

Crumbie, Jon

From: Pat Droppelman <pdroppelman@mssboats.com>
Sent: Saturday, March 10, 2018 2:02 PM
To: Crumbie, Jon
Cc: 'Maureen'; 'Marsha Droppelman'
Subject: Airbnb at 2211 Longest Ave
Attachments: Pat Droppelman.vcf; Droppelman house.jpg

Dear Sirs

Twenty two years ago my wife, 3 daughters and I moved from a quiet dead-end street in east Louisville to our present home in Cherokee Triangle on the corner of Willow and Longest. We saw our beautiful old Victorian home at an open house and decided to take the plunge not knowing anything about this area of town. I was so nervous about our quick decision that I kept our old house, rented it until I was sure we belonged in the Triangle.

Twenty two years later "yes" we belong, but it has not been a without costs. We have had our house broken into, a car stolen, another car totaled while parked on Longest by a drunk one Sunday afternoon, a car sideswiped, a Volkswagen bug roof caved in, numerous car break-ins, a drunk passed out on our front porch and several occasions where possible break-ins were thwarted because we were home and our dog alerted us of the perpetrators at our front or back door. The most serious crimes have been the 4 murders that have taken place during this time, all within 2 tee shots of our house. Several months ago my wife was allowed to enter the rental house two doors behind our house after a police bust. She was appalled by the mattresses all over the floors and drug paraphernalia littering the house. She gave the landlord a piece of her mind about the situation citing our concern for our grandchildren's safety living so close to a drug infested flop house.

This brings us to 2211 Longest Ave which is directly across the street from the house I just mentioned and 35 yards from my property line. This past year there have been numerous occasions that have made me uncomfortable with the number of people frequenting the property. The group on one occasion was carrying black garbage bags out of their pickup truck and I almost called the police as I felt they may have been drug dealers. On two other occasions the property seemed to be a staging area for a Bourbon Trail trip with a large number of participants gathering with luggage scattered all over the sidewalk. The noise, lack of consideration for full time residents, trash, etc. are not the conditions we desire for our neighborhood.

Last year an individual stood up to a group of undesirables and lost his life in the process. We don't need the city adding to our problems as we have more than our fair share.

I ask that you deny the request of Mr. Payne and allow the residents, many of which are now longtime senior citizens of the Cherokee Triangle, the peace and tranquility we desire and deserve. We've paid the price to preserve this treasured neighborhood and ask for your help in our efforts. Every year the city celebrates Light Up Louisville and I'm proud to Light Up the Triangle. I have attached a picture of my house and hope that you will help keep this spirit alive. I fear without your support our cherished Triangle is doomed- Lights Out!

Sincerely

*Patrick H. Droppelman
1300 Willow Ave.
Louisville, KY. 40204*

Pat Droppelman
Marine Sales and Service Inc.
President

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pdroppelman@mssboats.com

Board of Zoning Adjustment
City of Louisville

March 12, 2018

Dear Board Members: Allendorf, Turner, Tharp, Bergman, Jarboe and Howard,

This letter addresses my husband and my concerns regarding the request for a conditional use permit to 2211 Longest Ave.

My husband and I own a home at 1289 Everett Ave and a large portion of the right side of our backyard abuts the entire backyard of 2211 Longest Avenue. We knew and were friendly with the previous owner and resident of the property until her death, as well the long-term renters who occupied the house until early 2017. Early in the spring of 2017, we saw a couple on the back porch of 2211 Longest smoking cigarettes. When we introduced ourselves, we asked if they had bought the property and were our new neighbors. To our surprise, they informed us that they were renting the property, using AirBnB, and were only in town for a wedding that weekend. After that there was a parade of different occupants every few days. Some of our encounters with the "guests" were benign, people on the back porch enjoying the outdoors, but the majority of encounters were intrusive and unpleasant. They included: bachelor and bachelorette parties who were noisy well past 10:00 p.m. (which is unusual in our quiet, family friendly neighborhood). They smoked cigarettes, cigars and/or marijuana, drank alcohol and used loud, frequently profane language.

This parade of strangers, in such close proximity to our home, made it unpleasant to use our back yard, pool and screened porch. The smoke and noise, including profanity, made it difficult to predict if we could use our screened porch to entertain our friends, which is something that we do commonly, spring through fall. In addition, these "guests" and their noise made it impossible to sleep with our windows open, which is one of the pleasures of living in our neighborhood in spring and fall. Perhaps the most memorable experience occurred when no less than 12 men, who were drunk and using profane language, commandeered both the back and front yards, as well as the public sidewalk. They were scantily dressed and were taking "selfies" of their buttocks. One of the neighbors called the police. While these individuals are not blameless, the real culprit is the individual, Mr. C. Payne, who rents the property from Ms. J. Gonzalez (who lives in California) and uses it to run an "unhosted" AirBnB. Here we define an "unhosted" AirBnB is one where the host does not reside at the property and rarely monitors its guests.

To better understand how Mr. Payne ran the AirBnB, we asked a friend to reserve 2211 Longest for a two day stay. They contacted Mr. Payne through AirBnB the week of October 23rd (2017) and rented 2211 Longest for 10/30 – 11/1/2017. They never met Mr. Payne, using instead a pass code for a lock box on the door. There were several issues related to this. 1. The reservation and rental occurred during a time when Mr. Payne already had a "cease and desist" order from Metro government. 2. Upon arrival, we found food and both soft and alcohol beverages left for us.

There are many things that we resent about how the way that Mr. Payne conducts his short term rental business. Given this history, we have no confidence that it will change if a conditional use permit is granted. In discussions with our neighbors, this sentiment is widespread.

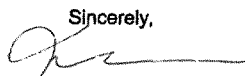
1. We resent the complete lack of oversight of the guests.
2. We resent is that the burden of monitoring the behavior of the "guests" is placed on the neighbors. One might ask, "Why didn't you call the police"? My opinion is that the police have many more important matters than unruly guests and that this burden also should not be placed on them. What we did instead was to file many complaints with Metro government, through emails to Brandon Cohen, Lacey Gabbard and Joe Haberman.
3. We resent that the city appears to encourage these enterprises but has not put in place mechanisms to maintain oversight and reduce the impact on the neighborhood. When we also wrote to the owner of 2211 Longest to inform her that the way that her property was run was a pariah to the neighborhood. Her reply, which follows indicates her perspective that if the city encourages these enterprises.

"... the city had told me earlier that they were not trying to block Air bnb as Louisville is trying to be traveler friendly. They did note that some neighbors "don't want it in their backyard" as your note reiterates. I personally use Air BnB, have lived in popular Air bnb areas, and understand both the positives and negatives. I see this as a complex issue and one that the city ultimately needs to rule on. I advised Mr. Payne that he would need to comply with whatever ruling the city determines." (email from J. Gonzalez received 2/5/17.

My husband and I have lived in our home in the Cherokee Triangle for about 20 years. We selected this house, even though it had been subdivided in to condos. We have carefully restored the house to a single family home and in keeping with the regulations of the historical district. We have had the pleasure of watching the recovery of our neighborhood from the damage done by a lack of Metro oversight in the 1960's and 70's. Our concern is that this new attitude to be traveler friendly and with it the influx of "unhosted" AirBnB's will send the neighborhood into a new decline. We, as well as the majority of our neighbors who either own or rent long-term, DO NOT want a commercial, unsupervised, small hotel next door. Had we wanted to live in that environment, we would not have chosen a home in the Cherokee Triangle.

We personally request that the BOZA board, to reject the conditional use permit for 2211 Longest, so that we and our neighbors can continue to live in a place where all are safe from unsupervised, repugnant behavior. We would also like to send the message, through the board, to Metro government that review of the regulations, especially for "unhosted" AirBnBs is desperately needed so that to balance between "travel and home owner friendly" policies can be found, with the focus on maintaining the integrity of our neighborhoods and prevention of another round of urban flight.

Sincerely,

Sincerely,


Maureen A. McCall



Ronald G. Gregg

Crumbie, Jon

From: McCall, Maureen Ann <maureen.mccall@louisville.edu>
Sent: Thursday, March 8, 2018 1:59 PM
To: Crumbie, Jon
Subject: audio recording - 11-3-17 complete
Attachments: audio recording - 11-3-17 complete.docx

Attached is a transcript of the audio recording from the neighborhood meeting prior to submission of the conditional use permit for 2211 Longest by Mr. C. Payne.

I list several points below that should be made clear at the hearing from this transcript.

1. Mr. Payne admits to continued rental of 2211 Longest through November, 2017 even though a cease and desist order from the city resulted from the BOZA hearing 10/3/17.
2. All neighbors who could attend the meeting agreed that there was nothing that Mr. Payne could do that would ameliorate the damage done by the way he has run this unhosted AirBnB.
3. Mr. Payne admits that he knows that previous renters have created difficulties for the neighbors.
4. Mr. Payne admits to knowing that Bourbon tour buses were parked at 2211 Longest.
5. Mr. Payne admits that he has no idea how many people or who stay on the property.
6. Mr. Payne admits that he is aware that the neighborhood is "eerily" quiet and admits that he is aware that neighbors complain about the noisy guests staying at 2211 Longest.

In his submission for the conditional use permit, Mr. Payne did not include a petition that about 17 of the neighbors of 2211 Longest Ave signed that indicated that they were opposed to the use of the property as an unhosted/unsupervised short term rental.

I have the audio recording if that needs to be entered into the record.

Maureen

Transcript of recorded meeting C. Payne with neighbors of 2211 Longest Ave. 11/3/17 Heine Bros Douglas Loop.

Some opening remarks were not recorded.

Gregg – There are frequently several vehicles sitting out front. I guess we are a little concerned about that since we are still in a cease and desist.

Payne – Yeah, we're really just cleaning it out 'cause we didn't want a bunch of ticked off people visiting Louisville. That their reservations got cancelled the week that they were going to come. So really it's died down I think there's one stay like for three day left.

McCall – When's that

Payne – Sometime in November, I'm not even sure.

Gregg - OK

Adams – So basically it's not for rent anymore. it's not on AirBnB

Payne – Yeah it's been taken off

Adams – You were honoring, you were honoring the ...

Payne - There's a lot of people, that would be really ... yeah I'm not sure, yeah,

Adams – Ok

Payne – A lot of ticked off people, a lot of ticked off people.

Silence

Payne – I know one of the main concerns of the city is that we are complying and getting everything through the proper channels and stuff.

Silence

Payne – Yeah really I know city and planning they wanted me to see, you know, I know pretty much if you showed up you are against the AirBnB but they wanted me to see, you know, any specific concerns that way. You know, I know one of the other neighbors at the other house that I have they didn't like that there is a light that is shining directly, at her I thought it shines in here direction, she didn't want it shining in her directions, I say OK not a big deal and then at the other house I am going to have to start requiring a security deposit and that way if people violate a certain, you know, I'll put on a piece of paper, you know, don't be outside after 10 p.m.. Um and then, you know, I also want you guys, you know, I don't want you guys to have to be the police but, you know, you know, if there's any concern I do want you guys to reach out to me, you know. Obviously this is if it does get approved. That way, you know....

McCall – You know, I don't think that there is anything that you could do that would make us want to have a short term rental in our neighborhood.

Payne – No absolutely, I'm

McCall – I think that's just the bottom line

Payne – No I understand, I understand pretty much anybody here probably doesn't want me to do the short term rental. But I do, you know, I don't want to make it yes or no. I want to, you know, if it does get approved, you know, I want to make I don't want your all's life to be hell because there just chaos going on. I want there to be some boundaries with the guests there if that does come down to it.

Um, uh, one thing which I suggested to the other group was ah, you know, people inside after 10 pm. You know, I don't want any, you know, I don't want you guys to lose sleep over somebody because they decide to go drink beer on the back porch and there's 8 of them at 1a.m. on a Friday night.

Um

Question: How many people can stay in your house?

Payne - Its 3 bedroom so the city has it for 10

Adams Oh for 10

Payne - They have it 2 for every bedroom + 4 um but I'll probably put that lower on this one just because it's not that big of a house really and there's 1 ½ bathrooms. I know that some people by themselves don't like sharing a bathroom so I could just imaging if there is a lot of people in the house doing it given it so I want to make sure that limits to 8. So definitely no uh hopefully no Bourbon Trail buses being unloaded at the house. Laugh

Payne - But, uh, yeah, what other, you know, if you guys have anything, you know, specific, you know, I know that you are just against it but, you know.

Adams - Yeah

McCall - You know, we don't have anything specific we just don't want it

Payne: Yeah, no absolutely

Gregg – you know, it's a residential zoned residential neighborhood. That's why we bought houses there, right. We didn't buy houses in the middle of the rental district because we didn't want to live in that kind of environment.

McCall – We didn't want people to raise their children in that environment.

Adams – Yeah

Gregg – It's not about you, or anything, we don't think that this is an appropriate use of housing. To rent it for long term, for a year. That house has been rented a lot.

McCall - We knew the neighbors when they were renting

Gregg - In fact, your house (speaking to Adams, 1287) was rented for a long time for many years

Adams – Oh yes that is right

Payne – Was it vacant for a year?

Adams – My house was under construction

Gregg – No, no, 2211 was vacant for a year after the women died

Adams – Oh that house

Gregg – But your house was three apartments (speaking to adams)

Adams – It was zoned that way

McCall - We always knew those neighbors and ...

Gregg – And the owner lived there she lived on the first floor. So there are lots of properties that are rented long term. It's the short term, every weekend every night option that's really not optimal.

Adams – It's hard for you to be able to police who goes in and who doesn't

Payne – No, No exactly.

Adams – You can say please comply with this but

Payne – Yeah exactly, I try to meet as many of them when they come in but your 100% right, because after I leave, you know, well "here comes the bus".

Arenson – A large concern for me personally although yes I am a renter and I live directly across the street. Being a renter we have very limited parking. With a place that is right across the street from us and even having the at you bare minimum of 8 people all coming from out of town, that could potentially cause eight new cars to be parked there for predetermined amount of time plus the countless, especially after you were told to cease and desist, the amount of people that are there for only for bourbon related events with the party buses coming through. Let alone even previous to that we had to deal with multiple, multiple bachelor parties, in which I personally viewed people quite literally, I'll

Payne - Keep it less graphic for the ladies

Arenson – yes, doing some very unpleasant things quite literally at 5:00 p.m. It's a family neighborhood with people walking their children around. While a half naked gentleman might be doing pushups on your roof. Things of that nature. It's these inconveniences, especially with the parking situation, the fact that we choose to live here because it is a quiet neighborhood I love that. I love the fact that I have Bardstown Road close by but where we live we choose to live of what it is because it's the Cherokee Triangle and I want to keep it that way personally.

Payne – It's eerily quiet, you know, whenever I am there at night. Considering how close it is to Bardstown road, I'm like whoa no wonder the neighbors complain so much when there are guests staying over because it is dead quiet on Longest, it really is.

Gregg – the only time when we get any noise is if there is a huge party on Bardstown and traffic spills over onto Everett. That's rare

McCall and others – When the whole of Bardstown road is closed, like it's St. Patrick's Day, Zombie walk

Gregg – so I don't think that there is much more to say

Payne – no I no, I wanted to start off by saying I know that you are not in agreement with it. Let's see parking, small issues other than not wanting it in general

Gregg – In the end it's the CUP is going to make the decision and the city and the variance will have to weigh and make the decision about what they are going to do. We've got lots of people that don't want it. Now we present the case and see what happens.

Payne – Very true

Agreement that this is the end of the discussion.

Crumbie, Jon

From: McCall, Maureen Ann <maureen.mccall@louisville.edu>
Sent: Tuesday, March 13, 2018 11:12 AM
To: Crumbie, Jon
Cc: Maureen; horner.bruce@gmail.com; Chris Owen; Cindy Stowe
Subject: attached pdf for BOZA 2211 Longest Ave
Attachments: petition to payne - new signatures-FINAL.pdf

Dear Mr. Crumbie,

Attached please find a scanned copy of the petition presented to Mr. C. Payne by the neighbors that attended "neighborhood meeting" and signed by 16/20 properties that represent the primary and secondary houses to 2211 Longest Ave.

Please note that three signatures have been added since the petition was presented on 11/3/17. These neighbors were not at home the times that we canvassed the neighborhood prior to the November meeting. Only one neighbor chose not to sign and we have been NOT been able to contact the others.

New signatures are: Philip Rohrer (2204 Longest)
J. & D. Kopple (2200 Longest)
P & M Droppelman (1300 Willow).

As you can see the neighborhood is not in favor of this "unhosted" AirBnB.

Thank you for presenting this to the Board at the hearing.

Sincerely,

Maureen A. McCall

(for all of the neighbors, some of whom are cc'd above and others will be informed of the submission by forwarding this email)

November 3, 2017

To: Mr. C. Payne

From: Residents of the primary properties directly abutting 2211 Longest Ave. & secondary properties abutting primary properties

Re: Petition for a CUP for 2211 Longest Ave

We, the undersigned, live at the addresses listed by the City as properties that should have been notified regarding a neighborhood meeting to discuss the CUP petition for 2211 Longest Ave. Please note the attached document that indicates which property owners received the invitation to the neighborhood meeting and the date of receipt of the invitation.

The attachment shows that not all of the property owners were notified and, those that were, received their notifications with less than the 14 day minimum set by the city regulations. Thus, Mr. Payne's invitation and this meeting violates the regulations set by the city.

In addition, we the undersigned, do not want an unsupervised, commercial, short-term rental in our neighborhood. We consider this (1) unsupervised, because Mr. Payne does not reside at the property when the guests are present. We consider this (2) commercial because Mr. Payne rents at least two other properties and runs them as short-term rentals.

Although our neighborhood is close to the restaurants and bars of Bardstown Road, this part of the historic Cherokee Triangle, is a residential neighborhood. As primary residents (both home owners and long-term renters) in this neighborhood, we are committed to maintaining its stability and safety for everyone especially our children. The establishment run by Mr. Payne at 2211 Longest Avenue runs counter to all of these values.

Primary property address	owner (20 total / 160 guests)	signature
2213 LONGEST AVE	STOWE, CINDY <i>Not home</i>	<i>see attached text</i>
2208 LONGEST AVE	HYDEN, WM H & HOOE SUSAN <i>not home</i>	<i>[Signature]</i>
2206 LONGEST AVE	OWEN, CHRISTOPHER SCOTT	<i>[Signature]</i>
1289 EVERETT AVE	GREGG, RONALD G & MCCALL MAUREEN	<i>[Signature]</i>
2205 LONGEST AVE	MEINERS, CURTIS MATTHEW <i>Not home</i>	<i>[Signature]</i>
1291 EVERETT AVE	BEARDEN, MAUREEN O	<i>[Signature]</i>
2204 Longest Ave	Philip Rohrer	<i>[Signature]</i>

Secondary	property address	owner	
	1287 EVERETT AVE	ADAMS, GRANT MCKAY	
	1311 EVERETT AVE	BELDEN, LORNE H + Jen Belden	<i>M. Belden</i> <i>J. Belden</i>
	1290 EVERETT AVE	HARRIS, LINDA C	NOT AT HOME
	1294 EVERETT AVE	FARNSWORTH, KIMBERLY A	NOT AT HOME
	2200 LONGEST AVE	KOPPLE, JOHN P & DEBORAH A	<i>John Kopple</i> <i>Deborah Kopple</i>
	2202 LONGEST AVE	KUNTZ, KATHERINE A & William P. Harbittew H&W	<i>William P. Harbittew</i>
	2204 LONGEST AVE	ROHRER, PHILIP R Not home	See front page
	2210 LONGEST AVE	HORNER, BRUCE & LU MIN Z Not home	See attached email
	1300 WILLOW AVE	DROPPELMAN, PATRICK H & MARSHA G	<i>Marsha Droppeleman</i>
	1290 WILLOW AVE	HARDWICK, LEA D	<i>Lea D Hardwick</i>
	1292 WILLOW AVE	ISDAHL, LLOYD G III & MARY E	chose not to sign
	1294 WILLOW AVE	HARLAND, ROBIN J & JOSEPH A	<i>Joseph Harland</i>
	1296 WILLOW AVE	MANEY, JERRY RUSSELL	<i>Jerry Maney</i>
	1298 WILLOW AVE	PHILLIP, S COOKE	NOT AT HOME <i>See front page</i>



Louisville Metro Police Department

Analytic Crime Services (ACS)
lmpdanalyticcrimeservices@louisvilleky.gov



Louisville Metro Police Calls for Service

2211 Longest Ave. Louisville, KY 40204

March 1, 2017 to March 5, 2018

AGENCY	CALL #	SOURCE	CALL TYPE DESC.	LOCATION	CALL DATE-TIME
LMPD	P17212162	DISPATCHED	DISORDERLY PERSON	2211 LONGEST AVE	5/25/2017 19:02
LMPD	P18001381	DISPATCHED	REPORT	2211 LONGEST AVE	1/1/2018 18:11

Calls for Service Statistics

The Louisville Metro Police Department does not guarantee the accuracy of the information contained herein. Louisville Metro Safe is the official custodian of Computer Aided Dispatch (CAD) records and archive a rolling 2 years of data. LMPD data is represented in a moment in time from our Records Management System. The information provided is as what LMPD has available not necessarily amended with adjustments and other updated pertinent information. **THESE NUMBERS DO NOT REPRESENT OFFICIAL TOTALS**

From: Maureen [<mailto:maureenbearden@gmail.com>]
Sent: Wednesday, March 14, 2018 12:23 AM
To: Crumbie, Jon
Subject: Comments for BOZA on 2211 Longest Avenue

[Mr. Crumbie, Here are my comments for the Board of Zoning Adjustment. Thank you, and I look forward to meeting you on Monday, March 19th.]

Dear Members of the Board of Zoning Adjustment and Case Manager Crumbie:

I live at 1291 Everett Avenue in the Highlands and have lived here for four years. I am a retired librarian and specifically chose my neighborhood for many reasons, peacefulness being one. My neighbors are wonderful and have been very welcoming.

With the March 2017 opening of the Short Term Rental at 2211 Longest Avenue, my dream of a quiet retirement vanished. Since my property abuts the fence of 2211, I am within about 15 feet of the rear deck of this Short Term Rental. I have witnessed Short-Term renters who have appeared on 2211's back deck in various stages of undress, had to watch a group of seven men smoke marijuana in hookah on the deck and not quietly, been awakened at 2 a.m. by revellers, and seen instances of lewd behavior take place on the back deck of 2211 Longest Avenue.

Since I have neither a garage nor parking pad, I often have to park my car on Longest Avenue at night and walk around the corner to my house. Because of the numerous cars from the groups at the STR, I have had to park much further away than I was accustomed prior to the STR. Since I am a senior citizen, I do worry about walking around alone at night for obvious reasons. The 2200 block of Longest cannot accommodate 8-10 additional cars for the STR guests.

My neighbor at 1293 Everett and I are the only houses to put our garbage and recycling bins on the 2200 block of Longest because we do not have alley access. Obviously, the short-term renters are not told where their bins are, so they either cause a messy overflow in and near our bins or, worse, put their trash in our empty bins before we have time to pull them into our yards. Having my empty recycling bin half filled with beer cans and liquor bottles is unacceptable.

For all of these problems I blame the tenant who runs the STR at 2211 Longest, Christopher Payne, for not having a well-run STR. Too many people in a small house, very low cost, no security deposit, nearly no rules to explain what is expected. Until recently, the listing on the Airbnb website said it could accommodate meetings and gatherings of up to 25 people. A neighbor once saw 18 people at the house.

All I'm trying to do is enjoy the property I worked many years to purchase for my retirement, but I have not been able to with the Short Term Rental at 2211 Longest. Mr. Payne may say he's lowering the number of guests and changing his ways. I do not believe him. He has had a year improve the situation and has not.

Maureen Bearden
1291 Everett Avenue
40204