

CODE ENFORCEMENT DEPARTMENT

****The Code Enforcement Program is administered by Planning and Development Services of Kenton County on behalf of Fort Mitchell****

CODE ENFORCEMENT CITATION – 1st

Date of issuance: 8/1/2023

Albert & Theresa Spellbring

10 W Maple Ave.

Fort Mitchell, KY 41011

Case Number: 20232207

You are hereby notified as the owner of the subject property that an inspection of the premises located 10 W Maple Ave. PIDN: 028-30-08-015.00, on 07/31/2023 at 10:00am, indicates that a violation or violations of City or County Ordinance(s) exists. Briefly stated, the property is in violation for the reasons described as follows:

Section Number

Nature of Violation

FTZO TABLE 7.1 - ZONING DISTRICTS

2. No outdoor storage of any material, usable or waste, shall be permitted except within enclosed containers, except where otherwise permitted in Article 4, Use Regulations and Standards.

FTZO SECTION 9.7 EXCAVATION, MOVEMENT OF SOIL, AND EROSION AND SEDIMENTATION CONTROL

Erosion and sedimentation controls for excavation, movement of soil, shall be planned and applied according to the following:
The smallest practical area of land shall be exposed at any one time during development.
When land is exposed during development, the exposure shall be kept to the shortest practical period of time.
Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.
Sediment basins (debris basins or silt traps) shall be installed and maintained to remove sediment from run-off waters from land undergoing development.
Provisions shall be made to accommodate the increased run-off caused by changed soil and surface conditions during and after development.
Permanent final vegetation and structures shall be installed as soon as practical in the development.
The development shall be fitted to the topography and soils so as to create the least erosion potential.
Wherever feasible, natural vegetation shall be retained and protected

ZO - Zoning Ordinance; *CO - City Ordinance; *IPMC - International Property Maintenance Code

The violation(s) with which you have been charged are civil offense(s).

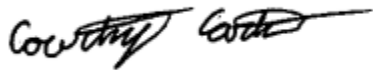
Pursuant to KRS 65.8808(2)(b), if you do not contest this citation, the civil fine shall be \$100 per violation; if you contest this citation before the Kenton County Joint Code Enforcement Board, the civil fine may be \$200 per violation.

To pay this citation, you must pay the amount shown as the minimum fine above – per violation, by mail or in person, to PDS within seven (7) days of this citation. **PLEASE NOTE: Payment of fines WILL NOT close this case if unabated violations remain.**

To contest this citation, you must file an appeal to the PDS offices, 1840 Simon Kenton Way, Suite 4300, Covington, Kentucky 41011 within seven (7) days of the citation. If you appeal and the citation is upheld by the Kenton County Code Enforcement Board, the fine may be increased up to the "maximum fine" shown above.

Failure to pay the minimum fine or to file an appeal by 07/31/2023 will result in a waiver of your rights to a hearing and pursuant to KRS 65.8825(6), this citation, as issued, shall be deemed a Final Order determining that the violation was committed. The minimum fine shall then be imposed and it, along with the costs of collection, shall be collected as a debt in a court of law; furthermore, the alleged violator shall be deemed to have waived the right to appeal the Final Order to District Court.

*****Whether the citation is contested or not, please contact PDS offices at (859) 331-8980 to request a re-inspection when violations are abated to stop the accrual of fines.*****



Courtney Carter
Associate Code Enforcement Officer

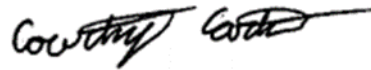
CODE ENFORCEMENT OFFICER CERTIFICATION

The undersigned Code Enforcement Officer hereby certifies that the person to whom this code enforcement citation was issued failed to respond within seven (7) days of the date the citation was issued; therefore, pursuant to KRS 65.8825(6), this citation, as issued, is deemed a final order determining that the violation was committed and the maximum fine as set forth in the citation is hereby imposed.

PROOF OF SERVICE

The undersigned Code Enforcement Officer hereby certifies that on this 10 day of August, 2023, a copy of this Administrative Final Order was delivered to the person to whom the referenced civil citation was issued, in the following manner (check all that apply):

- Regular first-class mail
- Certified mail, return receipt requested
- Personal delivery
- Leaving a copy of this Final Order at that person's usual place of residence, with an individual residing therein who was eighteen (18) years of age or older and who was informed of the contents of this Final Order.



Courtney Carter
Associate Code Enforcement Officer

The issuance of the attached citation means that
you have been charged with a civil offense
which requires you to comply with one of the
following options:

OPTION #1

If you do not choose to contest the citation, you may pay the civil penalty indicated in the NOTICE portion of the citation form by mail, or in person, within seven (7) days from the date of issuance.

Please contact the Code Enforcement Department for additional instructions pertaining to this option.

By phone: **859.331.8980**

or

By email: **codes@pdskc.org**

OPTION #2

If you dispute this citation, you may request a hearing before the Kenton County Joint Code Enforcement Board. Your request for a hearing must be in writing and the request must be received by PDS within seven (7) days of the date the citation was issued.

The written request for a hearing may be emailed to **codes@pdskc.org**

or

be mailed (postmarked within 7 days) or personally delivered (within 7 days) to the following address:

**PDS
1840 Simon Kenton Way
Suite 4300
Covington, KY 41011**

If you choose to have a hearing and are found to have committed the violation by the Code Enforcement Board, the Board may impose the maximum fine indicated on the citation for each offense.

If you fail to pay the civil penalty or request a hearing within seven (7) days from the date the citation was issued, you will have waived your right to

contest this citation and the determination that a violation was committed shall be considered final and non-appealable.