

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

Date of Hearing: 10/22/2020 Hearing Officer: JOE BUCKLES  
Case number: 581120 Address: 2032 HEATHER WAY  
Owner: WILLIAM L. FRANKE Present / Not Present  
Person Representing Property Owner: William L. Franke  
Legal Standing: owner

Issuance Date of Civil Penalty: 09/22/2020 Case Officer: STEVE GAHAFFER

- Housing with \$ \_\_\_\_\_ Civil Penalty Amount
- Nuisance with \$ \_\_\_\_\_ Civil Penalty Amount
- Sidewalk with \$ \_\_\_\_\_ Civil Penalty Amount
- Emergency Abatement \$ \_\_\_\_\_  Nuisance  Housing
- Other: Notice of Foreclosure Violation \$ N/A 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 inoperable/junk vehicles, bush obstructing sidewalk.  
\_\_\_\_\_  
\_\_\_\_\_

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**Conclusions of Law**

The civil penalty is:

Upheld

Dismissed

Other

Notes: Issues must be abated.

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

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

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**\*\*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

10/22/2020  
Date



**DIVISION OF CODE ENFORCEMENT**

**Notice of Foreclosure Violation**

**FRANKE WILLIAM L  
2032 HEATHER WAY  
LEXINGTON, KY 40503-2656**

**Date & Time of Issuance: September 22, 2020, at  
3:11 PM  
Compliance Due Date: September 29, 2020  
Case Number: 581120**

**RE: 2032 HEATHER WAY, Lexington, KY 40503**

An inspection was made of the above-referenced property on September 22, 2020 at 3:11 PM, and, pursuant to Chapter 12-2 of the Lexington-Fayette Urban County Government Code of Ordinances the below indicated violation(s) was located that must to be corrected/abated before the listed "Compliance Due Date".

**Please review the second page of this document to obtain details regarding the payment or appeal of this notice.**

	<b>Violation</b>	<b>Code</b>	<b>References</b>
1	Rubbish, Garbage, Debris, Ashes, Trash or Waste	Nuisance 001 Trash/Debris	
2	High Weeds/Grass (not to exceed 10" in height)	Nuisance 002 – Tall Grass/Weeds	
3	Junked, Wrecked, Non-Licensed, Improperly licensed or Inoperative Vehicle(s) or Machines(s)	Nuisance 004 Junked/Inopera ble Vehicle	
4	No tree, bush, hedge or other vegetation may interfere with normal sidewalk or vehicular traffic	Nuisance 006 Sidewalk Obstruction	

**Inspection Comments:**

Please cut the grass, cut the bushes off of the sidewalk, remove/repair the three inoperable vehicles in the driveways and clean up the trash etc on the property. Thanks Steve

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.





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**Steve Gahafer**  
Foreclosure Specialist

**Phone**  
(859) 576-3851

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





## How to Appeal a Foreclosure Notice

### **A Notice of Foreclosure Violation is appealable.**

If a notice has been issued, the property owner may file a written appeal of this notice. 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 invoice 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 notice was proper. If a notice, which is not on appeal, and/or invoiced 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.

