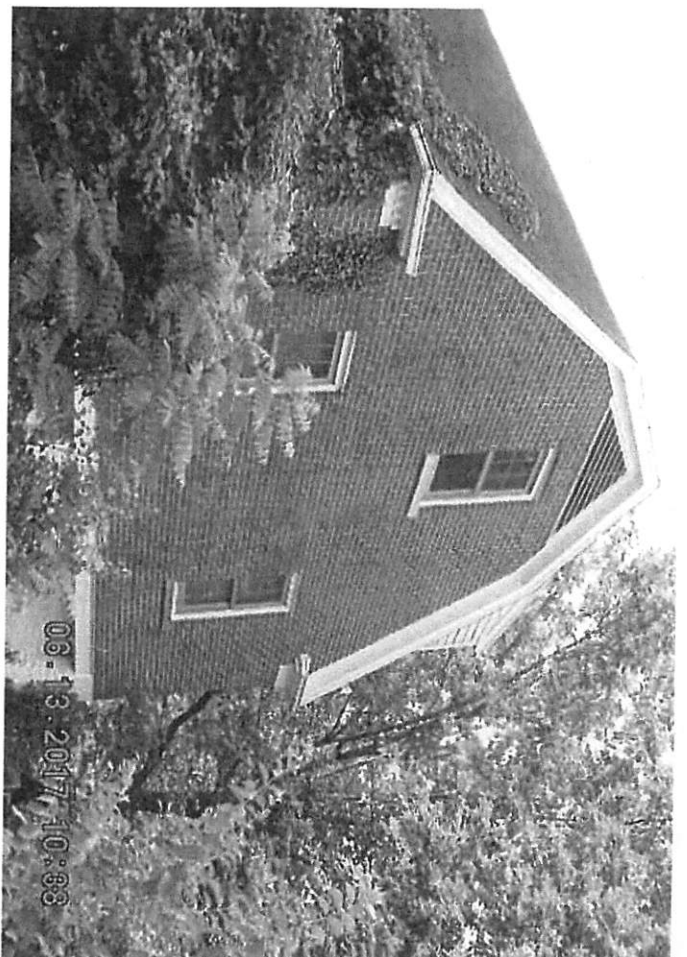
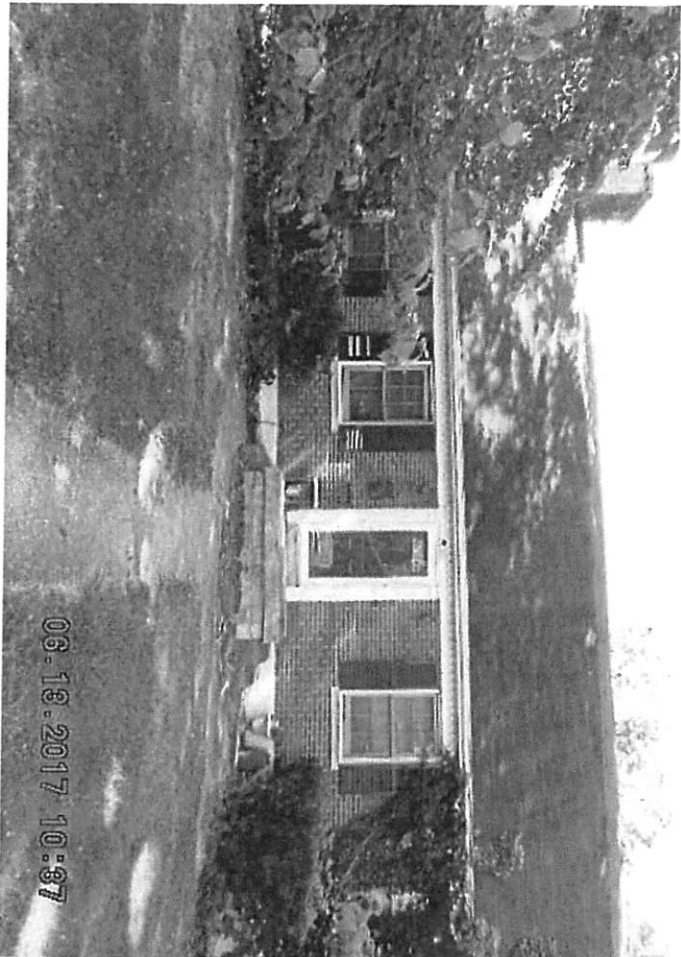
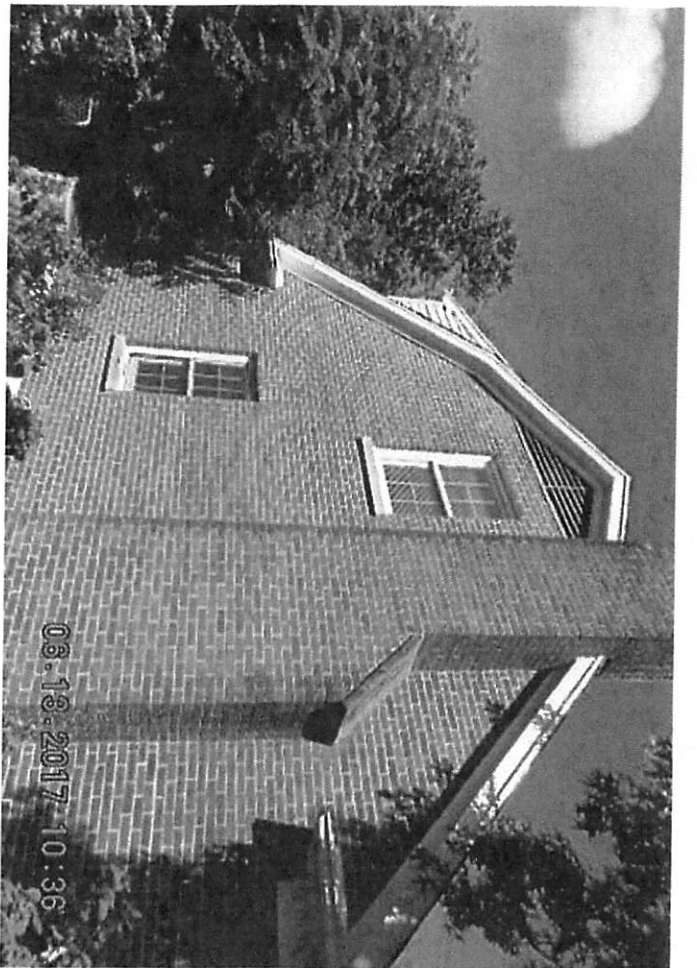


1228 Gainesway Dr 10/24/16









1228 GAINESWAY DR 6/23/17

