

**LOUISVILLE METRO PLANNING COMMISSION  
BINDING ELEMENT FINAL ORDER 8300 NASH ROAD**

WHEREAS, On September 8, 2022, Louisville Metro Code Enforcement Officer Steven Bodner issued a Binding Element Violation Citation (“Citation”) to Marty Lee Nilest, the property owner (the “Owner”), for violation of Binding Element No. 1 under Docket Number 09-105-02 (“applicable binding element”), on the property located at 8300 Nash Road and being in Louisville, Kentucky (hereafter “Subject Property”) because:

1. The development will be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.

However, the Subject Property is not in accordance with the approved detailed district development plan because the owner had multiple vehicles stored on the Subject Property as well as outdoor storage of junk parts; however, the approved plan was for a real estate business and storage of associated material.

WHEREAS, the Owner failed to contest the Citation and did not request an appeal before the Louisville Metro Planning Commission (the “Commission”); and

WHEREAS, the Commission finds, based on the evidence submitted into the record under Docket Number Binding Element Final Order 8300 Nash Road, that the Owner committed violations for Binding Element 1 on the Subject Property because the Owner failed to comply with the applicable binding element on the Subject Property as put forth herein above.

It is hereby **ORDERED** by the Commission that the Citation issued on September 8, 2022, to the Owner is **UPHELD**, and that the Owner shall bring the Subject Property into full compliance with the most recently approved development plan for the Subject Property within thirty (30) calendar days from when the Commission entered this Final Order, as specified by the dated signatures below.

It is hereby further **ORDERED** by the Commission, after considering the Owner’s lack of achieving compliance with the applicable binding element on the Subject Property, the Commission hereby fines the Owner \$1,000.00 and that the Owner shall pay said fine by certified check made payable to Louisville Metro Finance, within thirty (30) calendar days from when the Commission entered this Final Order, as specified by the dated signatures below.

MICHAEL J. O’CONNELL  
Jefferson County Attorney

LOUISVILLE METRO  
PLANNING COMMISSION

By: \_\_\_\_\_  
Laura M. Ferguson

By: \_\_\_\_\_  
Chairperson

DATE: \_\_\_\_\_  
Final Order 8300 Nash Road (09/08/22)

DATE: \_\_\_\_\_