

**NOTICE OF LIEN CLAIMED**

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
PLANNING LIEN (KRS 65.8835) AND AFFIDAVIT FOR A CIVIL PENALTY  
ON THE PROPERTY LOCATED AT**

**130 LISLE INDUSTRIAL AVENUE**

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CLAIMANT

VS.

**JAMES B. MCGEE**

OWNER

**ACTION TYPE: CIVIL FINE – USE OF PROPERTY WITHOUT CONDITIONAL USE PERMIT (Article 8-23(d)(35) of Zoning Ordinance)**

**ACTION DATE: 01/06/2021**

**ACTION COST: \$2,850.00**

**CITATION #: PLN-COMPL-19-00224-1.2**

COMES NOW, the undersigned Affiant, who is duly authorized to issue citations on behalf of the Lexington-Fayette Urban County Government’s Division of Planning, and states the following:

1. That on or about the above ACTION DATE, the Affiant, acting on behalf of the Lexington-Fayette Urban County Government (“LFUCG”), and pursuant to KRS 65.8801, et seq.; and Article 5 of LFUCG’S Zoning Ordinance, issued a citation with a civil fine in the amount of ACTION COST which includes any applicable administrative fee, against OWNER for the condition of real property located at

**130 LISLE INDUSTRIAL AVENUE**

2. That: (a) OWNER was in violation of certain provisions of the Zoning Ordinance due to the existence of conditions on the Property at the time the citation and civil fine was issued; (b) OWNER was provided the required legal notice of such violations in accordance with the applicable law, but failed to timely and/or satisfactorily abate and/or correct or repair them or did not otherwise comply with the requirements of the Zoning Ordinance such that the issuance of the citation and civil fine was appropriate; and (c) the OWNER either failed to exercise his right to an administrative hearing as provided under the Zoning Ordinance to contest the violations, or appealed said violations to an administrative hearing officer, who entered an order upholding this civil penalty; and (d) this lien is consistent with the provisions of any Administrative Hearing Order that may have been issued in this matter;

3. That a lien on the Property in the principal amount of the above ACTION COST is hereby noticed, asserted, and confirmed as provided in the aforementioned laws;



**Lexington-Fayette Urban County Government  
Department of Planning, Preservation & Development  
Division of Planning**

**2<sup>ND</sup> CIVIL CITATION and  
ASSESSMENT of CIVIL PENALTY**

Citation PLN-COMPL-19-00224-1.2

Name: James B. McGee

Date: 01.06.2021

Address: 137 N. Limestone  
Lexington, KY 40507

Property: 130 Lisle Industrial Avenue

Date and Time of Offense: 01.05.21 at 10:47 AM.

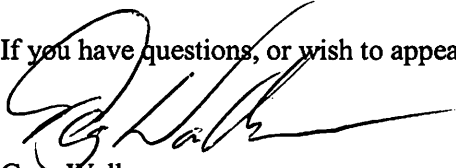
You were sent a **NOTICE OF VIOLATION** of the LFUCG Zoning Ordinance on 07.18.19 and instructed to cease the use of your property as a transfer station. Since your appeal was rejected by the Board of Adjustment, it was understood this property would be brought into compliance in a timely manner. An inspection conducted on 01.05.21 confirmed the continued use of the property as a transfer station with nineteen (19) dumpsters documented on site. As per Article 5-9 (c), you are hereby ordered to pay a civil penalty of one hundred and fifty dollars (\$150.00) per dumpster in violation for a total of two-thousand, eight hundred and fifty dollars (\$2,850.00). To pay the civil penalty, return the bottom portion of this notice along with your check or money order made payable to the Lexington-Fayette Urban County Government to:

Division of Planning/ZE  
101 East Vine St. 7<sup>th</sup> Floor  
Lexington, KY 40507

**Payment of the civil penalty does not remove your responsibility to cease the cited violation(s). Failure to correct the violation(s) will result in further civil citations and the assessment of further civil penalties.**

This citation must be paid or appealed to the **Infrastructure Hearing Board** within seven (7) days of the date of this notice. Should you decide to appeal and the appeal is denied, please be advised that the civil penalty may be increased. If you do not appeal within seven (7) days of the date of this citation, you waive the right to a hearing before the board to contest the violation, and the determination that the violation was committed shall be final. Further, if you fail to pay the civil penalty and do not appeal the civil citation, a lien in the amount of the civil penalty may be placed against any and all properties that you own.

If you have questions, or wish to appeal, you may contact:

  
Greg Walker  
Zoning Enforcement Officer  
(859) 258-3248  
gwalker@lexingtonky.gov

**PLEASE DETACH AND SUBMIT ALONG WITH YOUR CHECK**

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Citation PLN-COMPL-19-00224-1.2

Citation Amount: \$2,850.00

Address: 130 Lisle Industrial Avenue

I, Donald W Blevins Jr, County Court Clerk  
of Fayette County, Kentucky, hereby  
certify that the foregoing instrument  
has been duly recorded in my office.



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By: PATTY DAVIS ,dc

202102170120

February 17, 2021 12:14:45 PM

Fees	\$23.00	Tax	\$ .00
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Total Paid	\$23.00
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