



10/12/2021  
05:00 PM

**Owner:**

Susan A. Cox  
2768 North Highland Avenue  
Jackson, TN 38305-1764

**Interested Party:**

Dollar General  
7701 Smyrna Parkway  
Louisville, KY 40228

**Subject Property:** 7701 Smyrna Parkway  
**Zoning Enforcement Case:** ENF-ZON-20-001368-8 Visit #8  
**Inspection Date:** 10/12/2021  
**Inspection Time:** 01:23 PM  
**Civil Fine:** \$1000.00

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**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 \$1000.00.** 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.

James Mullarkey  
Inspector / Zoning Enforcement Officer  
(502) 773-2069  
James.Mullarkey@louisvilleky.gov

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.

*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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**Zoning Enforcement Case: ENF-ZON-20-001368-8 Visit #8**

**BE\_001 Noncompliance with a Binding Element or Condition of Approval:**

- The terms of an approved development plan and Binding elements or conditions of Approval are not being met on the subject property. All construction must be conducted in accordance with the approved plan and Binding elements or conditions of approval.

**Inspector Comments:**

- Property is in violation of the Approved Site Plan and Binding Elements established in 19-DDP-0061. The outdoor storage racks containing cardboard are not approved. A storage area must be approved through a Revised District Development Plan.

**DEVELOPMENT REVIEW COMMITTEE MINUTES  
January 8, 2020**

**NEW BUSINESS**

**CASE NUMBER 19-DDP-0061**

<b>Request:</b>	Revised District Development Plan with Waivers
<b>Project Name:</b>	Dollar General Store
<b>Location:</b>	7701 Smyrna Parkway
<b>Owner/Applicant:</b>	Kennie and Patricia Combs/ SC Development LLC
<b>Representative:</b>	Frost Brown Todd
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	23-James Peden
<b>Case Manager:</b>	Julia Williams, AICP, Planning Supervisor

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.

- For further information regarding The Binding Elements of 19-DDP-0061, a Digital Copy of the full approval minutes and or Site Plan, and/or any information pertaining to this Citation please contact the Louisville Metro Office of Planning & Design Services by dialing (502) 574-6230, or by visiting us during business hours at 444 South 5<sup>th</sup> Street, Louisville, KY 40202 Suite 300.

**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. 5<sup>th</sup> 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:

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**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City, State & Zip:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_