

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

Date of Hearing: 08/20/2019

Hearing Officer: MATT BOYD

Case number: 332888

Address: 235 STONE AVE.

Owner: FRANCIS SUSONG JENKINS &

Present / Not Present
Present

LAWRENCE CHARLES JENKINS

Person Representing Property Owner: _____

Larry Jenkins

Legal Standing: Owner

Issuance Date of Civil Penalty: 07/09/2019

Case Officer: JERRY LUCAS

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: 7 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 9/20/19 within which to remedy the violations to avoid the assessment of a civil penalty of \$ 200. 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: Driveway to be paved & electrical removed or replaced

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.**


Hearing Officer's Signature

8/20/19
Date



DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

**JENKINS FRANCIS SUSONG & JENKINS LAWRENCE
CHARLES JR
1461 Sugar Maple Lane
Lexington, KY 40511**

Date & Time of Issuance: July 9, 2019, at 1:21 PM
Compliance Due Date: August 8, 2019
Case Number: 332888

RE: 235 STONE AVE, Lexington, KY 40508

On **May 1, 2019 at 11:07 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 **July 9, 2019 at 1:21 PM**, 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 **7** 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.

Inspection Comments:





Jerry B. Lucas

Jerry Lucas
Code Enforcement Officer

Phone
(859) 576-3841

E-Mail Address
jlucas@lexingtonky.gov



May 1, 2019

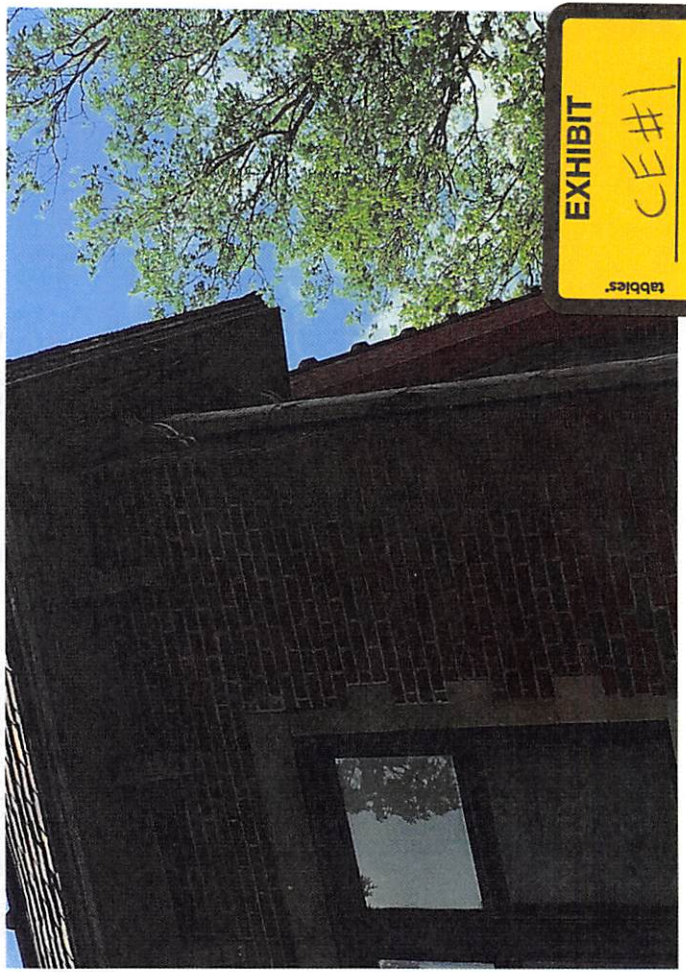
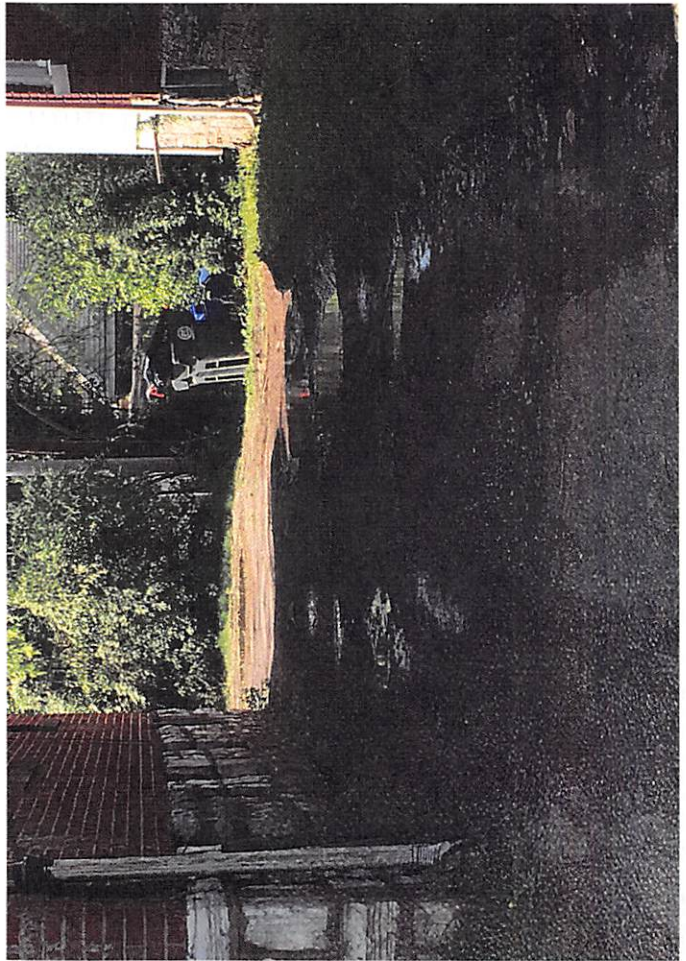
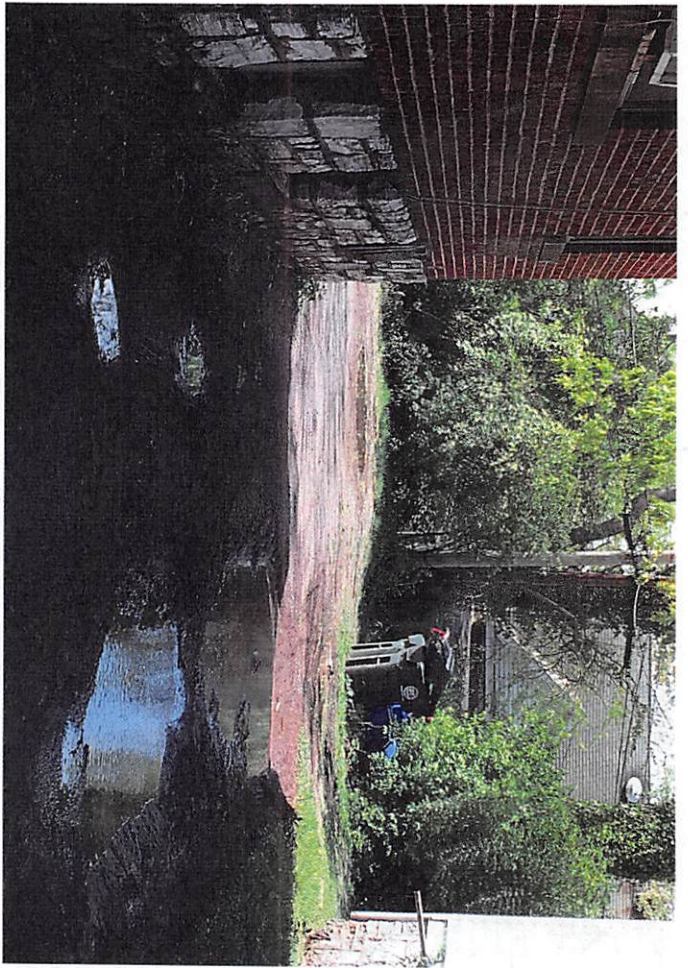
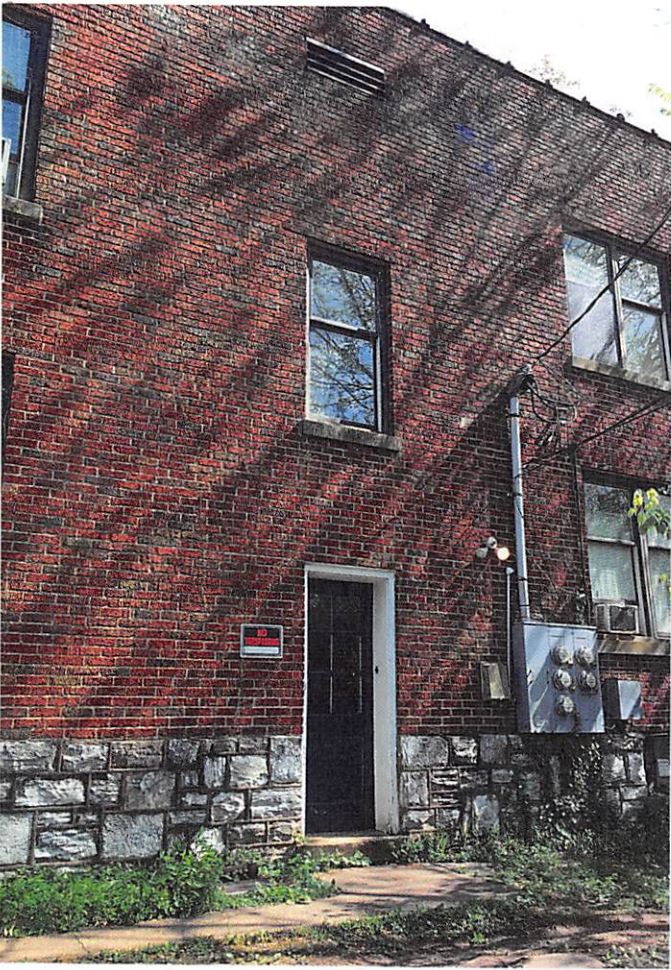
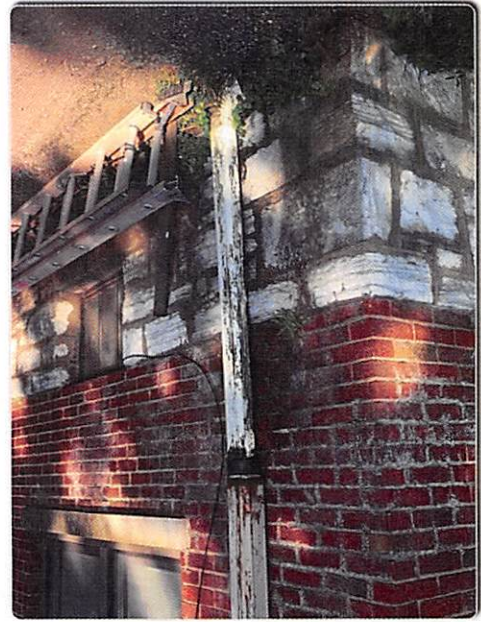
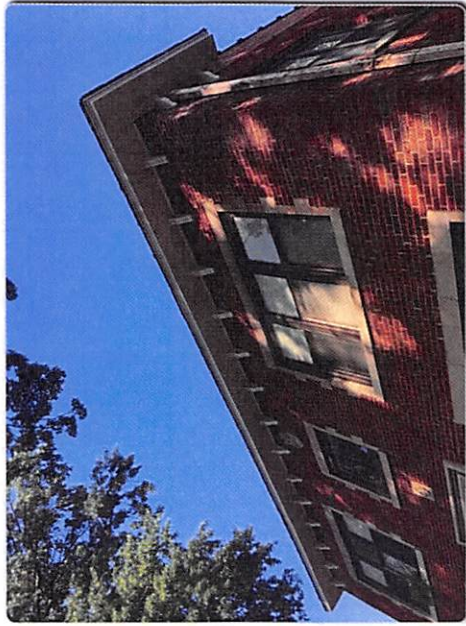
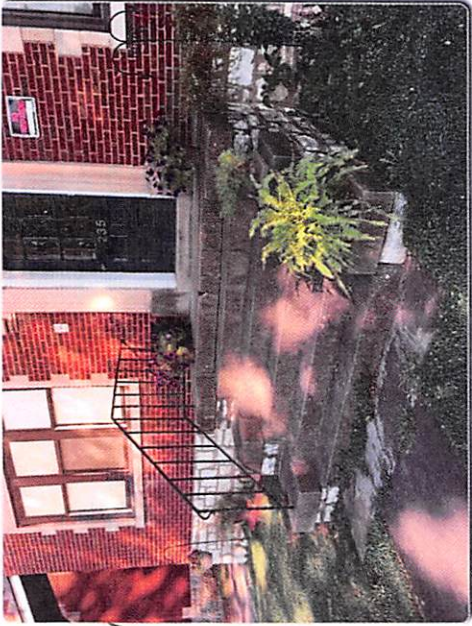
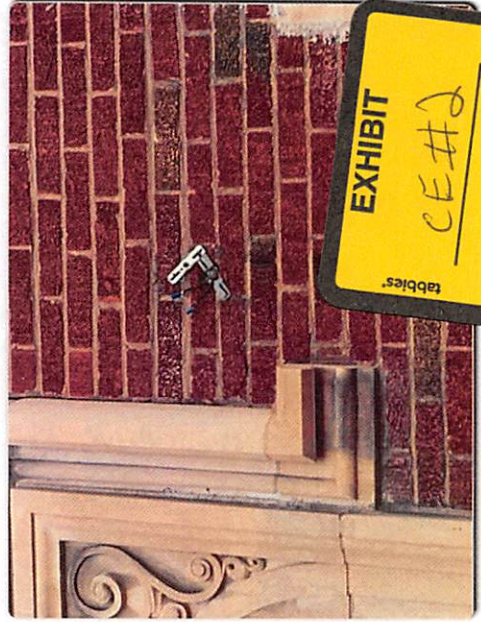
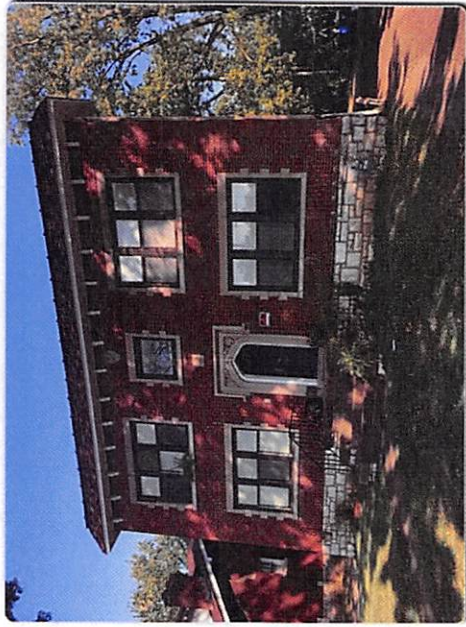
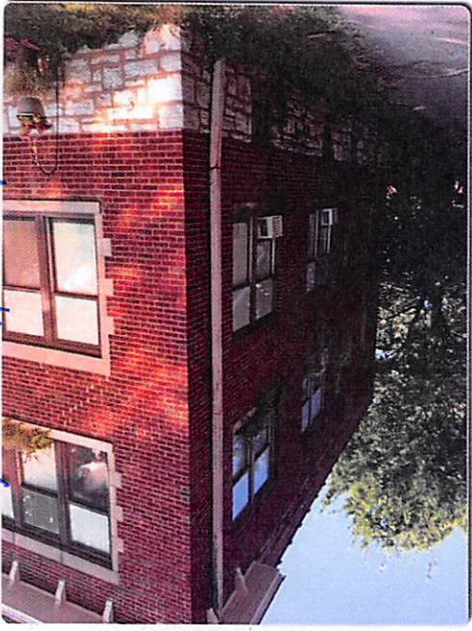


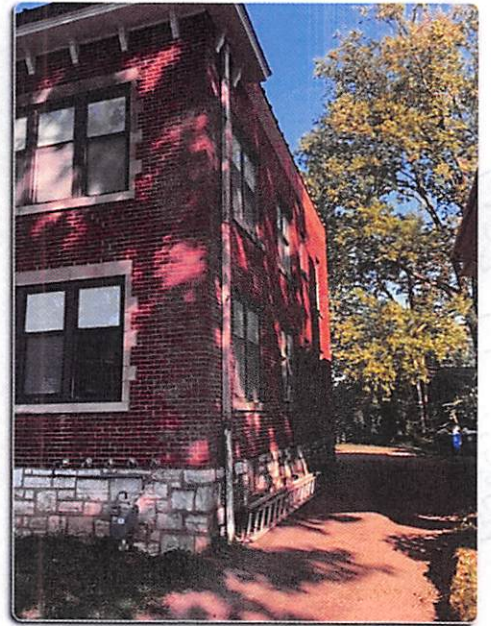
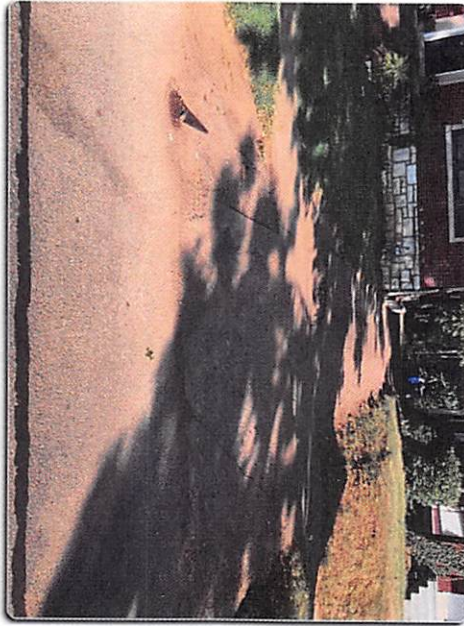
EXHIBIT
CE #1
tbbles





August 19, 2019





Aptitude Development LLC of Elmwood Park, New Jersey, wants to raze several older homes on East Maxwell Street between Stone and Lexington avenues to build an apartment complex that would have 575 beds in either one or two-bedroom apartments. A second development is proposed for Angliana Avenue. Both developments will be geared toward University of Kentucky students.

ALEX SLITZ aslitz@herald-leader.com

BY BETH MUSGRAVE
bmusgrave@herald-leader.com

Developers are proposing two large apartment complexes geared toward University of Kentucky students, including a 10-story building at the corner of East Maxwell Street and Lexington Avenue and a large development on Angliana Avenue.

Requests for zone changes to make way for the developments were filed this week.

Aptitude Development LLC of Elmwood Park, New Jersey, wants to raze several older

homes on East Maxwell Street between Stone and Lexington avenues to build a complex that would be 10 stories on one side and three stories on the side closest to Stone.

In total, the building would have 575 beds in either one or two-bedroom apartments. The 10-story building would have two stories of parking for a total of 232 parking spaces.

The developers want to rezone the area from residential to a business zone for downtown development.

F2 Companies of Dublin, Ohio, wants to rezone approximately 5.57 acres from a

wholesale and business zone to a high-rise apartment zone at 840 Angliana Avenue between South Broadway and Versailles Road. The property is currently a 200,000-square-foot tobacco warehouse, which would be demolished.

Plans call for five apartment buildings to be built on that site. Four buildings would be three stories tall, which would be located at the four edges of the property. A fourth building, located in the center of the property, would be four stories. In total, the complex would have 230 units and 368 bedrooms. It would have 348

parking spaces and a pool.

Both zone change requests are scheduled to be heard at the Urban County Planning Commission meeting on Sept. 26.

Jacob Walbourn, a lawyer for Aptitude and F2, said the East Maxwell Street development, called The Marshall Lexington, was developed so it would fit into the neighborhood. Aptitude Development has built similar student apartment complexes near other colleges — including one in Louisville. The total number

SEE APARTMENTS, 2A

HAMPTON DISPUTES BEV

Lt. Gov. Jenean Hampton says she r talked to Gov. Matt Bevin about the dismissal of two members of her sta

LOCAL

HOOVER TO DISMISS LAWS

Jeff Hoover's attorn agreed to dismiss a lawsuit against a fo staffer who accused of sexually harassin her. 3A

Downtown Lexington vigil mourns Dayton, El Paso gun violence victims, calls for 'common sense' laws

BY EMILY LAYTHAM
elaytham@herald-leader.com

Hundreds gathered in Lexington's Robert F. Stephens Courthouse plaza Thursday night to hold a vigil for the 31 dead and more than 50 wounded from two mass shootings in El Paso, Texas, and Dayton, Ohio, this past weekend.

The "Enough is Enough" vigil was organized by the

Both organizations advocate for "common sense" gun laws to address mass gun violence.

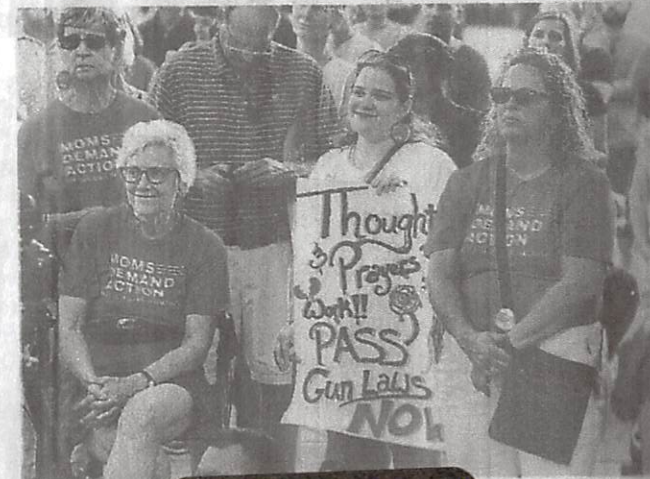
Speakers toed the line between honoring victims and advocating for specific policy measures. Many who spoke were family members of an individual who lost their life to gun violence.

"Gun survivors and all of us here — we are the people," Lynsey Sugarman, head of the Moms Demand Action Lexington chapter, said. "And we the

➔ MORE INSIDE

Ad campaign pressures McConnell to act on guns, 3A

the people are devastated when we hear our friends are afraid to go to a rally, or to a concert, or to Walmart, for fear they might be shot... We the people are tired of our sons and daughters in Lexington being shot down in the streets. We the people demand action."



People rally a "Enough is E violence.

EXHIBIT

tabbies

R#1

ago. After the ... Franklin distributed flye

RALLY

gun violence. She later read from the same list. "Go to Walmart, get shot," Franklin said. "Go to the garlic festival, get

shot. Go to a concert, get shot. Go to a church, get shot. Go to work, get shot. Go to school, get shot... And the list goes

vors of gun violence who shared their stories with the crowd. Survivors spoke the names of family members and friends they'd lost to gun violence into the micro-

are no longer enough in the wake of local and national shootings.

On Sunday, a gunman opened fire at a mall in El Paso. The attack left 20 people dead and more

concern over recent mass shootings.

Speakers at Lexington's vigil were hopeful about McConnell's statements. But they were not ready to celebrate just

"The elected official's voice is heard when they enact laws," Sugarman said. "Tonight is the night for the survivor's voices."

FROM PAGE 1A

APARTMENTS

of apartments has still not been worked out, he said.

Some of the amenities being discussed include a workout room and space for ride-share and package drop off, he said. The developer sent notices to surrounding neighbors about the proposed development and a meeting was held on July 31. Few

people attended, he said.

"Most of that area is UK student rental housing," Walbourn said. "If you look at the housing stock that we are going to replace, it borders on dilapidated. It's aging and we believe this complex will only add to the neighborhood."

There are other nearby buildings that are similar

in height, he said. UK HealthCare's Good Samaritan Hospital, which is two blocks away on Maxwell, is seven stories tall.

"The area between High and Maxwell streets has been a no-man's land for a while," Walbourn said. "The new comprehensive plan talks a lot about density. We think this will add density but it will be attractively designed so it will be an asset to the skyline."

“

IF YOU LOOK AT THE HOUSING STOCK THAT WE ARE GOING TO REPLACE, IT BORDERS ON DILAPIDATED.

Jacob Walbourn, a lawyer for Aptitude and F2

The comprehensive plan guides development in Lexington.

Representatives from Aylesford Place Neighborhood Association, the neighborhood closest to

the development, were not immediately available for comment.

The proposed development on Angliana is near several apartment complexes that serve UK

students. Across the street is a UK-owned building and other industrial buildings. There are a few homes in the area.

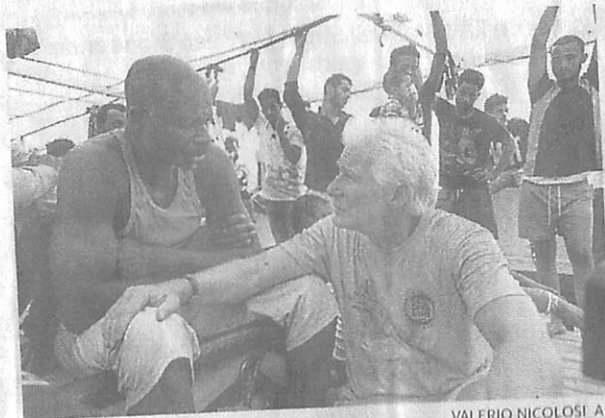
Walbourn said a meeting with neighbors about the proposed five-building apartment complex was also sparsely attended.

"We do want to hear from people and get the feedback," Walbourn said.

PEOPLE

Richard Gere visits migrants stuck in the Mediterranean

Carrying boxes of fruit, **Richard Gere** visited rescued migrants Friday on a humanitarian ship that has been struck in the Mediterranean Sea for over a week, landing smack in the middle of a debate over immigration that European nations



Actor Richard Gere, right, talks with migrants aboard the Open Arms Spanish humanitarian boat as it cruises in the Mediterranean Sea on Friday.

Trump was planning a 2004 presidential run as a Democrat. The star of the upcoming "Zombieland: Double Tap" said the dinner foursome was rounded out by his buddy **Jesse Ventura** and **Melania Knauss**, who was not yet married to The Donald.

"So we all met at Trump Tower, sat down... And it was, let me tell you, a brutal dinner. Two and a half hours," Harrelson said.

"Now, at a fair table with four people, each person is entitled to 25

al wrestler, to be his running mate.

—MERCURY NEWS

Alicia Keys, husband to open performing arts center

Singer **Alicia Keys** and music producer husband **Swizz Beats** are planning to create a performing arts center in upstate New York.

The couple's proposal to transform an industrial site in rural Macedon was introduced at a town

Gulf Coast 'Flora-Bama' battles over MTV show

A landmark beach bar on the Florida-Alabama state line is suing MTV popular "Floribama Shore" show for trademark infringement.

Companies that run the Flora-Bama Lounge on Perdido Key filed suit last week in Pensacola, Florida, against Viacom Inc. and producers of the show. The federal lawsuit contends the show's name