

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

Date of Hearing: 03/27/2019

Hearing Officer: BETHANY BAXTER

Case number: 222330

Address: 611-613 CENTRAL AVE.

Owner: JOSEPH S. WEIS JR.

Present /Not Present

Person Representing Property Owner: Joseph. Weis
Legal Standing: Owner

Issuance Date of Civil Penalty: 02/22/2019

Case Officer: THAD SCOTT

Housing with \$ 400.00 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: _____

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Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes:

See EX A - plan of work to cure violations.

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 June 1, 2019 within which to remedy the violations to avoid the assessment of a civil penalty of \$ 400⁰⁰. 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: _____

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: As 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.**

Bethany Baxter

Hearing Officer's Signature

3/27/2019

Date

Supplementary Page
Completed



DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

**WEIS JOSEPH S JR
P O BOX 436524
LOUISVILLE, KY 40253**

Date & Time of Issuance: February 22, 2019, at 10:22 AM
Compliance Due Date: March 24, 2019
Case Number: 222330

RE: 613 CENTRAL AVE, aka 611 CENTRAL AVE, Lexington, KY 40502

On **November 19, 2018 at 4:12 PM**, 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 **February 22, 2019 at 10:22 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 **20 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 \$400.** 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.

Inspection Comments:

Issued citation due to noncompliance within the timeframe given. Spoke with owner 2-22-19 and informed him of citation and right to appeal within seven days of this citation.



MAYOR LINDA GORTON



LEXINGTON

ALEX "CASH" OLSZOWY
DIRECTOR
CODE ENFORCEMENT

Thad Scott

Thad Scott

Code Enforcement Supervisor

Phone

(859) 576-3852

E-Mail Address

tscott@lexingtonky.gov



| PRIORITY | PHASE | ROOM | JOB TYPE | DESCRIPTION | CONTRACTOR | STATUS | DATE |
|----------|-------|-------------|----------|---|-------------|-----------|-----------|
| YES | 0 | KITCHEN | GENERAL | Remove Appliances | A1 Electric | COMPLETE | 02/08/19 |
| YES | 0 | KITCHEN | GENERAL | Remove Cabinets | Gabriel | COMPLETE | 02/09/19 |
| YES | 0 | HALL | GENERAL | Patch Floor | Gabriel | COMPLETE | 02/11/19 |
| YES | 0 | ALL | GENERAL | Ceilings Scraped | Gabriel | COMPLETE | 02/23/19 |
| YES | 0 | BATHROOM | GENERAL | Remove Subfloor | Gabriel | COMPLETE | 02/12/19 |
| YES | 0 | HALL | GENERAL | Floor Leveled | Gabriel | COMPLETE | 02/12/19 |
| YES | 0 | BATHROOM | GENERAL | Subfloor Installed | Gabriel | COMPLETE | 02/16/19 |
| YES | 0 | BATHROOM | GENERAL | Floor Tiled | Gabriel | COMPLETE | 02/17/19 |
| YES | 0 | BATHROOM | GENERAL | Tile Grouted | Gabriel | COMPLETE | 02/20/19 |
| YES | 0 | FRONT ROOM | GENERAL | Replaced Ceilings with Drywall | Gabriel | COMPLETE | 03/02/19 |
| YES | 0 | LIVING ROOM | GENERAL | Replaced Ceilings with Drywall | Gabriel | COMPLETE | 03/03/19 |
| YES | 0 | BEDROOM | GENERAL | Replaced Ceilings with Drywall | Gabriel | COMPLETE | 03/04/19 |
| YES | 0 | ALL | GENERAL | Mud Drywall - Ceilings | Gabriel | COMPLETE | 03/05/19 |
| YES | 0 | STORAGE | GENERAL | Replace Subfloor | Gabriel | COMPLETE | 03/10/19 |
| YES | 1 | UTILITY | FLOORING | Cut Down Plywood Section by Door | Gabriel | COMPLETE | 03/16/19 |
| YES | 1 | UTILITY | GENERAL | Cover Window | General | COMPLETE | 03/17/19 |
| YES | 1 | STORAGE | GENERAL | Seal cracks with Spray Foam - Stairwell / Window / Area Near Door | Gabriel | Partial | |
| YES | 1 | KITCHEN | WINDOW | Repair Window in Kitchen | ? | | |
| YES | 2 | BEDROOMS | DRYWALL | Prep Ceiling for Paint | Gabriel | COMPLETE | 03/16/19 |
| YES | 2 | LIVING ROOM | DRYWALL | Prep Ceiling for Paint | Gabriel | COMPLETE | 03/16/19 |
| TBD | 2 | BATHROOM | PLUMBING | Move pipes from Box to under floor... Access through vanity cabinet | Means | COMPLETE | 03/22/19 |
| YES | 2 | STORAGE | GENERAL | Insulate/Install Ceiling/Roof under stairs and over Water Heater | Gabriel | Partial | |
| YES | 2 | UTILITY | FRAMING | Frame Wall next to steps/Insulate | Gabriel | Partial | |
| TBD | 3 | UTILITY | PLUMBING | Install Water/Drain for Washer | Means | COMPLETE | 03/22/19 |
| YES | 3 | UTILITY | PLUMBING | Move Water Heater to Storage Area | Means | COMPLETE | 03/22/19 |
| NO | 3 | UTILITY | GENERAL | Install Wood Panel to finish Space | General | Partial | |
| YES | 3 | FURNACE | HVAC | Turn Furnace 180 Degrees facing back toward storage | KATZ | Scheduled | 04/05/19 |
| TBD | 4 | KITCHEN | FLOORING | Replace Subfloor | Gabriel | Scheduled | 03/30/19 |
| YES | 4 | UTILITY | FLOORING | Install Vinyl Tile in Laundry area | General | | |
| YES | 4 | FURNACE | FLOORING | Replace Furnace Room Floor with Access | Gabriel | | |
| YES | 4 | KITCHEN | FRAMING | Frame Furnace Room Door | Gabriel | | |
| YES | 4 | KITCHEN | FRAMING | Create Beam to blend Soffit - 15" wide? | Gabriel | | |
| NO | 4 | KITCHEN | GENERAL | Install Brick Panel on Wall (Sink) | General | | |
| NO | 4 | KITCHEN | GENERAL | Install Wood Ceiling | Gabriel | | |
| YES | 5 | KITCHEN | ELECTRIC | Install Outlets above Counter | A1 Electric | Scheduled | 03/27/19 |
| YES | 5 | KITCHEN | ELECTRIC | Install Outlet for Refrigerator | A1 Electric | Scheduled | 03/27/19 |
| YES | 5 | KITCHEN | ELECTRIC | Move Light above sink replaced with two pendants | A1 Electric | Scheduled | 03/27/19 |
| YES | 5 | KITCHEN | ELECTRIC | Move Light in middle of Room replace with 2-4 flush mount recessed | A1 Electric | Scheduled | 03/27/19 |
| NO | 5 | KITCHEN | ELECTRIC | Install Additional Light Fixture in Kitchen Corner | A1 Electric | Scheduled | 03/27/19 |
| TBD | 5 | UTILITY | ELECTRIC | Install Electric Outlet for Washer/Dryer | A1 Electric | Scheduled | 03/27/19 |
| YES | 5 | BATHROOM | ELECTRIC | Adjust Sconce Lighting Based on Fixtures | A1 Electric | Scheduled | 03/27/19 |
| YES | 5 | KITCHEN | FRAMING | Frame Kitchen/Hall Door | Gabriel | | |
| NO | 5 | ALL ROOMS | TRIM | Install Trim over Baseboard - Crown Molding | Gabriel | | |
| YES | 6 | ALL ROOMS | PAINT | Trim | Gabriel | | |
| YES | 6 | ALL ROOMS | PAINT | Walls | Gabriel | | |
| YES | 6 | ALL ROOMS | PAINT | Ceilings | Gabriel | | |
| NO | 6 | BATHROOM | FRAMING | Install Brick Panel on Wall (Vanity) | Gabriel | | |
| YES | 6 | BATHROOM | GENERAL | Install Tin Type Ceiling | General | | |
| YES | 7 | KITCHEN | CABINETS | Install Cabinets/Counter based on Design | Larry | Pending | 6-8 weeks |
| YES | 7 | BATHROOM | PLUMBING | Install Clawfoot Tub / Faucet | Means | | |
| YES | 7 | BATHROOM | PLUMBING | Install Toilet | Means | | |
| YES | 7 | BATHROOM | PLUMBING | Install/Connect Vanity Sink | Means | | |
| YES | 7 | ALL ROOMS | ELECTRIC | Install Light Fixtures | A1 Electric | | |
| YES | 7 | BEDROOMS | FLOORING | Install LVT - Wood Plank Flooring | Rogers | | |
| YES | 7 | LIVING ROOM | FLOORING | Install LVT - Wood Plank Flooring | Rogers | | |
| YES | 8 | KITCHEN | FLOORING | Install Vinyl Tile or LVT Planks | Rogers | | |

