



OFFICE OF PLANNING & DESIGN SERVICES
DEVELOP LOUISVILLE
LOUISVILLE, KENTUCKY

CRAIG GREENBERG
MAYOR

YU "EMILY" LIU, FAICP
DIRECTOR

March 28, 2023

Ty Walston
2509 Top Hill Rd
Louisville, KY 40206

Interested Party:
2509 TH LAND TRUST
1156 Bardstown Rd
Louisville, KY 40204

Re: Short Term Rental Registration LIC-STL-22-00311
2509 Top Hill Rd
Louisville, KY 40206

Mr. Walston,

You are listed as the host of record for a short term rental at 2509 Top Hill Rd.

Please be advised the office of Planning and Design Services has scheduled a residency hearing on **April 24, 2023** regarding this registration. This hearing is being initiated by the Director of Planning and Design Services pursuant to Louisville Metro Land Development Code Section 4.3.23 due to conflicting and/or inadequate documentation concerning your primary residence.

At this hearing, the Board of Zoning Adjustment shall review the registration and make a determination related to your residency, as defined in Louisville Metro Land Development Code Section 1.2.2. This hearing will take place during the Board's regular meeting, held in the Old Jail Auditorium located at 514 West Liberty Street, Louisville KY 40202. The meeting shall start at 1:00 PM and items are called in order based on their place on the agenda.

At this meeting, your registration may be revoked if the Board finds that the dwelling is not your primary residence as defined in Louisville Metro Land Development Code Section 1.2.2. While your attendance is encouraged, it is not required by the Louisville Metro Land Development Code for the Board to act.

Prior to the hearing, a case manager will be assigned and a staff report will be published outlining issues. This staff report will be available on <https://louisville.legistar.com>. You may also contact our office for a copy or with any questions.

At the hearing, you will be afforded the opportunity to address the Board and contest any findings or testimony. You may provide new information; however please be advised that if documentation is not

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provided in advance of the hearing, the case may be continued or the documentation may not be considered by the Board.

4.3.23 Short Term Rentals, J.: In a case in which a) the primary residency of the host is in question due to conflicting documentation or b) inadequate documentation concerning the primary residency of the host is provided by the host, the Planning Director may request that the Board of Zoning Adjustment review the registration and make a determination related to the residency of the host.

1.2.2 Primary Residence (or Principal 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.

While you provided documentation supporting primary residency at this location in your registration application, other information indicates that the subject property may not be your primary residency. If you have moved, please be aware that it must remain your primary residence for the entirety of the registration's duration in order to meet the requirements.

Staff reserves the right to introduce any new evidence found between now and the hearing. In addition, any interested party will be given the opportunity to provide testimony at the hearing or by written comment. All testimony provided to the Board will be under oath.

Staff may consider an alternative hearing date if requested in advance and justified. Please contact us as soon as possible if you are interested in an additional date.

Sincerely,

Emily Liu, Director
Planning & Design Services
444 South Fifth Street, Suite 300
Louisville, KY 40202
(502)574-6230

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