

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

Date of Hearing: 01/09/2019

Hearing Officer: GERALD ROSS

Case number: 228571

Address: 1657 MAYWICK VIEW LN.

Owner: DAVID M. SHAMIEH & EMILY SHAMIEH

Present / Not Present

*Deceased - rep. by heirs*

Person Representing Property Owner: \_\_\_\_\_

Michael David Shamieh;  
John Shamieh; Dolly Dressman Legal Standing: Heirs

Issuance Date of Civil Penalty: 11/08/2018

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: rubbish; Dotie

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

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**Conclusions of Law**

The civil penalty is:

Upheld

~~Dismissed~~

Other

Notes: Violation had occurred but owner died; heirs notified  
C.E. and granted extension - Compliance w/ extension;  
fine waived / dismissed.

**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 \_\_\_\_\_ 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 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: 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

01/09/2019  
Date

\_\_\_\_\_  
Supplementary Page Completed



MAYOR JIM GRAY



DIRECTOR ALEX C. OLSZOWY III  
CODE ENFORCEMENT

**DIVISION OF CODE ENFORCEMENT**

**Issuance of Citation**

**SHAMIEH DAVID M & EMILY  
3315 CORNWALL DR  
LEXINGTON, KY 40503**

**Date & Time of Issuance: November 8, 2018, at 10:01 AM  
Compliance Due Date: November 22, 2018  
Case Number: 228571**

**RE: 1657 MAYWICK VIEW LN, Lexington, KY 40504**

**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 November 8, 2018 at 10:01 AM, 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".

|   | <b>Violation</b>  | <b>Code</b>                               | <b>References</b> |
|---|---|---|-------------------|
| 1 | Rubbish, Garbage, Debris, Ashes, Trash or Waste   | Nuisance 001<br>Trash/Debris              |                   |
| 2 | Junked, Wrecked, Non-Licensed, Improperly licensed or Inoperative Vehicle(s) or Machines(s) | Nuisance 004<br>Junked/Inoperable Vehicle |                   |

**Inspection Comments:**

No changes since we talked.

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**  
Nuisance Control Officer

**Phone**  
(859) 576-3845

**E-Mail Address**  
ghamilto@lexingtonky.gov