

James E. Wilhelm, Jr.

April 25, 2018

Beth Jones (Project #17CUP1088)
Department of Planning and Design Services
444 S. 5th Street
Louisville, Kentucky 40202

RECEIVED

APR 30 2018

PLANNING &
DESIGN SERVICES

We have lived on Edgehill Road for forty-five years. It has always been a quiet and peaceful, single lane road in the highlands.

It is our understanding that the house next door (2122 Edgehill Road) to our home is applying for a short-term rental certificate by its owner, Gant and Tiffany Hill, through Gant Hill Associates and Keystone Properties. (Project #17CUP1088)

They have been renting it out for the past eight months short term through Air B&B apparently without a permit and continue to rent it. It has produced nothing but a headache for us.

Driveway - Our home, 2124 Edgehill Road, and 2122 Edgehill Road share a driveway with very high walls. This driveway leads to the back of both properties. The driveway is the only way to gain access to both garages that are located under the houses. (See picture below.)

The garages for both houses cannot be seen from the street, and as a result, people park in the driveway not knowing that they are blocking us from getting our cars out of the garage to the street.

There is a clause in our deed that states that there is to be no parking in the driveway. (Attached below.)

On numerous occasions I have had to ask Gant Hill to honor our deed and have his renters remove their cars from the driveway, so we can get our cars out of our garage.

17 CUP 1088

In fact, on the of weekend of November 11th at about 11:00 PM, I had to contact Gant Hill to have a car removed from the driveway that had been parked there well over an hour, and I was unable to get into our garage. The next morning, we counted thirteen people coming out of the house and six out of state cars parked along the street. I am not sure where our neighbors had to park that weekend.

Driveway Parking Plan – On April 23, 2018 there was a Preliminary Zoning Meeting at 2122 Edgehill Road. At this meeting I ask Jonathan Klunk, CEO of Key Source Properties, if they had a plan on how to keep their clients from parking in the driveway. His reply was “What do you suggest?” Apparently, they have no plan and the driveway is not considered an important issue to them.

Parking - Edgehill Road is a single lane road with parking only on one side of the street. When all the residents are home there is no place to park extra cars on the street. Most residents must park on the street due to the difficulty of getting out of their driveway because of the steep hill. There is a handicap child that lives at 2119 Edgehill Road who requires a lot of breathing equipment to be loaded into their van when she goes to school. Neighbors do not park in front of that house even though there is not a handicap sign.

Garbage - In addition to the driveway issue, since the house has been turned over to short-term renters, the garbage can for 2122 Edgehill Road that sets at the back or the driveway rarely gets emptied. Sometimes I have resorted to putting it out myself after it sits there and begins smelling. I have also sent pictures to Gant Hill to show him the problem but that has had little effect. We have been told that the management company would put it out each week but that does not happen.

We had to put up with almost a year of renovation at 2122 Edgehill Road with our driveway being blocked on many occasions. We do not want to have to tolerate more aggravation by this property owner.

RECEIVED

APR 30 2018

PLANNING &
DESIGN SERVICES

17 CUP 1088

My wife, Lorenda, and I would request that the application for a short-term rental permit at 2122 Edgehill Road be denied.

Sincerely,

James Wilhelm

James Wilhelm
2124 Edgehill Road
Louisville Kentucky 40205
Cell 502 552 4208
happyhill@aol.com



RECEIVED
APR 30 2018
PLANNING &
DESIGN SERVICES

17 CUP 1088



RECEIVED

APR 30 2018

PLANNING &
DESIGN SERVICES

17 CUP 1088

RECEIVED

APR 30 2018

PLANNING &
DESIGN SERVICES

BOOK 5942 PAGE 942

AGREEMENT FOR ESTABLISHMENT, USE AND
MAINTENANCE OF A DRIVEWAY

THIS AGREEMENT made and entered into on this 9th day of March, 1990, by the undersigned owners, to-wit:

THOMAS J. BURKE, III, unmarried, Party of the first part;

and

RUFUS M. REED, JR. and IDA C. REED, his wife, Parties of the second part;

WITNESSETH:

WHEREAS, party of the first part is the owner of 2122 Edgehill Road, Louisville, KY 40205, which is more particularly bounded and described in Deed of record in Deed Book 5579, Page 460, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, and

WHEREAS, parties of the second part are the owners of 2124 Edgehill Road, Louisville, KY 40205, which is more particularly bounded and described in Deed of record in Deed Book 4444, Page 55, in the Office aforesaid, and

WHEREAS, first and second parties desire to establish a joint driveway for the use and benefit of 2122 Edgehill Road and 2124 Edgehill Road.

NOW, THEREFORE, IT IS AGREED as follows:

1. The driveway as shown on Exhibit A attached hereto and made a part hereof affecting 2122 Edgehill Road and 2124 Edgehill Road is hereby established as a joint driveway for the benefit of the aforementioned properties, which benefit shall inure to the parties hereto, their respective heirs, successors in title and assigns.
2. The maintenance, snow removal, upkeep repairs and replacement of subject driveway as a joint driveway as to said properties shall be the joint and equal responsibility of the owners of 2122 Edgehill and 2124 Edgehill Road, their respective heirs, devisees and assigns.
3. An owner or their successors in title of either property who fails to pay any maintenance assessment promptly upon demand by the person who has borne said cost or expense shall be subject to a lien upon filing of an

appropriate notice in the office of the Clerk of the County Court of Jefferson County, Kentucky. The lien of such assessment may be enforced against the property in the same manner as mortgages are foreclosed upon real property.

4. This joint driveway easement shall be a covenant running with the land and shall not lapse by non-use of the owners of 2122 Edgemoor Road and 2124 Edgemoor Road, their respective heirs, devisees and assigns and shall inure to the benefit of each of the respective owners, their respective heirs, devisees and assigns.

5. The provisions of this instrument may not be modified excepting by agreement of the owners or their successors in title of the respective properties hereinabove set out.

6. Neither party who has the right to use said joint driveway shall use the subject property otherwise nor shall there be any vehicles parked or left standing upon said joint driveway; the same to be accessible to each party at all times as an unobstructed use as designated by this agreement.

7. The provisions hereof are severable, and if one or more of said provisions are held invalid, the remaining provisions shall remain in full force and effect.

IN TESTIMONY WHEREOF, witness the signatures of the owners of said properties as of the day and year set out above.

Thomas J. Burke, III
THOMAS J. BURKE, III
Rufus M. Reed, Jr.
RUFUS M. REED, JR.
Ida C. Reed
IDA C. REED

RECEIVED

APR 30 2018

PLANNING &
DESIGN SERVICES

90 MAR 13 PM 3:31
RECEIVED
JULIAN J. CO.
JULIAN J. CO.

BOOK 5942 PAGE 944

STATE OF Kentucky)
COUNTY OF Bone) SS:

The foregoing instrument was acknowledged before me this 9th day of March, 1990, by THOMAS J. BURKE, III, party thereto, to be his act and deed.



Sandra K. Titus
NOTARY PUBLIC

My Commission Expires: 7/31/93
SANDRA K. TITUS
Notary Public, Kentucky State at Large
My Commission Expires July 31, 1993

STATE OF KENTUCKY)
COUNTY OF JEFFERSON) SS:

The foregoing instrument was acknowledged before me this 8th day of March, 1990, by RUFUS M. REED, JR. and IDA C. REED, his wife, parties thereto, to be their act and deed.



Sandra K. Titus
NOTARY PUBLIC

My Commission Expires: Jan. 21, 1997

INSTRUMENT PREPARED BY:
HEBEL, HORNUNG & STILGER, P.S.C.
816 MEIDINGER TOWER
LOUISVILLE, KY. 40202, 593-3891

BY Charles W. Hebel Jr.
ATTORNEY AT LAW

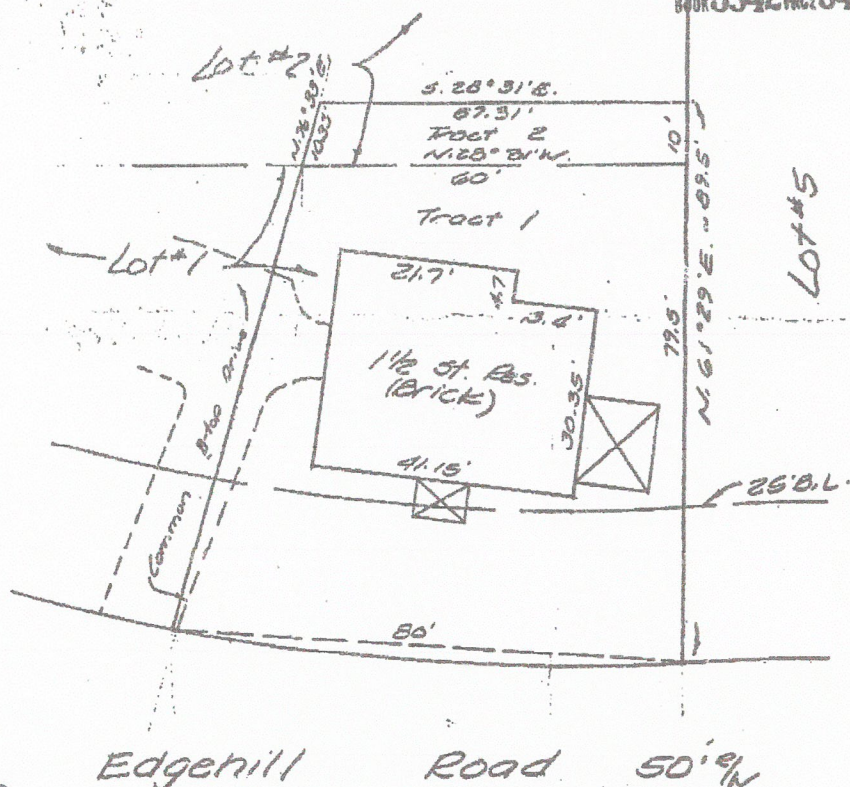
RECEIVED

APR 30 2018

FLORIANCO
DESIGN SERVICES

BOOK 5942 PAGE 944

BOOK 5942 PAGE 945



RECEIVED
2018

APR 30 2018

APR 30 1964
DESIGN SERVICES

HEREBY CERTIFY THAT THE IMPROVEMENTS
KNOWN HERETOIN WERE LOCATED AS INDICATED
AT THE TIME THIS INSPECTION WAS MADE
AND THAT THE PROPERTY SHOWN IS NOT
IN A 100 YR. FLOOD AREA AS INDICATED
BY THE F.I.A. MAPS.
#210120-00106 OCT. 22, 1982

WE THE CLIENT ACKNOWLEDGE THAT THIS PLAT
DOES NOT INCLUDE CORNER STAKES.

CLIENT / PURCHASER

NOTE: THIS IS NOT A RECORD-
ABLE DOCUMENT.

Benjamin R. M. Tice
Registered Land Surveyor, Ky. No. 976

SCALE: 1/4"=20'

design. engineering.

10003 Taylorsville Rd., Louisville, KY. 40299 (502) 267-9007

MORTGAGE INSPECTION 5942 945

CLIENT- Thomas J. Burke III

ADDRESS- 2122 ~~BOULEVARD~~ / ~~10~~ ~~RD~~

DESCRIPTION- Parts of lots 102

DATE- 5-12-00 Merchants

Am 3.1.18

END OF DOCUMENT

17 CUP 1088

Beth Jones (Project #17CUP1088)
Department of Planning and Design Services
444 S. 5th Street
Louisville, Kentucky 40202

5/14/18

This will serve as my response to the proposed rezoning of 2122 Edgehill Road, Louisville Ky. 40205. I live directly across from that residence. Edgehill is a two lane street with parking permitted on one side. During the hours of 3:30 PM and 8:30 AM, most of this parking is occupied.

My residence has a driveway on both sides. There are only three available parking spaces in front of my house. Several families in the neighborhood presently use these spaces. Often, especially in winter weather, I use a space. The proposed Air B and B is a parking nightmare in the making. It will create police runs to deal with blocked driveways. Police resources could be better spent elsewhere.

I have lived on Edgehill Road since 1984 and have found my driveway blocked on several occasions. This Air B and B will create additional parking problems for most of the neighborhood. I recommend that this rezoning request be denied.

Respectfully,



Thomas D. Woods
2123 Edgehill Road
Louisville, Ky. 40205
502-454-3920

RECEIVED

MAY 17 2018

PLANNING &
DESIGN SERVICES

17CUP1088

May 11, 2018

Concerning: requested application for a short term rental permit at 2122 Edgehill Road

We are writing in regards to the proposal to allow 2122 Edgehill Road to become a permanent rental property. We are a close neighbor of this property (2119 Edgehill Road, just across the street), and would not like this proposal to become a reality for several reasons:

Edgehill Road is a narrow, twisting street that only allows parking on one side of the street—ours. This means that the street is solidly parked up most of the time, especially at night.

Our property is on a steep hill, so navigating our driveway and front walk is tricky if vehicles are blocking them, which they often are. As I am writing this, a large commercial vehicle with a tow unit is completely blocking access to our front walk. This a common occurrence since 2122 has become a rental property through Airbnb.

Our daughter, Hope, is severely handicapped. She has a tracheotomy tube and is on a ventilator and has been so since birth, as a result we travel with a cart full of equipment whenever we go anywhere with her. We need to park on the street for her to access our van, as the van doesn't fit in our garage and our driveway is too steep for her to navigate it. She needs to be able to access our van via our front walkway because the steps leading to the street have a hand rail. She requires a hand rail for balance when climbing stairs and because of her physical weakness and respiratory insufficiency. Since the property in question has been used as a rental property we have found our front steps leading to the street blocked by renters cars on many occasions. This seldom happened when 2122 Edgehill was an owner residence. The neighbors on Edgehill know not to block our steps and why it is important not to do so. They have respected our daughter's special needs for the nineteen years she has lived at home.

Another issue of concern relates to the private duty night nurses that care for Hope between 10 p.m. – 6 a.m., seven nights a week. Our primary nurse is 70 years old, who works five nights per week, and has trouble walking, so if our front walk is blocked, she cannot get to our front door unless we escort her down our driveway. Again, our neighbors have always understood and honored our special circumstances by leaving the second parking space in front of our house open at night for Hope's nurses.

The property in question only has one off street parking spot, and since becoming an Airbnb, the parking situation has only gotten worse. Our full-time neighbors do a good job of keeping the parking area in front of our house clear, but we cannot say the same for recent renters of the property in question. There seems to be no communication to renters concerning any of the parking issues on this street.

On behalf of our family, our daughter and her nurses, I must request that the application for a short term rental permit at 2122 Edgehill Road be denied.

Chris and Leslie Enander
2119 Edgehill Road
Louisville, Ky 40205

502.473.7320, home
502.548.3804, Leslie
502.212.1706, Chris

RECEIVED

MAY 23 2018

PLANNING &
DESIGN SERVICES

Jack Teeple, Psy.D.
Licensed Clinical Psychologist

235 South Fifth Street
Suite 915
Louisville, KY 40202

Phone: 502.584.7216
Fax: 502.585.5373
rjteeples@gmail.com

To: Beth Jones
Department of Planning and Design Services
From: Jack Teeple
Re: Short-term Rental Application #17CUP1088
Date: May 17, 2018

RECEIVED

MAY 23 2018

PLANNING &
DESIGN SERVICES

Dear Ms. Jones:

I am writing in opposition to the proposal to assign a short-term rental (AirB&B) designation to the property at 2122 Edgehill Road owned by Gant and Tiffany Hill.

My wife, Ruth, and I have lived on a property (2129 Edgehill Road) at a 45 degree angle from the Hill's for the past 27 years, and while we are not as directly impacted as our neighbors along side or directly across the street from 2122, we routinely notice the same violations and negative impact on the neighborhood as those more directly in contact.

There would appear to be two levels of opposition here; one being more emotional, and the other being based on the failure to meet criterion points in establishing and maintaining an Air B&B at this particular property.

First, the more personal and emotion aspect of this - and I would ask the Board to speculate how they would react, should an Air B&B pop up next to their houses. If you are unfamiliar with Edgehill, it is actually more of a narrow, winding road - with two lanes and with parking on only one side of the street. Many of my neighbors have lived here for decades, having moved to Edgehill specifically for the amenities it provides - well-kept single family homes, little traffic, familiar neighbors, safety, and a general respect for the neighborhood. As you can glean, this "balance" can be, and has been, upset by the presence of short-term renters.

17CUP1088

RECEIVED
MAY 23 2018
PLANNING &
DESIGN SERVICES

More pertinent to your understanding of this situation and to your ultimate judgement in deciding this case, is where this particular situation butts heads with what is the necessary criteria to establish an Air B&B. Parking has been continually problematic. Numerous driveways cut into this road, which lessens the number of parking spaces available. From around 4 PM to 9 AM the next morning, most of these spaces are taken by neighbors' cars, leaving few spots for others. There have been times when short-term renters have parked illegally to load or unload, and seemingly for extended periods of time. This serves to block the street, both to general traffic and emergency vehicles. In view of this, There is not adequate parking available to designate this property as an Air B&B.

Safety is also a major concern. This property is located on a broad curve of the road, with visibility being limited, even when traveling the posted speed limit of 25 MPH. Persons unfamiliar with this street are seen to routinely speed around this curve. Making this potentially more dangerous is the fact that there are now many small children as our neighbors, as well as dogs and more elderly folks - I guess I could be included in this category, begrudgingly. There are also two persons with disabilities living at either end of the street. Casual visitors are many times not cognizant of the neighborhood's milieu and ignore safety.

Noise and "over-population" have also been issues. On Saturday, May 12, for example, I was out in my front yard working for three hours, 1-4 PM, and a loud party was going on at the property. There was continual yelling and screaming from the back yard, that persisted during this time period. Albeit, this was in the middle of the day, but the rental agreement stipulates that there are to be "no parties or celebrations". I asked a reveler who came out of the house what was going on, and he replied, "Some people graduated from medical school and we're having a party". Six out-of-state cars were found to be parked in the vicinity, as well as six others, which were not known to be neighbors. There were also in the neighborhood of 20+ persons coming and going from the house. It is my understanding that the limit for a short-term rental is three cars and eight people. In addition to the numerous cars parked along the street; one was hastily parked at an angle and was pushing into a neighbor's hedge.

These concerns of mine are now amplified in that I discovered that if this house is approved for short-term rentals, this designation accompanies the house to the next buyer, and does not terminate upon its sale. This Air B&B designation could then attract a buyer who would specifically utilize

17CUP1088

it for that purpose, and as a neighborhood, we would be saddled with this, at least in theory, into perpetuity. This is not a welcome thought.

I would also hope the Board would focus its attention on the points outlined above and not be influenced by the fact that the city would be collecting an 8.5% tax on rentals of this property. Consider that 8 people would alternately be filling 2-3 hotel or motel rooms, and more taxes could be collected in this regard.

Thank you for taking the time to read this letter. It was written in the hopes of it being read with the understanding that, not only is this property not suited to meet the criteria for short-term rentals, but also that this designation would alter the neighborhood's feel and character and would leave many disgruntled residents.

RECEIVED

MAY 23 2018
PLANNING &
DESIGN SERVICES

Sincerely,

Jack Teeple

Jack Teeple

17CUP1088