

January 9, 2017

Mayor Greg Fischer (email Mayor's office)
Councilman Brandon Coan, 8th District (email)
Yu "Emily" Liu, Director, Develop Louisville (email Planning & Design)

It seems that the practice, if not the policy, of Louisville Metro Government is to turn a blind eye and deaf ear on the incursions caused by short term rental operators on neighboring owner occupied residences. There seems to be unanimity throughout Metro Louisville that a sharing economy is here to stay. And it seems the official position of Louisville Metro Government is to support the sharing economy businesses, including short term rentals, for the furtherance of the Metro Louisville economy.

I have a question for each of the addressees of this letter. I would appreciate a written response from each. Does the sharing economy mean private property owners are to give up their private property rights? Are owners occupying their homes to share their private property with the short term renters?

I am not asking for generalized responses to the questions above. I am asking for a direct response to my situation which has been brought to the attention in writing to each of those addressed above previously. Yu Liu, I spoke with Jay Luckett in your office 9/14/2016.

My problem is caused by an absentee owner of two buildings at 1267 Willow Avenue operated as an Airbnb. On the alley behind 1267 Willow is a Carriage House advertised to accommodate up to 12 people. The Main House is advertised to accommodate up to 12 people. A visit to the Airbnb website today confirms these numbers. The absentee owner has written me (a copy of his statement has been furnished to Metro Council members) stating he does not want his Carriage House guests to use his property to traverse from the Carriage House entrance on the alley to the front of 1267 Willow where parking and transportation occur. Consequently too many of the Carriage House guests use my driveway two doors away for such passage. They drag suitcases, come in boisterous groups, drive through unable to see people or vehicles exiting the hidden garages on each side of the PRIVATE DRIVEWAY and this activity has occurred day and night for the past 2 years. My appeals for your help have been throughout this time frame.

I have communicated with the absentee owner, Bob Woehrle, continually for over two years asking for his solution to this problem. He states he asks the guests to use the alleys to get from the Carriage House to Willow. One guest who has been in the Carriage house this past week states he was not asked to walk from the CH passed two houses then up an intersecting alley passed two houses then down Willow passed three houses. This guest, who is still occupying the CH, states he was only advised to not block the driveway.

Here, again, is an exact quote from Bob Woehrle's email to me July 30, 2016. "I'm not clear on what you mean in your question regarding getting to Willow from the Carriage House. There is a gate in the alley that goes into the backyard. I try to keep it locked for safety, but if I unlock it, someone could walk through the back yard **but wouldn't be able to go through the main house.** The only other way to Willow would be a side gate that's only used for equipment, moving things, etc. It enters right onto my neighbor's back driveway, so I've never used it except on rare occasions. I don't share that property. The goal is that guests not use any private driveways, but instead use only the alleys to get to Willow. Make sense?"

The driveway between 1263 and 1265 Willow Avenue is shared by me and my neighbor and is opened at both ends so we may conveniently access our garages if either of us is blocking either end of the driveway for our own personal use.

The Airbnb operator, Bob Woerhle, effectively refuses to make his property “guest friendly” and passively intrudes on us for his own convenience and economic gain. I am only asking for a resolution to the incursion on our property by his guests. Please cite any provisions of the short term rental regulations that address protection of adjoining property owner/residents.

The courtesy of a written reply is requested from each addressee.

Sincerely,

James F. Kirven
1263 Willow Avenue
Louisville, KY 40204

CC: Louisville Metro Council (D. Yates, J. Denton, C. Fowler)