

**BE Citation Appeal Case  
Docket No. 9-37-85 & 10608  
Zoning Enforcement Case 18PM29023**



**Louisville Metro Planning Commission**

**Laura Ferguson, Assistant County Attorney**

**February 20, 2020**

# Zoning History

- Change in zoning from R-4 to C-2 for 0.18 acres of the subject property, approximately ¼ of the site, was approved by the Planning Commission on June 20, 1985, to permit auto sales and detailing.
- Change in zoning from R-4 to C-2 for the remaining 0.92 acres of the 1.10-acre subject site to permit auto sales and detailing was approved by the Planning Commission on September 18, 2008.
- LDC Waiver to permit existing structures and parking and maneuvering areas to encroach into a 25-foot landscape buffer area was approved on September 18, 2008.

# Enforcement History

- Binding Element Notice of Violation issued 4/30/2019 for BE #1 & BE # 3.
- 1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
- 3. The site shall be maintained free of rubbish, trash and debris.

# Enforcement History

- Binding Element Citation issued 10/2/2019 for BE #1 & BE # 3.
  - 1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
  - 3. The site shall be maintained free of rubbish, trash and debris.

# Appeal Request

## HEARING REQUEST

**Property Address:** 8014 National Turnpike

I hereby contest the *Binding Element Violation Citation* and request a hearing before the Planning Commission. I dispute the citation based on the following:

I'm disagree with notice citation

I'm keep clean the property

I move a lot of junk car and clean the lot

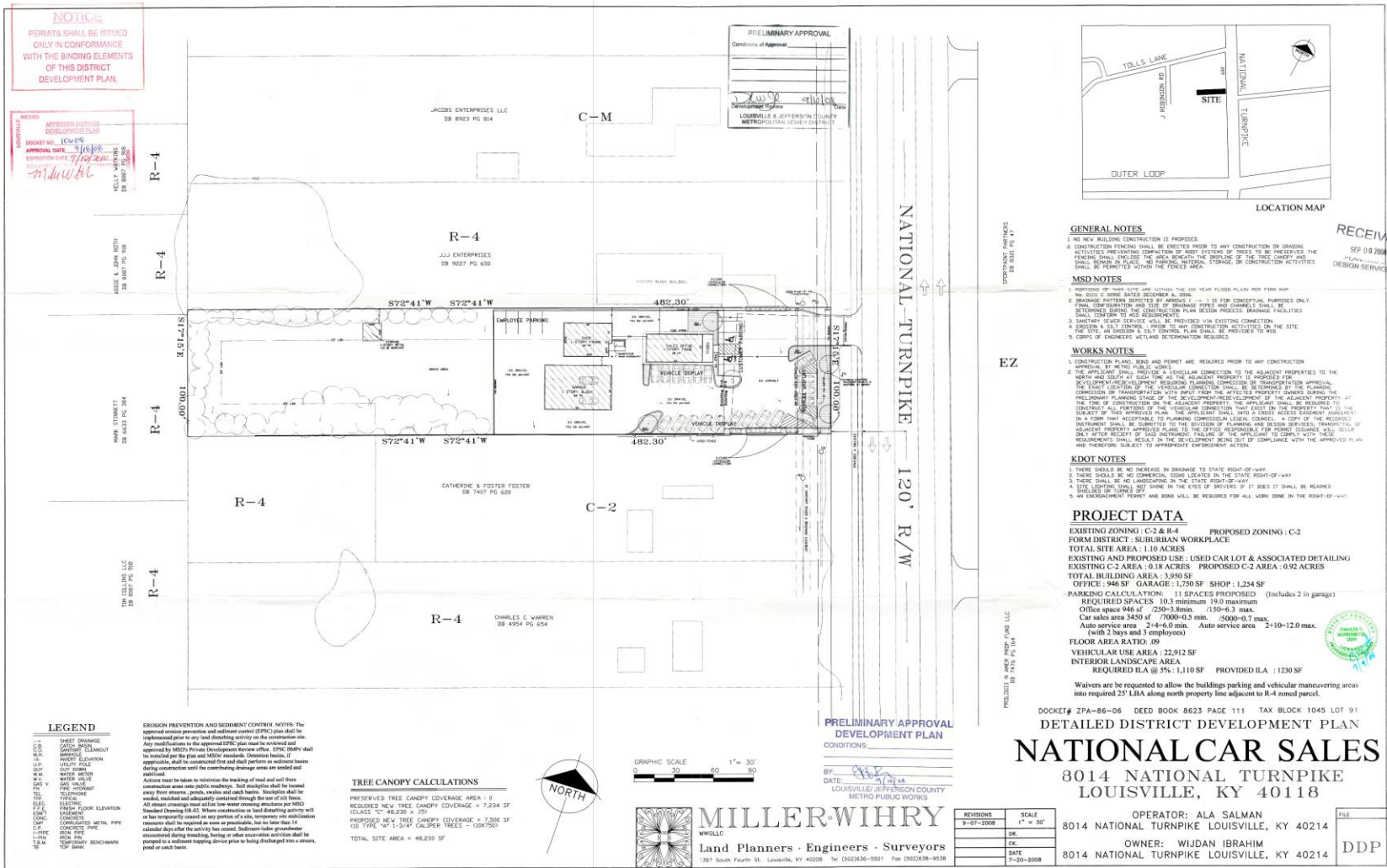
before I haul it it was in bad shape

I will keep it clean

Thanks you

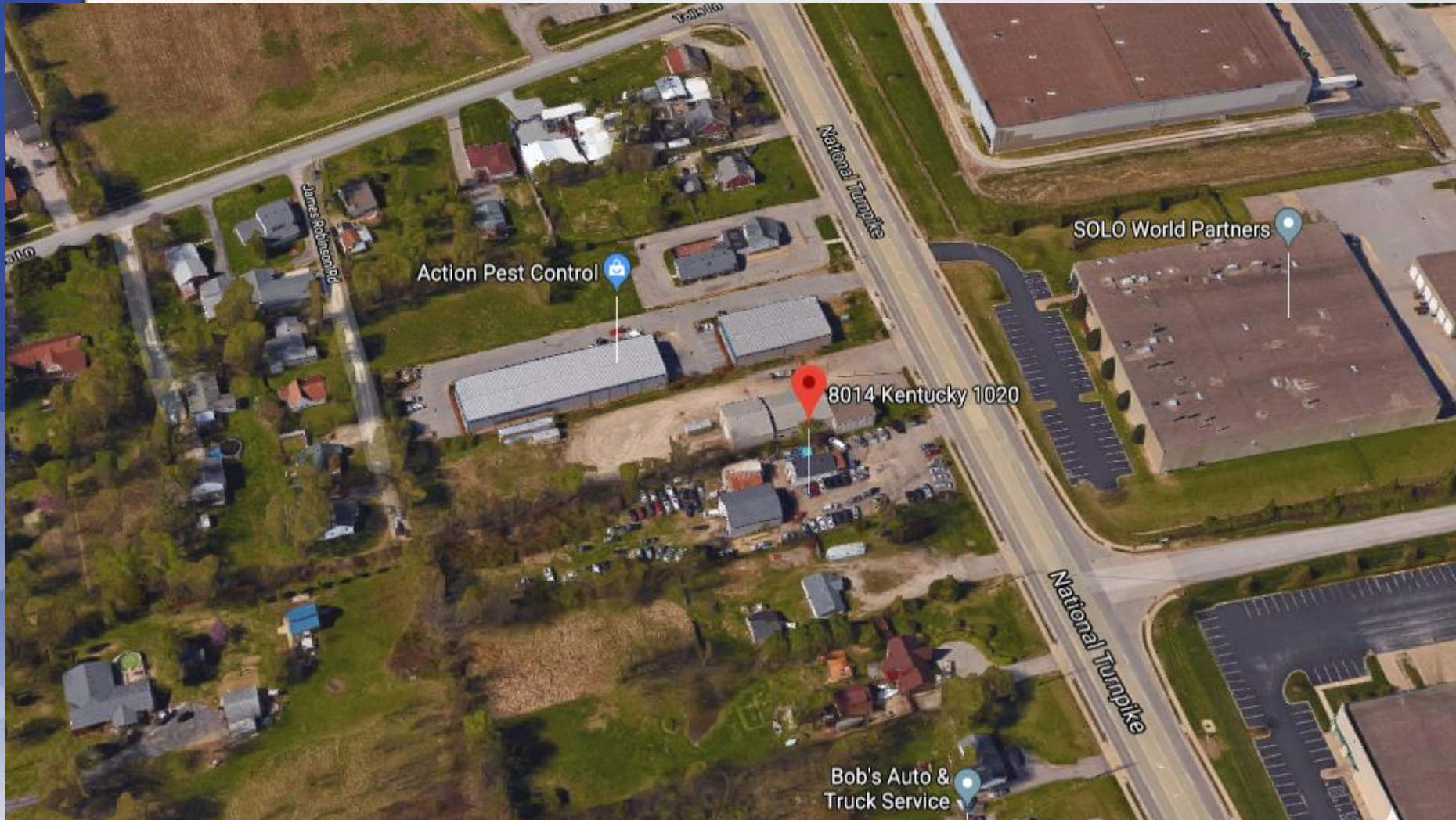


# Approved Development Plan



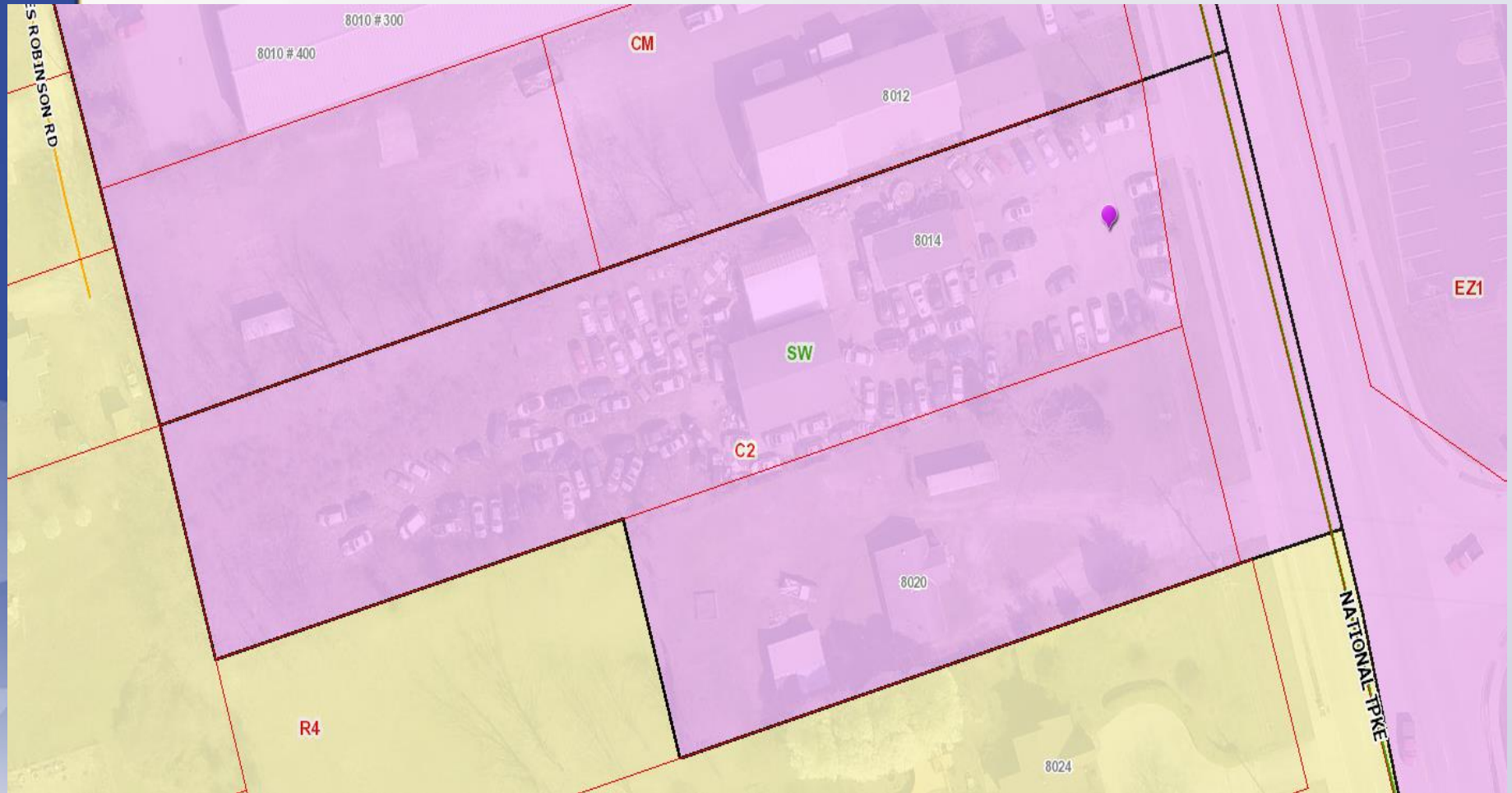
9-37-85 & 10608

# Site Location





# Zoning/Form Districts





# Aerial Photo





# Site Photos



View of frontage from National Turnpike



# Site Inspection Photos



Steven Bodner  
10/11/2018 9:50:58 AM



Steven Bodner  
11/14/2018 9:08:54 AM



# Site Inspection Photos





# Site Inspection Photos





# Site Inspection Photos





# Site Inspection Photos

Steven Bodner



# Site Inspection Photos

# Required Actions

- The Planning Commission shall determine based on the evidence presented at this hearing, whether a violation of Binding Elements # 1 & # 3 occurred.
- If the Commission determines that a violation occurred, the Commission shall issue an order upholding the citation and may order the offender to pay a civil fine in an amount up to \$4,000 per day of violation, or may issue a remedial order, or both.
- If the Commission determines that no violation occurred, an order dismissing the citation shall be entered.