Lexington Fayette Urban County Government

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/26/2020 Hearing Officer: GERALD ROSS

Case number: 392368 Address: 436 SPEIGLE ST.

Owner: FOX DEN PROPERTY LLC Present /Not Present

Person Representing Property Owner: Adnan Shelash

Legal Standing: Owner

Issuance Date of Civil Penalty: 01/07/2020 Case Officer: GERRY HAMILTON

☐ Housing with $_____ Civil Penalty Amount

☒ Nuisance with $ 250.00 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: Numerous 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 March 31, 2020 within which to remedy the violations to avoid the assessment of a civil penalty of $ 250.00. 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 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 2/26/2020

Hearing Officer's Signature Date

MAYOR LINDA GORTON

LEXINGTON

ALEX "CASH" OLSZOWY
DIRECTOR
CODE ENFORCEMENT

DIVISION OF CODE ENFORCEMENT

Issuance of Citation

FOX DEN PROPERTY LLC
1029 KIAWAH DR
LEXINGTON, KY 40515

Date & Time of Issuance: January 7, 2020, at 3:15 PM
Compliance Due Date: January 21, 2020
Case Number: 392368

RE: 436 SPEIGLE ST, Lexington, KY 40508

Issuance of Citation: Due to continued non-compliance, a citation in the amount of **$250** has been assessed pursuant to chapter 12 of the code of Ordinances. **Please review the second page of this document to obtain details regarding the payment or appeal of this citation.**

An inspection was made of the above-referenced property on January 7, 2020 at 3:15 PM, and, pursuant to Chapter 12-2 of the Lexington-Fayette Urban County Government Code of Ordinances the below indicated nuisance violation was located that must to be corrected/abated before the listed "Compliance Due Date".

	Violation	Code	References
1	Rubbish, Garbage, Debris, Ashes, Trash or Waste	Nuisance 001 Trash/Debris	
2	Indoor Furniture/Appliances not designed or manufactured for outside but is located outside	Nuisance 003 IFO/Indoor Furniture	

Inspection Comments:

Property still in violation. We had the appeal, you asked for a week, I gave you a few more days past that. Nothing has been done.

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.

Gerry Hamilton

Gerry Hamilton
Nuisance Control Officer

Phone
(859) 576-3845

E-Mail Address
ghamilto@lexingtonky.gov

MAYOR LINDA GORTON

LEXINGTON

ALEX "CASH" OLSZOWY
DIRECTOR
CODE ENFORCEMENT

How to Pay a Citation

All payments related to citations, 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, 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. The Division of Code Enforcement cannot accept payment for any citations, liens or abatement costs.

Continued non-compliance after the above indicated "Compliance Due Date" may result in additional citations being issued until compliance is gained. If the property owner does not bring the property into compliance the violations may be abated/corrected by governmental operations and all abatement costs and related administrative fees will be invoiced to the property owner.

How to Appeal a Citation

A notice of Nuisance Violation is not appealable.

If a citation has been issued, the property owner may file a written appeal of this citation. The property owner must do so within 7 days of the listed "Issuance Date". Appeals 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 will be accepted. 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 a citation, which is not on appeal, and/or invoice abatement costs are not paid within 14 days following its issuance, a Notice of Lien Claimed may be recorded in the Office of the Fayette County Clerk against the property.

EXHIBIT

tabbies

1A

436 SPEIGLE ST

11-11-19

EXHIBIT 10

436 SWEIGLE ST

11-11-19

EXHIBIT

tabbies

2n

436 SPEIGLE ST

1-7-2020

EXHIBIT

tabbies

2 B

436 SPEIGLE ST

1-7-2020

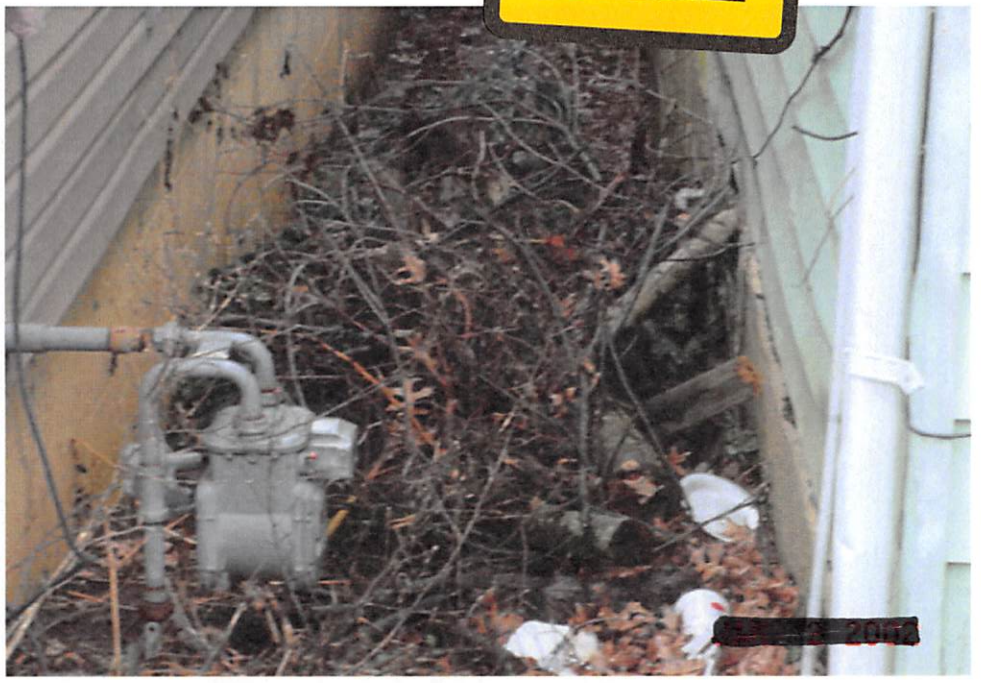
EXHIBIT

2C

436 SPEIGLE ST

EXHIBIT

3A



436 SPEIGLE ST

2-25-2020

EXHIBIT

3B

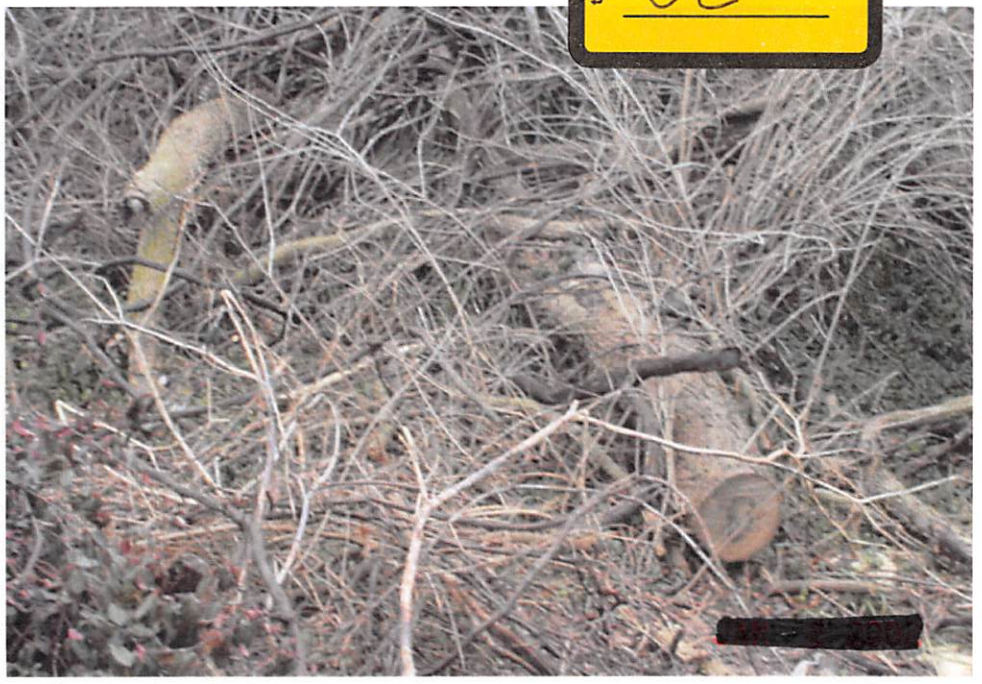
436 SPRIGLE ST

2-25-2020

EXHIBIT

tabbies

3C



436 SPEIGLE ST

2-25-2020