



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

Page 1 of 3

07/22/2021
05:00 PM

Owner:

Midway Investments LLC
316 Longview Park Place
Louisville, KY 40245-6217

Registered Agent:

Rajvinder P. Singh
316 Longview Park Place
Louisville, KY 40245

Interested Party:

Current Occupant
3741 South Hurstbourne Parkway
Louisville, KY 40299

Subject Property: 3741 South Hurstbourne Parkway
Zoning Enforcement Case: 19PM12341-ZM-10 Visit #10
Inspection Date: 07/22/2021
Inspection Time: 12:45 PM
Civil Fine: \$1000.00

**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.

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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.

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

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

Zoning Enforcement Case: 19PM12341-ZM-10 Visit #10

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:

- You are in violation of Binding Element #1 of docket # 09-29-88 dated August 18th 1998 & Binding Elements #1 & #3 of docket # 9-29-88 dated August 24th 1995.

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PLANNING COMMISSION MINUTES

AUGUST 18, 1988

DOCKET NO. 9-29-88 (continued)

- The development shall not exceed the following:
- R-6 Apartment District 1,164 dwelling units (a density of 17.17 dwelling units per acre; 1,164 dwelling units on 67.81 acres)
 - b) OR-3 Office District 896,900 square feet
 - c) C-2 Commercial District 620,670 square feet

The following uses, although permitted generally in the C-2 Commercial District, are prohibited uses within the C-2 areas of Stony Brook South: adult entertainment, automobile repair garages, bookbinding facilities, dance halls, kennels, monument sales, plumbing and heating shops, sign painting, skating rinks, taverns, theaters, used car sales areas unless in connection with a new car sales dealership, advertising signs (billboards). The remainder of the C-2 Commercial uses (being those that are not also specifically listed in the C-1 district) shall be allowed in the C-2 areas of Stony Brook South, but only to the extent of one-third of the allowable commercial square footage allowed above (1/3 x 620,670 = 206,890 square feet).



19 PM 12341-ZM-10

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:

SIR, I am the Current Occupant at 3741 S. Hurstbourne
 I Run a Convenience Store and gas station. ^{PKY.}
 We Do not sell CARS at the location.
 The two Cars parked at the location were
 Private Cars owned by customers and I
 assure you that it will not happen again
 and I have taken action for the same.
 I will Police the property and keep an eye.
 These Cars were not owned by me or the Store.

Name: ISHPREET CHAWLA (502)210 7541
 Address: 3741 S. HURSTBOURNE PKWY
 City, State & Zip: LOUISVILLE - KY - 40299
 Signature: *ISH*
 Date: 8/2/21

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 Property.

ISHPREET 1 @YAHOO.COM.

There is no more car on the
 with any sale signs.

(502)210 7541

8/2/21

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

AUGUST 24, 1995

DOCKET NO. 9-29-88 (Jefferson County)

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. No further development shall occur without prior approval from the Planning Commission, except for permitted land uses for the established zoning district.

3. If use of building 3 changes to other than a gas station, a revised plan shall be submitted for LD&T review regarding access.

- For further information regarding Filing an Appeal, Docket # 9-29-88, or Plan Certain Development 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 5th Street, Louisville, KY 40202 Suite 300.

Responsible:

- Owner

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

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