

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

Date of Hearing: 02/21/2019

Hearing Officer: GERALD ROSS

Case number: 228118

Address: 1964 CAMBRIDGE DR.

Owner: DALTON COURT LLC

Present / Not Present

Person Representing Property Owner: _____

Jim Burton

Legal Standing: Owner

Issuance Date of Civil Penalty: 01/04/2019

Case Officer: JEFFREY POE

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.

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

A violation(s) of the Ordinance was committed. To Wit: 13 Violations -

5 remaining

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Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: Held in abeyance till 4/15/19

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 until April 15, 2019 within which to remedy the violations to avoid the assessment of a civil penalty of \$ 200⁰⁰. The appellant shall contact the Case Officer and request a confirmation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: Repairs on-going
Weather is a factor

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 by _____, 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.**

Gerald Ross
Hearing Officer's Signature

2/21/19
Date

Supplementary Page Completed

**DIVISION OF CODE ENFORCEMENT**
Issuance of Citation (Housing Violation)**DALTON COURT LLC
1890 STAR SHOOT PKWY STE 170
LEXINGTON, KY 40509****Date & Time of Issuance:** January 4, 2019, at 11:00 AM
Compliance Due Date: February 3, 2019
Case Number: 228118**RE: 1964 CAMBRIDGE DR, Lexington, KY 40504**

On **September 7, 2018 at 10:50 AM**, 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.

On **January 4, 2019 at 11:00 AM**, I conducted a re-inspection of the property and found that not all of the cited repairs/corrections have been completed. The purpose of this document is to formally notify you that due to the continued non-compliance and the presence of **6 violation(s)** on the property during the above indicated "Date of Issuance", you are being issued a citation. **As established in Chapter 12-1 of the Code of Ordinances you have been issued a citation in the amount of \$200.** Our records indicate you have received **1 citation(s)** in this case.

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 citation should be dismissed, may be filed via U.S. Mail or by delivering the request to: 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 this citation within the indicated time shall result in the determination the property owner has waived their right to appeal, the violations were present on the property, and the issuance of the citation was proper.

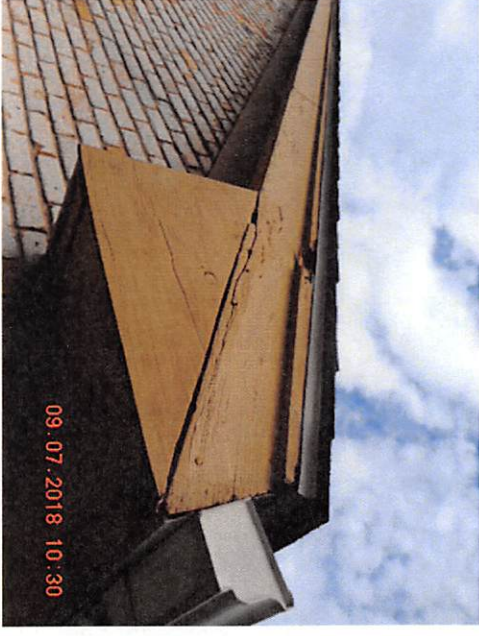
If this citation is not paid within 14 days of its issuance and it is not on appeal, a Notice of Lien Claimed may be filed. If a Notice of Lien is filed, then the property owner will be responsible for all fees and administrative costs associated with the lien as well. **All payments related to citations 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, 218 East Main Street, Lexington, Kentucky 40507.** Please include a copy of this citation and/or documents clearly identifying the referenced property and this citation with the payment to ensure proper credit occurs.

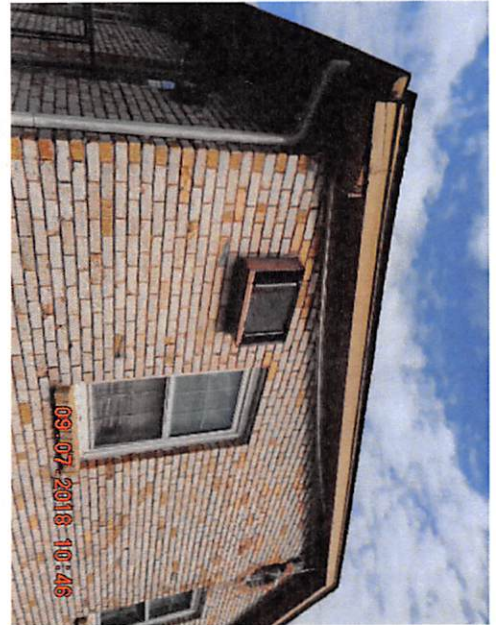
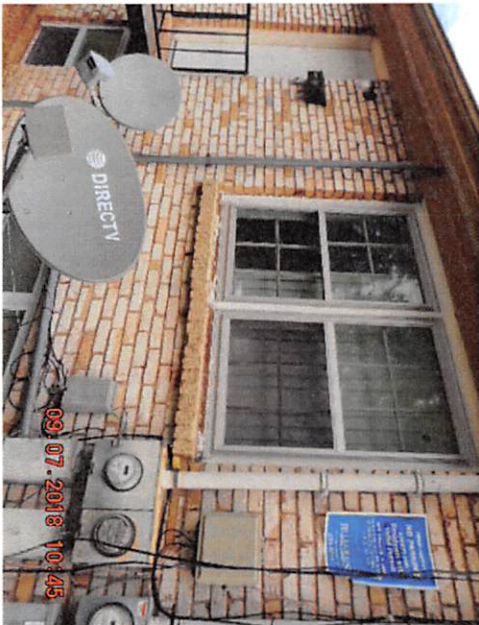
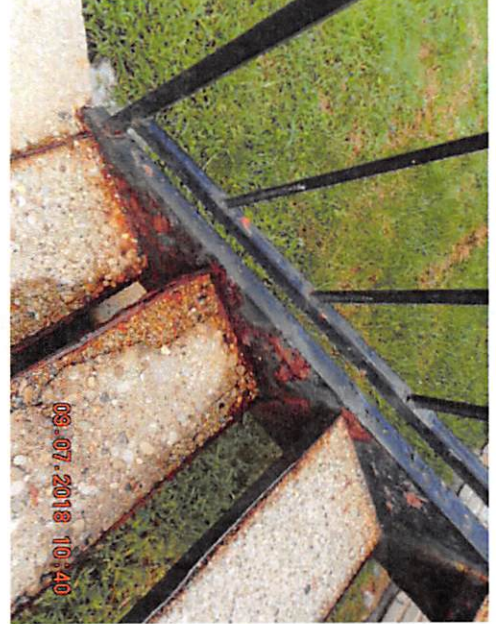
Please note that as outlined in Chapter 12-1 of the Code of Ordinances, if the cited repairs are not completed and the property is not brought into compliance before the above indicated "Compliance Due Date", additional penalties ranging between \$100.00 and \$2,500.00 may be assessed. Please take immediate steps to correct these violations to ensure no additional citations or liens are issued.

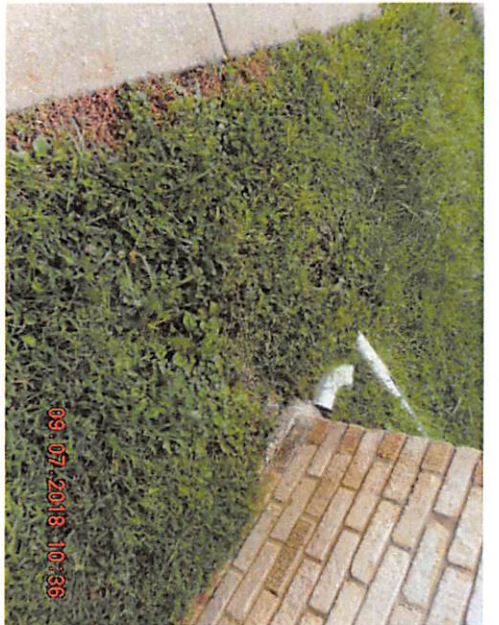
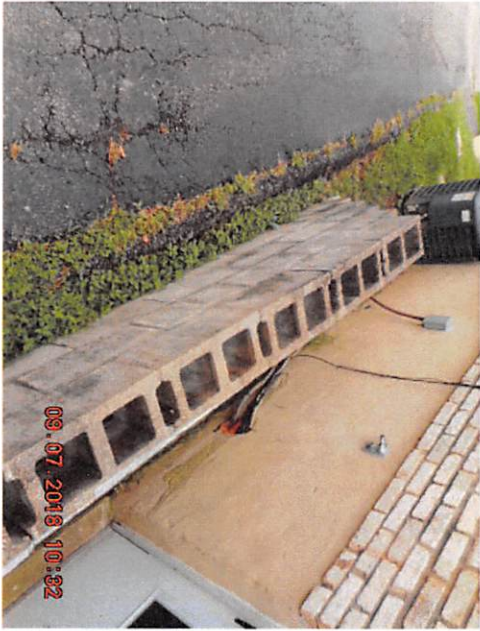
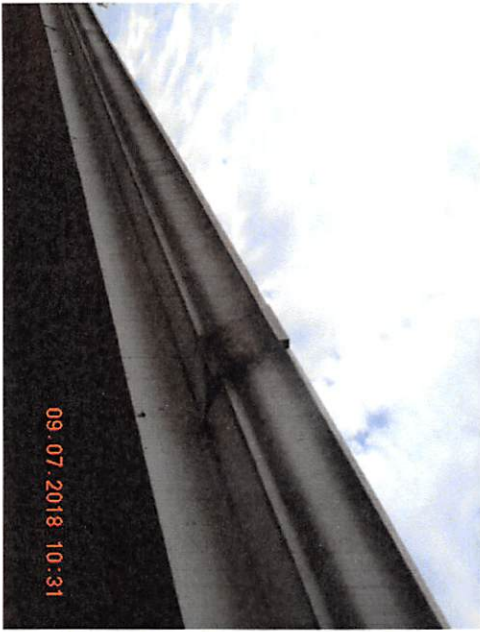
Please contact me if you have any questions or concerns regarding this citation. If you do not receive a response from me within 36 Hours of calling/emailing, please call our office and ask to speak to my supervisor.

Jeffrey Poe
Code Enforcement Officer**Phone**
(859) 576-3848**E-Mail Address**
jpoe@lexingtonky.gov

9/7/2018









APPROVED

Kenneth Armstrong Signature
10-24-18
KENNETH ARMSTRONG
DIRECTOR
CODE ENFORCEMENT

Compliance Schedule

Property Address 1904 Cambridge Dr. Case Number 388118 Date Submitted: 10/19/18
Owner's signature [Signature] Contact information Jim Burton 859-351-7844
Date: Denied/Approved: _____ Officer Jeffrey Poe Supervisor _____

Dear Property Owner,

Additional time may be granted for the abatement of cited violations with the submittal and approval of this Compliance Schedule. Each violation cited must be addressed by the code given on the notice and a time given for abatement. The compliance schedule will be considered voided if the premises are not maintained free from nuisance conditions; weeds, trash and debris, junk vehicles and indoor items such as appliances and furniture etc.

Additional time for interior repairs will be granted only when circumstances warrant it. On the lines below; detail the reason requesting additional time, reference the cited code, detail the work to be done and the date it is expected to be completed. There must be a reasonable amount of work to be completed and inspected each month to show progress/compliance with the agreed upon Schedule of Completion. The owner/representative is responsible for contacting the Code Enforcement Officer to schedule appointments for re-inspection of the interior.

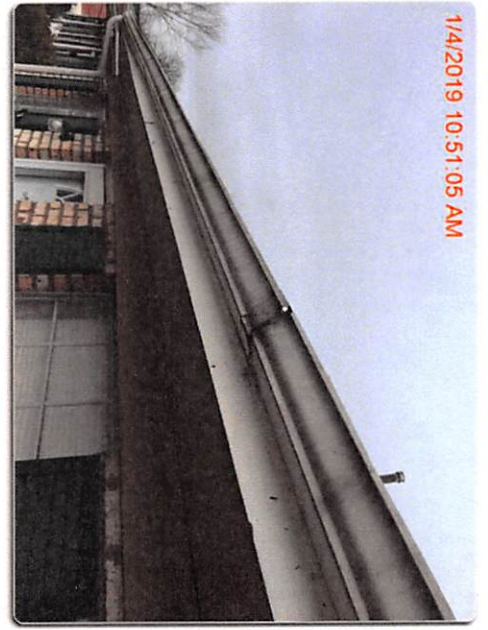
Circumstances warranting additional time for interior repairs. _____

Doc 111	Prepaint peeling missing	12/31/18
Code	Details of the work to be completed.	To be completed by:
Dis 107	Storm door repairs	12/31/18
Code	Details of the work to be completed.	To be completed by:
Env 101	Rebuild masonry walls where broken	12/31/18
Code	Details of the work to be completed.	To be completed by:
Env 102	Replace missing masonry units	12/31/18
Code	Details of the work to be completed.	To be completed by:
Env 103	touch-up masonry joints	12/31/18
Code	Details of the work to be completed.	To be completed by:
Gov 103	re-anchor loose gutters downspouts	12/31/18
Code	Details of the work to be completed.	To be completed by:
215.29	Repair/replace downspouts	12/31/18
Code	Details of the work to be completed.	To be completed by:
215.107	Support blocks where downspouts attached	12/31/18
Code	Details of the work to be completed.	To be completed by:





1/4/2019



tables[®]
EXHIBIT
3

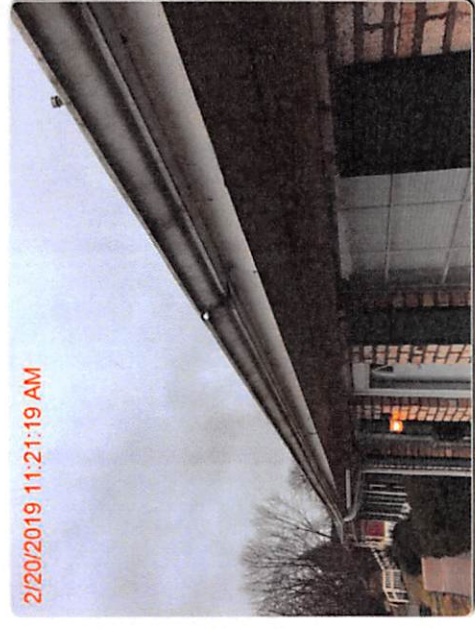


2/20/2019 Hearing

inspection



Stable



tabbles
EXHIBIT
5

1966 - A

