

COMMONWEALTH OF KENTUCKY
CITY OF BERE
CODE ENFORCEMENT BOARD

IN RE THE MATTER OF:

115 BLYTHE COURT
Berea, Kentucky
Robert Blythe, Owner

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ORDER

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This matter having come on for a hearing before the Code Enforcement Board upon the issuance of a complaint charging that the structures at 115 Blythe Court are unfit and unsafe and the grounds constituting a public nuisance, and in violation of Property Maintenance Code 110.1: Demolition

After receiving numerous complaints from neighbors and upon inspection by Officer Jeff Harness, the complaint was originally made by the Code Enforcement Office of the City of Berea by Codes Officer Harness on February 22, 2023, by mailing a notice to the owner of the property and posting directly to the structure.

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 110.1.

A hearing was held on this matter before the Code Enforcement Board on June 20, 2023, at the hour of 4:00 p.m. Board Members present were Andrew Baskin, Ken Vasey, James Anderson and Rebecca Isaacs. Also present was Amanda Haney, Codes & Planning Administrator; Melissa Isaacs, Codes & Planning Administrative Assistant; Jeff Harness, Codes Officer; Bryan Maniscalco, Codes Officer; and Jerry W. Gilbert, Corporation Counsel.

After being duly sworn, Amanda Haney of the City of Berea Code Enforcement Office, provided images and photos of the home and Codes Officer Harness summarized complaints received by the Codes Department. There had been several complaints, even during his time working as a police officer for the city. The residence had deteriorated, most all windows were broken and exposing the home to the weather, there are foundation issues, and the roof is sagging inward in several locations. Violations cited were pursuant to the following: Property Maintenance Code 110.1: DEMOLITION.

On February 22, 2023, Harness issued the violation letter and notice of the intent to condemn and demolish the structure. Since that time, the owner, Robert Blythe, had been in contact with Haney and had requested an extension, as he and Sharyn Mitchell, were attempting to secure a grant for preservation by having the home listed as a historic property.

Harness was requesting a board order for condemnation and demolition of the structure, to be completed within a timeframe of 30-60 days, due mainly to the two newly constructed single family homes built adjacent to the property and the surrounding apartment buildings, which placed several small children in the area; and the overall condition of the home. The structure was not habitable and the cost of repairs would be excessive.

The property owner, Robert Blythe testified that historian Sharyn Mitchell and he had been attempting to obtain a grant to restore the home as a historic property. He gave some back history on the previous owners, their connections to Berea, Berea College, and the Middletown School and expressed there was sentimental value because of the family connection. This home was the last one standing of several that had been built by the Blythe family. He apologized for the condition and disrepair the home had come to. He stated he had been in contact with a local builder within the last 2 months who had promised to board up and secure the home but never showed up

to do the work. There had been issues with lawn maintenance and being able to keep someone hired to mow. He had previously covered the windows with heavy plastic to keep the weather out but that was now gone. He stated the problem with maintenance had been the “follow through” and he took some responsibility for that.

Blythe also stated the home had a basement with a sump pump but without electric, the pump could not run and water collects in the basement, sometimes as high as to the first floor. He had made arrangements to have the house boarded up and had the basement pumped out and it should have been done by the time of the hearing.

Blythe requested time to find out if the home could qualify for historic designation so they could continue with the process to obtain a grant. He felt he should know something within 1-2 weeks. He expected a maximum of 3-4 months to know if the grant could be awarded and by that time, he would either have the house demolished or he would have confirmation of a grant for renovation. He wanted to get an “intense and specific assessment of the house.”

Based on the evidence, the Codes Enforcement Board makes the following Findings of Fact:

1. The structure at 115 Blythe Court is currently in violation of the City’s Property Maintenance Code 110.1.
2. The property owner should be granted additional time to procure a grant to restore the property to bring it into compliance with the City’s Property Maintenance Code.

Based upon the foregoing Findings and Conclusions, the Codes Enforcement Board Orders as follows:

1. By September 1, 2023, the property owner shall provide proof to the City that a grant has been obtained to repair the structure to a habitable state or the owner shall demolish the structure and remove all rubbish and garbage from the property.

2. It is further ORDERED that in the event the owner of the structure at issue located at 115 Blythe Court does not provide proof by September 1, 2023, of obtaining a grant to restore the structure, the owner shall remove and demolish same and remove the trash and rubbish from the property within the time period ordered herein. In the event the owner has not provided proof of receipt of a grant or in the alternative, has not demolished the structure and removed all trash and rubbish from the property by September 1, 2023, the building official shall cause the structure to be removed and demolished and trash removed and the total cost of said removal and demolition shall constitute a lien against the real property at 115 Blythe Court to be placed on the City's tax books and to be collected and foreclosed upon in the same manner as taxes and tax liens are collected and foreclosed.

BEREA CODE ENFORCEMENT BOARD

By: 
Andrew Baskin, Chairman

7/12/2023

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order was delivered by U.S. mail or by hand delivery to the following on this 14th day of July, 2023.

Certified mail to:

Robert Blythe
1017 Altamont Street
Richmond, KY 40475

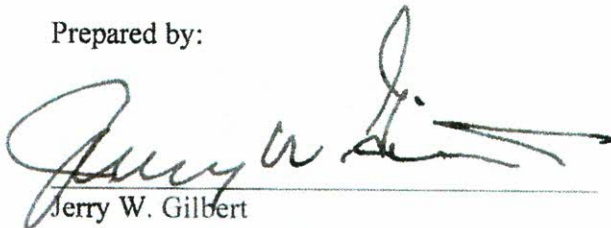
Hand-delivery to:

Amanda Haney
Code Enforcement Office
City of Berea
Berea, KY 40403



Melissa Isaacs
Administrative Assistant, Codes & Planning

Prepared by:



Jerry W. Gilbert
Corporation Counsel