

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

Date of Hearing: 04/16/2019

Hearing Officer: MATT BOYD

Case number: 216678

Address: 1328 DEVONPORT DR. #3

Owner: ASHLAND APARTMENT GROUP LLC

Present / Not Present

Person Representing Property Owner: _____

Brenda Hernandez

Legal Standing: _____

Property Manager (POA)

Issuance Date of Civil Penalty: 03/04/2019

Case Officer: JEFF POE

Housing with \$ 500.00 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: 3 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 until 10/31/19 within which to remedy the violations to avoid the assessment of a civil penalty of \$ 500. 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: Complete repair on 3 violations

+ in confirmation w/ code

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.**

Matt Boyd
Hearing Officer's Signature

4/16/19
Date

N/A Supplementary Page Completed

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Case number: 216678 Address: 1328 DEVONPORT DR. #3

Supplementary Notes (If Needed)

Hearing Officer’s Signature

Date



DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

**ASHLAND APARTMENT GROUP LLC
1042 CENTERVILLE CIR
SAINT PAUL, MN 55127**

Date & Time of Issuance: March 4, 2019, at 9:32 AM
Compliance Due Date: April 3, 2019
Case Number: 216678

RE: 1328 DEVONPORT DR, 3, aka 1328 DEVONPORT DR, Lexington, KY 40504

On January 22, 2019 at 11:11 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 March 4, 2019 at 9:32 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 3 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 \$500.** Our records indicate you have received 5 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:



MAYOR LINDA GORTON



LEXINGTON

ALEX "CASH" OLSZOWY
DIRECTOR
CODE ENFORCEMENT

A handwritten signature in black ink, appearing to read 'Jeffrey Poe', written above a horizontal line.

Jeffrey Poe
Code Enforcement Officer

Phone
(859) 576-3848

E-Mail Address
jpoe@lexingtonky.gov





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	ASHLAND APARTMENT GROUP LLC	January 1, 2019 Owner	ASHLAND APARTMENT GROUP LLC
Mailing Address	1042 CENTERVILLE CIR SAINT PAUL, MN 55127	Parcel Number	14177550
Location Address	1328 DEVONPORT DR LEXINGTON, KY 40504	Tax District	District 1
Legal Description	A-390B HOLIDAY HILLS LOT 3	2018 Tax Rate	1.2774
Property Class	M-Multi Family	Acres	0.15
PVA Neighborhood	702-COMMERCIAL SOUTHWEST AREA	Parcel Map	Show Parcel Map
Land Use Code	401-M - APARTMENTS 3-19 RENTAL UNITS	ND-1 Zone	
USA/RSA Map	23	Overlay	
Map Block	004	PDR	
Lot	3	Map Scale	200
Subdivision	HOLIDAY HILLS UNIT 4	Block	A
Deeded Acres	0.15	LFUCG Zoning	R-4-HIGH DENSITY APARTMENT
Cabinet/Slide	A-390B	Deeded Sqft	6,534
		Frontage / Out Of	306 /

Assessment Information

[Historical Assessments](#)

Year	Fair Cash Value	Agricultural Value Land	Agricultural Value Total	Exempt	Taxable Value
2019	\$ 342,900	\$ 0	\$ 0	\$ 0	\$ 342,900

Commercial Improvement Information

Card	Building Type	Structure Code/Desc	Units	Year Built	Above Grade Sqft	Total Basement Sqft	Finished Basement Sqft	Building Sketch
1	1	211-APARTMENTS -MULTIF	12	1970	13,524			Show Sketch

Building Photo Preview [Enlarge/Show All Photos](#)



Accessory Information

Description	Year Built	Area	Grade
PAVING ASPHALT PARKING	1970	4806	C

Sale Information

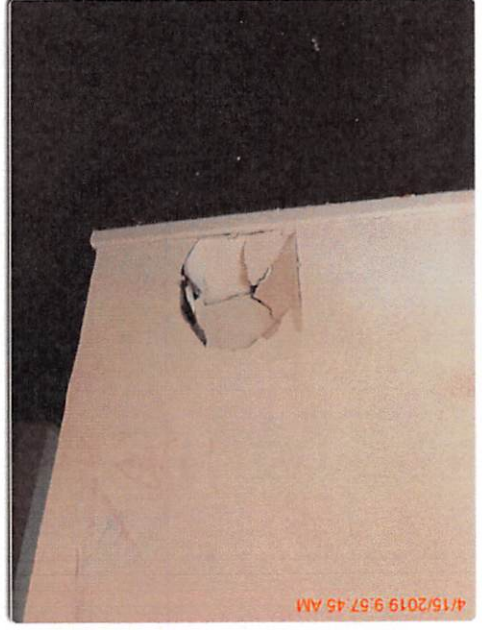
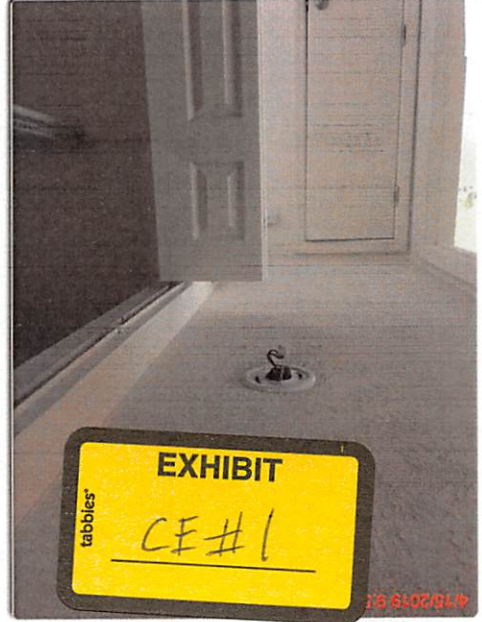
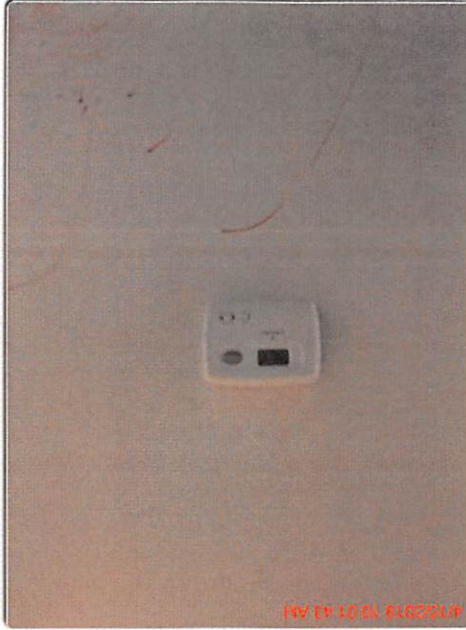
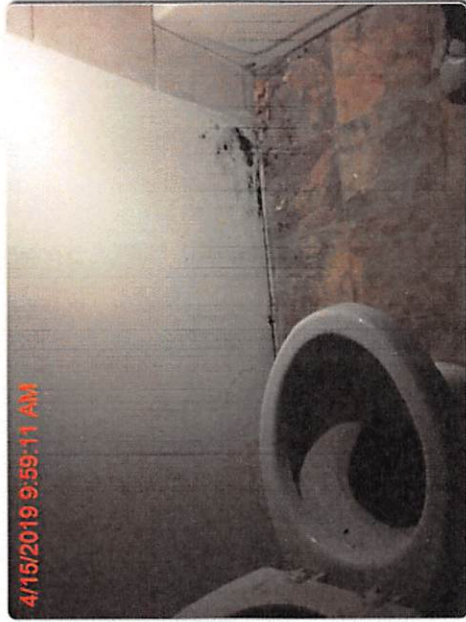
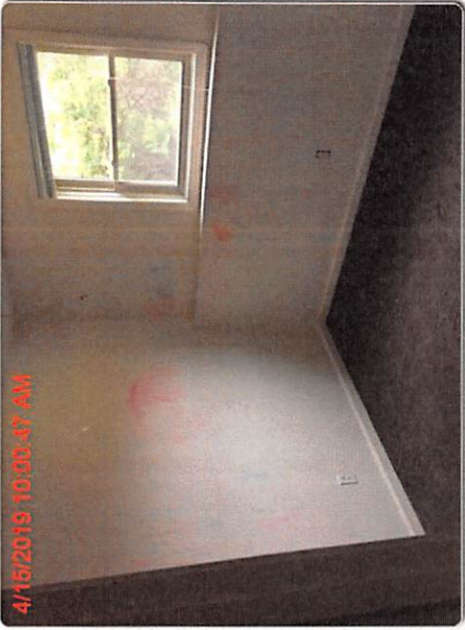
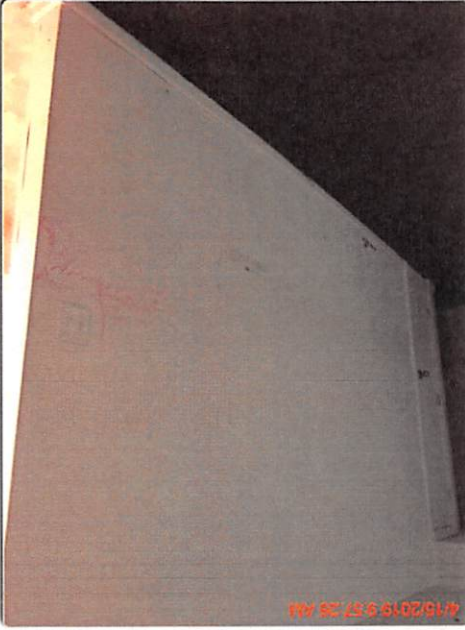
Sale Date	Sale Price	Deed Book	Deed Page	Sales Validity	Owner	Previous Owner
2018-02-01	\$ 2,400,000	3557	704	11-MULTIPLE PROPERTIES	ASHLAND APARTMENT GROUP LLC	MGA PROPERTIES LLC
2016-09-06	\$ 1,770,000	3429	618	11-MULTIPLE PROPERTIES	MGA PROPERTIES LLC	COLE JOHN WILLIAM
1989-06-19		1515	655	00-ARMS LENGTH TRANSACTION	COLE JOHN WILLIAM	MAXWELL INC ET AL
1989-06-19		1515	655	11-MULTIPLE PROPERTIES	MAXWELL INC ET AL	

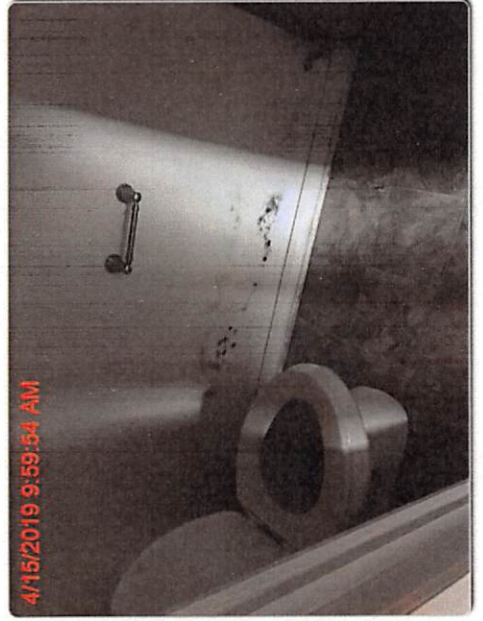
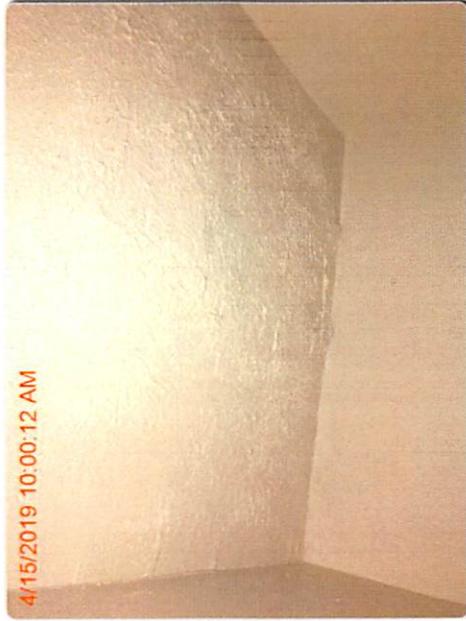
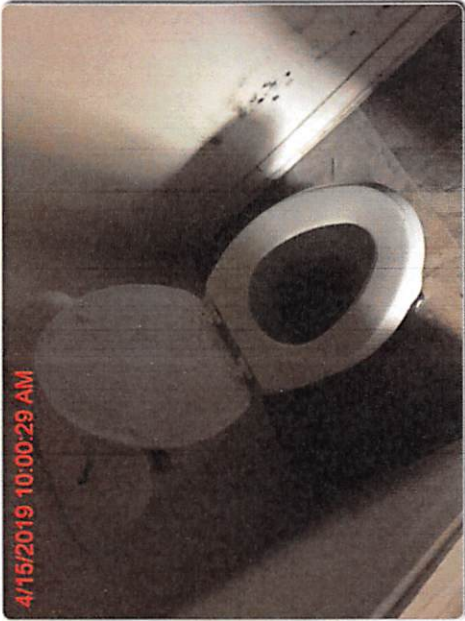
The Fayette County Property Valuation Administrator's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: April 15, 2019

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Hearing Inspection 4-15-2019 3 Violations still present -

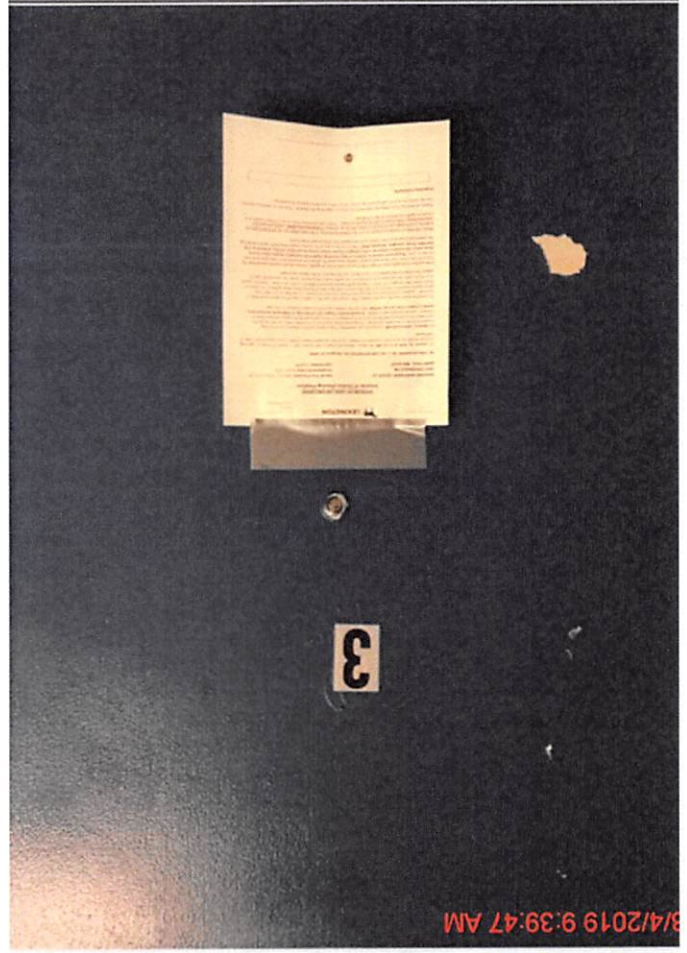




3-4-2019

3 violations

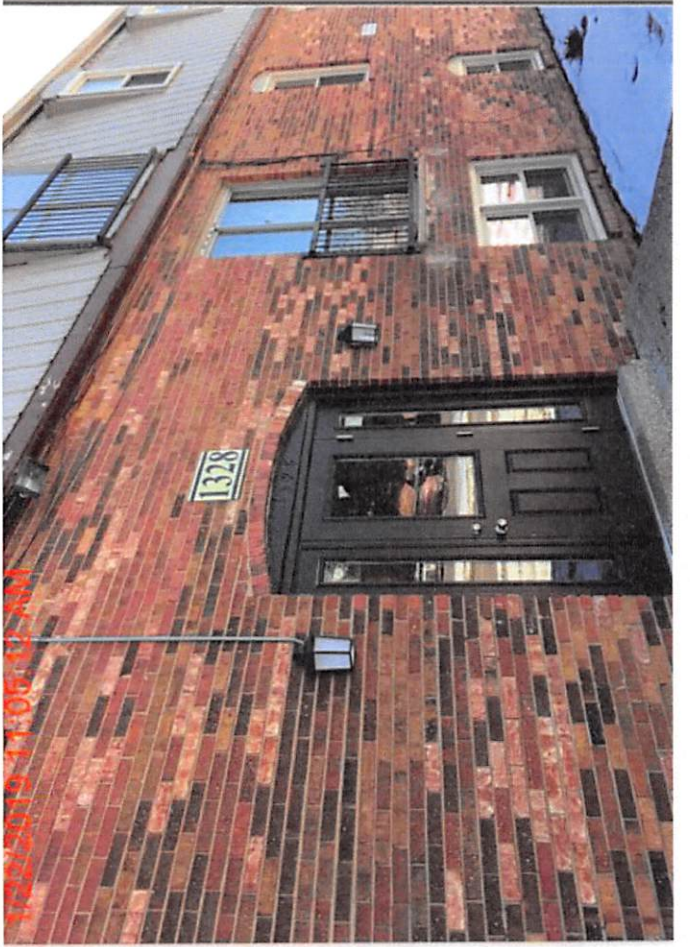
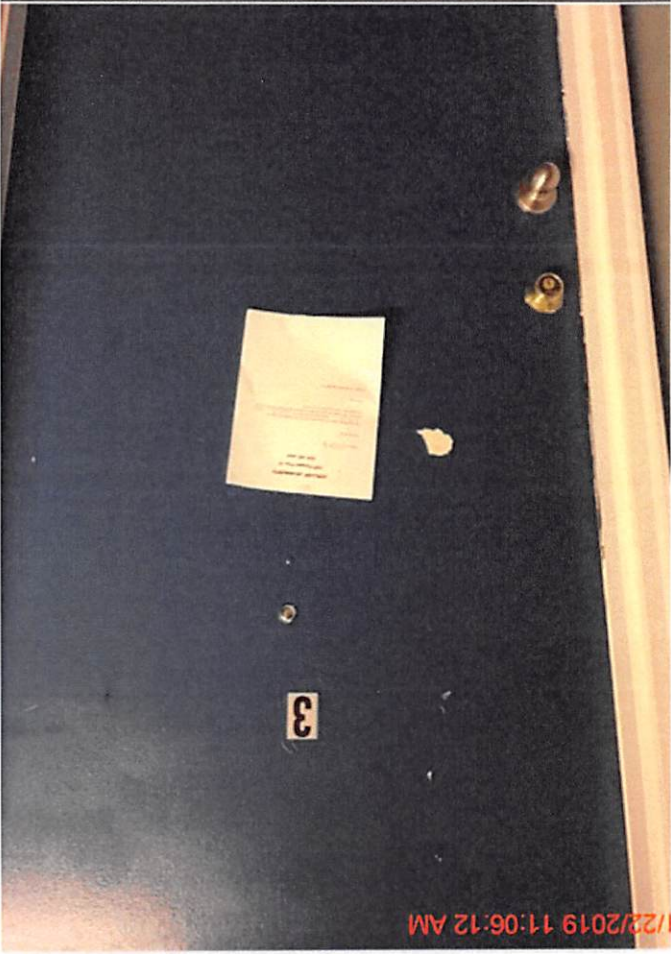
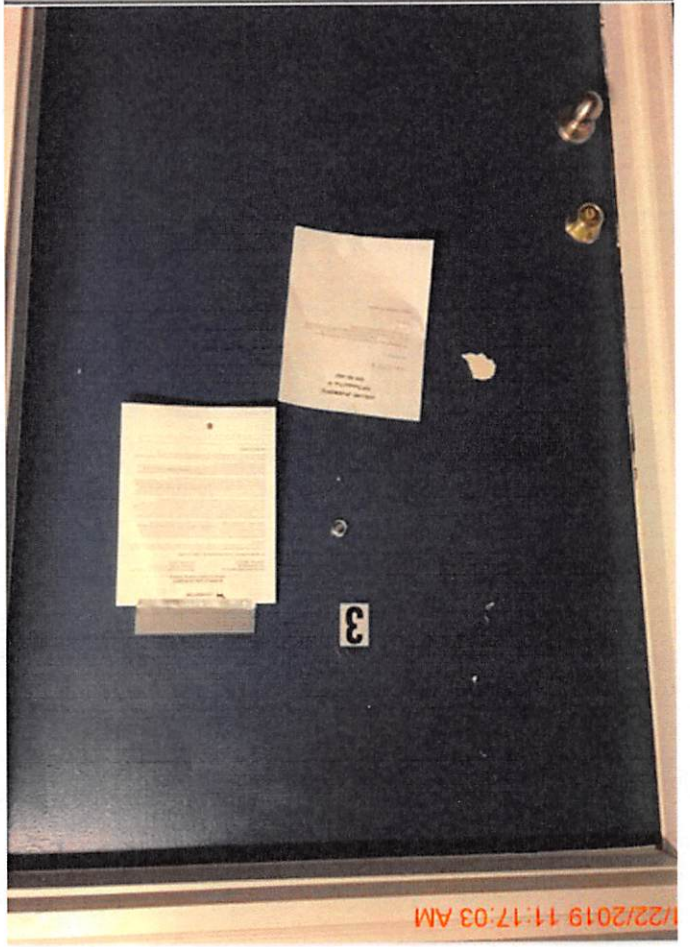
\$500 cp



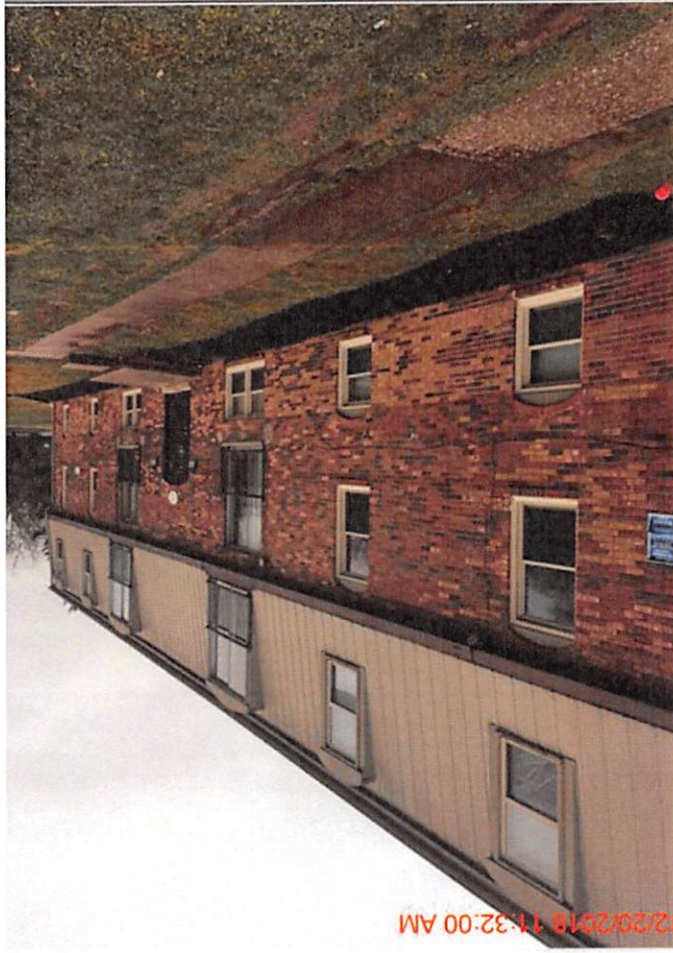
1-22-2019

3 violations

\$400 cp



12-20-2019 3 Violations \$300 CP

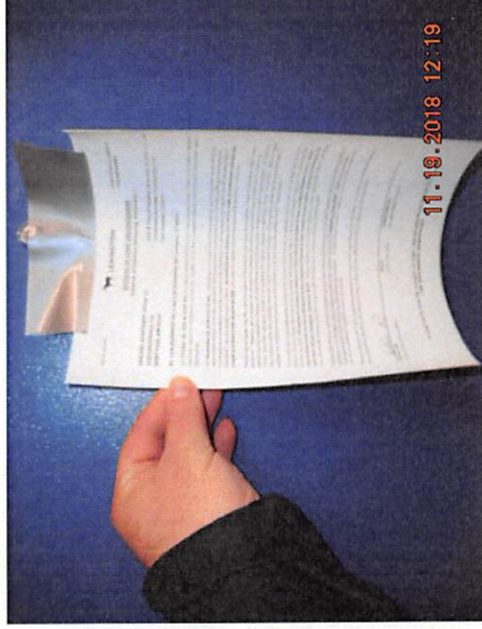
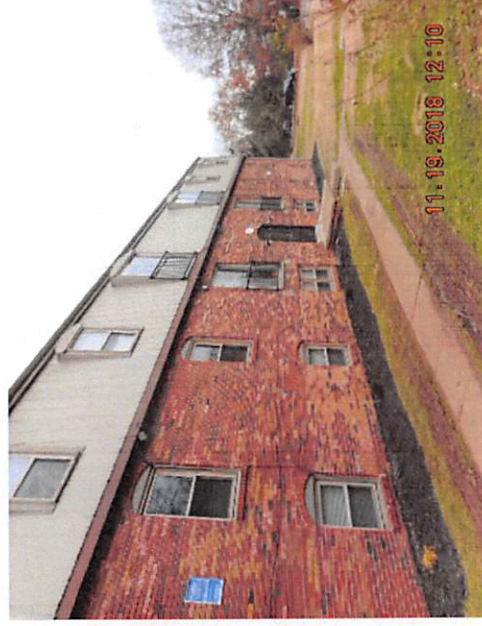
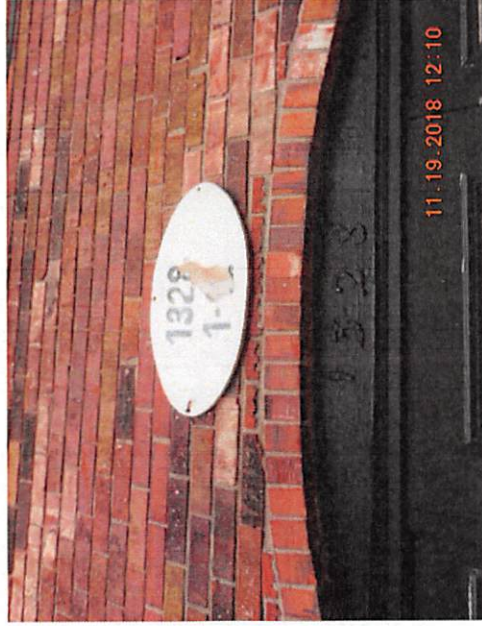


11-19-2018

3V

\$ 200 cp

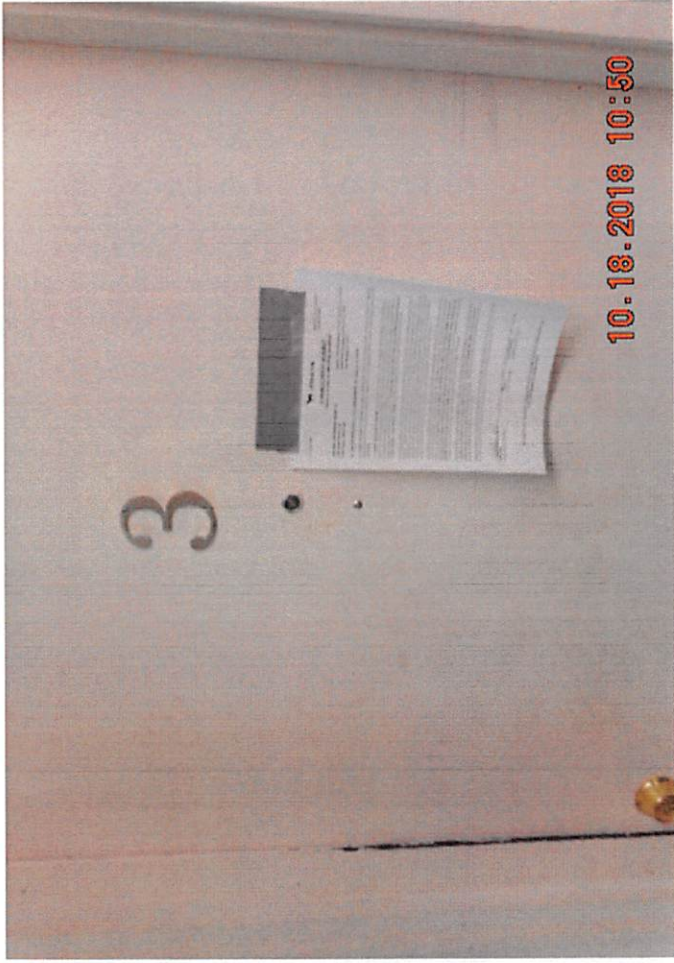
Red Violations attached
1328 Devonport Dr, 3
case close - out 11.19.2018 12:17



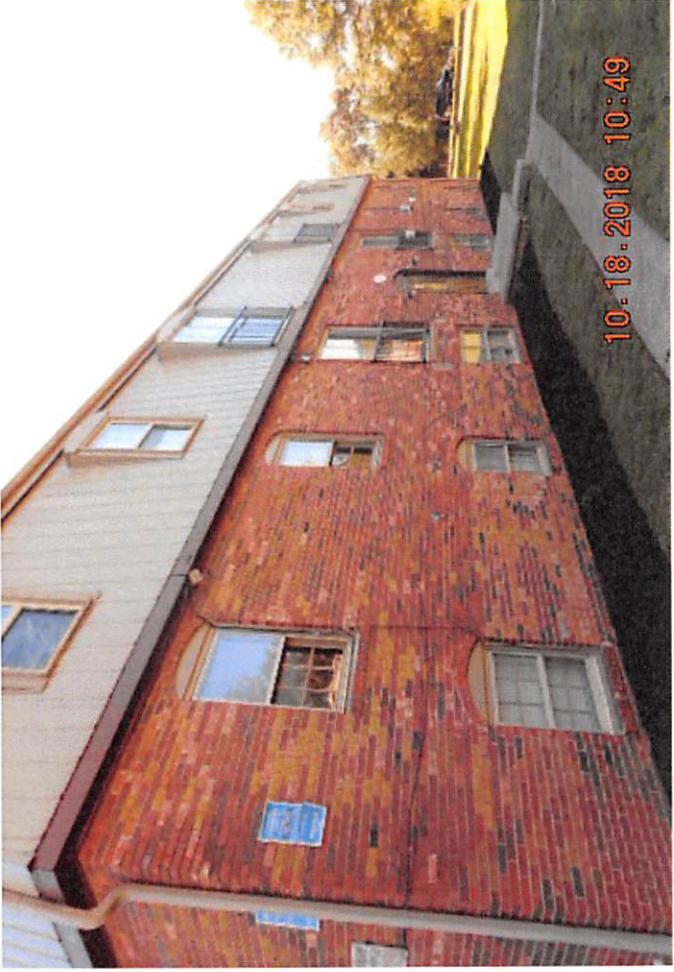
10-18-2018

3 Violations

\$ 100 CP



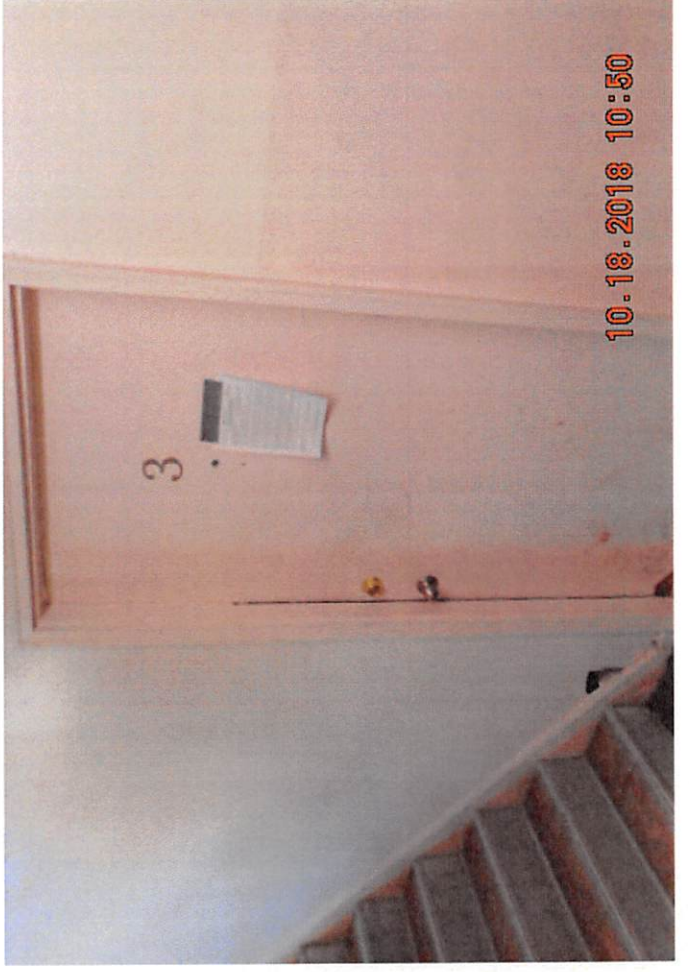
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10.18.2018 10:49



10.18.2018 10:49



10.18.2018 10:50