

**Objection of Residents of Alfresco Place to  
Conditional Use Permit Application for 1933  
Alfresco Place**

Case No: 18CUP1078



<b>Area Type</b>	<b>Gross Area</b>	<b>Finished Area</b>
<b>Main Unit</b>	-	1,214
<b>Basement</b>	736	0
<b>Attic</b>	NONE	0
<b>Attached Garage</b>	-	n/a
<b>Detached Garage</b>	-	n/a

All measurements in square feet.



A GIS Partnership to Meet the Growing Needs of Louisville, KY



EXHIBIT J

Chapter 4 Part 2 Conditional Uses

4.2.1 Intent and Applicability

Certain land uses due to their extent, nature of operation, limited application, or relationship to natural resources are considered as exceptional cases. The uses listed in this Part may be permitted in certain districts by Conditional Use Permit following a public hearing before the Board of Zoning Adjustment provided such uses will not have an adverse effect on neighboring property, are not in conflict with the goals and plan elements of the Comprehensive Plan, the proposed uses are essential to or will promote the public health, safety, and the general welfare in one or more zones, and are in compliance with the listed standards and requirements.

The following uses are subject to the Conditional Use Permit process:

Section	Conditional Use
4.2.3	Accessory Apartments
4.2.4	Airports and Other Aviation Uses
4.2.5	All-Terrain Vehicle (ATV) Courses
4.2.6	Amusement Parks, Circuses and Carnival Grounds
4.2.7	Animal Race Tracks
4.2.8	Athletic Facilities
4.2.9	Bed and Breakfast Inns
4.2.10	Blood Plasma Collection Center
4.2.11	Boarding and Lodging Houses
4.2.12	Camping Areas and Recreational Vehicle Parks, Public and Private
4.2.13	Cemeteries, Mausoleums
4.2.14	Commercial Animal Feeding Yards
4.2.15	Commercial Communication Towers
4.2.16	Commercial Greenhouses/Plant Nurseries/Landscape Material Supply
4.2.17	Commercial Kennels
4.2.18	Commercial Lakes
4.2.19	Day Care Facilities (providing care for 8 or more persons)
4.2.20	Doctor, Dentist or Chiropractor
4.2.21	Drive-In Theaters
4.2.22	Earth Excavation, Filling and Refuse Disposal Operations, Major
4.2.23	Earth Excavations/Fill, Minor
4.2.24	Public Power Plants
4.2.25	Extraction and Development of Oil, Gas, and other Hydrocarbon Substances
4.2.26	Funeral Homes
4.2.27	Golf Courses with Food or Alcoholic Beverage Service
4.2.28	Home Occupations
4.2.29	Hospitals and Medical Clinics
4.2.30	Institutional Use in Excess of Required Maximum Building Footprint
4.2.31	Rehabilitation Home
4.2.32	Mobile Homes and Manufactured Housing Sales, Display or Storage
4.2.33	Marinas and Boat Rental Facilities

Chapter 11 Part 5A Conditional Use Permits

11.5A.1 General Provisions

A. Conditional Use Permits Requested in Conjunction with Zoning or Form District Map Amendments

Applicants for Zoning or Form District map amendments may elect, at the time of application, to have the Conditional Use Permit(s) for the same development heard and decided by the Planning Commission. In such cases, the Planning Commission shall assume all powers and duties otherwise exercised by the Board of Adjustments pursuant to KRS 100.231, 100.233, 100.237, 100.241, 100.243, 100.247, and 100.251. For purposes of this section only, the time of application for the map amendment shall correspond to the time of legal notice for the hearing on map amendment.

Hereafter, references to the Board of Zoning Adjustment shall also include the Planning Commission when the Commission is considering Condition Use Permit(s) or Variances. Determinations on the issuance of Conditional Use Permits shall be made in accordance with the provisions of KRS 100.237

B. Considerations for Review of Conditional Use Permits

In its review of Conditional Use Permit applications, the Board shall include, at a minimum, consideration of the following factors:

1. The purpose and intent and all other requirements of this code.
2. Whether the proposal is consistent with the applicable policies of the Comprehensive Plan.
3. The compatibility of the proposal with surrounding land uses and the general character of the area including such factors as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, appearance, etc.
4. Whether necessary public facilities (both on-site and off-site), such as transportation, sanitation, water, sewer, drainage, emergency services, education, recreation, etc. will be adequate to serve the proposed use.
5. Any other matter that the Board may deem appropriate and relevant to the specific proposal.

C. Term of Permit Approval

The Permit must be exercised within two years of the date of issuance, or other time frame as may be specified by the Board. However, upon written application, filed at least thirty calendar days prior to said expiration date, the Board may, for cause shown, renew such Conditional Use Permit for one period of up to one year. No less than fourteen (14) calendar days prior to Board consideration of an application for extension, staff of Planning and Design Services shall cause notice of the application to be given to those persons who appeared at the hearing at which the current expiration date was set. If the Permit expires, no new or renewal permit shall be issued except through a new original application in compliance with all requirements for such applications.

D. Requirement to Follow Approved Development Plan

A Conditional Use Permit shall be approved only on the basis of conditions established by the Board to ensure that the proposed conditional use will not adversely affect the use of surrounding properties, and the development plan approved by the Board. The permit shall be valid only for the location and area shown on the approved development plan which shall include a floor plan, if applicable. All construction and operations must be conducted in accordance with the approved development plan and conditions attached to the Conditional Use Permit. The Planning Director is authorized to approve minor development

**Jones, Beth A.**

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**From:** Jonathan Klunk <jonathan@keysourceproperties.com>  
**Sent:** Thursday, July 26, 2018 7:44 AM  
**To:** Jones, Beth A.  
**Cc:** Linda Stephens  
**Subject:** Re: 18CUP1078 Alfresco Place

Beth,

We held our neighborhood meeting last night for 18CUP1078. Ten (10) people were in attendance. Several were against the house being used as a short-term rental for reasons such as parking, safety of children, and guests potentially being a disruption to the neighborhood. Others were neutral or almost supportive. Those against expressed concern with our inability to know whether a guest will have 2 or 4 vehicles and the total number of people staying in the house, which we told them we limit to 6 (house can legally sleep 8). I took a few photos of the street at 6:15 PM, following the meeting. There were at least 25 available parking spots within 200 feet of the house, not including the other side of the street, where parking is not available 24/7, because of the drop off spots for the church/school. I expressed there would be no more vehicles than is the house was being used as a single family residence for an adult family.

Nothing that was said provided remedy enough to calm their concerns, but all questions were answered. I mentioned we professionally manage over 60 listings locally, and that we have never had a problem, and that we can utilize off duty police officers in the event of an after-hours complaint or issue. They were still not satisfied. I believe this is a case of "we don't want this on our block", which is not a valid argument in opposition of a STR CUP.

Are you available tomorrow for our meeting and to file the formal CUP application?

Thank you,  
Jonathan

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**From:** Jones, Beth A. <Beth.Jones@louisvilleky.gov>  
**Sent:** Tuesday, July 10, 2018 9:14:18 AM  
**To:** Jonathan Klunk  
**Subject:** RE: 18CUP1078 Alfresco Place

You too.

Beth Jones, AICP  
Planner II  
Planning & Design Services Department of Develop Louisville  
*LOUISVILLE FORWARD*  
444 S. Fifth Street, Suite 300  
Louisville KY 40202  
502-574-6019

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## Rental Agreement

### From 5 to 30 listings: Short-term rental management company experiencing rapid growth

By [CAITLIN BOWLING](#) | September 25, 2017 1:00 pm

“We really see ourselves creating a brand,” said Jonathan Klunk, chief executive of Key Source Properties. “All these individual properties we manage are like mini-hotels.”

Klunk said that operating short-term rentals has given them a good perspective on why people come to the city: bourbon, bachelor and bachelorette parties, checking

### 15) Use of Property

Guests expressly acknowledge and agree that this Agreement is for transient occupancy of the Property, and that Guests do not intend to make the property a residence or household, regardless of length of stay.

### 19) Illegal Use

Guests shall use the property for legal purposes only and other use, such as but not limited to, illegal drug use, abuse of any person, harboring fugitives, prostitution, etc. shall cause termination of this agreement with no refund of rents or deposits.

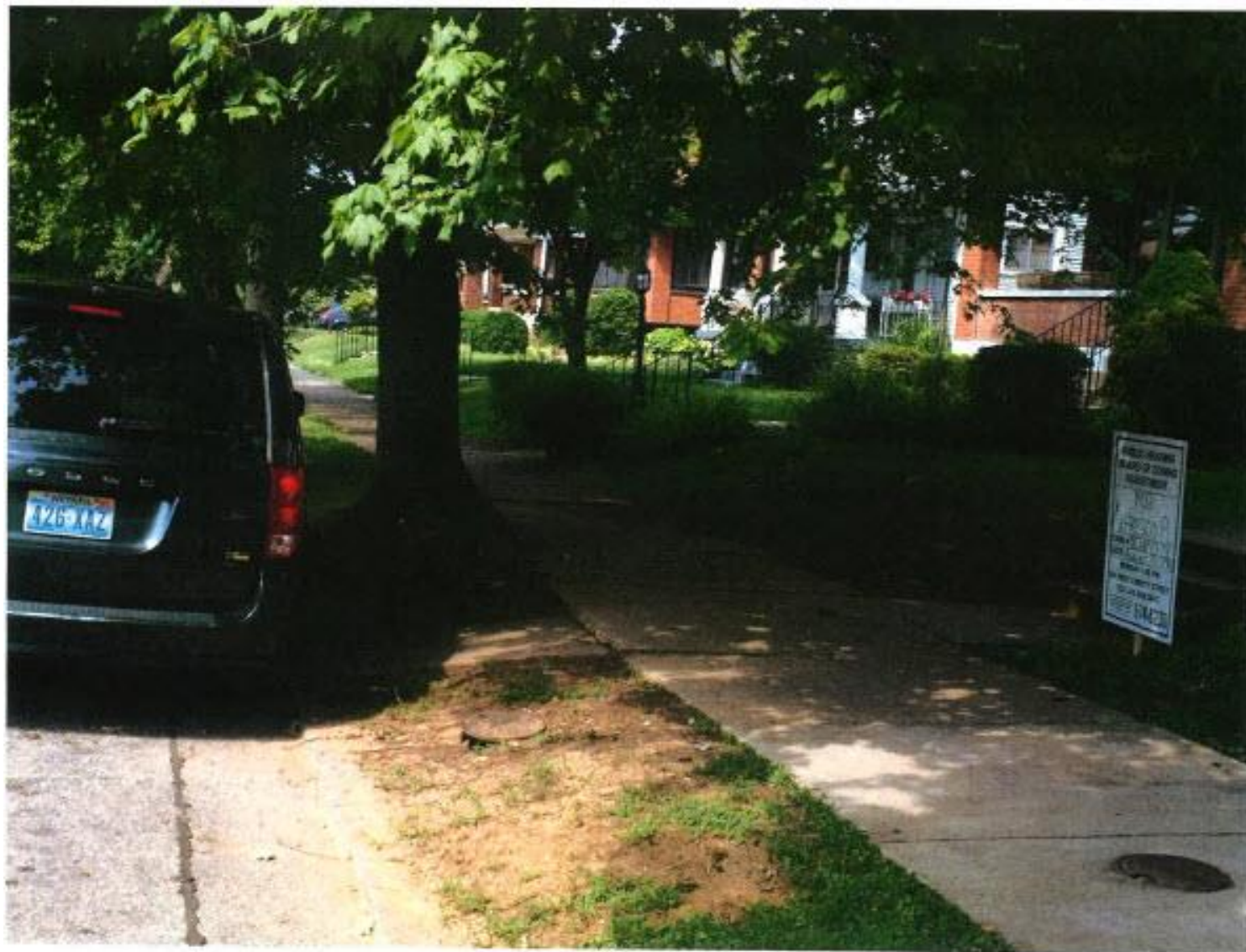


EXHIBIT W

This deed, between MINNIE B. HENRIOTT, widow, party of the first part, and ED. BERNARD ADMAN, party of the second part, all of Louisville, Jefferson County, Kentucky,

WITNESSETH:—That for a valuable consideration, which has been paid and the receipt of which is hereby acknowledged, the party of the first part does hereby grant, bargain, sell and convey unto the party of the second part, in fee simple, with covenant of general warranty, the following described real estate in Louisville, Jefferson County, Kentucky, viz:—

Lot numbered Seven in Al Fresco Place, as shown by plat duly recorded in the office of the Clerk of the County Court of Jefferson County, Kentucky, in Plat and Subdivision Book 3, page 51; and being the same property conveyed to Minnie B. Henriott, of the first part, by deed dated July 16, 1925, and recorded in Deed Book 1164, page 124, in the office aforesaid.

The party of the first part further covenants that she is lawfully seized of the estate hereby conveyed, has full right and power to convey the same, and that said estate is free and clear of all debts and encumbrances, except State and County taxes for the year 1927, which the party of the second part hereby assumes and agrees to pay.

PROVIDED HOWEVER, There is excepted from the foregoing warranty and covenants of title, and it is part of the consideration for this conveyance, that any improvements erected on the lot of land herein conveyed (except necessary and convenient outbuildings) shall cost not less than Three Thousand Dollars (\$3,000) and be two stories in height or of the bungalow type, and the front wall of said improvements shall set back at least thirty feet from the front property line, and said improvements shall be used for residence purposes only.