



02/01/2021
5:00 PM

Owner:
Charles M. & Bonny Conner
7604 Tommie Court
Louisville, KY. 40258

Interested Party:
Current Occupant
6201 Lower Hunters Trace
Louisville, KY. 40258

Subject Property: 6201-6203 Lower Hunters Trace
Zoning Enforcement Case: ENF-ZON-20-001189-4 - Visit #4
Inspection Date: 02/01/2021
Inspection Time: 10:31 AM
Civil Fine: \$1,000

**ZONING ENFORCEMENT
CITATION – BINDING ELEMENT**

As observed during an inspection and/or discovered through subsequent investigation, a violation(s) exists that requires attention.

In accordance with Section 11.10.3 of the Land Development Code, Section 153.99 of Louisville Metro Code of Ordinances, and Sections 100.401 and 100.409 of Kentucky Revised Statutes (KRS), you are hereby subject to a civil fine of \$1,000. You must immediately stop using this property in violation of the Binding Elements that have been approved as part of the land use development plan associated with the subject property. Please contact the Office of Planning & Design Services to determine what steps must be taken to remedy the violation(s). Failure to comply with this Citation will result in additional citations and fines. Each day of violation constitutes a separate offense.

If you disagree with this Citation, you may file an appeal to the Planning Commission. Appeals must be filed within 14 days of the date of this Citation by submittal to the Office of Planning & Design Services. Please contact the Office of Planning & Design Services for more information concerning this process.

KRS Section 100.409

When a citation is issued, the person to whom the citation is issued shall respond to the citation within fourteen (14) days of the date the citation is issued by either paying the civil fine set forth in the citation or requesting, in writing, a hearing before the planning commission to contest the citation. If the person fails to respond to the citation within fourteen (14) days, the person shall be deemed to have waived the right to a hearing to contest the citation and the determination that a violation was committed shall be considered final. In this event, the planning commission shall enter a final order determining that the violation was committed and imposing the civil fine set forth in the citation.

A zoning enforcement officer will re-inspect the property on or after 14 days from the date of this Citation to determine if you have complied with this Citation. Should you have any questions, please email or call me at the number below.

Fines must be made payable to Louisville Metro Finance and hand delivered, or sent by mail, to the Office of Management & Budget, 611 West Jefferson Street, Louisville, Kentucky 40202.



Steven Bodner
Inspector / Zoning Enforcement Officer
(502) 773-2067
Steven.bodner@louisvilleky.gov

If you are not the owner of this property, you have been sent a copy of this Citation as an interested party.

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BE_001 NONCOMPLIANCE WITH A BINDING ELEMENT

The terms of an approved development plan, landscape plan, and binding elements, is not being met at this location. All construction must be conducted in accordance with the approved plans and binding elements. You are hereby notified that you are in violation of Binding Element #1, #2, and #6 in Docket #9-54-99.

1. The development shall 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 elements(s) shall be submitted to the Planning Commission review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Use of the subject site shall be limited to sales and installation of batteries, purchases of used batteries, sales of related tools and supplies, and automotive repairs. There shall be no other use of the property unless prior approval is obtained by the Planning Commission. Notice of a request to amend this binding element shall be given in accordance with the Planning Commission's policy and procedures. The Planning Commission may require a public hearing on the request to amend this binding element.
6. There shall be no outdoor storage on the site including automobiles and automotive components.

Inspector Comments:

Business operation has changed from battery sales and installation to major auto repair without approval of the Planning Commission. There are 20 to 30 vehicles stored outdoors and many of these vehicles are unlicensed and inoperable. Binding Element Citation for failure to comply with the approved development plan in violation of Binding Elements #1, #2 and #6.

Responsible: Owner

Subject violation needs to be in compliance to avoid further penalties and/or court action.



Louisville Metro Government
Develop Louisville
Office of Planning & Design Services
444 S. 5th Street, Louisville, KY 40202

HEARING REQUEST

Property Address:

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

Name: _____

Address: _____

City, State & Zip: _____

Signature: _____

Date: _____