



**Louisville Metro Government  
Office of Planning & Design Services  
Zoning Enforcement**  
444 South 5<sup>th</sup> Street, Suite 300, Louisville, KY 40202

**01/31/2024  
5:00PM**

Hassan Ala Salman  
8014 National Turnpike  
Louisville KY 40214-5202

Subject Property: 8014 National Turnpike  
Inspection Date: 01/31/2024  
Inspection Time: 8:18 AM

**Case Number:** 18PM29023-ZM-36

**Civil Fine:** \$1,000.00

**CITATION – BINDING ELEMENT**

Following receipt of a complaint, your property was inspected by a Louisville Metro Zoning Enforcement Officer. As observed during the inspection and/or discovered through subsequent investigation, a violation(s) exists that requires your immediate attention.

You must immediately stop using this property in violation of the Binding Elements that have been approved as part of a rezoning/development plan associated with the subject property. A binding element is a binding requirement, provision, restriction, or condition imposed by the Planning Commission or its designee, or a promise or agreement made by an applicant in writing, in connection with the approval of a land use development plan or subdivision plan. You may contact the Office of Planning & Design Services to determine what steps must be taken to remedy the violation(s) noted below. Failure to comply with this Citation may result in additional Citations and/or referral to the Planning Commission. In addition, any person or entity that violates any provision related to Binding Elements shall be fined not less than \$500 nor more than \$4,000 for each violation. Each day of violation constitutes a separate offense.

KRS Section 100.409: When a citation is issued, the person to whom the citation is issued shall respond to the citation within 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 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.

Your property will be re-inspected at a later date to determine compliance.

Steven Bodner  
Zoning Enforcement Officer  
(502)773-2067

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September 18, 2008**

**CASE 10608**

**Case:** 10608  
**Project Name:** National Car Sales  
**Location:** 8014 National Turnpike  
  
**Owner(s):** Widjan Ibrahiim  
409 Old Towne Road  
Louisville, KY 40214  
  
**Applicant:** Widjan Ibrahiim  
  
**Representative:** John Miller  
1387 S. 4<sup>th</sup> Street  
Louisville, KY 40208  
  
**Jurisdiction:** Louisville Metro  
**Council District:** 13—Vicki Welch  
  
**Case Manager:** Mike Wilcher, Planner II

Notice of this public hearing appeared in The Courier Journal, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

**Request**

Change in zoning from R-4 single-family residential to C-2 commercial for the remaining portion of the subject site to permit auto sales and detailing to continue to operate in existing facilities located in the R-4 zoned area. In addition, a waiver is requested to permit the encroachment of existing structures, as well as parking and maneuvering areas into a required 25-foot buffer area.

**Agency Testimony:**

*9-31-08*

04:46:32 Mike Wilcher presented the case using PowerPoint. He said that the site is partially zoned C-2 (Docket # ~~0-3-85~~) to permit auto sales on 0.92 acres of the site. The structure that was to be used for auto sales has since been removed and there are some additional structures on the R-4 portion of the lot that are being used for auto sales and repair. Mr. Wilcher explained that the

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consider providing a bigger buffer, perhaps up to 50 feet. Staff has recommended that they preserve all of the trees.

**The following spoke in favor of the request:**

John Miller  
1387 S. 4<sup>th</sup> Street  
Louisville, KY 40208

Ala Salman  
8014 National Turnpike  
Louisville, KY 40118

**Summary of testimony of proponents:**

05:04:00 John Miller, representative for the applicant, presented the case. He said that the request is to extend the C-2 zoning to include the entire property. The operations of the property will not expand, but the extension of the zoning line will include existing operations. Mr. Miller described the surrounding area and said that irregular patterns have developed over time, but it is mostly commercially used. He said that staff's recommendation to leave a portion of the property zoned R-4 did not seem consistent with existing zoning in the area. Instead, the applicant has proposed to expand the buffer. Mr. Miller explained further why they felt that rezoning the entire site to C-2 was more appropriate. He said that they suggest that the buffer area be 50 feet wide, but even a buffer of 75 feet would not affect the current operations.

5:08:58 Mr. Miller said that the property is located within the Suburban Workplace Form District which was designed for used car facilities. He noted that National Turnpike had recently been widened in this area and that there is a large industrial property across the street from this site. He said that existing trees provide some buffer around the property and that the applicant is willing to agree to provide some additional buffering.

05:10:55 Ala Salman, the operator of National Car Sales, explained that he was unaware of land use laws and had been cited by Inspections, Permits and Licenses. He was told that he needed to clean up the site and change the zoning. He said that the site has been cleaned up and pavement added and he is now requesting the appropriate zoning to come into compliance.

**The following spoke in opposition:**

Charles Warren  
8024 National Turnpike  
Louisville, KY 40214

**Summary of testimony of opponents:**

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**copy. The recording of this hearing will be found on the CD of the September 18, 2008 proceedings.**

In a business session subsequent to the public hearing on this request, the Commission took the following action.

**ZONING**

On a motion by Commissioner Hamilton, the following resolution was adopted.

**WHEREAS**, the Louisville Metro Planning Commission, finds based on the staff report, evidence and testimony presented, that proposal is to bring the operations into compliance with the Land Development Code, and

**WHEREAS**, the Commission further finds that the proposal is appropriate because the property is located within the Suburban Workplace Form District; and

**WHEREAS**, the Commission further finds that the proposal is compatible with the surrounding area because of the existing commercial properties in the area; now, therefore be it

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative council of Louisville Metro government that the change in zoning from **R-4 Residential to C-2 Commercial** for the remainder of the property described in the attached legal description be **APPROVED**.

**The vote was as follows:**

**YES: Commissioners Wells Hatfield, Hamilton, Abstain, Blake, Carlson, Ernst, Howard and Storm.**

**NO: No one.**

**NOT PRESENT FOR THIS CASE: Commissioner Tomes.**

**ABSTAINING: No one.**

**WAIVER**

On a motion by Commissioner Hamilton, the following resolution was adopted.

**WHEREAS**, the Louisville Metro Planning Commission finds, based on the staff report, evidence and testimony presented, that waiver is appropriate because it will bring existing conditions into compliance, and

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- 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.
5. 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.
6. 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.
7. The above binding elements may be amended as provided for in the Zoning District Regulations.

9-37-85

**Binding Elements – Case 10608 and Docket No. ~~9-3-85~~**  
**All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:**

- 1. 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.
- 2. The development shall not exceed 3,950 square feet of gross floor area.
- 3. The site shall be maintained free of rubbish, trash and debris.
- 4. Signs shall be in accordance with Chapter 8 or as presented at the public hearing (4 square feet in area and 8 feet tall).

WM0253-