

COMMONWEALTH OF KENTUCKY  
CITY OF BEREA  
CODE ENFORCEMENT BOARD

IN RE:

THE MATTER OF )  
TAMMY KNUCKLES )  
(Property located at 111 Adams Street )  
Berea, Kentucky) )

ORDER

\*\*\*\*\*

This matter came on for hearing before the Code Enforcement Board, upon the issuance of a complaint charging that property at 111 Adams Street was in violation of an accumulation of rubbish or garbage on the property, improper occupancy, minimum standards for basic equipment and facilities and inoperable vehicles, which complaint was made by the Code Enforcement Office of the City of Berea, Building Inspector, Amanda Haney. A notice of violation was provided by letter from the Code Enforcement Office dated May 18, 2021 and mailed to the resident and posted directly to the structure.

After receiving numerous complaints from neighbors, the Code Enforcement Office inspected the structure in August, 2021, and found the property to continue to be in violation and on December 17, 2021, mailed a final notice to the resident.

Pursuant to Section 70.005(b) of the Berea City Code, this Board held a hearing to determine whether the property is compliant with Property Maintenance Code 308.1 and 302.8, and city Ordinance §50.001(B)(12).

A hearing was held on this matter before the Code Enforcement Board on January 18, 2022, at the hour of 4:30 p.m. Board Members present were Andrew Baskin, chair,

Ken Vasey, Tom Schultz, James Anderson and Terry Bingham. Also present were Amanda Haney of the Code Enforcement Office; Melissa Isaacs, Codes & Planning Administrative Assistant, who made notes and prepared the minutes of the meeting; Daniel Brindley, IT Director; Jerry W. Gilbert, City of Berea Corporation Counsel; and Tammy Knuckles, the property owner.

After being duly sworn, Amanda Haney, of the City of Berea Code Enforcement Office, offered testimony and a written and photographic record of their inspections of the property at 111 Adams Street, summarized as follows:

In May of 2021, the City of Berea Code Enforcement Office began receiving complaints from neighbors concerning someone living in a detached accessory structure on property located at 111 Adams Street, which is in an R-1 (Single-Family Residential) zone. Beginning in August 2021, the Codes Department began receiving complaints of an inoperable vehicle and rubbish on the property. An inspection by the Code Enforcement Office found trash and rubbish in the yard and an inoperable vehicle parked in the yard. Code Enforcement Officer Amanda Haney met with Tammy Knuckles, the property owner, who agreed to gather all rubbish and place it at the curb as she had no other means to dispose of it. Code Enforcement Officer Haney agreed to arrange for the City's Public Works Department to pick up the rubbish and dispose of it at a cost to Ms. Knuckles of \$120, and which Ms. Knuckles was made aware.

In October of 2021, more complaints were received. The Codes Department once again made arrangements to pick up the rubbish for which Ms. Knuckles would be charged \$110. An invoice in the amount of \$230 was issued to Ms. Knuckles for the two

pick ups, and at that time, she was also notified about the unlicensed and inoperable vehicle remaining on the property. Ms. Knuckles was given notice to remove the vehicle or make it operable and have it moved to the driveway per regulation. The Code Enforcement Office continued to receive complaints about the accessory structure at the rear of the house being occupied. Ms. Knuckles had stated to Code Enforcement Officer Haney that the structure was being used by her brother, however, he was not actually living in the building, he was "just hanging out" there.

On December 17, 2021, a final notice with a deadline of December 27, 2021, was mailed to Ms. Knuckles. Codes Officer Haney provided photos of the property as of December 14, 2021 and January 14, 2022 and there had been little change. By January 14, 2022, some attempt had been made to relocate some of the rubbish to a trailer, however, the trailer containing the rubbish was still on the property.

A final notice of violation was delivered by First Class U.S. mail addressed to the resident and a notice posted directly on the structure on December 17, 2021.

Inspection was again conducted in January 14, 2022, and it was found that although slight attention had been given the matter and at this time found an abundance of trash and rubbish in the yard, and an inoperable vehicle parked in the yard.

Tammy Knuckles, the property owner, testified that she lost her husband and her son in late 2020 and that she has health problems and had allowed her brother and his family to stay with her some. She claimed the rubbish had been brought in by her brother although she had asked him not to. Ms. Knuckles stated that her brother told her he would remove it, however, it snowed and he was not able to do so.



Christopher Miller, a neighbor who lives at 110 Adams Street, testified to Ms. Knuckles' character and the loss of her husband and son. Mr. Miller stated he and Ms. Knuckles have been neighbors for 22 years and that Mr. & Mrs. Knuckles had been the best neighbors. Mr. Miller stated he has photographs, although not presented, showing "garbage" being brought onto the property, and he believed a salvage business was being operated out of the accessory building. He stated that he has witnessed a constant flow of salvage in and out of the property. He further stated that he was certain Ms. Knuckles' brother had been living in the building up until the colder weather. He requested that the City not allow the salvage business to be conducted nor that anyone be permitted to reside in the accessory structure.

The invoices issued to Ms. Knuckles totaling \$230 for the removal of rubbish have not been paid as of the date of the hearing.

Based upon the foregoing findings, the Code Enforcement Board concludes as follows:

1. The property at 111 Adams Street is in an R-1 (Single-Family Residence) zone and is not permitted for business or retail trade without a conditional use permit.
2. The property at 111 Adams Street is currently in violation of the City's Ordinance and Property Maintenance Requirements in that there is trash and rubbish spread about the property, an inoperable vehicle parked on the street, and an accessory building being used to operate an apparent salvage business and sporadically as a residence;
3. The owner of 111 Adams Street shall have forty-five (45) days from date

hereof to remove the trash and the inoperable vehicle from the premises. There shall be no business conducted on a property in an R-1 (Single-Family Residential) zone. In the event the resident has not removed the trash and rubbish and the inoperable vehicle within forty-five (45) days hereof, a fine of \$100 per day shall be imposed from the date of entry of this Order until corrected.

4. The occupation and business use of the accessory building shall cease effective as of the January 18, 2022. Further violation shall be subject to a fine of \$100 per day.

Based upon the foregoing Findings and Conclusions, the Codes Enforcement Board Orders the trash and rubbish be cleared from the property and the inoperable vehicle be removed within forty-five (45) days of this Order or a fine of \$100.00 per day shall be imposed; and that effective January 18, 2022, the occupation and business use of the accessory building shall cease immediately.

BEREA CODE ENFORCEMENT BOARD

Date: 2/14/2022

By:   
Andrew Baskin, Chair

I certify that true copies of this Order has been sent to the persons listed below, by first class United States mail, or by hand-delivery, on the date set out below.

Persons notified by mail:

Tammy Knuckles  
111 Adams Street  
Berea, Kentucky 40403


Person notified by hand-delivery:

Amanda Haney  
Code Enforcement Office  
City of Berea, KY 40403

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Robin Adams, City Clerk

Prepared by:

  
\_\_\_\_\_  
Jerry W. Gilbert  
Corporation Counsel