

# 1024 Eigelbach Ave Short Term Rental Residency Determination



Louisville Board of Zoning Adjustment Public Hearing

January 13, 2020

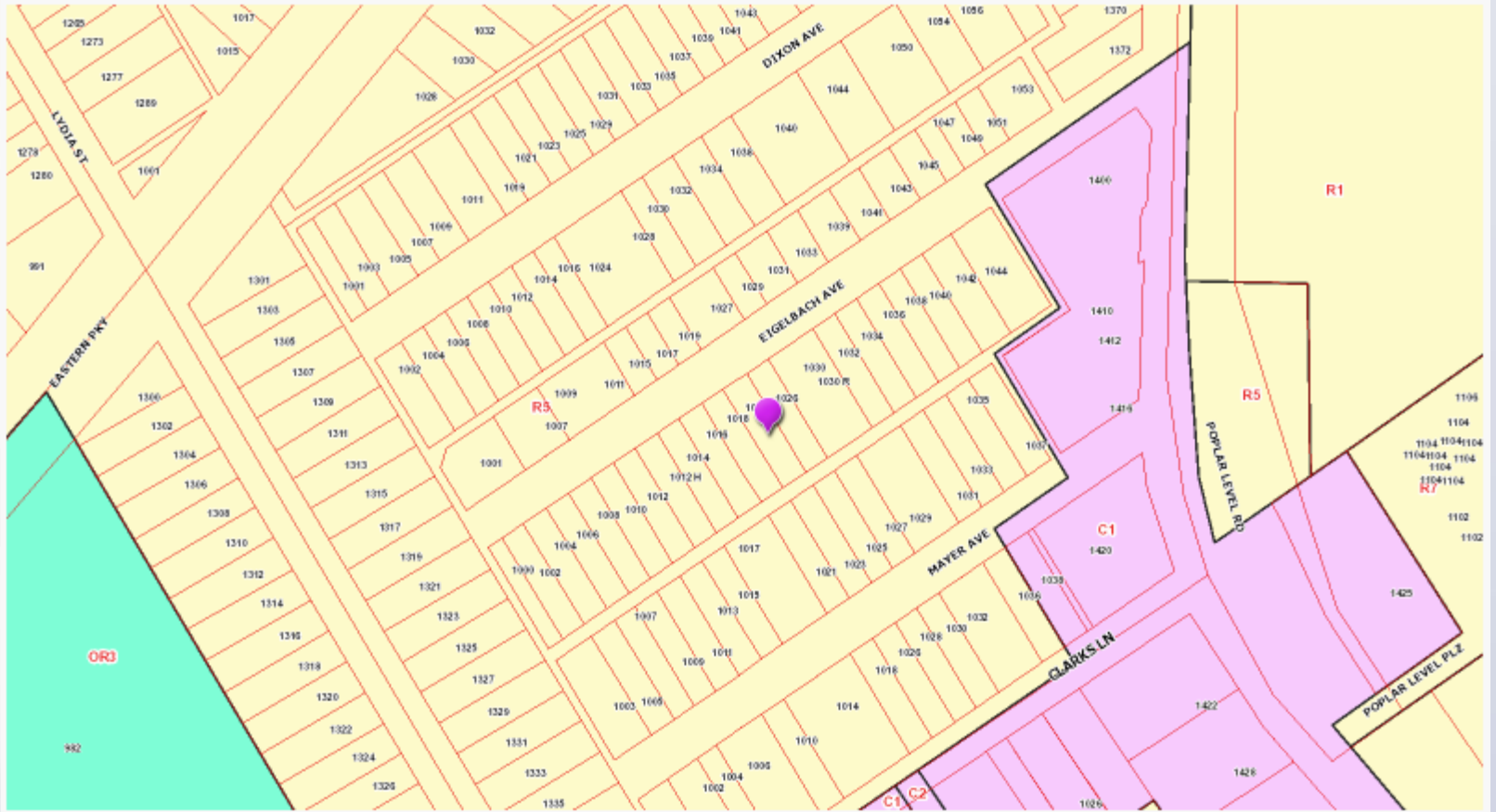
# Request

In accordance with Louisville Metro LDC Sec. 4.3.23.J., the Planning Director is requesting that the Board review a short term rental registration application and make a determination related to the residency of the host

# Background

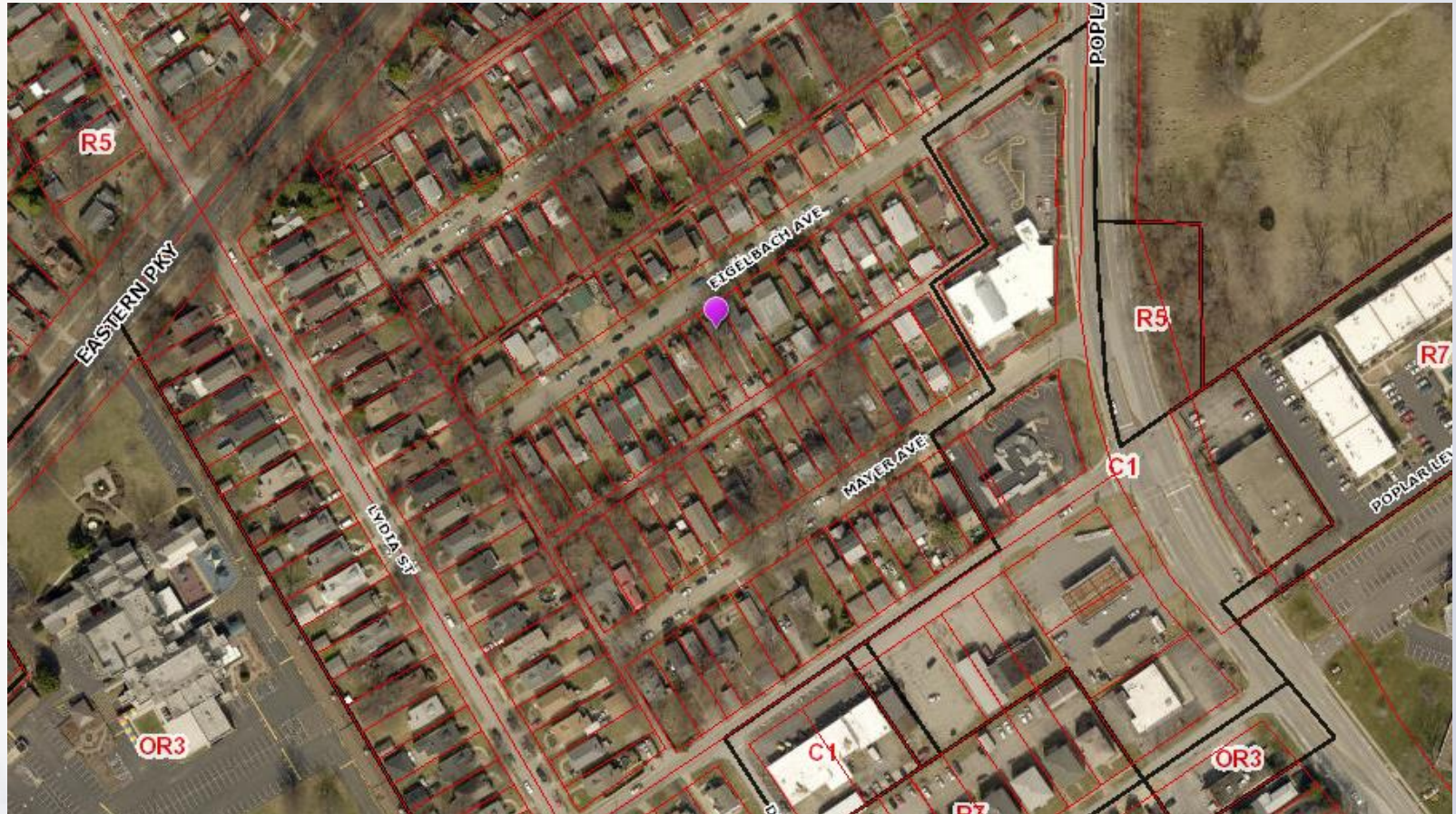
- The applicant/host is requesting approval of a short term rental registration for the subject property.
- The application was submitted and deemed complete on June 26, 2019.
- The property is zoned R-5. Without a CUP, in order to approve the registration, the dwelling must be the primary residence of the host.
- The application has not been processed or approved as the Planning Director is requesting that the Board make a determination related to the residency of the host in accordance with LDC Section 4.3.23.J.

# Zoning / Form District





# Land Use



# Front of Home



# Documentation

**To support residency, the applicant submitted the following documentation for the proposed host:**

- Utility bill from Louisville Water Company, dated 10/18/2019
- Utility bill from Spectrum, dated 8/2/2019
- Utility bill from LG&E, dated 11/14/2019
- Letter of explanation



# Primary Residence

- A primary residence is the main home of an individual.
- An individual has only one primary residence at a time.
- If an individual owns and lives in just one dwelling unit, then that property is his or her primary residence.
- If an individual owns or lives in more than one dwelling unit, then he or she must apply a “facts and circumstances” test to determine which property is his or her primary residence.
  - While the most important factor is where he or she spends the most time, other factors are relevant as well.
  - The more of these factors that are true of a home, the more likely that it is a primary residence: Factors include, but are not limited to,
    - the address listed on an individual’s U.S. Postal Service address,
    - Voter Registration Card,
    - federal and state tax returns,
    - driver’s license,
    - state identification card, and/or
    - vehicle registration.



# Required Action

Based upon the information provided by the applicant and the testimony and evidence provided at the public meeting, the Board must determine if the dwelling is the primary residence of the host.

The Board should consider all of the factors provided in the definition of primary residence, with the “most important factor” being “where he or she spends the most time.”