

COMMONWEALTH OF KENTUCKY
CITY OF BEREA
CODE ENFORCEMENT BOARD

IN RE THE MATTER OF:)
)
120 SPRING CIRCLE DRIVE)
Berea, Kentucky;)
Owner: Bluejay Enterprises Limited)
 Liability Company

ORDER

* * * * *

This matter having come on for hearing before the Code Enforcement Board upon the issuance of a complaint charging that the property at 120 Spring Circle Drive (Lot 4) was in violation of an accumulation of rubbish or garbage on the property, and property maintenance, which complaint was made by the Code Enforcement Office of the City of Berea, Codes Administrator Amanda Haney, originally on May 3, 2024. Pursuant to Section 70.005(b) of the Berea City Code, this Board held a hearing to determine whether the property is compliant with IPMC 302.8 / BCO 50.001(12) Vehicles; IMPC 302.4 Weeds & Grass; LMDO 408 B(1)(4) Accessory Structures; and IPMC 308.1 Accumulation of Rubbish & Garbage.

A hearing was held on this matter before the Code Enforcement Board on August 27, 2024, at the hour of 6:00 p.m. Board Members present were Andrew Baskin, Ken Vasey, James Anderson, Rebecca Isaacs, and Tom Schultz. Also present were Amanda Haney of the Code Enforcement Office; Jeff Harness, Codes Officer; Bryan Maniscalco, Codes Officer; and Melissa Isaacs, Codes & Planning Administrative Assistant, who made notes and prepared the minutes of the meeting; and Jerry W. Gilbert, City of Berea Corporation Counsel.

After being duly sworn, Amanda Haney of the City of Berea Code Enforcement Office, offered testimony and a written and photographic record of her inspections of the property at 120 Spring Circle Drive (Lot 4). The photographs depicted an unregistered school bus; overgrowth of weeds and grass; and unapproved accessory structure and an accumulation of rubbish and garbage. Notice citing the violation of: IPMC 302.8 / BCO 50.001(12) Vehicles; IMPC 302.4 Weeds & Grass; LMDO 408 B(1)(4) Accessory Structures; and IPMC 308.1 Accumulation of Rubbish & Garbage was originally given to the property owner May 3, 2024, by mailing notice to the land owner and posting a notice to the fence located on the property. Haney also contacted Blake Jones, Registered Agent for Bluejay Enterprises Limited Liability Company, by telephone and informed him they had until June 14, 2024 to bring the property into compliance. A citation was issued to the address of record on July 5, 2024, with a fine of \$100.00 per day until the violations had been corrected. As of July 16, 2024, the accessory structure had been removed and the grass had been cut, but the other violations had not been corrected and no further action had been taken on the lot. As of August 27, 2024, the fine had accumulated to \$4,100.00. Codes Enforcement requested to be allowed to clean up the lot, remove all rubbish, impound or relocate the bus and place a lien on the property for all costs incurred. They informed the Board that removal of the fence, or a portion thereof, may have to be removed in order to remove the bus from the premises. If removal of all or a portion of the fence became necessary, the fence would be put back upon completion of clean-up.

No one appeared on behalf of the property owner.

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

1. The property at 120 Spring Circle Drive (Lot 4) is currently in violation of the City's Ordinance and Maintenance Code in that storage of unregistered bus in violation of IPMC 302.8 / BCO 50.001(12); and an accumulation of rubbish and garbage in violation of IPMC 308.1.

2. The owner of 120 Spring Circle Drive (Lot 4) is assessed a fine in the amount of \$4,100.00 as of August 27, 2024, and accruing at the rate of \$100.00 per day until the property is brought into compliance.

3. The owner was given notice of the hearing but did not appear.

Based upon the foregoing Findings and Conclusions, the Codes Enforcement Board ORDERS the trash and rubbish be cleared form the property by either city employees or contractors hired by the city, that the unregistered bus be removed, with the temporary removal of the fence approved, if necessary to remove the bus, and that a lien shall be placed on the property for the fine imposed herein and for costs incurred in the clearing and removal of same.

Date: 10/3/2024

BEREA CODE ENFORCEMENT BOARD
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:

Bluejay Enterprises Limited Liability Company
Blake Jones, Registered Agent
1890 STAR SHOOT PKWY
LEXINGTON KY 40509-4566

Bluejay Enterprises Limited Liability Company
Blake Jones, Registered Agent
120 Spring Circle Drive
Berea, KY 40403


PERSON NOTIFIED BY HAND-DELIVERY:

Amanda Haney
Codes & Planning Administrator

Date: 10/4/2024

By: 
Melissa Isaacs, Administrative Assistant
Codes & Planning

Prepared by:


Jerry W. Gilbert
Corporation Counsel

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

- Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) \$ _____
 - Return Receipt (electronic) \$ _____
 - Certified Mail Restricted Delivery \$ _____
 - Adult Signature Required \$ _____
 - Adult Signature Restricted Delivery \$ _____

Postage

Total Postage and Fees

\$ 9.64

Postmark
Here

Sent To
 Bluejay Enterprises LLC Attn: Blake Jones
 Street and Apt. No., or PO Box No.
 1890 Star Shoot Pkwy - Suite 170
 City, State, ZIP+4®
 Lexington, Ky 40509-4566

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



CITY OF BEREA
 212 CHESTNUT STREET
 BEREA, KENTUCKY 40403

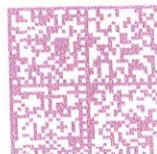
CERTIFIED MAIL®

7022 3330 0001 3690 3800



BLUEJAY ENTERPRISES LLC
 ATTN: BLAKE JONES
 1890 STAR SHOOT PARKWAY, SUITE 170
 LEXINGTON, KY 40509-4566

FIRST-CLASS



US POSTAGE™
 ZIP 40403
 02 TH
 000801 3895
 \$ 009.64
 OCT 04 2024

009E 099E T000 0E3E 2202