

Zoning Case Information Sheet

Case No: ENF-ZON-21-000484

Case Status: Closed

Location: 712 W ASHLAND AVE, LOUISVILLE, KY 40215

Owner:

Open Date: 05/28/2021

Site Visits:

<u>Record</u>	<u>Charged</u>	<u>Payments</u>	<u>Balance</u>
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Site Visit: ENF-ZON-21-000484-3	INSP RESULT: Closed	Date: 08/30/2021	\$0.00
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Occupancy Status: --Select--

Violations are in the public right of way and are enforced by LMPD. No violations of conditions of approval for the conditional use permit that can be cited. Closing case.

Site Visit: ENF-ZON-21-000484-1	INSP RESULT: Closed	Date: 06/01/2021	\$0.00
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Occupancy Status: Occupied Structure

NOV not sent see main case comments,

-ZV_086- -Conditional Use Permit Violation- -The terms an approved Conditional Use Permit and/or its associated approved development plan is not being met on the subject property. A Conditional Use Permit shall be approved only on the basis of conditions established by the Board to ensure that the proposed conditional use will not adversely affect the use of surrounding properties, and the development plan approved by the Board. The permit shall be valid only for the location and area shown on the approved development plan which shall include a floor plan, if applicable. All construction and operations must be conducted in accordance with the approved development plan and conditions attached to the Conditional Use Permit. (Louisville Metro Land Development Code Chapter 11 Part 5A)

STATUS: New Violation

Origination Date: 06/01/2021

Due Date:

Responsibility:

Violation of conditional use permit

Site Visit: ENF-ZON-21-000484-2	INSP RESULT: Hold	Date: 07/07/2021	\$0.00
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Occupancy Status: --Select--

It has been determined that this complaint is a public right off way violation and is to be enforced by LMPD or PARC and not a zoning violation . Closing next inspection.

<u>Type</u>	<u>DATE</u>	<u>USER</u>
Site Visit-ENF-ZON-21-000484-1 <i>NOV not sent see main case comments,</i>	08/30/2021	SBODNER
Site Visit-ENF-ZON-21-000484-3 <i>Violations are in the public right of way and are enforced by LMPD. No violations of conditions of approval for the conditional use permit that can be cited. Closing case.</i>	08/30/2021	SBODNER
Record-ENF-ZON-21-000484 <i>Returned a call to daycare operator Melisa 648-8675 about numerous vehicles parked in the alley with parents gathering in the alley. Notified her of potential Metro enforcement action if this is not addressed immediately.</i>	07/30/2021	MWILCHER
Record-ENF-ZON-21-000484 <i>Email concerning enforcement this complaint to be the responsibility of LMPD or PARC not zoning.</i>	07/07/2021	SBODNER

From: George, Nicole A. <Nicole.George@louisvilleky.gov>

Sent: Monday, June 14, 2021 2:39 PM

To: Brown, Jeffrey E <Jeffrey.Brown@louisvilleky.gov>; Mattingly, Jude A <Jude.Mattingly@louisvilleky.gov>; Wilcher, Michael <Michael.Wilcher@louisvilleky.gov>; Roarx, Rachel G. <Rachel.Roarx@louisvilleky.gov>; Bodner, Steven M. <Steven.Bodner@louisvilleky.gov>

*Subject: RE: 712 W Woodlawn Ave- *SR-ZONI-21-079915*

So just to clarify, an alley constitutes a roadway and LMPD or PARC can enforce?

Site Visit-ENF-ZON-21-000484-2 <i>It has been determined that this complaint is a public right off way violation and is to be enforced by LMPD or PARC and not a zoning violation . Closing next inspection.</i>	07/07/2021	SBODNER
Record-ENF-ZON-21-000484	06/01/2021	SBODNER

Discussion on violation code used and why. 10/1/20 from old case

From: Hall, Yvonne <Yvonne.Hall@louisvilleky.gov>

Sent: Thursday, October 1, 2020 2:00 PM

To: Haberman, Joseph E <Joseph.Haberman@louisvilleky.gov>; Bodner, Steven M. <Steven.Bodner@louisvilleky.gov>;

Wilcher, Michael <Michael.Wilcher@louisvilleky.gov>

Cc: Mullarkey, James <James.Mullarkey@louisvilleky.gov>

Subject: Re: 712 W Ashland Ave

Ok I will order files for archives.

From: Haberman, Joseph E <Joseph.Haberman@louisvilleky.gov>

Sent: Thursday, October 1, 2020 1:53 PM

To: Hall, Yvonne <Yvonne.Hall@louisvilleky.gov>; Bodner, Steven M. <Steven.Bodner@louisvilleky.gov>; Wilcher, Michael

<Michael.Wilcher@louisvilleky.gov>

Cc: Mullarkey, James <James.Mullarkey@louisvilleky.gov>

Subject: RE: 712 W Ashland Ave

We have some options but we should cite as a violation of the conditional use permit. ZV 086 is appropriate. I don't see a condition of approval in which they are violating; however I have not seen any documentation that this alternative drop off area has ever been approved and as such it is not shown on an approved development plan. We can move ahead with a NOV, but Yvonne please try to find a copy of the approved development plan to confirm before we issue any citation/fine.

Conditional Use Permit Violation ZV 086

The terms of an approved Conditional Use Permit and/or its associated approved development plan is not being met on the subject property. A Conditional Use Permit shall be approved only on the basis of conditions established by the Board to ensure that the proposed conditional use will not adversely affect the use of surrounding properties, and the development plan approved by the Board. The permit shall be valid only for the location and area shown on the approved development plan which shall include a floor plan, if applicable. All construction and operations must be conducted in accordance with the approved development plan and conditions attached to the Conditional Use Permit. (Louisville Metro Land Development Code Chapter 11 Part 5A)

From: Hall, Yvonne <Yvonne.Hall@louisvilleky.gov>

Sent: Thursday, October 1, 2020 1:20 PM

To: Bodner, Steven M. <Steven.Bodner@louisvilleky.gov>; Wilcher, Michael <Michael.Wilcher@louisvilleky.gov>

Cc: Haberman, Joseph E <Joseph.Haberman@louisvilleky.gov>; Mullarkey, James <James.Mullarkey@louisvilleky.gov>

Subject: Re: 712 W Ashland Ave

In reviewing the minutes I don't find a specific condition that states that the alley can't be used for dropping off; however, I'm sure the dev plan shows the drop off area not being the alley. So, since they have a CUP, then use the CUP condition of approval. Those are my thoughts
