



**09/08/2022**  
**05:00 PM**

**Owner:**

Marty Lee Nilest  
3200 Queens Wood Road  
Louisville, KY 40272-2485

**Interested Party:**

Current Occupant  
8300 Nash Road  
Louisville, KY 40214

**Subject Property:** 8300 Nash Road  
**Zoning Enforcement Case:** ENF-ZON-22-000655-3 Visit #3  
**Inspection Date:** 09/08/2022  
**Inspection Time:** 09:32 AM  
**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.

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

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**Zoning Enforcement Case: ENF-ZON-22-000655-3 Visit #3**

**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:**

- Tenant continues to operate an auto repair / salvage business from this M2 plan certain address. Approved plan 9-105-02 was for a real estate business and storage of associated building materials. Sending a citation for B.E 001 for change of use and other violations of the binding elements of the approved plan.

RESOLVED, that the Development Review Committee does hereby APPROVE the amendment to the binding elements and the RDDDP for Case No. 19080, subject to the following binding elements:

**Existing Binding Elements**

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 element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.

- For further information regarding 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:** \_\_\_\_\_