

Neighborhood Meeting Notification Letter

To the Adjoining Property Owners, I plan to submit an application requesting a Conditional Use Permit for 201 S Birchwood Ave Louisville KY 40206. This would allow short term rental at the property. In accordance with the procedures of Louisville Metro Planning and Design Services, I invite you to discuss my CUP request before an application is filed. This will be an informal meeting to give you the opportunity to review the proposed plan and discuss the proposal with me. This meeting will be held in addition to the established public meeting procedures of the Planning Commission and/or the Board of Zoning Adjustment. The meeting to discuss my request for a CUP will be held on: 8-18-2018, from 2-4 pm at the Starbucks 3702 Frankfort Ave Louisville KY 40207. At this meeting, I will be happy to answer any questions you have and then discuss any concerns you have. We encourage you to attend this meeting and to share your thoughts.

Chris David

Name

Address

Email

✓ Bob Hieb 2800 Franklin None

✓ Shawn Wheatley 215 S. Birchwood Ave [REDACTED]

✓ RAE TAYLOR 214 GIBSON RD [REDACTED]

✓ DAVID F Trish 328 S. Birchwood
Speer [REDACTED]

✓ Peggy & John Erhart 209 S Birchwood [REDACTED]

✓ Marcia + Jim Lewis 218 S. Birchwood [REDACTED]

✓ John Bell 206 S. Birchwood Ave. [REDACTED]

✓ Mark Willmoth 205 S. Birchwood Ave [REDACTED]

✓ ELIZABETH WORTH/Heb 216 S. BIRCHWOOD
AVE [REDACTED]

✓ Heather Drake 209 S. Birchwood [REDACTED]

✓ Vaughn Bell 206 S. Birchwood Ave. [REDACTED]

✓ RON SCHANKENBERGER 201 S. BIRCHWOOD AVE. [REDACTED]

✓ BRIAN & Cindy 200 So. BIRCHWOOD [REDACTED]

Meeting Notes/Questions and Commentary

For

**201 S Birchwood Ave
Louisville KY 40206**

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1. Concern was that they would like to have long term tenants because that is what they are used to having in the neighborhood

1A. I explained that having short term allows me to have better control over people that would be renting. The people they had issue with about 1.5-2 years ago were long term (**NOT SHORT TERM**). IF I wanted a long term tenant to leave, someone with a lease for at least 30 days or more, I would have to have a valid legal reason for eviction and would have had to start the eviction process which would take 2 to 3 months minimum. It could be longer based upon decisions made by the judge overseeing the eviction case.

Since certain neighbors had issue with long term tenants, again....not short term.... This appears to be a positive solution.

But some were still hesitant about the idea.

The neighborhood is diversified. It has single family, duplex, triplex and fourplex as well as condos. The neighborhood would not be making a major change with short-term rental occurring.

2. I was asked about the tents and some debris that I have in the backyard.

2A. I stated that everyone is aware that I have been working on the property. This is why I prefer short term rental over long term. It would allow me to get into a property and complete small projects between those open windows of opportunity. As for any debris and the tents... Some of debris has been removed as work is completed. I am getting my dump truck back from being serviced and will be able to load up more and take it away. The tents that I have staged for storing materials and/or for my tools used outside will be remaining until I am done with them for working. I have short windows of time outside my normal work hours and they allow me to work even if there is rain. The tents are perfectly legal. On multiple occasions code enforcement has been called reporting non existent issues.

A gentleman from the church mentioned that nothing has changed in months in the backyard and asked about taller grass next to the new hot tub. I corrected and said that the tents were not there until recently and we have taken away several large loads to the dump as well as utilized junk days. I said the grass does get cut and we may have to trim along the edge of the patio block that the hot tub rests upon...which again is new. Things have been changing and progressing.

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NOTE: The upgrades to my property, including materials, tools and any tents on the property have nothing to do with a permit for short term rental.

3. Parking. Where would people park?

3A. Parking would be available in a mix of garages in the rear as well as street parking. There are 3 garages in the back. We are conscious of street parking with the school and church being next door. We should not have any more vehicles than other houses of similar size.

4. I was asked about my trailer that is located on the street. I was asked if I would be moving it.

4A. First of all, my ownership of a trailer and where it is parked has nothing to do with short term rental or any rental at all. The trailer is a 10 foot towing trailer. It is legally parked on the street. I explained that I do move the trailer. I use it regularly and it is usually attached to my hybrid vehicle which means I need to drive it for periods of time every couple of days to keep the battery charged. I explained that I am allowed to park it where it is. The person that keeps vandalizing with spray paint has been reported multiple times to the police and reports have been made. The person(s) are marking the street with dates and using the slash between month and day to spray up onto my tire and rim in order to mark where the trailer is on the street. The police state that I have full rights to park it the way I am and you can easily see that the trailer has been moved due to the 10 foot variance of spray painted dates.

In addition to the vandalism of my property I mentioned a neighbor drove past and then came back to tell a person staying with me that they didn't belong there. That they don't live here. I explained that Dennis has been staying with me for almost a year and he has every right to be there. (Dennis is a older man in his 70s. He was getting his medicine out of his vehicle and coming back inside to go to bed)

A lady from down the street said that they didn't like the idea of me stating that calls from almost 2 years ago to the police on the long term tenants were racially motivated because her husband was black.

I replied that we have supplied a few videos of long term tenants or friends of those tenants that were black... only being present outside for 3 minutes or less. No suspicious activity occurring and police arriving to ask why they were there. I told them that I had turned the videos over to our version of internal affairs for the metro police. The officer that kept pulling over people, the vast majority that were of color, has since been moved to another shift and I had met a new officer that is black, that I assume replaced him for the shift.

Again, this issue was with long term tenants. *Not short term*. Short term means that I can ask them to leave. Whereas long term tenants have rights and I have to provide a valid and legal reason for eviction and then start a 2 to 3 month eviction process. Short term allows me to set quiet hours for the property. Meaning that I can limit the hours at which people can come and go. I can ask who is coming over to visit them. If they are long term it is against the law for me to ask

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questions like that or regulate the hours at which someone can arrive or leave. If they are long term they can do what they want. Those are long term renter rights. This is why I am applying for the CUP. It eliminates all the issues you had with long term renters. This would be a benefit to everyone.

5. I was asked why I want short term. They advised that long term can be rewarding and lucrative.

5A. I explained that from my experience that I could charge higher dollar amounts and still have frequent access to the apartment as I am still making improvements for short term. I have seen damages that have occurred to properties, including this one from long term tenants that have cost equal to or more than what was collected in rent. People do not always take care or report issues when they occur. I have invested over \$100,000 in upgrades and would like to be able to find and fix issues when they are \$20 issues, not much, much more. With short term I have more control and legal rights to ask someone to leave or to respect quiet hours and only have visitors during certain times.

Others said they have rental properties and rarely have these issues or costs. I acknowledged that they may have this luck but I have seen the other side too and this permit would allow me to ensure the property would be well maintained and at lower costs.

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6. I was asked why this type of permit.

6A. I explained that the permit I had before was questioned by neighbors stating that 201 S Birchwood Ave was not my primary address. Like it was mentioned earlier... I do live here. That everyone here has seen me there at all hours... Walking my dog, playing with my kids, working on the property, having/cooking breakfast and dinner with MaKayla and Dennis outside when the weather allowed. I do own another property and my kids live there with their mother.

I like short term renting because it gives me control over the property and who stays there. Long term renters have rights. They don't have to leave, even if they decided not to pay rent. I have to evict them and it takes months. Due to complaints against previous long term renters this would appear to be the best solution.

I explained that planning and development heard my situation and told me about someone else having a similar situation and how he had applied for this type of permit because it eliminated the question of whether it was my primary address, even though I am there all the time... all my mail goes there and my drivers license states it is my home, the IRS has this as my address, I am a registered voter, Banks, utilities and the postal service all acknowledge 201 S Birchwood Ave as my address.

This permit would also allow me live there and short term lease my other unit while living there. The previous permit only allowed me to rent out my space.

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This permit covers multiple aspects such as: allowing me the ability to change what unit I would reside in (moving from the upstairs to the downstairs) without having to start the process over again.

Some didn't understand why I would want to move from one unit to the other. I explained that if I wanted to work on one unit I might have to move downstairs. During that time.. I would have to go through a several month process and pay fees to start a new application. If I moved back after the renovations I would have to pay and file again for yet another several month process.

A gentleman from the church replied that, "you not having to reapply only makes it easy on you, not us."

I tried to explain that like getting a driver's license

... You still need to renew your permit but you don't have to take the full written and physical driving test each time. It may be easier, but more importantly, that is what makes sense. I should not have to go through an expensive and drawn out process if I am still living at the same address.

7. Could I (being me) not live there with this permit?

7A. I replied yes, that I could move but I don't want to and have no plans in doing so. I love the neighborhood because it is so centrally located and has easy access to several expressways and back roads. It is down the street from my kids and also even closer to their school than their house. It allows me to be involved with them more easily especially with my normal work plus my time upgrading the place.

8. They asked if I vet my long term tenants and would I vet the short term too? How would I try to make sure good people are staying?

8A. I replied that with third party companies like airbnb guests are vetted. I try to vet long term too. If they have a suggestion of a vetting company I should use to please let me know and I will look into them. (as of 9/10/2018 I have not been given any suggestions by neighbors.)

I mentioned that in my conversations with planning and development that I was told about others raising their cost to stay to help ensure a better quality renter. I do not intend to lower my rates. I don't need that many nights to cover costs.

Another way that I help ensure good behaving tenants is by letting them know that I live here and will be here during their stay. I'm up late and between myself and MaKayla we are 100 percent available anytime. We would personally check-in and meet each person. I want to make sure that the property is well taken care of. I have been making lots of improvements, hardwood floors, new appliances, remolded bathrooms, etc...

We want good tenants as well as remain in control of the property as much as we can by having frequent access between short term renters.

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If we took a vacation we have people in place that would do the same in greeting and regulating. I was asked if I would only use airbnb. I said they would be my main but if you came up and said I have family coming in for Christmas and it would be great having them next door, then I would take you as a reference for them.

9. Would I be available to be contacted about issues by neighbors or the people staying?

9A. Yes, I can easily be contacted anytime. Tenants regularly ask me about things in the neighborhood. I have not been contacted by a neighbor in over a year.

10. Can I commit to living there like I have for the past year and a half? They stated that since I have been there full time they haven't had any issues. That they would like for me to remain there and rent out the other unit long term.

10A. I explained that I have no intention to leave as my kids and their school are just down the street. I am Louisville born and raised and like where I live. I cannot foresee 10 years down the road but I have no plans of moving. Again, this permit allows me to live in one unit and rent out the other.

This question is contrary to the previous statements I had regarding my previous short term rental permit. About a year and a half ago when I told Joe that the long term tenants had left he informed the neighbors that he was going to close the case since 1. They were gone and 2. They were long term. Apparently, the neighbors did not want to drop it even after Joe explained that he could not stop me from renting long term. They understood and then filed a complaint that I didn't live there. Joe gave me notice and explained things. In fact it was two letters in one. The first explained they were closing my case and my permit was reinstated. The second letter explained how my permit was suspended again because it was stated that 201 S Birchwood Ave was not my primary address ...and that's how I was advised about my options and I am now filing for a CUP.

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