

16CUP1036
Short Term Rental:
118 E. Ormsby Ave.



Board of Zoning Adjustment Public Hearing

Brian Mabry, AICP, Planning & Design Supervisor

January 9, 2017

Request

- Conditional Use Permit to allow short term owner-occupied rentals in the Old Louisville Traditional Neighborhood Zoning District

Case Summary/Background

- Subject property is rectangular in shape, 33 feet in width and 7,405 square feet in area. Located on the south side of E. Ormsby Ave. between S. Brook St. & S. 1st St.
- Applicant proposes to conduct short-term rentals at the subject property while living there. Conditional Use Permit required in the Old Louisville TNZD.
- Request for both the primary residence and the carriage house at the back of the property.
- Primarily use the main residence as the short term rental and live in the accessory dwelling unit while main residence is being rented. Sometimes, applicant may rent out the carriage house and reside in the main residence.
- In periods of high demand, or when on vacation, applicant states he may rent out both the main residence and the accessory dwelling unit at the same time under two separate contracts.
- In his application, the applicant states that the main residence has four bedrooms and the carriage house constitutes one bedroom.
- Carriage house has 2 parking spaces, property is wide enough for 1 on-street parking credit.

Zoning/Form Districts

Subject Property:

Existing: TNZD/TN

North: TNZD/TN

South: TNZD/TN

East: TNZD/TN

West: TNZD/TN



Aerial Photo/Land Use

Subject Property:

Existing: Single-family dwelling and carriage house

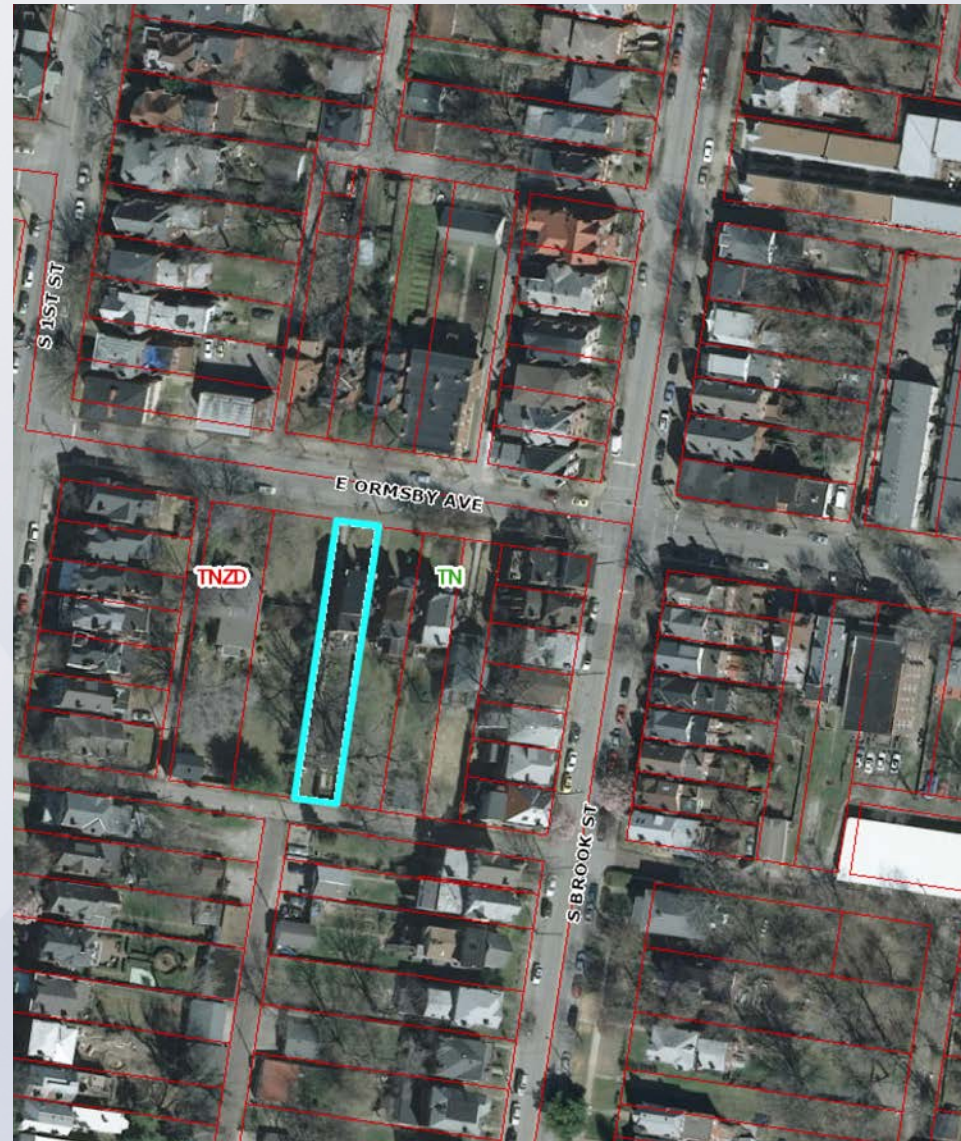
Proposed: Single-family dwelling and carriage house as short term rentals

North: Single-family residential

South: Single-family residential

East: Single-family residential

West: Vacant





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Subject property and adjacent properties, looking south



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Across street from subject property, looking north



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Front of carriage house



112

TO
THIS

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Back of carriage house

Interested Party Comments

- The applicant held a required Neighborhood Meeting regarding the request on November 10, 2016, at the subject property. No one attended.
- Staff received one interested party comment and recommended conditions of approval from Helga Ulrich attached to Staff Report.

Standards of Review

1. Is the proposal consistent with the applicable policies of the Comprehensive Plan?
2. Is the proposal compatible 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?
3. Are necessary public facilities (both on-site and off-site), such as transportation, sanitation, water, sewer, drainage, emergency services, education, recreation, etc. adequate to serve the proposed use?

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested?

A short term rental (STR) in the TNZD may be allowed upon the granting of a CUP. In addition to any conditions of approval, the STR and its host shall meet the following requirements:

- A. The max stay for a guest shall be 29 consecutive days.
- B. The dwelling unit shall be limited to a single STR contract at a time.
- C. At no time shall more persons reside in the STR than 2X the number of bedrooms plus 4 individuals.
- D. The dwelling unit shall be a single-family residence or duplex or a condominium unit...This provision shall not be waived or adjusted.
- E. Food and alcoholic beverages shall not be served or otherwise provided by the host to any guest.
- F. Outdoor signage which identifies the STR is prohibited.
- G. There shall be a sufficient amount of parking available for the host and guests, as determined by the BOZA. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. Any parking surface that is added to accommodate the STR use shall be removed when the STR use is terminated.
- H. The STR and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
- I. If the property is subject to 2 or more substantiated civil and/or criminal complaints, the BOZA may revoke the approval.

Conclusions

- Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Board of Zoning Adjustment must determine if the proposal meets the standards established in the LDC for a Conditional Use Permit

Required Actions

- Approve or Deny Conditional Use Permit to allow short term rental