

## Haberman, Joseph E

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**From:** Duncan, Dustin W.  
**Sent:** Monday, December 10, 2018 8:51 AM  
**To:** Haberman, Joseph E  
**Subject:** FW: Short term rentals

**From:** [llindac@aol.com](mailto:llindac@aol.com) [<mailto:llindac@aol.com>]  
**Sent:** Saturday, December 08, 2018 1:38 PM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** Short term rentals

Dear Mr Fischer,

This is a letter I have sent to my representatives. I think you should read this and think about it as well! Thank you!

I left a long message on Mr Coan's answering machine and spoke to Kyle at Mr Hollander's office. Neither has returned my call or responded to my issues. I live at 1009 Old Cannons Ln in District 8 and own a home at 1408 Christy Ave in District 9 at which I am operating an air bnb, short term rental.

My husband and I have stayed at many of these properties throughout the US and abroad. My dream was to run a B&B, but found this option better for our circumstances. My house is on a street in an area where there are many, many long term rental properties. There are 4 short term rentals on my street and behind me of which I am aware. When I had my required neighbor meeting, I was confronted by several angry people who were members of the Original Highlands Association group. It didn't matter what I said to them, they did not want to have short term rentals, period. The loudest and most insulting of the group, Andi Hannan, lives behind me and has a huge garage structure which is dilapidated and has been cited by the city several times. She dared to confront me about property values!

The concerns raised by some are legitimate. However, they are no different than having a long term renter at a property. For instance, noise issues. These can present problems for any neighborhood by ANY resident. The proper procedure is a police call, but I understand this is low on the priority list. Parking was another issue. I have a rental property next to mine and the last residents had two Lincolns and another car!

My husband and I went to no small expense to install Ring cameras at our front and back doors to monitor the number of guests and to ensure that nobody is making noise after 10 pm. We have three Noise Aware monitors inside our house which are set to 10 pm to alert us of any noise. We contact guests before they arrive and have rules posted in our house about inappropriate noise and activities and make them aware that we will immediately ask them to leave if they break our rules. This house is MY lifetime investment which will be passed to my children. It is my source of income and I am over there after every guest and several times a week making sure everything is spotless inside and out. If I were to make this home a long term rental, I would have no control over the activities of the residents or the number of people who they entertain nor the number of cars they park. I would be unable to control what they do as far as trash, noise, etc. In fact, residents of a house behind me on Morton Ave. have been cited several times for indecency, noise and illegal dumping in alley. The owner was unable to evict them.

I think you are having a knee jerk reaction to a situation where people are asking "what if?" I would like to see actual evidence of problems and police reports related to short term rentals. There are many places where small businesses coexist with traditional housing in neighborhoods, especially downtown and in the Highlands.

In conclusion, I believe that it is fair to have a contact number for a property manager, and that they be available 24/7 for problems. I believe that a fee of \$100 vs \$25 should be imposed to hire enforcement who can cite illegal businesses. These are the bad guys, not those of us who are trying very hard to be good neighbors. I welcome your feedback and would be happy to meet with you at any time to discuss these concerns and to show you my property.

Thank you,

Linda Steidle Sparrow  
1009 Old Cannons Ln. 40207  
502-639-6870

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## Haberman, Joseph E

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**From:** Duncan, Dustin W.  
**Sent:** Tuesday, December 11, 2018 3:30 PM  
**To:** Haberman, Joseph E  
**Subject:** FW: Thursday . . .

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**From:** Zach Morris [<mailto:Zach.Morris@buffaloconstruction.com>]  
**Sent:** Tuesday, December 11, 2018 11:52 AM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** Thursday . . .

Good Morning Mr. Mayor Fisher,

I am writing you today in concerns to the vote this coming Thursday.

My family heavily relies financially on our ability to host guests in Airbnb properties within the city that we own.

Please keep us in mind when making your decisions this week.

Best,

**ZACH MORRIS | BUSINESS DEVELOPMENT**

**Buffalo Construction, Inc.**

12700 Otto Knop Drive Louisville, KY 40299

O: (502) 753-6619 • C: (502) 807-1621 • F: (866) 328-2811



## Haberman, Joseph E

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**From:** Duncan, Dustin W.  
**Sent:** Tuesday, December 11, 2018 3:56 PM  
**To:** Haberman, Joseph E  
**Subject:** FW: Dec. 13th - City Council Meeting

**From:** Luke Skeen [mailto:luke.skeen@gmail.com]

**Sent:** Tuesday, December 11, 2018 2:49 PM

**To:** Greg Fischer\_(Mayor); James, David A; Hollander, Bill H.; Coan, Brandon; Green, Jessica; Shanklin, Barbara; Woolridge, Mary; Sexton Smith, Barbara; Hamilton, Cheri; Leet, Angela; Mulvihill, Patrick; Kramer, Kevin; Blackwell, Rick; Welch, Vicki A; Fowler, Cindi; Butler, Marianne; Reed, Scott; Stuckel, Glen; Parker, Marilyn; Denton, Julie; Benson, Stuart; Lanshima, Vitalis; Engel, Robin; Peden, James; Flood, Madonna; Yates, David; Ackerson, Brent

**Subject:** Dec. 13th - City Council Meeting

Council Members,

**I'm emailing you today to communicate my opposition to the proposed moratorium on short-term rentals that is being voted on December 13th by the Metro Council.**

**First, my vote no vote is to protect the rights of those who have already engaged in the LEGAL process as outlined by the city.** For those like myself who have paid hundreds of dollars, met with my neighbors, and have a scheduled BOZA appearance on the 17th of December, this would punish those of us (only 30% of short-term rental owners) who are seeking to go through the legal process you have outlined for short-term rentals. How about focusing your attention on enforcing the regulations for the 60% of short-term rental owners who have not tried to go through the legal steps provided by the city, instead of punishing and taking away the rights of those seeking to honor the city and the law!

I know Mr. Hollander has concerns about a "flood of people applying" as they have seen the proposed regulations coming. This could easily be remedied in several different ways. (1) You could allow those in the formal stage of the CUP permit to be excluded from the moratorium. (2) You could exclude anyone who started the application process before November 1st from the moratorium. None of the public knew about the council's plans and cannot be included in Mr. Hollander's group if they started the application process before Nov. 1st.

**Second, my no vote to the proposed moratorium is because the city has not provided compelling data to show a need for the moratorium.** What what I've read, the city opened up a 30 day period for comments (which they reported as being inconclusive, with both concern and approval for short-term rentals). Also, Joseph Haberman (Louisville Planning & Design) shared the following statistics last week at the Planning Commission meeting. Only 17 formal complaints have been filed with the city for disturbances from short-term rentals. We all know that these are not exhaustive results of what is happening the short term rental world, but data always tells a story. Even if I were to give you the benefit of the doubt, and multiply that number by 5000% (5,170 complaints), there have been over 1,500,000 stays within Louisville over the past two years. If there had been 5,170 complaints, this would be only .3% of all stays are causing a disturbance in Louisville. .3%!!!!!! The data you are presented to the public is not clear nor compelling for a moratorium. It seems as if the largest drive for the moratorium is the loud complaints of a few and the speculative nature that this industry in causing much harm. Don't lead and make large decisions for our city based on speculation. Do the hard work of gathering data in which these decisions would make sense.

Thank you for your consideration and all the work you do to make our city great!

Luke Skeen

## Haberman, Joseph E

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**From:** Duncan, Dustin W.  
**Sent:** Wednesday, December 12, 2018 10:15 AM  
**To:** Haberman, Joseph E  
**Subject:** FW: Support item # 55 on Thursday.

**From:** George Eklund [<mailto:george eklund@gmail.com>]  
**Sent:** Tuesday, December 11, 2018 4:41 PM  
**To:** Greg Fischer\_(Mayor); Lanshima, Vitalis  
**Subject:** Support item # 55 on Thursday.

Mayor Fischer and councilman Vitalis.

I urge you to support a moratorium on conditional use permits for short term rentals that are not primary residences.

This policy will allow the city time to get appropriate regulations in place to address short term rentals.

I believe that short term rentals hurt affordable housing in our city because they can take viable rental units off the market and reserve them only for visitors. We need more rental units in all communities and neighborhoods.

Thank you for your time.

George Eklund

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Warmest Regards,  
George Eklund

606.776.6037  
516 Auburndale Ave.  
Louisville, KY 40214

## Haberman, Joseph E

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**From:** Duncan, Dustin W.  
**Sent:** Wednesday, December 12, 2018 10:21 AM  
**To:** Haberman, Joseph E  
**Subject:** FW: How Airbnb Helps our City.

**From:** JANICE T [<mailto:janice.tharaldson@gmail.com>]  
**Sent:** Wednesday, December 12, 2018 10:17 AM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** How Airbnb Helps our City.

Dear Mayor Fischer,

I would like to thank you and the City Council for your careful consideration of issues surrounding the Airbnb hosts and guests in our city. I believe Airbnb is a bright star that serves over a million people world wide each night.

I've been an airbnb "superhost" since 2014. Over 2,000 guests have stayed in my home since then. As such, I take on the role of tour guide and ambassador to our lovely city. It represents 30% of my retirement income and keeps my home and appliances in good repair. It also provides me with a sense of value and keeps me connected to a larger world since my children have grown and left the nest. My rates are very low in recognition of people like me who look for ways to live within modest means. Here are a few observations:

\* Airbnb actually pulls people into our city.

Many guests come to Louisville from surrounding areas to enjoy music, art, events **because** they can use services such as Uber and Airbnb

Guests increasingly credit Airbnb affordable rooms as their incentive for "road trips", "bourbon trail" "Mega Cavern" etc. They "google around" finding cities and looking on line for what there is to see and do. (something to consider for marketing).

It represents an opportunity to "spread the word" about our fair city.

\* Travelers just "passing through" find Louisville and intriguing and convenient stopping point. However, they could choose any other city within a two hour radius instead. Many wish to spend an hour or two getting to know something about our town. They get gas, eat at restaurants and take in a few attractions....often remarking that "they must come back here and spend more time". Many of these are bright, lovely 30 somethings who might consider Louisville favorable in the future when looking to re-locate.

\* "In A World"... where tension is quick to flare and peace is dear to find, the Airbnb path eases the first and encourages the latter.

One comment I've heard recently from guests is that some of their stays in other cities have been in rather "dodgy" areas and they have not felt safe. The relentless review process within Airbnb usually filters out these places rather quickly, however, it does cast a shadow of uncertainty.

I hope you continue to offer prudent oversight in ways that ensures a city wide Airbnb reputation for safety.

Thanks again for recognizing Airbnb as a positive factor in promoting our fair city and offering hospitality to the weary travelers crossing the country.

Best Regards,

Janice K. Tharaldson



## **Haberman, Joseph E**

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**From:** Duncan, Dustin W.  
**Sent:** Wednesday, December 12, 2018 5:42 PM  
**To:** Haberman, Joseph E  
**Subject:** FW: Short Term Rentals

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**From:** Myrna Parsley [<mailto:myrnaparsley@me.com>]  
**Sent:** Wednesday, December 12, 2018 1:12 PM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** Short Term Rentals

**I OPPOSE the moratorium and ban on short term rental permits (Item 55) on Thursday, December 13, 2018 at 6:00 PM for the following reasons.**

1. **If you or any of the opponents to short term rentals have not spent at least on night in a short term rental any where in the world, you are not qualified to make an intelligent decision about short term rentals.**
2. **Short term rentals qualify as a small business in the US. Small business are the backbone of the US and pay more taxes then anyone.**
3. **Opponents of short term rentals are worried about their property values. Short term owners are also. Short term owners improve their property more then most home owners and also sometimes pay cash for their property. They want property values to go up also. They do not want bad neighbors either.**
4. **Opponents worry about drunken parties. Short term owners worry about drunken parties also. Most short term rental owners do not allow parties in their house rules. Neighbors who live next door to the short term rentals also give parties. Do they drink and make noises when they have a party?**

**If a short term guest violates the house rules the owner can ask them to leave the home that very day and the guest still has to pay the owner for the entire booking period and it doesn't matter if they booked for one night or 29 nights.**

**When a long term renter gives a drunken party you can not make them move if they did not violate their long term lease. When they are asked to move, the owner needs to give the tenant at least 30 days to move and if the owner has to evict the tenant it can take 60 to 90 days to remove the tenant. The owner has to pay to have the tenants furniture put on the curb. Most of the time the tenant has destroyed the long term rental home and owes the owner thousand of dollars and will cost the owner an additional \$10,000 to \$50,000 in damages to the home.**

5. **After a guest checks out of a short term rental they are asked to rate the owner on cleanliness, communication and anything the guest wants to share about the stay. Owners need 4 or 5 stars to attract future guests to rent their properties. Needless to say, an owner breaks their back to get a good review. A long term renter doesn't care because they have probably a one year lease and do not rate the owner.**
6. **The owner also rates the short term guest. Neither the guest nor the owner sees the review until both send in their rating. If the owner sends in a bad review, the next time the guest books**

**another short term property the owner sees the review and decides if they want to rent to that person.**

- 7. If the owners continue to receive low star reviews their property will not be booked and will go out of business eventually. When a guest has several bad reviews future owners are afraid to let them book. The guest also has to furnish a government issued ID.**
- 8. The first question asked by the city when an opponent is against short term rentals for any reason is “Have you ever spent a night in a short term rental”? If they have not, they do not have enough knowledge to be against short term rentals.**

Myrna Parsley

614-395-2244

"In GOD We Trust"

## Haberman, Joseph E

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**From:** Duncan, Dustin W.  
**Sent:** Wednesday, December 12, 2018 5:42 PM  
**To:** Haberman, Joseph E  
**Subject:** FW: moratorium on short term rentals

**From:** Deloris Morton [<mailto:dmorton1938@gmail.com>]  
**Sent:** Wednesday, December 12, 2018 4:44 PM  
**To:** Greg Fischer\_(Mayor); James, David A; [bill.hollander@louisville.gov](mailto:bill.hollander@louisville.gov); Coan, Brandon; Green, Jessica; Shanklin, Barbara; Hamilton, Cheri; Leet, Angela; Kramer, Kevin  
**Subject:** moratorium on short term rentals

Why is the city opposed to homeowners renting space in their homes??  
The city receives the same taxes from us as they do from the hotels.  
I pay .085 taxes and a .025 tax plus file my state and federal taxes.  
Also it helps some of us that live on social security to supplement our income. I am 80 years old and am not able to work outside my home but this little bit of money sure helps me out.  
Please don't take this away from us.  
Thanks for your support  
Deloris Morton

## Haberman, Joseph E

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**From:** Duncan, Dustin W.  
**Sent:** Wednesday, December 12, 2018 5:43 PM  
**To:** Haberman, Joseph E  
**Subject:** FW: Opposition to Item No. 55 - Moratorium on Short-Term Rental Permits

**From:** Ryan Fagan [<mailto:rafagan01@gmail.com>]  
**Sent:** Wednesday, December 12, 2018 11:01 AM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** Opposition to Item No. 55 - Moratorium on Short-Term Rental Permits

Mayor Fischer,

I want to let it be known that I do not support Item No. 55 - Moratorium on Short-Term Rental Permits. I believe it is a rash move that will hinder business growth and tax revenue for the city. While I do believe something should be done so that we don't have city blocks that are entirely made up of Airbnb rentals, I think the moratorium is a hasty decision that hasn't been thought through.

I myself am an Airbnb host, registered with the city, and am hoping to expand into adding additional rentals that are not my primary residence in the next year. I believe this business model is a boon to our economy and helps give an entrepreneurial start to many who might not be able to fiscally afford other business ventures.

I hope you will join me and the many other AirBnB hosts in voting against Item No. 55 - Moratorium on Short-Term Rental Permits.

Sincerely,

Ryan Fagan  
308 Franck Ave, Louisville, KY 40206  
[rafagan01@gmail.com](mailto:rafagan01@gmail.com)  
270-703-6582

## **Haberman, Joseph E**

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**From:** Duncan, Dustin W.  
**Sent:** Wednesday, December 12, 2018 10:14 AM  
**To:** Haberman, Joseph E  
**Subject:** FW: PLEASE oppose the moratorium on short-term rental permits

**From:** John Carli [<mailto:jcarli00@gmail.com>]  
**Sent:** Wednesday, December 12, 2018 8:16 AM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** PLEASE oppose the moratorium on short-term rental permits

Dear Mayor Fischer,

I am writing you because I **oppose** the proposed moratorium on the City issuing short-term rental permits in residential areas. This issue will be voted on Thursday evening (12/13/18) by Metro Council. By putting a moratorium on short-term rental permits, you limit my property rights. I could rent long-term, but I don't want to go that route. Long-term renters have a tendency to destroy properties inside and out, and they don't have a vested interest in their community. By having my short-term rental, I am continually vested in my community, my neighbors, and especially my property.

I own a short-term rental property, and I rent it completely above board and by the law. I have my Conditional Use Permit (CUP), and I went through the entire process legally. I was required to have a neighborhood meeting because my rental is not my primary residence, and I jumped through all the hoops (legally) so I could be listed on AirBnB and related websites. First and foremost, I AM A GOOD NEIGHBOR to adjoining homes around my short-term rental. I know my adjoining neighbors would agree too...I cut the grass, rake the leaves, keep my rental home in pristine condition (inside and out), and I require my renters park in the driveway and not on the street, so as not to bother neighbors. I require a 2-night minimum stay to avoid the parties, and my renters are mostly families, here for their kids sporting events, family reunions, and weddings. My other guests come to Louisville for conventions, or are here just visiting Kentucky and the bourbon trail and generally being tourists. My guests are fantastic!

The entire issue here is this...you have a select few bad operators out there, advertising for one night parties in the Highlands, and causing headaches for everyone. Get rid of those people and pull their permits! Let the other 95% of us who own short-term rentals continue to do it the right way, by being ambassadors of the City of Louisville, and also being good neighbors.

Please vote to **oppose** any moratorium on short-term rental permits this Thursday evening.

Sincerely,

John Carli  
1227 Wolfe Ave.  
Louisville, KY 40213  
502.473.0004 office

## Haberman, Joseph E

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**From:** Duncan, Dustin W.  
**Sent:** Wednesday, December 12, 2018 5:43 PM  
**To:** Haberman, Joseph E  
**Subject:** FW: Short-Term Non-Owner Rentals in Louisville - Please Oppose the Ban or Moratorium

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**From:** cyndilynn67 [<mailto:cyndilynn67@gmail.com>]

**Sent:** Wednesday, December 12, 2018 11:37 AM

**To:** Greg Fischer\_(Mayor); Green, Jessica; Shanklin, Barbara; Woolridge, Mary; Sexton Smith, Barbara; Hamilton, Cheri; James, David A; Leet, Angela; Coan, Brandon; Hollander, Bill H.; Mulvihill, Patrick; Kramer, Kevin; Blackwell, Rick; Welch, Vicki A; Fowler, Cindi; Butler, Marianne; Reed, Scott; Stuckel, Glen; Parker, Marilyn; Denton, Julie; Benson, Stuart; Lanshima, Vitalis; Engel, Robin; Peden, James; Flood, Madonna; Yates, David; Ackerson, Brent

**Subject:** Short-Term Non-Owner Rentals in Louisville - Please Oppose the Ban or Moratorium

Dear Metro Council,

On Thursday there is a vote on a moratorium by Metro Council on short-term rental permits and I am hoping to persuade you to **oppose** this proposed moratorium. This particular moratorium is limiting and potentially taking away property rights I have as a homeowner. As I indicated in my email last week, I currently have a permit for a short term rental that I live in and just recently received my permit (CUP) for another short term rental not far (less than 1 mile from my current home) that will be 'non-occupied.' I could use this as a long-term rental, but based on experiences of friends, this is not always a good experience. Long-term renters don't typically take care of the properties they rent, they do not treat rental homes as their own. These properties are destroyed inside and out. As a short-term rental, renters using AirBNB or VRBO are rated by us (the homeowner) and the renters get to rate the homeowner as well. Bad reviews on either the renter or the homeowner are taken seriously by AirBNB and VRBO; therefore, it is everyone's best interest to put our best foot forward and treat the property with respect and take care of it.

I just started doing this in 2018 and I have loved every minute of it. I have met neighbors in the CUP process that I may not have met otherwise. I have promised each of them that I intend to be a good neighbor and have told them to please contact me if they notice anything that is creates an issue for them. My guests have been families in town to visit their "Louisville" family, families meeting other family members from other cities since Louisville is a central location for a lot of folks. I have also had a lot of guests for the Louisville Expo Center, the Bourbon Trails, volleyball and basketball tournaments, even corporate visitors!

I think the issues in Louisville are from those that have not followed the steps and requirements set forth in the current Ordinance! I have had neighborhood meetings and a public hearing in this process and the folks going through the process seem to care about these properties and want to follow the rules. Those that are not following the same guidelines are the ones that the City should be penalizing. It doesn't seem fair to punish everyone in an effort to punish a few. In all honesty, the folks that are not following the rules will not care about a moratorium or ban. I am guessing they will just keep doing what they are doing until they are caught.

I have simple house rules and my rules are posted on the websites and in my homes. There are NO parties or events permitted; NO parking on the street; NO pets; Quiet hours; Limit of 10 guests. I also have a two-night minimum which cuts down on renters just wanting to party in Louisville for a night! My homes are not in the areas that seem to have issues, like the Highlands or Old Louisville. I do not want the type of crowd those areas draw. I want good people who just want something more comfortable than a hotel room for the weekend.

I would love to be a part of a smaller group to sit down and discuss the current situation in Louisville and how best to move forward with a set of rules for the homeowners without taking away our rights to be entrepreneurs. We should also discuss better enforcement of the Ordinance.

Please vote on Thursday to **oppose** any moratorium on short-term rental permits.

Take care,

Cyndi Rogers

4308 Hannah Avenue

Louisville KY 40213



## Haberman, Joseph E

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**From:** Duncan, Dustin W.  
**Sent:** Wednesday, December 12, 2018 6:12 PM  
**To:** Haberman, Joseph E  
**Subject:** FW: Letter concerning moratorium on short-term rentals  
**Attachments:** Letter concerning moratorium on STRs.pdf

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**From:** Christina Sandefur [<mailto:csandefur@goldwaterinstitute.org>]

**Sent:** Wednesday, December 12, 2018 6:10 PM

**To:** Greg Fischer\_(Mayor); Green, Jessica; Shanklin, Barbara; Woolridge, Mary; Sexton Smith, Barbara; Hamilton, Cheri; James, David A; Leet, Angela; Coan, Brandon; Hollander, Bill H.; Mulvihill, Patrick; Kramer, Kevin; Blackwell, Rick; Welch, Vicki A; Fowler, Cindi; Butler, Marianne; Reed, Scott; Stuckel, Glen; Parker, Marilyn; Denton, Julie; Benson, Stuart; Lanshima, Vitalis; Engel, Robin; Peden, James; Flood, Madonna; Yates, David; Ackerson, Brent

**Subject:** Letter concerning moratorium on short-term rentals

Mayor Fischer and Members of the Louisville City Council:

Please see the attached letter regarding tomorrow's vote on the moratorium on short-term rentals in secondary residences. Please do not hesitate to call or email me if you have any questions.

Thank you,

Christina Sandefur

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**Christina Sandefur**

Executive Vice President

Goldwater Institute | [www.GoldwaterInstitute.org](http://www.GoldwaterInstitute.org) | 602.462.5000

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December 12, 2018

**Re: Proposed Short-Term Rental Moratorium**

Dear Mayor Fischer and Members of the Louisville City Council:

As an attorney who litigates in states nationwide to protect private property rights, with a special focus on protecting the rights of short-term rental owners, I am writing to you with concerns about Louisville's proposed Short-Term Rental Moratorium, which the Council is considering tomorrow.

A growing number of cities nationwide are taking steps to discriminate against, overregulate, or completely ban homeowners from allowing people to stay in their homes on a short-term basis. These restrictions don't just violate private property rights; they also inflict untold costs on communities and destroy opportunities for families to make extra money to pay their bills, keep up with their mortgages, maintain their homes, and improve their local economies by renting property to people who patronize local businesses.

Prohibiting people from renting a home short-term if the home is not their primary residence unfairly and arbitrarily punishes responsible homeowners for no good reason. Offering one's property for rent rather than living in the home oneself does not change the property's use. Whether a person rents a home for one year, two months, two years, or for just a few days, that does not make the home any less a residence, or change the residential nature of the neighborhood. If a long-term rental or owner-occupied home is considered a residential house, then a short-term rental should be treated the same.

True, people do sometimes cause nuisances, such as noise or traffic problems. But that is true of long-term rentals and owner-occupied homes, as well, and there are already laws on the books that forbid such nuisances. The City should focus its attention on enforcing those existing rules rather than passing new rules that impose blanket prohibitions even on people who use their property responsibly. Banning short-term rentals across the board makes no more sense than prohibiting

all back-yard barbecues just because sometimes people get rowdy, or forbidding all holiday parties just because sometimes people have friends over who park on the streets. Existing traffic and noise laws are enough—there's no reason to punish the innocent.

The relevant question should not be whether an owner is renting her home on a short- or long-term basis, but whether the owner or tenants are causing nuisances. But Louisville already has a permitting process in place, and existing ordinances already target specific wrongful behavior. The moratorium you are now considering unnecessarily punishes people from renting their own property in responsible ways and in compliance with the City's existing regulations.

Moreover, prohibiting people from renting their homes unless the home is their primary residence is extreme and may run afoul of the United States and Kentucky constitutions. For example, by allowing Louisville residents to offer their homes as short-term rentals but forbidding similarly situated non-residents who own property in Louisville from engaging in that same activity, the City would treat in-state and out-of-state persons differently, in violation of the federal Commerce Clause.

There is still time to avoid legal liability and foster the spirit of hospitality and respect for the rights of homeowners, while focusing on protecting quiet, clean, and safe neighborhoods. We urge you to consider an approach that targets specific nuisances instead of harshly punishing people who are not causing disturbances to their neighborhoods.

Please do not hesitate to call or email me if you have any questions.

Sincerely,

Christina Sandefur

Executive Vice President  
Goldwater Institute

[csandefur@goldwaterinstitute.org](mailto:csandefur@goldwaterinstitute.org)  
602.462.5000 ext. 271

## Haberman, Joseph E

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**From:** arijan kevrlic <arijan.kevrlic@gmail.com>  
**Sent:** Wednesday, December 12, 2018 8:27 PM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** NO MORATORIUM FOR CUPs

Mr. Mayor,

Hope this email finds you well. I wanted to voice my dismay at the idea of halting CUPs for short term rentals in a non-owner occupied properties. I love our city and the generally think it is heading in the direction of a boom as was seen in Austin, TX and more recently Nashville, TN. I fully support all Airbnb places being registered and taxes being paid on these properties. However, placing a moratorium on CUPs or any other limitation on non-owner occupied short term rentals would be a mistake and a big step in the wrong direction for our city.

I hope you will oppose the moratorium at tomorrow's Metro Council meeting.

Thank you.

Arijan

## Haberman, Joseph E

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**From:** Stacy Nicolas <stacykaynic@yahoo.com>  
**Sent:** Wednesday, December 12, 2018 8:35 PM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** Support for Short-Term Rentals (Airbnbs) - I hope you take the time to read this...thank you

To Mayor Greg Fisher and members of Metro Council,

This letter is my support and reasoning on why we should maintain short-term rental permits. I am an Airbnb owner. My Airbnb is actually on my property, and it is directly behind my house. We also have 2 other properties that we would like to make into Airbnb's due to the positive experience we have had from them. My husband and I have rental properties and they are in nice areas, however we have had more luck with Airbnb than with renters. We have had to evict renters because they don't pay, they tear up the place as they don't care and have cost us more headache, stress and money not only to us but to neighbors as well. They have pets that we didn't know about or smoke when they are not supposed to or other people staying with them etc... With Airbnb's you get people that are coming to Louisville for concerts, Derby, Bourbon Tours, Sports Tournaments, Events at the Kentucky Expo Center and vacations . I have met so many wonderful people and have ALWAYS had wonderful guests. I am at my property 2 to 3 times a week to clean it so I am always ensuring my property is well taken care of. With Airbnb the guests rate you on Value, Cleanliness, Communication and they rate the host. I rate and review my guests on Cleanliness, Observance of House Rules and Communication. I am very strict I do not allow parties or smoking etc.. and make it very clear in my house rules. I feel most host are the same way. We don't want to walk in and have a huge mess to clean or our property, furnishings etc... ruined or broke. I have been designated as a "super host" because my place is super clean, I have good communication with the guest and promote Louisville to be a great place to visit. If by chance you do have a guest that violates your house rules you can IMMEDIATELY and ban them from Airbnb. If by chance I have a guest that did not respect the cleanliness expected in our unit I will give an honest review and the next host can decide if they want to host them or not. Both guest and host are accountable. If you are bad host then you won't stay in business and if you are a bad guest you won't be booking anymore on Airbnb. I screen my guests very carefully just like most host. I want to know why they are coming, who is coming with them etc... I read their reviews and ask further questions if necessary. I think 99% of host want good guests as we care about our investment and our community. We love Louisville and these guests are coming to Louisville and spending money. I have books in my Airbnb suggesting restaurants and places to go see and visit. I promote all the Bourbon tours, the walking bridge, museums, the zoo and all special events in the city. There is so much to see and do in Louisville and I think people should have a choice where they want to stay. Being in an Airbnb is like a home away from home and being in a neighborhood feels comfortable and safe for folks. Airbnb is good for Louisville. Louisville promotes its diversity, its eclectic vibe and its friendliness to all peoples. We have awesome venues for a variety of people's interest; why not give those same folks the opportunity to explore the city how they want to do it. It is good for people trying to make a living as host, it is an option that travelers want and it is good for the city in its efforts to promote our city. By in large Airbnb properties are in better condition than most rental properties and in a lot of cases better than neighboring homes. Airbnb's are not reducing the property values in neighborhoods but in fact are actually doing the opposite. The host are upgrading the properties and investing in our communities. It is inconsistent logic that we can rent out homes on a long term lease but not short term? . We are tax payers, we pay our taxes on these properties and the revenue they produce. There are existing laws to govern the responsibilities of both the host and the folks staying in the home.

I think Airbnb is good for Louisville and I think 99% of host are amazing as well. It gives visitors to our city the opportunity to see all sections of the city and not just the narrow corridor close to existing hotels. Economically it is good for ALL business in the city not just the ones in close proximity to a hotel. So once again I hope you will Oppose this extremely unfair moratorium. Give host and neighboring businesses throughout the city the opportunity to be fully invested in the community and make a living. Not just the businesses close to existing brand name hotels. Diversity has been our calling card to Louisville. Our city's visitors want the right to choose and we as a community should give them the option.

Sincerely,

Rob and Stacy Nicolas

## Haberman, Joseph E

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**From:** Paula Brown <p\_brown4821@live.com>  
**Sent:** Wednesday, December 12, 2018 8:13 PM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** I oppose the short term rental moratorium

Dear Mayor,

As a long time, good standing tax payer I respectfully request you vote NO on this moratorium on short term rentals. It will infringe on the rights of all home owners. Building business and improving tourism not only brings more tax dollars to our community but also allows home owners the right to better the lives of their descendants as well.

Sincerely,

Paula Brown

4266 Regina Lane

Louisville, KY 40213

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## Haberman, Joseph E

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**From:** Robert Callahan <callahan@internetassociation.org>  
**Sent:** Thursday, December 13, 2018 9:43 AM  
**To:** Greg Fischer\_(Mayor)  
**Subject:** Internet Association opposition to proposed short-term rental restrictions  
**Attachments:** IA opposition to Louisville STR amendments - 12.05.18.pdf

Dear Mayor Fischer,

Please find attached the Internet Association's opposition letter to the Metro Council regarding the proposed short-term rental restrictions in Louisville. Thank you in advance for your consideration of our concerns and please let me know if you have any questions.

Thanks,  
Robert

--



**Robert Callahan**

Vice President, State Government Affairs

**O:** [916.836.8983](tel:916.836.8983)

[callahan@internetassociation.org](mailto:callahan@internetassociation.org)

**INTERNET ASSOCIATION**

1303 J Street, Suite 400, Sacramento, CA 95814



December 5, 2018

The Honorable David James  
Louisville Metro Council  
601 W. Jefferson Street  
Louisville, KY 40202

**RE: Proposed Amendments to Louisville LDC Prohibiting Certain Short-Term Rentals  
OPPOSE**

Dear President James,

On behalf of the Internet Association (IA), I submit this letter expressing our **OPPOSITION** to the Planning Commission's current proposed amendments to the Louisville Metro Land Development Code (LCD), which would prohibit short-term rentals (STR) within dwelling units that are not primary residences. This is an unnecessarily blunt restriction to impose on the STR market in Louisville, and one that fails to account for the significant potential harm it would pose to the City's residents, businesses, visitors, and the broader Louisville economy.

IA represents more than 40 of the world's leading internet companies, and advances public policy solutions that foster innovation, promote economic growth, and empower people through the free and open internet.

Short-term rentals are an example of internet-enabled innovation that increases quality and choice, while decreasing costs, and it must be allowed to compete and grow in an open market. This value proposition, along with the seamless connection of supply and demand, is unique to the internet and is reflective of all our member companies. By allowing individuals with a spare space to connect with people in search of a place to stay, short-term rental platforms are another prime example of where the internet has empowered individuals and widespread economic growth.

IA supports smart regulations that promote continued innovation in the short-term rental market, and we welcome the City's efforts to continue to improve and refine its regulations to address local STR issues. However, we would strongly urge the rejection of the amendment to ban the use of non-primary residences as an overly-blunt and disproportionate response to the City's concerns with the STR market.

As you, City staff, and the Planning Commission continue to work toward amending the City's existing regulations, we encourage you to thoughtfully consider modifications that would allow short-term rentals to continue to exist in your community within a reasonable regulatory framework. Should you have any questions regarding our position, please feel free to contact me at [callahan@internetassociation.org](mailto:callahan@internetassociation.org) or (916) 836-8983. Thank you.

Sincerely,

Robert Callahan  
Vice President, State Government Affairs

cc: Members, Louisville Metro Council



## Haberman, Joseph E

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**From:** David Orange <david.k.orange@gmail.com>  
**Sent:** Thursday, December 13, 2018 10:48 AM  
**To:** Greg Fischer\_(Mayor); James, David A; Hollander, Bill H.; Coan, Brandon; Green, Jessica; Shanklin, Barbara; Woolridge, Mary; barbarasexton@louisvilleky.gov; Hamilton, Cheri; angelaleet@louisvilleky.gov; Mulvihill, Patrick; Kramer, Kevin; Blackwell, Rick; vick.welch@louisvilleky.gov; cindifowler@louisvilleky.gov; Butler, Marianne; Reed, Scott; Stuckel, Glen; Parker, Marilyn; Denton, Julie; Benson, Stuart; Lanshima, Vitalis; Engel, Robin; Peden, James; Flood, Madonna; Yates, David; Ackerson, Brent  
**Subject:** The data behind short term rentals in Louisville

Good Evening All,

I am writing to you today as a constituent who wishes to make his voice heard regarding the upcoming meeting where the Louisville Metro planning commission will address changes to the short term rental ordinance and entertain the possibility of a proposed moratorium on new permits. I ask that you, as the reader, allow yourself five to six minutes to read this and continue on if you deem it necessary.

The Bourbon boon receives much ado for the tourism boon this city has seen, but it's not the only reason that people flock from all over to tour our 'Napa of the South'. In fact, there are a variety of reasons to visit Louisville speckled all across the calendar. Obviously, we want to bring people to this city to pump life into our local economy, to go home and tell their friends about who the NEW Jewel of the Midwest is: Louisville.

1. Derby (157k... in horrid weather)
2. Forecastle Music Festival (75k)
3. Bourbon and Beyond Music Festival (50k)
4. Louder than Life Music Festival (50k)
5. Iron Man (more than 3,000 participants + family, friends, and fans)
6. Cyclocross Nationals
7. Breeder's Cup (112k, third highest attendance in last 20 years)
8. PGA events
9. Yes, Distillery Tours
10. Youth Robotics Nationals
11. Countless conferences for varying trades at the Expo Center and our beautifully renovated new Kentucky International Convention Center

Additionally our highly underrated and under promoted 'foodie' scene was voted NUMBER TWO by the readers of USA Today. Yes, better than Los Angeles, better than New Orleans.

My question to the board, as a constituent, and not an investor who invests in local real estate but businesses rather... where do we intend to put all of these people?

The Omni? 600 guest rooms  
The Brown? 321 guest rooms  
The Seelbach? 308 guest rooms

In a year, per the Louisville Tourism Board, Louisville generally sees 16.4 million visitors. More than one hundred times the number of people who attend the Derby.

Certainly there are more options for lodging than just the three hotels that were identified, but for the guest who wants luxury accommodations? A suite for the family? And how about accommodations in the Neighborhood?

How many hotels are there in the highlands? Germantown? Nulu? Butchertown? Schnitzelburg?

These are the neighborhoods in which local business THRIVES. These are the neighborhoods that people wish to visit! The days of touring Michigan Avenue in Chicago, Madison Avenue in New York... those days are found to be over, and the data supports it! People, tourists, visitors... they want to experience what it's like to LIVE like a local. The data supports it!

If the board votes for a moratorium or stricter guidelines (sure, some can be addressed... the idea of cramming 6 people in a one bedroom is preposterous) there is a MAJOR trickle down effect that cannot be ignored. These local businesses, small restaurants, the boutiques and record shops... these businesses will suffer. No one will know where they are, how to get to them. Additionally the commercial value of real estate in many neighborhoods will take a major hit. Data suggests that Airbnb IS A GREAT THING for city growth and property value increase. Quite contrary to what so many opposed believe!

We, the people who invest in this city and all of its facets, support registration and regulation! What we DO NOT support is an all out ban or cap on registration of new rentals! Louisville may appear to be overly saturated with listings but it couldn't be more false! More than 50% of the listings on Airbnb for short term rentals in Louisville are middle class families simply making their homes available year round with the only intent being to secure a high dollar booking for Derby to pay their mortgage for a few months. This is FACT! A failure to analyze the data accurately, or from an untrained eye, should not set this city back a decade on its continuous path to growth! There are actually, less than 400 real full time short term rentals operating in the city of Louisville. That's less than the number of suites in the Omni.

Did this city not propose an aggressive bid to land the second Amazon HQ but fall short and not receive serious consideration? Yet Columbus OH did? Amazon cited a lack of talent, and the will for this city to stagnate growth. A multi billion dollar company which would have propelled this city and its populous forward made a hard pass because we don't cultivate talent and we will vote to stagnate growth to simply please a small number of constituents! Does this city wish to grow? Maintain its growing reputation as a progressive and forward thinking town? Have we reached a point where we've decided we don't need the tax revenue and that we wish to stifle tourism? That we wish to repel talent?

Instituting a moratorium or stopping the issuance of new permits all together will result in a trickle down effect. Less taxes, less tourism, less money going into local businesses, less growth, less talent attraction, businesses closing, an inability to handle the demand for lodging for the few major events we might have left... Life will change. It is not debatable.

Even if the city could meet the demands of lodging, not everyone who comes and spends their hard earned dollar to stay here has a minimum of \$150 per night to spend at the Omni. Per a study conducted by Harvard's school of business two of three groups that travel now prefer an Airbnb type listing over a hotel. By virtually limiting Airbnb listing options to a handful of grandfathered listings

you've created a virtual monopoly and not allowed the industry to self regulate the way it is designed to! Quality of listings can simply decrease sharply and current permit holders can charge significant amounts of money as most of the competition is removed! Current permit holders will have no incentives to make upgrades or provide a better stay! It's simply poor economics! Airbnb has algorithms built in to facilitate the cream rising to the top! This is a company that started with allowing people to book a night on your couch and has grown to a full blown new industry which introduces a new wave of lodging options! They have an 8 billion dollar valuation, that did not happen accidentally.

Verifiable GREAT things about Airbnb's impact on local economies:

-Tax Revenue

-Increased lodging options and higher capacity for larger events

-Increased property value; a higher return and more competitive market requires investors to invest more in property, driving the cost up for surrounding homes in the area.

-Short term rentals are better maintained; they are manicured and landscaped weekly, cleaned 2-3 times per week!

-Short term rentals never fall victim to one or two bad tenants that drive the property into the ground and effectively lower surrounding property value.

-MOST IMPORTANTLY: Short term rentals get visitors into the neighborhood where they spend money with local businesses which pay local taxes.

In whole, I and investors like myself support harder fines and stricter penalties for those who fail to register, so long as the city allows this micro economy to grow, self regulate, and mature the way it is intended to. Truly, with the zoning restrictions and limitations on multi-unit buildings, the city did a phenomenal job of drafting an initial regulation. By thwarting growth and not proposing revised regulation that creates fair market competition, the city will essentially take one step forward and ten steps back.

I plead with each and every one of you to please take a moment to visit a local establishment tomorrow. Venture outside of downtown and into the neighborhoods. Ask the shopkeep, the bartender, the waitress, the register clerk... ask them how much business they feel they get from tourists staying in the neighborhood. If short term rentals are virtually eradicated or are not allowed to self regulate, those will be the people who feel the brunt of it.

Should you have any additional questions, data and reference requests, or just comments, please reply to this email or I may be reached by phone at (502) 440-0418.

Please, keep Louisville 'Weird' and vote NO! for any further restrictions on short term rental permits.

A very concerned citizen,

David Orange

## Haberman, Joseph E

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**From:** OBrien, Jeff  
**Sent:** Thursday, December 13, 2018 11:01 AM  
**To:** Haberman, Joseph E  
**Cc:** Liu, Emily  
**Subject:** Fwd: Comments on Proposed Changes to Short-Term Rental Ordinance

Joe

Please add to the record.

Jeff O'Brien  
Develop Louisville  
Office 502.574.1354  
Mobile 502.434.9985

Begin forwarded message:

**From:** Lisa Stephenson <[Lisa@louisvillerealtors.com](mailto:Lisa@louisvillerealtors.com)>  
**Date:** December 13, 2018 at 10:54:22 AM EST  
**To:** "[emily.liu@louisvilleky.gov](mailto:emily.liu@louisvilleky.gov)" <[emily.liu@louisvilleky.gov](mailto:emily.liu@louisvilleky.gov)>, "[maryellen.Wiederwohl@louisvilleky.gov](mailto:maryellen.Wiederwohl@louisvilleky.gov)" <[maryellen.Wiederwohl@louisvilleky.gov](mailto:maryellen.Wiederwohl@louisvilleky.gov)>, "[jeff.obrien@louisvilleky.gov](mailto:jeff.obrien@louisvilleky.gov)" <[jeff.obrien@louisvilleky.gov](mailto:jeff.obrien@louisvilleky.gov)>  
**Cc:** Karen Story <[kstory@semonin.com](mailto:kstory@semonin.com)>, Tim Corrigan <[tim@therotundagroup.com](mailto:tim@therotundagroup.com)>  
**Subject:** **Comments on Proposed Changes to Short-Term Rental Ordinance**

Louisville Metro Planning Commission

444 S. 5th Street

Louisville, KY 40202

Dear Commissioners:

On behalf of the Greater Louisville Association of REALTORS® (GLAR), and its over 4000 members in the Louisville Metro area, we are writing regarding the proposed changes to the short-term rental ordinance.

GLAR understands the need for a review of the appropriate regulations for short-term rentals in Louisville Metro. GLAR has been involved and will continue to be involved in this review and provide feedback on the issues that have been raised to both the Planning Commission and the Metro Council. The Government Affairs Committee of GLAR has discussed these proposed changes and have the following comments and concerns.

First, GLAR and its members believe in strong private property rights and their protection. GLAR also understands that one's private property rights should not constrain or impede

another's private property rights. Second, as an organization we have had no issues raised by members from their clients on complaints due to short-term rentals. GLAR suggests that if there are complaints due to short-term rentals, that the current code enforcement and nuisance laws should be able to deal effectively with the enforcement issues.

With that, we respectfully submit these comments and concerns regarding the proposed changes the Planning Commission is debating.

With regard to a prohibition on non-owner occupied short-term rentals in residential areas, GLAR believes that this all out prohibition of future CUPs for these types of rentals is not warranted. First, GLAR believes that the short-term rental market will eventually, through market forces, limit the number of short-term rentals in all zoning areas. According to some, this is already happening. In addition, without a full review, analysis, and details of the number and types of complaints from non-owner occupied short-term rentals in residential areas, GLAR does not believe that this prohibition is necessary. GLAR has not had any of its members bring this issue forward as an issue from their clients. Additionally, these types of online platforms for short-term rentals police themselves due to the ratings and comments that short-term renters put on the site. If the property is not being kept in a good condition, the short-term renter could give a bad review which hinders the owner's ability to maintain a high rental price for the property. GLAR also thinks that the best way to handle these issues is to allow the incorporated cities and/or the homeowners associations to handle this issue at a neighborhood or small city level.

We also want to raise an example of a potential unintended consequence if an all-out prohibition is passed. This prohibition would limit an individual who has purchased a new home, is having difficulty selling their previous home, and accordingly is paying two mortgages. They wouldn't be able to enter into a long-term lease to help offset these expenses as the property is for sale and could sell any day. Some of these homeowners list their previous home on these sites in the short-term to help offset this potential two mortgage situation. An all-out prohibition would not allow this person to offset their expenses until they sell the previous home.

With regard to allowing short-term rentals in EZ-1 district, GLAR supports this proposed revision. Regarding the proposed revision to the occupancy requirements, GLAR is not taking a position on the limiting of the short-term rentals to 10 individuals at this time.

GLAR and its members would like to thank the Planning Commission and staff for allowing these comments to be submitted and reviewed. GLAR has many members with extensive knowledge of the real estate industry, and we stand ready to help in any way on this issue and other issues in the future. GLAR and its over 4000 members have in the past and remain committed in the future to helping Louisville Metro leaders grow, improve, and revitalize neighborhoods in our hometown.

Sincerely,

Karen Story  
President  
Greater Louisville Association of REALTORS®

Lisa Stephenson  
CEO  
Greater Louisville Association of REALTORS®

## Haberman, Joseph E

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**From:** Jonathan Klunk <jonathan@keysourceproperties.com>  
**Sent:** Thursday, December 13, 2018 4:05 PM  
**To:** Haberman, Joseph E  
**Subject:** New STR Comments  
**Attachments:** STR Zoning Recommendation.docx

Mr. Haberman,

Attached, please find a recommendation to the zoning board for a change to the STR ordinance that would allow metro council to place restrictions on the STR registration, rather than the CUP, and could help resolve numerous complaints posed by councilmen Holander and Coan.

Regards,  
Jonathan Klunk

502-410-8181

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**From:** Fiechter, Travis J. <[Travis.Fiechter@louisvilleky.gov](mailto:Travis.Fiechter@louisvilleky.gov)>  
**Sent:** Wednesday, December 12, 2018 4:28 PM  
**To:** Jonathan Klunk  
**Cc:** Haberman, Joseph E  
**Subject:** New STR Comments

Mr. Klunk,

As recently discussed on the phone, the appropriate place to submit your new comments on the Short Term Rental ordinance is [Joseph.Haberman@louisvilleky.gov](mailto:Joseph.Haberman@louisvilleky.gov). Assuming the record is reopened for additional public comment, yours will be considered. Joe is also CC'd on this email for your convenience. He indicated that a word document may be an easier format to incorporate than within the body of an email.

Best,



Travis J. Fiechter  
Assistant County Attorney  
Office of Mike O'Connell - Jefferson County Attorney  
(502) 574-1037  
531 Court Place, Suite 900  
Fiscal Court Building  
Louisville, KY 40202

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Joe Haberman  
December 13, 2018

### Comments on the Short-Term Rental Ordinance

Mr. Haberman,

I respectfully submit a suggestion for the improvement of the short-term rental ordinance for non-owner occupied short-term rentals in Louisville.

Currently, a conditional use permit (CUP), once issued, runs with the land. Several metro council members have alluded to the fact that this could create issues in the future because it could allow for entire blocks or large portions of communities to become short-term rentals, and will possibly change the fabric of the community, as the issuance of CUPs is fairly unrestricted and STR registrations are almost guaranteed.

I would encourage council to explore the option of allowing CUPs to continue to run with the land, and continue to be issued by BOZA, but to treat the registration as a privilege, not a right, for those with active CUPs for short-term rentals. This would allow council to apply density limitations based on street, neighborhood, or zip code, and to more easily refuse or revoke the registration of a problem property or STR host.

Please submit this recommendation into the record for consideration by the Zoning Board. As an active member of the local short-term rental community, I believe this is a great way to enact the legislation necessary while limiting the number of legal short-term rental properties at any given time.

Regards,  
Jonathan Klunk





## LISA STEPHENSON

CEO

PHONE 504.894.9860

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