

16CUP1049  
Short Term Rental:  
1701 S. 4<sup>th</sup> St.



Board of Zoning Adjustment Public Hearing

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December 19, 2016

# Request

- Conditional Use Permit to allow a short term rental that is not the primary residence of the host in a Traditional Neighborhood Zoning District

# Case Summary/Background

- Subject property is developed as a single-family detached dwelling
- Applicant owns the property and resides outside of Louisville, but has a property manager
- Subject property is rectangular in shape, 33 feet in width and 3,555 square feet in area
- Residential structure is 3,644 square feet in floor area and has four bedrooms
- Located at the southeast corner of S. 4<sup>th</sup> St. and W. Lee St.
- On-street parking on S. 4th Street is limited due to an adjacent TARC stop and parking on W. Lee Street is restricted by permit only.
- Applicant purchases 2 visitor passes from PARC which allow parking on Lee Street and on 4th Street

# 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:

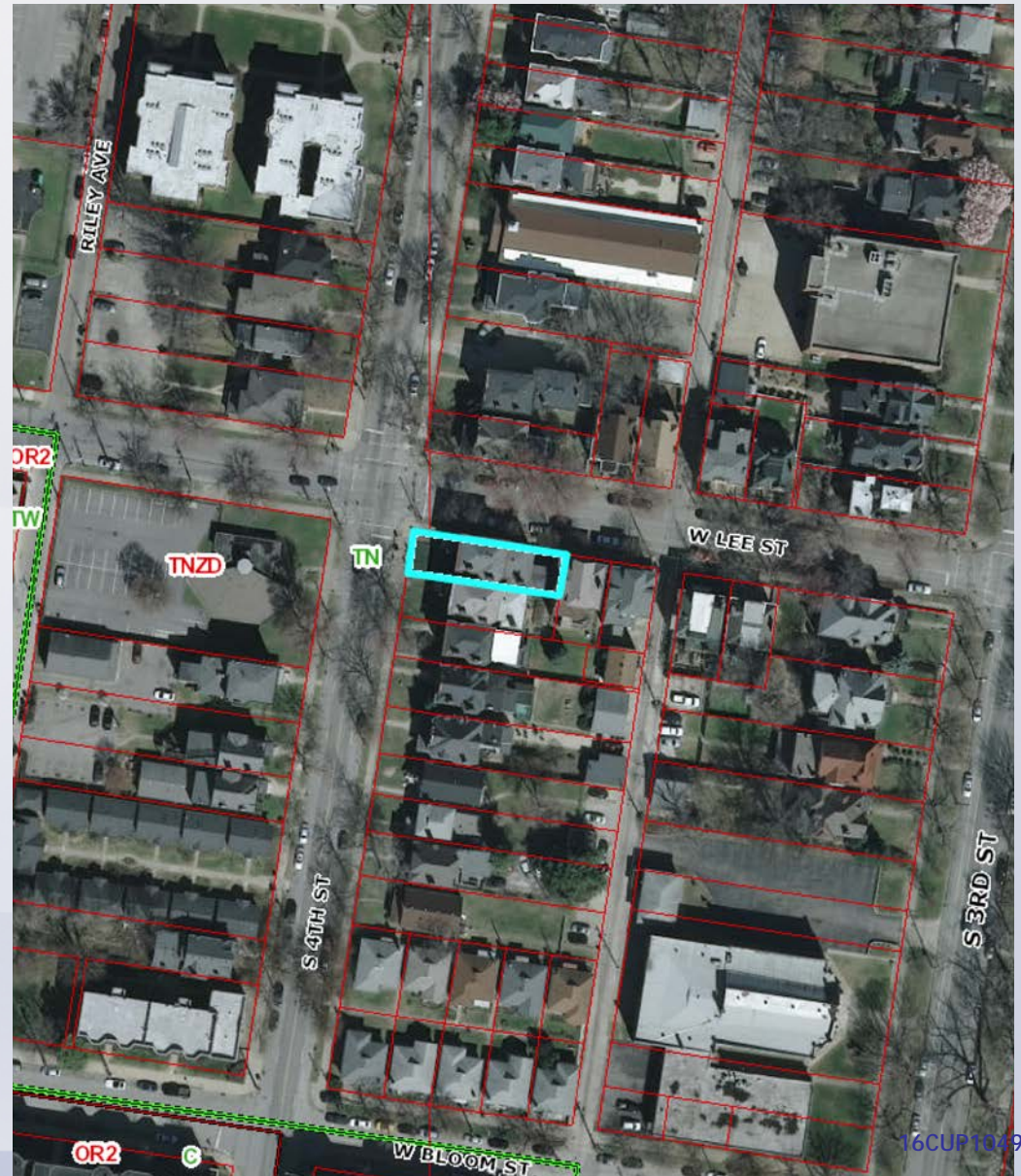
Existing: Short-term rental

North: Multi-family

West: Lodge

South: Multi-family

East: Multi-family





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Subject Property, Looking East

16CUP1049



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Subject Property, Looking South

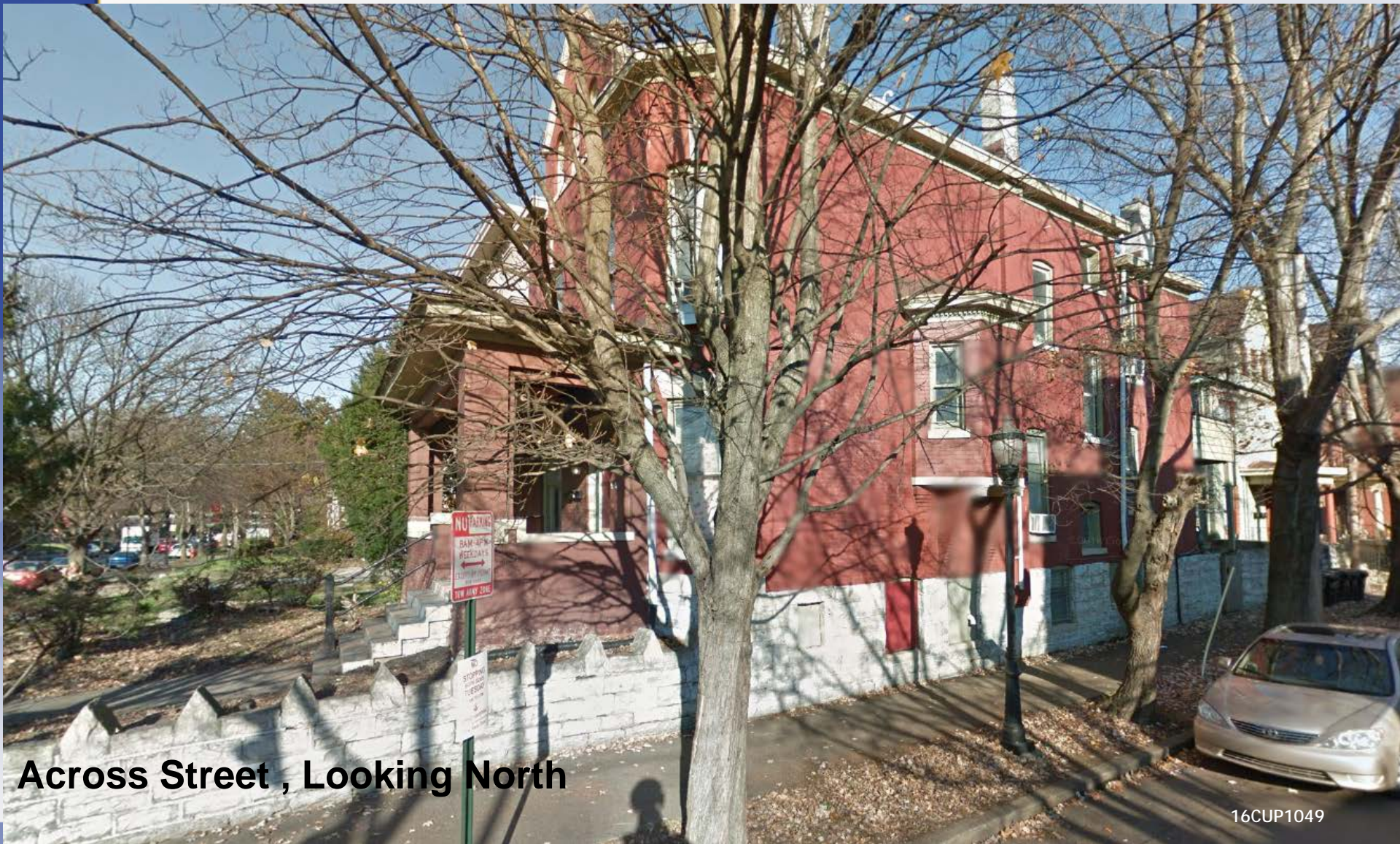
16CUP1049



Across Street , Looking West

12/02/2016 13:48





**Across Street , Looking North**

# 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. 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