



DEVELOP LOUISVILLE
OFFICE OF PLANNING & DESIGN
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

EMILY LIU, AICP
DIRECTOR

BINDING ELEMENT VIOLATION CITATION

Date: December 18, 2017

Property Address: 1330 TILE FACTORY LANE

Property Owner(s): ROARK REALTY, LLC
C/O JACK E. GREEN
2305 S PRESTON STREET
LOUISVILLE, KY 40215-2142

You are hereby notified that you are in violation of BINDING ELEMENTS #1, #2, and #3 in DOCKET NO. 9-78-78, which stipulates the following:

1. Screening or buffering to protect adjacent residences will be provided in the form of trees and other plantings in the north, west and south yards. Dense screening will be provided between the building and the edge of the parking lot along the north and south property lines. A detailed planting plan will be submitted for approval by the Planning Commission staff prior to construction.
2. Drainage improvements required by the Water Management Section of the Jefferson County Works Department will be provided by the developer.
3. There will be no outside storage of materials or equipment and no fabrication of materials outside of the building.

The specific facts constituting the above referenced violation are as follows:

The property does not meet the screening or drainage requirements, and materials and equipment are being stored outside.

Accordance with Chapter 153 of the Louisville/Jefferson County Code of Ordinances, ***you are hereby ordered to cease violation and provide permanent remedy by January 18, 2017.*** Failure to comply by this date will result in the issuance of a citation and may result in a civil fine of up to \$4,000 per day of violation.

MIKE WILCHER PLANNING SUPERVISOR 574-8692



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Property Address: 1330 TILE FACTORY LANE
Hand delivered by: LOUISVILLE METRO REPRESENTATIVE
Received by:

Name: _____

Time: _____

Signature: _____

Date: _____

In accordance with Chapter 153 of the Louisville/Jefferson County Code of Ordinances, any person who violates a binding element may be subject to a civil fine of not less than \$500 or more than \$4,000. The civil fine imposed for this violation is \$1,000 per day. Each day during which the binding element violations exist after the period afforded in the *Binding Element Violation Notice and Order to Remedy* shall be deemed a separate offense.

A *Notice of Violation and Order to Remedy* was issued the above named individuals on **September 25, 2017**, wherein it was ordered that the specific violations identified in the *Notice* cease, and that a remedy be provided by **October 25, 2017**. You have 14 days from the date of issue above to remedy the violations and pay a fine, or contest the citation by requesting a hearing before the Planning Commission. The \$1,000 per day fine will continue to accrue until the violations are resolved.

Fines must be paid by certified check made payable to Louisville Metro Finance and hand delivered, or sent by certified mail to the Administrative Official: **Michael Wilcher, 444 S. 5th Street, Suite 200, Louisville, Kentucky 40202**. Hearings may be requested in writing or by completing the hearing request section below. Written request for a hearing should be submitted to the Administrative Official at the address listed. If utilizing the section below, **a copy of the entire citation** must be forwarded to the Administrative Official. In accordance with KRS 100.167, a transcript of the entire proceedings of a planning commission shall be provided if requested by a party at the expense of the requesting party. Transcripts will be provided in either written or audio format at the discretion of the Planning Commission. Transcripts must be requested at the time a hearing is requested. If requesting a transcript, a fee of \$25 must accompany the hearing request. Additional fees may also be required.

Failure to pay civil fine set forth in this citation or to contest the citation within the time allowed shall waive your right to a hearing before the Planning Commission, and determination that a violation was committed shall be final.



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HEARING REQUEST

Property Address: 1330 TILE FACTORY LANE

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 request a transcript of the proceedings and understand that it will be provided at my expense. The \$25 fee is attached and I will be billed for any additional fees incurred in providing the transcript.

Name: _____

Address: _____

City, State & Zip: _____

Signature: _____

Date: _____