

Existing Binding Elements - Docket # 9-3-85 9-37-85

- The development will be in accordance with the approved district development plan. No further development will occur.
- The building on the site shall not exceed 120 square feet in area.
- The site shall be maintained free of rubbish, trash and debris.
- Before a certificate of occupancy is issued:
 - The development plan must be reapproved by the Transportation Engineering, Water Management and Fire Safety Sections of the Jefferson County Public Works and Transportation Cabinet.
 - b. The size and location of any proposed signs must be approved by the Planning Commission. The Planning Commission may require that signs be smaller than would otherwise be permitted by the Zoning District Regulations.
 - c. The property owner must obtain approval of a general landscaping plan along the east property line to include flowers and shrubbery and screening and buffering along the south and west property lines. Such plan shall be implemented prior to occupancy and maintained thereafter.
 - d. Encroachment permits must be obtained from the Kentucky department of Transportation Bureau of Highways.
- If a certificate of occupancy is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
- A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use and all binding elements must be implemented prior to requesting the issuance of the certificate.
- The above binding elements may be amended as provided for in the Zoning District Regulations.

Binding Elements – Case 10608 and Docket No. 9-3-85 9-37-85

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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.

- The development shall not exceed 3,950 square feet of gross floor area.
- The site shall be maintained free of rubbish, trash and debris.
- Signs shall be in accordance with Chapter 8 or as presented at the public hearing (4 square feet in area and 8 feet tall).
- No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
- Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested: a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
- A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
- An 8-foot tall wood privacy fence shall be erected along the south property line of the site to screen the auto detailing facilities from adjacent properties and shall be maintained thereafter. In addition, all structures located on the site shall be maintained according to building code requirements.
- A 75-foot Tree Preservation Area (TPA) shall be established along the rear property line of the site and the existing tree canopy located within the TPA shall be preserved. In addition, existing tree canopy and required plantings shall be provided in the required 25-foot Landscape Buffer Areas along the north and south property lines of the site - adjacent to residentially zoned properties.

All binding elements and/or conditions of approval stated in this report are accepted in total without exception by the entity requesting approval of this (these) development item(s).

LIMINARY APPROVAL OF THIS DISTRICT DEVELOPMENT PLAN. LOUISVILLE & JEFFERSON COUNTY