

Pollock, Heather

From: Josh Swetnam <joshswetnam@bellsouth.net>
Sent: Thursday, May 11, 2023 2:32 PM
To: Michael Oleary
Cc: Haberman, Joseph; Jodi Bessinger; WHAS11 Grace McKenna; Liu, Yu; Owen, Andrew; Presley, Jasmine; Pollock, Heather; Irish Hill Lisa Santos; Alison Johnson; Leslie Barras; Kevin McAdams; Bill Lieshoff; Bill Owens; Bill Wright; Emily Boone; Katherine Garbarino; Margaret W Battcher; Mike OLeary; Pam Vetter; Philip Samuel
Subject: Re: CUP Application for 166 William Street

CAUTION: This email came from outside of Louisville Metro. Do not click links, open attachments, or give away private information unless you recognize the sender's email address and know the content is safe.

Good afternoon,

Our intent in reaching out to Mr. O'Leary and Councilperson Owen was to initiate a dialogue. Our goal is to be open and transparent regarding our application. We plan to present all relevant information and context during our hearing on May 15th. Feel free to reach out if you want to have a conversation before that date. We look forward to meeting you.

Respectfully,
Josh Swetnam & Jodi Bessinger

Sent from my iPhone

On May 11, 2023, at 9:36 AM, Michael Oleary <michael.oleary@twc.com> wrote:

Thank you Joe.
Your explanation of the process in this situation is very helpful to us.
Again, thank you.
Mike

On May 11, 2023 at 8:53 AM, <[Joseph Haberman](#)> wrote:

Mike, The BOZA are largely a review body and do not have a role in enforcement (other than the authority to hear appeals of enforcement decisions and revoke previously approved conditional use permits). They cannot fine or direct an officer to fine. That said, staff will inform them of your findings on Airbnb and they can consider such information in their review of the permit. You may present them as well during your testimony.

Concerning enforcement, I manage the zoning enforcement officers and will look into this today. I did not see any open case. We will open one. We do not allow a host to rent short term until the conditional use permit and registration are in hand. We will carry out enforcement action upon verification of your findings. Please note that the tax issue will need to be referred to the Revenue Commission. The BOZA and PDS staff have no authority or involvement in such investigations. I will note that if they are using Airbnb, Airbnb has an agreement with Metro to remit taxes on behalf of hosts that use their platform for the bookings. While an unlawful use, it is possible that taxes were remitted.

Let me know if you have any questions, Joe

From: michael.oleary@twc.com <michael.oleary@twc.com>

Sent: Thursday, May 11, 2023 8:36 AM

To: Jodi Bessinger <jodibessinger@bellsouth.net>; Josh Swetnam <joshswetnam@bellsouth.net>; Grace McKenna, WHAS11 <gmckenna@whas11.com>; Liu, Yu <emily.liu@louisvilleky.gov>; Haberman, Joseph <Joseph.Haberman@louisvilleky.gov>; Owen, Andrew <Andrew.Owen@louisvilleky.gov>; Presley, Jasmine <Jasmine.Presley@louisvilleky.gov>; Pollock, Heather <Heather.Pollock@louisvilleky.gov>

Cc: Mike OLeary, President Clifton Community Council <michael.oleary@twc.com>; Lisa Santos, Irish Hill <santoslf@hushmail.com>; Alison Johnson <ajcounseling@gmail.com>; Leslie Barras <lebarras@gmail.com>; Kevin McAdams <kmcadams@gmail.com>; Bill Lieshoff <blieshoff@gmail.com>; Bill Owens <wfowens@gmail.com>; Bill Wright <bww0912@gmail.com>; Emily Boone <emilyboone@aol.com>; Katherine Garbarino <redesquire@gmail.com>; Margaret W Battcher <margaret@kcwc.com>; Mike OLeary <mike.oleary@twc.com>; Pam Vetter <pamavetter@gmail.com>; Philip Samuel <billygoathill3@gmail.com>

Subject: CUP Application for 166 William Street

CAUTION: This email came from outside of Louisville Metro. Do not click links, open attachments, or give away private information unless you recognize the sender's email address and know the content is safe.

Please note in this message I have included WHAS11 reporter Grace McKenna, Director of Planning and Design Emily Liu, and Planning and Design Manager Joe Haberman. I see you have included Councilman Owen in your email to me.

Dear Ms Bessinger and Mr Swetnam,

This morning (05/11/2023) at 7:45am I checked the AirBnB website;

<https://www.airbnb.com/rooms/824509546507967035>

Your property at 166 William Street continues to be advertised on the platform with Jodi as the host. You are charging your guests \$176/night. Attached to this message is a screenshot of AirBnB promoting your property. Also attached to this message is a screen shot of two positive reviews from guests staying at your property. One from Annie is dated May 2023. One from Wendy is dated April 2023. Property host Jodi responded to the two review posts.

Next Monday, May 15th, at the BOZA public hearing I will ask the BOZA Chairperson and the Assistant County Attorney to investigate this issue and ask if you should be fined accordingly.

Also, the two guest reviews suggest you are receiving revenue from your current business at 166 William Street. I will ask, at the public hearing, for an investigation to see if you paid taxes to Louisville Metro government.

Short Term Rental Information

Failure to register a STR can result in enforcement action:

First offense - \$125 fine. Second offense - \$250 fine. Third offense - \$500 fine. Fourth+ offense - \$1,000 fine.

Each day may be considered a separate offense.

Advertising a STR on a platform without a registration can result in additional fines of \$125 per day.

UNLICENSED short term rentals posted on Airbnb Louisville

166 William St.
PVA Owners: Jodi Bessinger & Joshua Swetnam
1628 Dunbarton Wynde 40205
<https://www.airbnb.com/rooms/824509546507967035>
Entire home hosted by Jodi
5 guests, 2 bedrooms, 2 beds, 1 bath
23-CUP-0002. Formal Filing: 01/03/2023. Staff: Heather Pollock
A CUP for a short-term rental in a non-primary residence
Neighborhood meeting: 12/20/22. 2nd meeting: 3/21/23

<image0
01.png>

Ms Bessinger and Mr Swetnam, your property is located at 166 William St. Less than 600 feet is a legally licensed non-primary residence short term rental; 139 William Street.

It is the policy of the Clifton Community Council to attend the public hearings of the Board of Zoning Adjustment asking them to uphold Ordinance 056, Series 2019.

Per LDC 4.2.63 D. The property on which the short-term rental(s) is situated shall not be located closer than 600 feet (measured in a straight line from nearest property line to nearest property line) to any property on which another approved short-term rental that required a conditional use permit is situated. This provision shall not apply to a property in the TNZD district which required a conditional use permit even though it is the primary residence of the host.

I do not think my meeting with you is necessary. My addressing the Board of Zoning Adjustment public hearing will be to affirm the policy of the Clifton Community Council in this matter.

Respectfully,

Michael OLeary
President, Clifton Community Council.

-----Original Message-----

From: Jodi Bessinger

Sent: Thursday, May 11, 2023 6:38 AM

To: michael.oleary@twc.com

Cc: andrew.owen@louisvilleky.gov; jasmine.presley@louisvilleky.gov; Josh Swetnam joshswetnam@bellsouth.net; Heather Pollock heather.pollock@louisvilleky.gov

Subject: CUP Application for 166 William Street

Dear Mr. Micheal O'Leary,

We are reaching out to you regarding our CUP Application for 166 William Street. We recently reviewed your email opposing our application. We would welcome the opportunity to speak with you and other members of the Clifton Community Council. We would like to discuss any questions or concerns regarding our application.

We want to maintain positive relationships with our neighbors. As local business owners and members of the Clifton Community Council, we also want to foster positive relationships with our partners in the Clifton area.

We would like to meet in person before our hearing on May 15th. If this is not possible, perhaps we can schedule a meeting via zoom or a phone call.

We appreciate your work on behalf of the community and look forward to speaking with you soon.

Respectfully,

Jodi Bessinger

502-554-2439

jodibessinger@bellsouth.net

Josh Swetnam

502-494-1669

joshswetnam@bellsouth.net

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

<image001.png>

May 12, 2023

Karen Faulkner
253 Haldeman Ave.
Louisville, Ky. 40206

Dear Board Members of Zoning and Adjustment,

I am writing to you on behalf of my friends, Josh Swetnam and Jodi Bessinger in support of their CUP Application for 166 William Street, Louisville KY. I am a 16-year Clifton resident having moved to State Street in 2007 and moving two blocks to Haldeman in 2019. I have invested in this neighborhood, having served on the Board of the Clifton Community Garden and as a member of the Clifton Community Counsel (CCC). I frequent the businesses on Frankfort Ave and have been a financial supporter and sponsor of several events on the Avenue, such as the FA Easter Parade. I do not make this recommendation lightly, but with the care of a resident who values the neighborhood I live in, raise my children in, and play in.

I have known both Josh & Jodi and their children for the past three years. Friends are "the family you choose" and they are in my close circle for many reasons. In the time I have known Josh and Jodi, they have demonstrated leadership in their communities, supported equal rights causes and shown a willingness to be part of the solution and not part of the problem. I can speak with high regard to their character as individuals and parents. They take pride in supporting their community and take a stand when there is injustice or disparity they see. These are exactly the kind of people I want in my neighborhood supporting the local businesses and the values that the diversity of the Clifton Neighborhood has to offer.

I do support them receiving the Permit for the property. I know they will be responsible homeowners, community members and hosts. I know they will take the concerns of the neighbors or CCC seriously, if any issues should arise. If you look at the property currently, you can see they have put in the time to preserve the beauty of our historical neighborhood and the integrity of the street. They will bring much needed commerce and support to local businesses on their block of Frankfort Avenue as well as fostering the love of our neighborhood that we can share with others in our community and beyond. I ask that you keep this family in our neighborhood and support the growth of our community and commerce by granting them their Permit. Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Karen Faulkner". The signature is written in black ink and is positioned above the printed name.

Karen Faulkner

Clifton Neighbor and Resident

Pollock, Heather

From: Val & Terri Nodem <nodemhathaway1143@gmail.com>
Sent: Friday, May 12, 2023 10:34 AM
To: Pollock, Heather
Cc: Jodi Bessinger
Subject: CUP Appl 166 William St Letter of Support

CAUTION: This email came from outside of Louisville Metro. Do not click links, open attachments, or give away private information unless you recognize the sender's email address and know the content is safe.

Dear Board Members of Zoning and Adjustment,

We are writing in support of the CUP Application for 166 William Street from applicants Josh Swetnam and Jodi Bessinger.

We have known Josh and Jodi since 2012. As our children have been close friends, we have also become close friends. We have the highest respect for both of them as professionals, community members, and as parents. We can speak to their commitment to the neighborhoods they live and work in, and to the community as a whole.

Jodi and Josh have been supportive neighbors while living in Old Louisville, Crescent Hill, and currently in Hayfield-Dundee. They have both served our community as professional social workers working with vulnerable populations served by local, non-profit organizations. Over the last 8 years, they have built a professional counseling firm providing critical mental health services to clients across Jefferson and Oldham counties.

Josh and Jodi purchased 166 William St in 2022 as an investment property to support their young children. They have consulted with us as CUP STR permit holders throughout the purchase and permitting process, and we believe they have the best intentions of the neighbors as well as their family and business in mind. Their decision to purchase the property was made in part because of the nearby neighborhood amenities, and because there were no STR CUPs within 600 feet at the time of purchase nor at the beginning of the permitting process. They are looking to operate a STR that is friendly to families and professionals, and allows those visiting Louisville to enjoy the commercial amenities of the neighborhood.

We hope you will approve their application, which we believe will benefit the fabric and economic activity of the area.

Respectfully,

VALERY Nodem Jounda and Terri Hathaway
1143 Delor Ave
Louisville, KY 40217
502-415-2192