



DEVELOP LOUISVILLE
OFFICE OF PLANNING & DESIGN
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

EMILY LIU, AICP
DIRECTOR

**BINDING ELEMENT NOTICE OF VIOLATION
AND ORDER TO REMEDY**

Date: July 27, 2018

Property Address: 6300 Preston Highway

Property Owner(s): JOSEPH A. ULRICH
3524 KERRY DRIVE
LOUISVILLE, KY. 40218-2134

You are hereby notified that you are in violation of **BINDING ELEMENTS #1, #2, and #9.C** in Docket No **9-21-03**, and Landscape plan **L-29-04**, which stipulates the following:

- 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 OR 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.**
- 2. Use of the subject site shall be limited to all uses permitted in the C-1 district and the following uses permitted in the C-2 zoning district: automobile sales, service and repairs; automobile rental agencies (including u-haul trucks); auto service stations; athletic facilities; furniture storage; plumbing and heating shops; printing and lithographing shops; and refrigerated lockers. There shall be no other use of the property unless prior approval is obtained from the Planning Commission or LD&T Committee. Notice of a request to amend this binding element shall be given in accordance with the Planning Commission's policies and procedures. The Planning Commission may require a public hearing on the request to amend this binding element.**
- 3. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested: C. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter. Landscaping shall be installed within 6 months of zoning approval.**

The specific facts constituting the above referenced violation are the following:



DEPARTMENT OF CODES & REGULATIONS
LOUISVILLE KENTUCKY

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- A. Upon inspection by Zoning Enforcement on July 26, 2018, the site specifically, had missing plantings which were out of compliance with the approved landscape plan L-29-04 and the site was not in compliance with the approved development plan 9-21-03.

Accordance with Chapter 153 of the Louisville/Jefferson County Code of Ordinances, ***you are hereby ordered to cease violation and provide permanent remedy by August 27, 2018.*** 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