

CITY OF TEN BROECK

3704 Ten Broeck Way

Louisville, KY 40241-2498

August 23, 2016

Laura L. Mattingly
Planner I
Develop Louisville - Planning and Design Services
Metro Development Center – 3rd Floor
444 S. Fifth Street, Louisville, KY 40202
(502) 574-8695
<http://www.louisvilleky.gov/PlanningDesign/>

RE: Case 9344
Binding Element #17
8800 Brownsboro Rd
Louisville KY 40241

Dear MS Mattingly

The City of Ten Broeck and Elite Homes have been in discussions on an alternative proposal to Binding Element #14, but the City is strongly against any change in the language of the Binding Element until a written agreement between Ten Broeck and Elite Homes has been finalized. This may not happen at all, much less by the August 31 meeting date. The deletion of the wording suggested by Spencer Heuke from Heritage, Architect in Training, is in direct conflict with the language and intent of the Binding Element. The exact language of the Binding Element reads, "The Developer shall construct an earthen berm upon its side of the eastern property line of the development adjacent to the City of Ten Broeck for the full length of the property line and **shall have secured agreement of the City of Ten Broeck for the plan prior to submittal to staff for approval**" (emphasis added). This agreement has not occurred and the City of Ten Broeck takes the position that the change in language by Heritage be denied immediately, since it alters the intent of the Binding Element and the City of Ten Broeck may reach a decision that a berm along the full length of the property line is in the best interest of the City.

Sincerely,



Robert A. Roos
Mayor, City of Ten Broeck
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cityoftenbroeck@twc.com