

# 21-CUP-0196 Garden Cottage



Louisville Board of Zoning Adjustment Public Hearing

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January 24, 2022

# Request

- Conditional Use Permit to allow a short term rental of a dwelling unit that is not the primary residence of the host (Land Development Code (LDC) 4.2.63)
- The applicant proposes to conduct short-term rental of a residence on the site. As it is not the primary residence of the host, a Conditional Use Permit is required.

# Case Summary/Background

- The site is located on the east side of Pennsylvania Avenue at the intersection of Pennsylvania Avenue and Field Avenue and is in the Crescent Hill neighborhood.
- It is in the R-5 Residential Single-Family Zoning District and the Traditional Neighborhood Form District and is surrounded by R-5 and R-1 Single-Family properties.

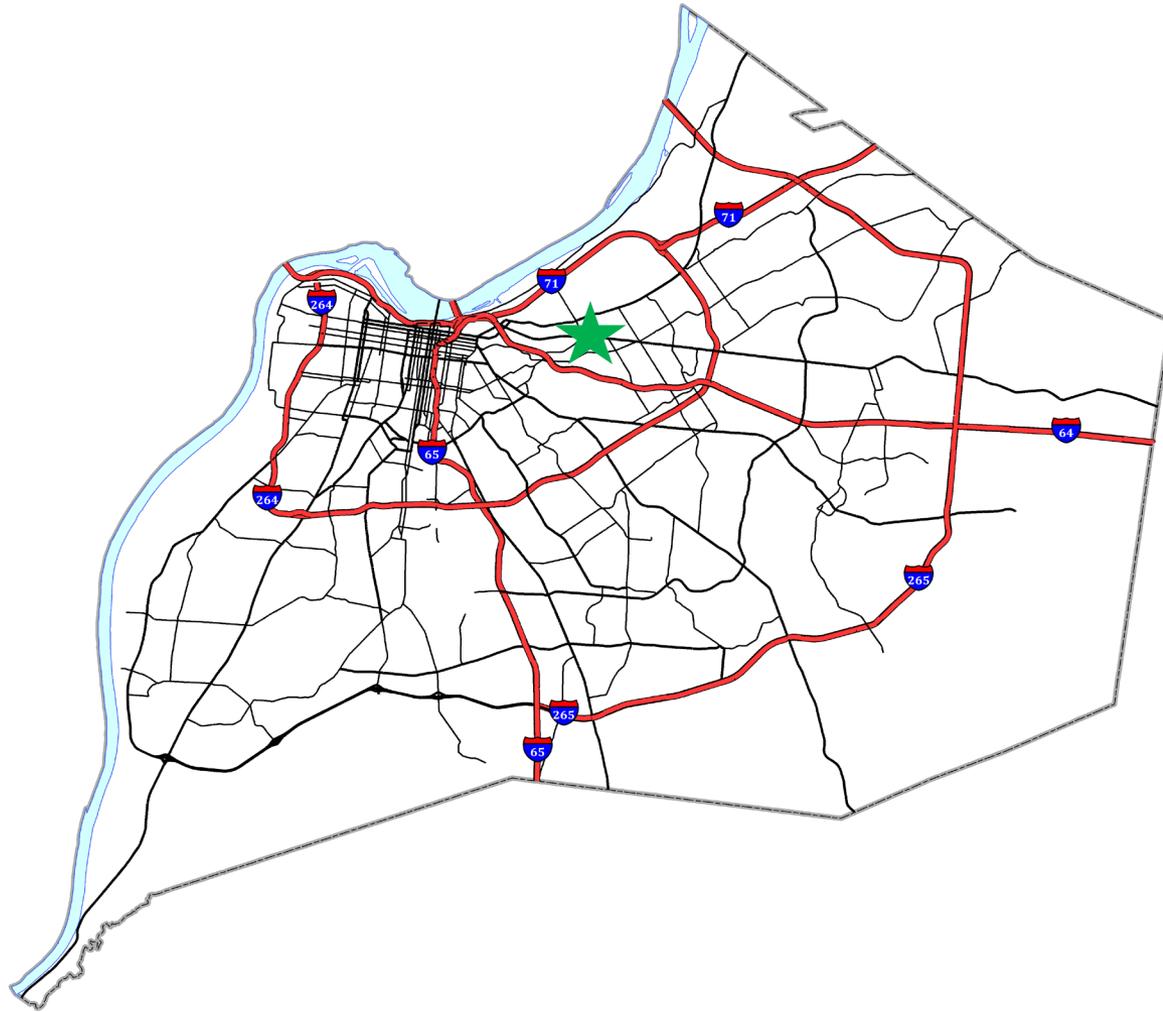
# Case Summary/Background

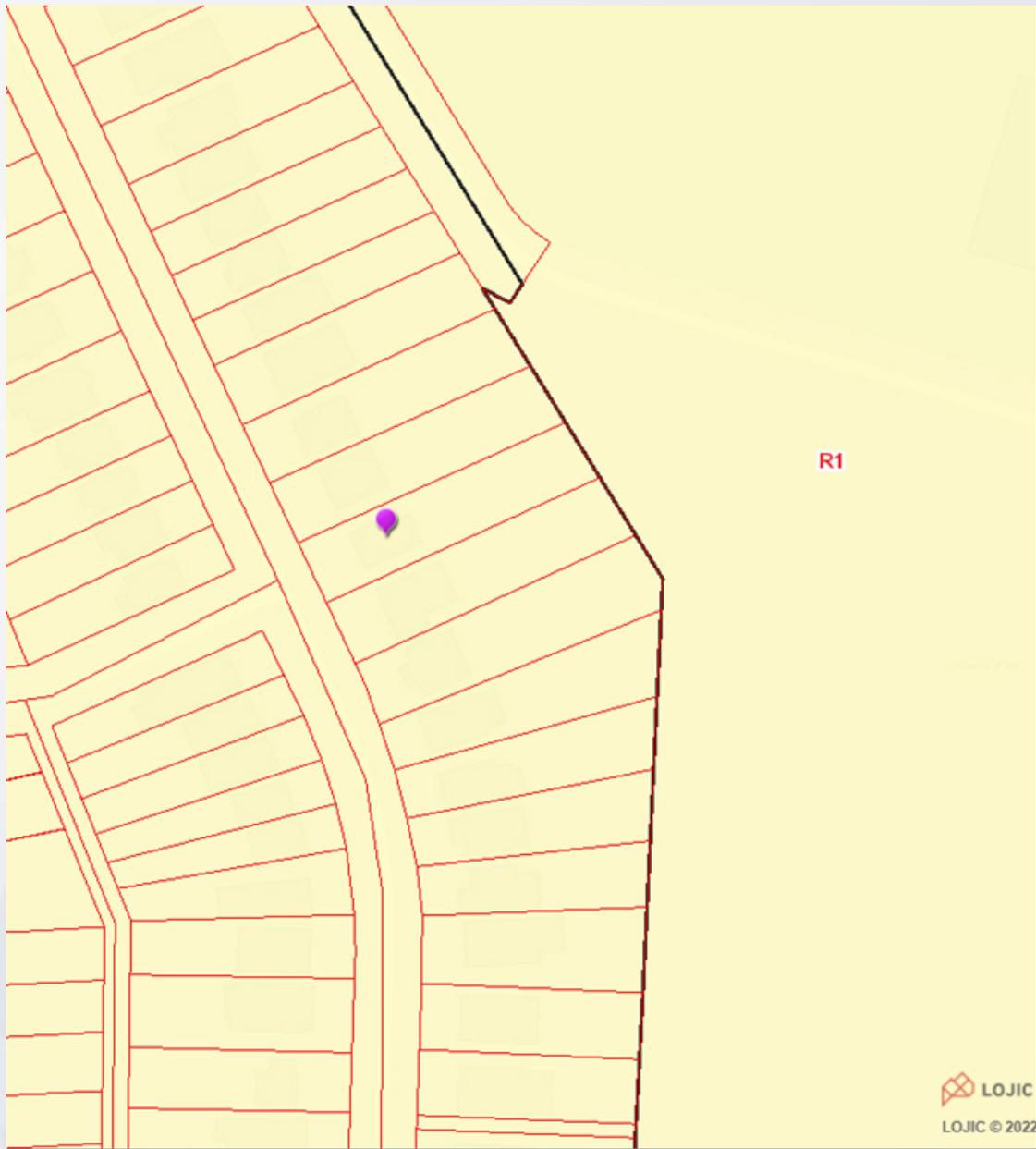
- It is surrounded by single-family and public uses.
- There is an existing detached garage that the applicant is proposing to convert into an accessory dwelling unit (ADU) with one bedroom, a living room, kitchen, and full bathroom.

# Case Summary/Background

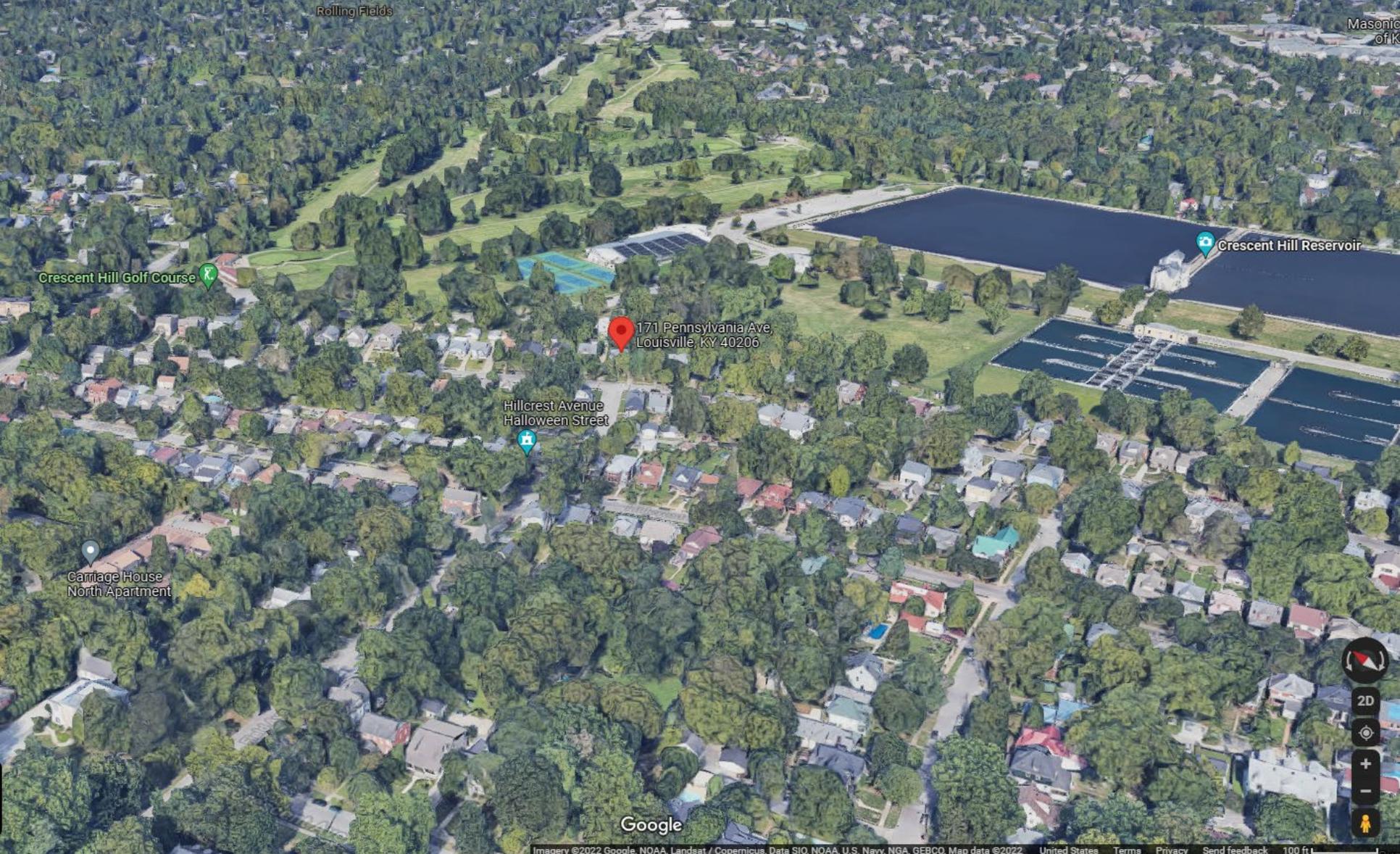
- PVA lists the existing structure as a single-family residence.
- The applicant has shown that there will be one bedroom in the ADU.
- LDC standards credit the site with one on-street parking space and there is parking for three cars in the driveway. In addition, there appears to be available parking in the area.

# Site Location



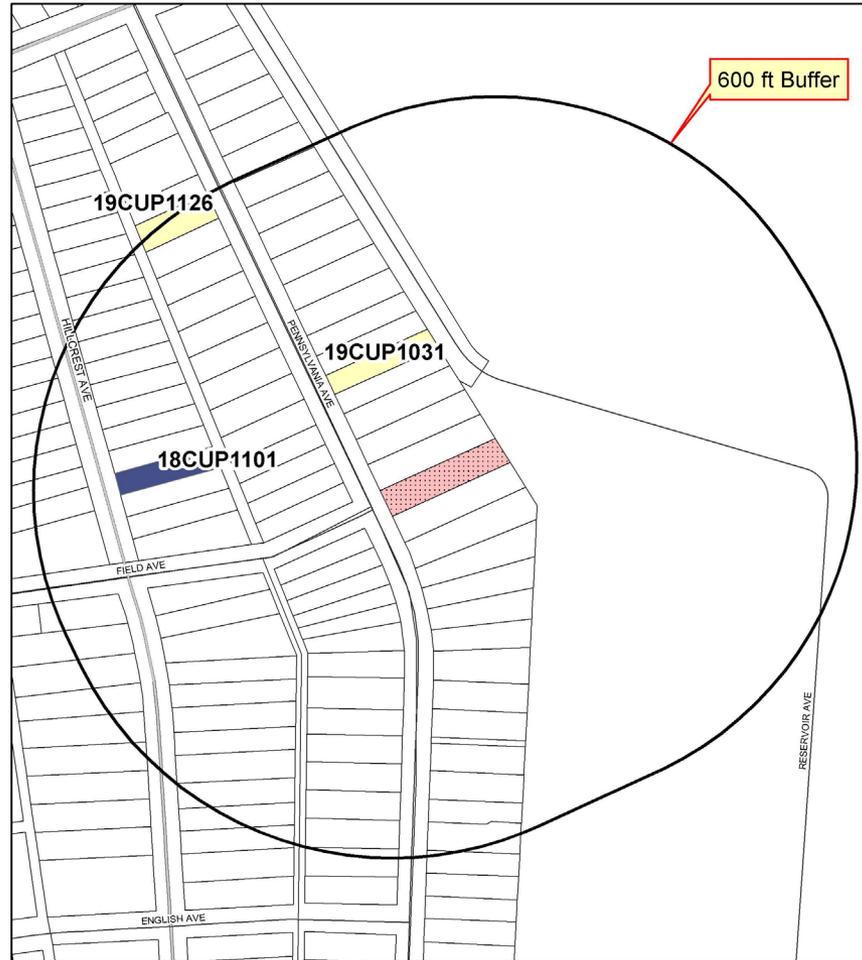






# Proximity Map

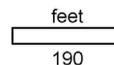
CUP PROXIMITY MAP



**Legend**

-  Subject Site
-  Buffer
-  Approved
-  Pending

**Case #21-CUPPA-0150**  
**Map Created: 01/13/2022**



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This map is subject to change upon the Board of Zoning Adjustment granting approvals to other Short Term Rental Conditional Use Permits.



21-CUP-0196

# Site Photo



Front of subject property.

# Site Photo



Accessory structure.

# Site Photo



# Site Photo



Looking toward residence.

# 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 by the LDC for the requested Conditional Use Permit.

# Required Action

## Approve or Deny

- **Conditional Use Permit** to allow a short term rental of a dwelling unit (LDC 4.2.63)

# Conditions of Approval

- 1) The conditional use permit approval for this short term rental shall be allowed up to one bedroom. A modification of the conditional use permit shall be required to allow additional bedrooms.
- 2) The host of record for the short term rental shall maintain his or her primary residence in one of the two dwelling units on the subject property. In the event that the host establishes primary residence on another property he or she must immediately cease conducting short term rentals of both units on the subject property. A new Conditional Use Permit shall be required to allow for short term rental of any unit on the property that is not the primary residence of the host.

# Conditions of Approval

3) Prior to commencement of any short term rental on the subject property, the host shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within six (6) months of the issuance of the conditional use permit, the permit shall become null and void.